

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA)
document clearinghouse in the world. The research efforts here are
responsible for the declassification of hundreds of thousands of pages
released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

File #:

62-116395-

Serial Scope:

1336, 1337, 1st NR 1337

1338, 1339

1342X2

1344

1345X1

1346X THRU 1349X1

1350, 1350X, 1350X1

1352, 1352X

1354X, 1354X1, 1355

1357 THRU 1359



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

Mika
FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 5, 1976

Attached is a letter from the SSC dated February 5, 1976. Please arrange for a prompt and appropriate response.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/5/00 BY SP2AL/KP

ENCLOSURE

*Per oral agreement reached between
Eckoff and Crago, access granted to
documents per SSC 1/20/76 request
(including documents from SD) and
delivery of pertinent documents
done per SSC 2/19/76 request.
AJP*

REC-100

62-116375-1359

FEB 11 1976

LEGAL

cc: Paul Daly



84 FEB 19 1976

FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 5, 1976

Attached is a letter from the SSC dated February 5, 1976. Please arrange for an appropriate response.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/5/00 BY SP2AUMIGP

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

February 5, 1976

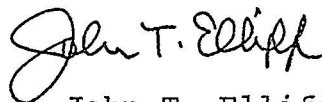
Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

Regarding the Select Committee's investigation of the Secret Army Organization activities in relation to the FBI in the San Diego area, the Committee requests that a member of its staff be given access to the original materials maintained at the San Diego field office of the FBI. Such access should be initially to copies at FBI headquarters, as previously arranged, and subsequently to the originals at the field office.

In addition, I thought that the Justice Department and the FBI might be interested in the attached copy of a letter from Committee counsel Michael J. Madigan to the editor of the San Diego Union.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/5/00 BY SP2ALM/KP

ENCLOSURE

1-2 1163 1359

February 2, 1976

Mr. Gerald Warren
Editor
San Diego Union
P.O. Box 191
San Diego, California 92112

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/5/00 BY SP2AM/KP

Dear Mr. Warren:

I was surprised to read the article entitled "Report Due on FBI Probe" which appeared on the front page of the San Diego Union of January 27, 1976. The article contained statements attributed to me which were false. I regret to say that I feel this inaccurate reporting was done intentionally by your reporter, Mr. Dillon, in a brazen attempt to buttress his earlier articles about the SAO.

Specifically, Dillon's article states:

"Madigan said his four-day visit to California has confirmed most news reports about FBI involvement with the SAO's guerrilla war against political dissidents in San Diego during the early 1970's."

His article goes on to say:

"The FBI was 'very much involved' with the Secret Army Organization, a Senate investigator said here yesterday after interviewing the SAO co-founder and former FBI informant Howard Berry Godfrey."

Both of these statements attributed to me are false. I never made such statements to Dillon or anyone else. To the contrary, what few things I did say to Dillon were almost the opposite. More particularly, I asked him where the evidence was for the statement reported in his January 11, 1976 article which claimed that the FBI "created a group known as the Secret Army Organization" I told Dillon that our investigation had uncovered no such evidence. With a sheepish smile, Dillon implied that he knew of no evidence

ENCLOSURE

fer that statement and had overstated the case. While the record of the FBI's involvement with its informer Godfrey does not present a pleasant picture, I now feel compelled to state publicly that, in my opinion, the San Diego Union articles by Mr. Dillon have presented an exaggerated picture of what really happened.

As I indicated in my telephone conversation on January 30, 1976 with Mr. McArthur of your newspaper, I am requesting that you print this letter as testimony of your newspaper's sense of fair play, honesty and accurate reporting; a sense which your reporter lacked. The people of San Diego are entitled to no less.

Sincerely yours,

Michael J. Madigan
Counsel, Senate Select Committee
on Intelligence
Washington, D.C.

62- 116395- 1358X
CHANGED TO
67- 78- 2472X

AUG 13 1976

Cons. / Mmd.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALMIGP



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 4, 1976

Attached is a letter from the SSC dated February 4, 1976. Please arrange for an appropriate response.

ENCLOSURE

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SPANIKP

[REC-100]

62-116375-1358
FEB 11 1976

LEGAL COUNSEL
5-8

cc: Paul Daly

LEP



84 FEB 19 1976

FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 4, 1976

Attached is a letter from the SSC dated February 4, 1976. Please arrange for an appropriate response.

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/SP

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

February 4, 1976

The Honorable Edward H. Levi
Attorney General of the United States
United States Department of Justice
Washington, D. C.

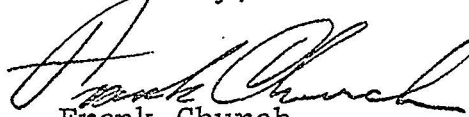
Dear Mr. Attorney General:

It has come to the attention of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities that on February 2, 1976 the Department of Justice turned over to plaintiffs in the Hampton v. City of Chicago case certain Justice Department and FBI documents.

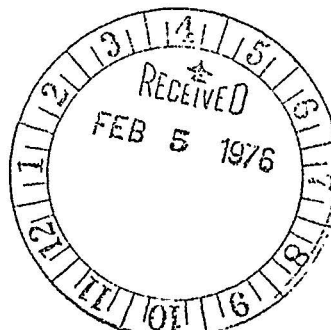
The Select Committee believes these documents may be relevant to its investigation of the FBI's role in the December 4, 1969 raid, and for this reason I now request that these documents be sent to the Select Committee.

Your promptest attention to this document request will be greatly appreciated.

Sincerely,


Frank Church
Chairman

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP8ALM/KP



ENCLOSURE

62-116595-1358



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 5, 1976

Attached is a letter from the SSC dated February 5, 1976. Please arrange for an appropriate response.

REC-100

62-116395-1357

FEB 11 1976

LEGAL COUNSEL

ENCLOSURE

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KR

cc: Paul Daly



FEB 6 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 5, 1976

Attached is a letter from the SSC dated February 5, 1976. Please arrange for a prompt and appropriate response.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP8AUM/KP

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWELB, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

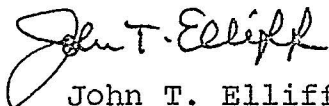
February 5, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

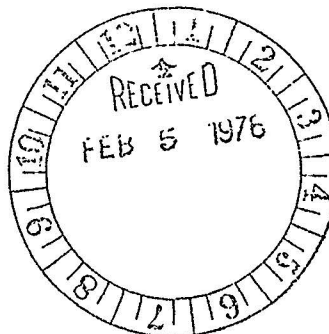
The Select Committee requests delivery in unexcised form of the materials pertaining to the authorization of and recommendation for electronic surveillance directed in the fall of 1969 at organizations engaged in preparations for the "March on Washington" to protest the Vietnam War. The Select Committee also desires that this material be provided in a form suitable for public release as part of the Committee's report.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AN/KP



ENCLOSURE

62-116395-1357

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *Wannall*

FROM : W. O. Cregar *WOC/8*

SUBJECT: SENSTUDY 75

1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. R. L. Shackelford
DATE: 2/2/76
1 - Mr. J. G. Deegan
1 - Mr. S. S. Mignosa
1 - Mr. F. J. Cassidy
1 - Mr. W. O. Cregar
1 - Mr. T. J. McNiff

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. *✓*
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SPANIK

PURPOSE:

To advise of parameters of discussion established for appearance of Bureau representatives at Senate Select Committee (SSC) Executive Session concerning "Domestic Intelligence Investigations," which has been rescheduled from 2/2/76 to 10:00 a.m., 2/6/76.

DETAILS:

Reference is made to my memorandum dated 1/29/76 advising of the general areas of Bureau responsibility to be discussed at SSC Executive Session scheduled to be held 2/2/76 concerning "Domestic Intelligence Investigations."

On 1/30/76, between the hours 2:30 p.m. to 4:15 p.m. at FBI Headquarters, another meeting was held between Mark Gitenstein and Michael Epstein of the SSC Staff and Bureau representatives, including Assistant Director W. Raymond Wannall, Branch Chiefs Thomas W. Leavitt and Hunter E. Helgeson, Section Chiefs Joseph G. Deegan, Sebastian S. Mignosa, and Robert L. Shackelford, and Special Agents Andrew J. Duffin, Fred J. Cassidy and Thomas J. McNiff, all of the Intelligence Division, and Inspector John B. Hotis, Legal Counsel Division. The purpose of this meeting was to further define the parameters of discussion to be held at the forthcoming Executive Session.

Enclosure
ENCLOSURE

62-116395

TJM:1hb/1hb
(11)

CONTINUED - OVER

84 FEB 19 1976

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

At the outset, Gitenstein furnished Bureau representatives with a typed agenda (attached) summarizing material to be discussed at the forthcoming Executive Session. In general, the attached agenda assumes that Congress would enact legislation closely paralleling the "Stone" language. That is, Bureau investigations would be authorized only when there is reason to believe that an individual has committed or is about to commit a specified crime. Exceptions would then be written into the legislation to permit Bureau ^{ground} investigations in such areas as organized crime, back investigations and counterespionage/foreign counterintelligence investigations. Recognizing a possible need for investigations of a domestic intelligence nature, including threats of civil disorder, the agenda then requests Bureau input as to need for investigations falling within this category and an assessment as to how effective the Bureau can be in preventing acts of violence through use of intelligence techniques. Additional areas for Bureau input, according to this agenda, include (1) the necessity for investigation of groups calling for the illegal overthrow of the Government at some future date but where violence is not imminent and (2) the question of "preventive action" whereby the Bureau would be permitted to engage in deterrent-type actions against a group or individual where violence is imminent and arrest impractical. Gitenstein and Epstein both emphasized that the criteria for any exceptions, added to the basic "Stone" language, will be "Why can't the exception be handled by traditional law enforcement?"

Realizing the short deadline to properly prepare for the Executive Session, then scheduled for 2/2/76, an agreement was reached whereby the Executive Session would be rescheduled from 2/2/76 to 10:00 a.m., 2/6/76. It is

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

anticipated that Bureau representatives at the forthcoming Executive Session will include Assistant Director Wannall, Inspectors Helgeson and Hotis, and Section Chiefs Deegan, Mignosa and Shackelford, supra.

On the morning of 2/2/76, the above-named Bureau personnel, with the exception of Assistant Director Wannall, held a conference to prepare for the forthcoming Executive Session. It was agreed by all that the mandate for Bureau investigations in the domestic intelligence field, as proposed above by SSC Staff Members, was entirely too narrow and it was agreed that Bureau representatives at the hearing would recommend a legislative approach following, in general terms, the proposed Attorney General guidelines which would afford this Bureau a broader mandate in protecting Governmental interests. Assignments for areas of responsibility were made as follows: Inspector Hotis - Various proposed guidelines affecting Bureau operations, court decisions recognizing right of executive branch to protect Governmental interests and distinction between criminal and intelligence investigations; Section Chief Deegan - Effectiveness of FBI in preventing acts of violence as a result of information received from intelligence investigations and Bureau assessment of threats of civil disorder and techniques necessary to collect such information; Section Chief Mignosa - Extent of terrorist activity in this country citing specific instances of known activity, as well as necessity for sources to garner such information; Section Chief Shackelford - Necessity for investigation of groups which believe they will, at the propitious time, engage in violence for the forcible overthrow of Government, but believe for the immediate future violence is either not necessary or impractical.

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

A briefing of the above-named Bureau representatives is scheduled for 2:00 p.m., 2/5/76, to finalize this Bureau's presentation at 2/6/76 Executive Session.

ACTION:

Above submitted for information and record purposes.

TAM

~~Wmew~~
~~sfed~~

~~JAM~~
~~JAM~~

~~JSA~~
~~plm~~

MEMORANDUM

January 30, 1976

To: Designees

From: John Elliff and Mark Gitenstein

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AMK/P

On Monday morning, February 2, FBI officials from the Internal Security Branch of the Domestic Intelligence Division will appear before the Committee in executive session. The primary purpose of their appearance is to discuss with the Committee the future role of the FBI in traditional domestic intelligence operations -- that is, intelligence investigations of American citizens who are not agents of foreign powers. The primary witnesses will include Raymond Wannall, Assistant Director for the Intelligence Division; Hunter Helgeson, Branch Chief for the Internal Security Branch; Joseph Deegan, Section Chief for Extremist Investigations (investigations of terrorists, Black Panthers, and the Klan); Robert Shackleford, Section Chief for Subversive Investigations (investigations of the Communist Party, the Weathermen, and other "radical groups"); and, finally, John Hotis, the FBI's representative to the Attorney General's guidelines drafting committee.

The primary question which should be discussed on Monday is the scope of domestic intelligence investigations

which the Congress should permit in any legislative charter it enacts. In what circumstances should the FBI be permitted to go beyond the standard which former Attorney General Harlan Fiske Stone imposed upon the Bureau in 1924 -- that the FBI only conduct traditional criminal investigations? For the purposes of Monday's discussion we might assume that the Congress were to enact the Stone standard via the following language:

The Attorney General may authorize officials of the Department of Justice to investigate violations of federal criminal law only where there are specific and articulable facts which, taken together with rational inferences from those facts, give rise to a reasonable suspicion that an individual has committed or is about to commit a specific violation of federal criminal law.

Now, obviously, Congress would also have to draft exceptions to that standard for organized crime investigations, narcotics investigations, background investigations, and FBI counterespionage/foreign counterintelligence investigations. The primary question for Monday's witnesses is -- what additional exceptions do they believe the Congress should consider? If so, how would they define each of these exceptions? What type of techniques would they authorize to be used in those circumstances? What threshold or predicate would they require for an investigation of activities defined in the exception?

In our executive sessions thus far, we have heard testimony from the General Accounting Office experts on domestic

intelligence, local law enforcement officials, and federal law enforcement officials, all of whom seem to agree that perhaps there should be an exception to this general rule for FBI assistance in the assessment by other federal officials of the threat of civil disorder and the necessity for federal troops. We have also heard from GAO and other experts that perhaps we should also be considering an exception for intelligence investigations of avowed terrorist groups like the Weathermen, or the Panthers.

In evaluating the necessity for this last exception, there are two basic questions which must be asked of these witnesses. First, what are the sources and extent of organized terrorist activity currently affecting the United States? Second, how effective can the FBI be in preventing specific acts of violence by these groups through the use of intelligence techniques?

On January 15 we wrote to the Bureau requesting materials on the FBI's assessment of the potential of terrorist violence in connection with this year's Bicentennial celebration. This material, which has not been delivered to the Committee, will be supplied at the briefing and should help the Committee understand how the Bureau assesses the threat of terrorist violence, whether that assessment is realistic, and, finally, whether that potential for violence is sufficiently serious to justify an exception to the so-called Stone standard.

On the second question, the FBI was requested on December 18 to provide examples of instances in which the Bureau has actually prevented violence through an intelligence investigation. As of the middle of this week, the Bureau had provided ten such examples with underlying documents. We are attempting to summarize at least five of these cases, which involve hundreds of documents, by Monday. The actual facts in these five cases will be read into the record and would serve as the basis for questioning the Bureau on whether intelligence techniques can actually prevent violence by terrorist groups and, secondly, how the wording of various formulations of the threshold for such investigations, e.g., in the Attorney General's guidelines, in the Bureau's revised Manual sections, or in a proposed legislative charter, would affect their ability to prevent violence.

Finally, there are two other areas that should be discussed on Monday. First, some of the witnesses on Monday, in particular Robert Shackleford, have expressed concern about whether the guidelines and proposals we are considering do not in effect eliminate so-called subversive investigations in that neither the Attorney General nor the Committee are considering authorizing Bureau intelligence investigations where the likelihood of violence is remote. For example, he contends that in most subversive investigations, that is of the Communist Party, the Socialist Workers Party, and other Marxist-

Leninist groups, the potential for violence is real but remote. In other words, these groups believe that when the time is ripe they will engage in violence for the forcible overthrow of the government, but that for the moment violence is not necessary. Therefore, he would contend that an additional exception is necessary for such investigations. First Amendment and other constitutional problems with such an exception are obvious.

The final area which should be discussed on Monday is the question of "preventive action". The Attorney General's draft guidelines in Part IV would authorize the FBI to engage in certain preventive action/COINTELPRO-type actions against intelligence targets. In essence, the Bureau would be permitted to take action against a group or individual, above and beyond arrest, where violence is imminent and arrest is impractical. The Bureau has provided us with examples of situations in which they feel they should be authorized to engage in preventive action. Those examples, which are included as Attachment A, should be discussed with the witnesses. It is interesting to note that some of these examples would not even be permitted under the Attorney General's guidelines.

We are also including, as Attachment B, a copy of the Attorney General's draft guidelines for your review and will have further materials, including summaries of the five cases where violence was prevented, available on Monday morning.

1 - Mr. Mintz - Enc.
 1 - Mr. Moore - Enc.
 1 - Mr. Malmfeldt - Enc.
 March 2, 1976
 1 - Mr. Daly
 1 - Mr. Hotis
 1 - Mr. Taylor

REC-3

Honorable Warren G. Magnuson
 United States Senate
 Washington, D. C. 20510

Dear Senator Magnuson:

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/30/00 BY SP2AUMK

Your letter of January 30, 1976, enclosing a copy of a letter dated November 29, 1975, from Mr. Ernst L. Gayden has been received. As you requested, I am returning Mr. Gayden's letter.

Mr. Gayden commented on a statement appearing in the November 26, 1975, issue of the Seattle Times newspaper quoting me as stating, "There might be some justification for firing or reprimanding Agents involved if they knew their acts were illegal!" You requested that I provide you with an explanation for this statement.

The article contains information reportedly gathered from testimony of representatives of the FBI before the United States Senate Select Committee on Intelligence Activities and an interview of me by a news media representative. This statement cited by Mr. Gayden pertains to the FBI's COINTELPRO and the investigation of Dr. Martin Luther King, Jr. As a representative of the FBI has testified previously and it is my position, there was no legal justification for harassing the late Dr. Martin Luther King, Jr.

With regard to the imposition of sanctions against personnel involved, it is my position that the ultimate responsibility for the correctness of these activities rested with the FBI executives who approved and directed them, none of whom are currently with the FBI. Since they are under review by the United States Department of Justice to determine if these activities constituted violations of law, it is not appropriate for me to make further comment at this time.

Sincerely yours,

Clarence M. Kelley

Clarence M. Kelley
 Director

Enclosure

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

NOTE: In order to respond to Senator Magnuson's request, it was necessary to obtain a copy of the news article from SAC Philip T. Basher of the Seattle FBI Office. External Affairs Division has no record of the interview referred to in the news article.

RTT/PVD:lad

84 APR 9 1976

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 569-927

WARREN G. MAGNUSON, WASH., CHAIRMAN

JOHN O. PASTORE, R.I.
VANCE HARTKE, IND.
PHILIP A. HART, MICH.
HOWARD W. CANON, NEV.
RUSSELL B. LONG, LA.
FRANK E. MOSS, UTAH
ERNEST F. HOLLINGS, S.C.
DANIEL K. INOUE, HAWAII
JOHN V. TUNNEY, CALIF.
ADLAI E. STEVENSON, ILL.
WENDELL H. FORD, KY.
JOHN A. DURKIN, N.H.

JAMES B. PEARSON, KANS.
ROBERT P. GRIFFIN, MICH.
HOWARD H. BAKER, JR., TENN.
TED STEVENS, ALASKA
J. GLENN BEALL, JR., MD.
LOWELL P. WEICKER, JR., CONN.
JAMES L. BUCKLEY, N.Y.

United States Senate

COMMITTEE ON COMMERCE
WASHINGTON, D.C. 20510

MICHAEL PERTSCHUK, CHIEF COUNSEL
S. LYNN SUTCLIFFE, GENERAL COUNSEL
ARTHUR PANKOFF, JR., MINORITY COUNSEL

January 30, 1976

The Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Kelley:

Enclosed is correspondence that I have received from my constituent, Mr. Ernst Gayden, who questions the justification and rationalization of your quote as published in the SEATTLE TIMES.

I would appreciate your providing me with an explanation of this statement as well as responding to Mr. Gayden's comments, along with a return of the enclosure.

Sincerely,

Warren Magnuson
WARREN G. MAGNUSON, U.S.S.
(WASHINGTON)
WGM:mga

Enclosure

| | |
|----------------|-------|
| Assoc. Dir. | _____ |
| Dep. AD Adm. | _____ |
| Dep. AD Inv. | _____ |
| Asst. Dir.: | |
| Admin. | _____ |
| Comp. Syst. | _____ |
| Ext. Affairs | _____ |
| Files & Com. | _____ |
| Gen. Inv. | _____ |
| Ident. | _____ |
| Inspection | _____ |
| Intell. | _____ |
| Laboratory | _____ |
| Legal Coun. | _____ |
| Plan. & Eval. | _____ |
| Spec. Inv. | _____ |
| Training | _____ |
| Telephone Rm. | _____ |
| Director Sec'y | _____ |

Act. p. 10

Sincerely

EXP. PROC.
40 FEB 2 1976

EX-101
REC-3
116375-1354X1
FEB 2 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP

CORRESPONDENCE

ack let
dated
3-2-76
RTT / FUD: lsd

1- Bureau of National Legal Counsel to Mr. Magnuson, 2/18/76
RTT

29 Nov 1975

Hon. Warren Magnuson
U. S. Senate
Washington, D. C.

Dear Senator Magnuson:

I have just read in the Seattle Times of 26 November 1975, an article in which Mr. Clarence M. Kelley is reported to have said "there might be some justification for firing or reprimanding agents involved if they knew their acts might be illegal"! I am so outraged by the incredible brass of that statement that I cannot wait to type this letter to you.

Since when, I'd like to know, has being unaware of the illegality of any act, been an adequate defence? I have always heard, since I was a child, that in the U. S. "ignorance of the law is no excuse." And now, Mr. Kelley is telling us that officers of the law, especially and vigorously trained - not ordinary cops - might not know that their acts were illegal. That's incredible? Mr. Kelley is obviously, in his own words, condemned as being unfit to head the most potent police force in the nation.

I'd like to know what your thinking is on this matter.

Sincerely yours

Ernst L. Gayden
NE 1065 Indiana
Pullman, Wa. 99163

P. S. My apologies for handwriting
on notebook paper.

COPY:gms

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY 52241/KP

62-116395-1354X1

ENCLOSURE

(Mount Clipping in Space Below)

No plans to punish in F. B. I.

WASHINGTON — (AP) — Clarence M. Kelley, director of the Federal Bureau of Investigation, probably won't punish agents involved in a harassment campaign against thousands of Americans if the Justice Department doesn't prosecute the agents.

Kelley said yesterday he is not considering disciplinary action against the agents "in the absence of any direct allegations of involvement in something illegal."

He suggested that the agents should not be punished for taking part in a disruption campaign they believed to be legal.

ON OTHER subjects in an hour-long interview, Kelley said:

—He has urged F.B.I. agents to protest orders they consider illegal or improper and to bring their complaints to him if they wish to do so.

—He acknowledges that paid informers may provoke criminal acts, but he has made no changes in F.B.I. policies on the use of informers.

—He has "absolutely no thought in my mind" about resigning, although he did recently consider leaving his job.

Kelley was questioned about possible disciplinary action against agents still with the F.B.I. who were involved in counterintelligence against the New Left, black militants, civil-rights organizations and other groups. The programs were conducted during the regime of the late Director J. Edgar Hoover and included extensive efforts to destroy Dr. Martin Luther King, Jr., as a leader of the civil-rights movement.

The Justice Department is investigating the harassment campaign to determine whether laws were violated. Kelley said he agrees with an F.B.I. official's testimony before the Senate Intelligence Committee last week that there was no legal justification for the campaign against Dr. King.

THE DIRECTOR said "there might be some justification" for firing or reprimanding agents involved if they knew their acts might be illegal.

"But at the time of the program," Kelley said, "this did not seem to be a part of the thinking of those who did participate. If they know it's illegal, I think this places upon them a responsibility. But there is no indication that any who participated knew or even thought that it was illegal to do these things."

He added, "I'm very firmly of the opinion" that the top-level officials who ordered the campaign must bear responsibility for it. Few of those directly implicated are alive, and none are with the F.B.I. now.

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

Pg. A3 Seattle Times
Seattle, Wash.

Date: 11/26/75
Edition:
Author:
Editor: Henry MacLeod
Title:

Director's Speeches

Character: 80-2
or
Classification:
Submitting Office: seattle

☐ Being Investigated

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AMK/P

62- 116395- 1354X
CHANGED TO
67- 78- 2470X

AUG 13 1976

Cons. / Inmd

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AUM/KP

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 30, 1976

To: Mr. Phillips

From: John Elliff

Subject: Request of January 19, 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SPAM/KP

This informal memorandum is in reference to our conversation regarding investigations which may have been authorized pursuant to the policies established in the SAC Letter mentioned in the above request.

You may wish to determine whether any of the following may have been investigated:

The John Birch Society
Robert Welch of the John Birch Society
The National Indignation Convention, January or
February, 1962
The National Christian Citizen Committee
Gerro von Frellich of the National Christian Citizen
Committee
The Conservative Party of New York
The Christian Anti-Communism Crusade
Dr. Fred Schwarz of the Christian Anti-Communism
Crusade
Greater New York Anti-Communism Rally, June, 1962
The National Freedom Education Center
Dr. Carleton Campbell of the National Freedom
Education Center
The Christian Freedom Foundation
Howard E. Kershner, president of the Christian
Freedom Foundation
Dr. Carl McIntire
The Intercollegiate Society of Individualists
American Council of Christian Citizens
Fair Play for Katanga Committee
E. Vincent Milione
W. Cleon Skousen

7 MAR 4 1976

84 MAR 8 1976

UNITED STATES GOVERNMENT

Memorandum

TO : MR. CALLAHAN

DATE: 1/30/76

FROM : H. N. BASSETT *HNB*

SUBJECT: U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)
W. MARK FELT - WITNESS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AUM/KP

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

On 1/30/76 W. Mark Felt, retired Bureau official, telephoned for Mr. Bassett and in his absence out of town he talked with Inspector J. A. Conley. Mr. Felt advised that he has been called to testify in Executive Session before the SSC on Tuesday, 2/3/76. He indicated that he had already had a discussion with staff members, including Mr. Elliff, concerning his testimony, and thought that it would pertain to the Bureau's Inspection Division's operations and why the Inspection Division over the years had not known of certain activities engaged in by the Bureau. Mr. Felt pointed out that in his preliminary discussion he was informed that the FBI had 16 different wiretaps on Martin Luther King. Felt said that he knew nothing about such wiretaps occurring at that time. Mr. Felt offered his opinion that he believed that the testimony would go along similar lines concerning the Inspection Division's functions in the past.

Mr. Felt stated that he was aware that Mr. Bassett was also scheduled to testify on 2/3/76 and was calling merely to offer any assistance that he could concerning such testimony and, in fact, thought that possibly we could be of some assistance to him. It was pointed out to Mr. Felt that while Mr. Bassett had been scheduled to appear before the SSC on two different days this current week, both of these appointments had been cancelled by the committee and as Mr. Bassett had to go out of town next week, the committee had been so informed that he would not be available to appear until on or after 2/9/76, and the committee was aware of this fact.

During the conversation Mr. Felt stated he thought he had been designated Assistant Director of the Inspection Division in October, 1964, and it was pointed out to him that actually he took over this position from Mr. Gale on 12/14/64 and, according to our records, remained as Assistant Director of the Inspection Division until 7/9/71 when he went to Mr. Tolson's Office. Mr. Felt expressed appreciation for the exact dates and he said he did not have these specific dates in mind but only the general time frame, and he was also reminded that prior to assuming the position of Assistant Director in the Inspection Division he had served as Number One Man in the Training Division. Whether Mr. Felt remembered his position prior to assuming the position of Assistant Director was not known, but he seemed appreciative of this reminder.

- 1 - Mr. Mintz (Att: Mr. Daly)
- 1 - Mr. Wannall (Att: Mr. Cregar)
- 1 - Out of Service Personnel File of W. Mark Felt

CONTINUED - OVER

Memo for Mr. Callahan
Re: SSC

In conclusion, Mr. Felt stated that he would be glad to discuss the results of his appearance before the SSC with Mr. Bassett upon the latter's return.

RECOMMENDED ACTION:

None for information.

A handwritten signature, possibly reading "D. Felt", is written diagonally across the page.Handwritten initials, possibly "KJ", are written in the lower center of the page.

2 - Mr. J. A. Mintz
 (1 - Mr. J. B. Hotis)
 1 - Mr. W. R. Wannall

The Attorney General

February 6, 1976

Director, FBI

REC-100

62 11-355-1350
 R. J. Gallagher
 W. O. Cregar
 1 - Mr. T. E. Burns

U. S. Senate Select Committee on
 Intelligence Activities (SSC)

Reference is made to your letter dated January 12, 1976, captioned "Joseph Kraft Burglary" which revealed that when Mr. Kraft and his attorneys reviewed an FBI memorandum dated July 18, 1973, titled "Joseph Kraft," they raised a question about references on pages 2 and 3 of the document. The questioned paragraphs are as follows:

"On September 4, 1969, Joseph Kraft advised the Washington Field Office of the FBI that he left his home (3021 N Street, Northwest, Washington, D. C.) at approximately 9:20 P.M. on September 3, 1969, to visit with former Governor Averell Harriman who resided a few doors from the Kraft residence. At approximately 9:45 P.M. Mrs. Kraft, who was in the second floor bedroom of the residence, came down the stairs and found the door open.

"Subsequently, it was discovered by Mr. and Mrs. Kraft several items of sterling silver were missing from the dining room and the pantry which items, according to the Krafts, had an estimated value of approximately \$10,000.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/30/00 BY SP2AUN/KP

UNRECORDED COPY FILED IN

ENCLOSURE

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____

62-116395

1 - 87-107157 (UNSUB:...ITSP)
 1 - 65-75629 (Joseph Kraft)

TEB:lij
 (12)

SEE NOTE PAGE 4

The Attorney General

"A crime scene search and processing of the crime scene by the Metropolitan Police Department produced negative results. No forcible entry was noted and Mr. Kraft advised investigative officers of the Metropolitan Police Department that he had probably left the front door ajar when he departed the residence.

"On the morning of September 4, 1969, the Metropolitan Police Department was advised by the Washington National Airport Police that some silverware had been found near one of the entrances to the terminal at the Washington National Airport. The silverware was recovered by the Metropolitan Police Department and processed for latent fingerprints without success and the items were returned to Mrs. Kraft upon her identification of the silverware. No suspects were developed by either the FBI or the Metropolitan Police Department in the investigation of the matter."

Mr. Kraft did not recall having spoken to the FBI about the burglary. Your letter noted the incident is curious in that the only reference to it comes in the memorandum of July 18, 1973, discussing a press report about the activities of John D. Ehrlichman.

Two questions raised by you in your letter are:

- 1) "What other documents in FBI files say about the September 3, 1969, burglary?"
- 2) "What files of the Bureau or its Washington Field Office (WFO) indicate about how the conversation concerning the burglary took place?"

The Attorney General

In response to question one, enclosed herewith are Xeroxes of serials numbered one and two from FBI Headquarters (FBIHQ) file 87-107157 and serials numbered two, four, five and six from WFO file 87-17564. The enclosed serials contain all information (excluding the July 18, 1973, memorandum, supra) which could be located in the files of WFO and FBIHQ regarding the Kraft burglary. Xeroxes of serials one and three of WFO file 87-17564 have not been included since they are identical to serials one and two of FBIHQ file 87-107157, which have been enclosed.

In response to question two, regarding FBIHQ or WFO files concerning how the conversation about the burglary took place, we refer you to the Xeroxes of the serials furnished in response to question one and enclosed with this letter. These serials, as noted above, contain all information which could be located in the files of WFO and FBIHQ regarding the Kraft matter with the exception, of course, of the July 18, 1973, memorandum in question. No serials were located which described how the conversation concerning the burglary took place.

It is noted that enclosed WFO serial four, Baltimore letter to WFO dated October 21, 1969, references WFO airtel to Bureau September 21, 1969. A search of the appropriate files at FBIHQ and WFO has failed to locate any communication to FBIHQ from WFO dated September 21, 1969, regarding this matter. It is believed that such reference is incorrect as to date and actually refers to enclosed WFO airtel to FBIHQ dated September 4, 1969, a copy of which was sent to Baltimore.

Enclosures (6)

1 - The Attorney General
Attention: Michael E. Shaheen Jr.
Special Counsel for
Intelligence Coordination

The Attorney General

NOTE:

Per FBIHQ instructions 1/23/76, WFO reviewed files for pertinent material regarding the AG inquiry as well as issues of the two Washington area dailies published during the period 9/1-7/69. WFO forwarded enclosed serials 2, 4, 5 and 6 from its file and advised newspaper review was negative regarding Kraft burglary.

By way of further explanation it would appear that retired SA James R. Wagoner, the author of the questioned July 18, 1973, Bureau memorandum, may have deduced from available FBIHQ serials that Kraft actually advised WFO of the burglary, when in fact the serials do not state that although serial 1 (enclosed) strongly suggests it. We have not included this hypothesis in the letter to the AG since it is speculation and the AG's request referred to documentary-type information in our files. Check with WFO made by Supervisor T. E. Burns, INTD, with SA John P. Loomis, WFO.

The SSC caption has been utilized in responding to this request since the matter at hand is related to our response to an earlier SSC inquiry.

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

2-6-76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC

☐ HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

SSC request 1/12/76

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Operating procedures
Information handling

8. SUMMARY (see reverse side before completing this item)

Material furnished re Joseph Kraft Burglary.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP3 ALM/4

62-116395

AJD:ds ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
(4) IN CONNECTION WITH SENSTUDY 75

TREAT AS YELLOW

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

F B I

Date: 1/29/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

| | |
|----------------|------------|
| Assoc. Dir. | _____ |
| Dep.-A.D.-Adm. | _____ |
| Dep.-A.D.-Inv. | _____ |
| Asst. Dir.: | _____ |
| Admin. | _____ |
| Comp. Syst. | _____ |
| Ext. Affairs | _____ |
| Files & Com. | _____ |
| Gen. Inv. | _____ |
| Ident. | _____ |
| Inspection | _____ |
| Intell. | <u>WFO</u> |
| Laboratory | _____ |
| Plan. & Eval. | _____ |
| Spec. Inv. | _____ |
| Training | _____ |
| Legal Coun. | _____ |
| Telephone Rm. | _____ |
| Director Sec'y | _____ |

TO: DIRECTOR, FBI (62-116395)

FROM: SAC, WFO (62-10744)

SENSTUDY 75
BUDED 1/30/76

ReBu airtel to WFO dated 1/23/76.

Enclosed for the Bureau are the following serials from WFO file 87-17564 entitled UNSUB; Burglary of Residence of JOSEPH KRAFT, 3021 N St., N.W., Washington, D.C., Loss of Silverware, 9/3/69, in Excess of \$5,000, ITSP, OO:WFO: WFO memorandum of SA ANGELO J. LANO dated 9/22/69, Baltimore letter to WFO dated 10/21/69, Alexandria letter to WFO dated 10/22/69 and WFO memorandum of SA ANGELO J. LANO dated 12/5/69.

REC-100 62-116395-1350X1
7 MAR 4 1976

The above enclosures constitute all serials requested by the Bureau in referenced airtel to WFO dated 1/23/76 regarding the burglary of the residence of JOSEPH KRAFT, 3021 N Street, N.W., Washington, D.C. on 9/3/69.

On 1/28/76 the papers published for 9/1/69 through 9/7/69 inclusive by the Washington Post and the Evening Star, both local dailies of general circulation in the Washington, D.C. area, where searched for an article regarding the KRAFT burglary. The search was conducted at the Library of Congress periodical microfilm section with negative results.

2-Bureau (Enc. 4)
1-WFO ENCLOSUREJFL:jmm
(3)ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP4WKP

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

U.S. Government Printing Office: 1972 - 455-574

F B I

Date: 9/4/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

| | |
|--------------|---|
| Mr. Tolson | / |
| Mr. DeLoach | / |
| Mr. Mohr | / |
| Mr. Bishop | / |
| Mr. Casper | / |
| Mr. Callahan | / |
| Mr. Conrad | / |
| Mr. Felt | / |
| Mr. Gale | / |
| Mr. Rosen | / |
| Mr. Sullivan | / |
| Mr. Tavel | / |
| Mr. Trotter | / |
| Tele. Room | / |
| Miss Holmes | / |
| Miss Gandy | / |

TO: DIRECTOR, FBI

FROM: SAC, WFO (87-New)

UNSUB; Burglary of residence
of JOSEPH KRAFT, 3021 N. St.,
N.W., Washington, D. C.

Loss of Silverware, 9/3/69

Value exceeds \$5,000

ITSP INTERSTATE TRANSPORTATION OF STOLEN PROPERTY

(OO:WFO)

OFFICE OF ORIGIN - WASHINGTON FIELD OFFICE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/

For information of Bureau JOSEPH KRAFT, Self Employed
Writer, who resides at the above address advised he left his
home at approximately 9:20 P.M., 9/3/69, to visit with former
Governor W. AVEREEL HARRIMAN, who resides a few doors from the
KRAFT residence. At approximately 9:45 P.M., Mrs. KRAFT who
was in the second floor bedroom of her residence came down the
stairs and found the front door open.

Mr. and Mrs. KRAFT discovered the following items to
be missing:

A sterling silver Sheffield antique tray made in
Edinburgh, England, 1780, from the Lenon collection of England;
sterling silver teapot, coffeepot, creamer, and sugar bowl.
These items were taken from the dining room. Taken from the
pantry was a sterling silver pitcher and muffin dish. Mr. KRAFT
advised the MPD that the estimated value of the missing items
is approximately \$10,000.

- ② - Bureau
- 2 - Alexandria
- 2 - Baltimore
- 2 - WFO

AJL:dbb
(8)

MCT-54

REC-62

107157

SEP 10 1969

EX 106

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

ENCLOSURE

WFO 87-New

Crime scene processed by MPD with negative results. No forcible entry noted. KRAFT advised investigating officers that he possibly left the front door slightly ajar when he departed the residence.

WFO will maintain contact with MPD and victim for any additional items possibly stolen. Surrounding offices contact logical informants and advise WFO of results.

ADDENDUM:

Late this date Detective H. M. WANAMAKER, CID West, MPD, advised the seven items of silver were recovered by FAA employee, PONDER KAMP, Washington National Airport (WNA), at approximately 11:50 A.M. this date. KAMP turned the items over to FRED SMITH, FAA Police at WNA. SMITH had heard of captioned burglary over the radio and telephonically contacted MPD, WDC, and requested a Detective come to the airport and examine the recovered items. Detective WANAMAKER advised he recovered the items from Officer SMITH and displayed them to Mrs. KRAFT who effected identification. Items are presently in the custody of MPD, and will be processed by Identification Division 9/5/69.

Criminal Investigations Division

FEDERAL BUREAU OF INVESTIGATION

LEAD:

ALEXANDRIA

AT WASHINGTON NATIONAL AIRPORT. Locate and interview PONDER KAMP and FRED SMITH both affiliated with FAA and conduct appropriate ITSP investigation.

CC MR Bishop

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 10/17/69

FROM : SAC, WFO (87-17564) (P)

SUBJECT: UNSUB; Burglary of residence of
JOSEPH KRAFT, 3021 N Street, N. W.,
Washington, D. C.

Loss of silverware, 9/3/69
in excess of \$5,000.00

ITSP

(OO:WFO)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP

Re WFO airtel to Director, 9/4/69.

On 9/5/69, Sergeant CHARLES SAMENS, Mobile Crime Lab, Identification Division, Metropolitan Police Department, advised that the silverware was processed by his Department and that no latent prints of value were obtained.

On the same date, Detective HERBERT M. WANAMAKER, CID, West, advised he returned the silverware to the victim after it was processed by his Department.

On 10/3/69, Detective WANAMAKER advised that he is being transferred as of 10/6/69 to Uniform Sergeant's School. He stated that no suspects have been developed in this case; and as a result of his transfer, the case will be closed and no additional investigation will be conducted.

- (2) - Bureau
- 2 - Alexandria
- 1 - WFO

AJL:jel
(5)

EX-106

REC 8

OCT 20 1969



1109

Buy U.S. Savings Bonds Regularly Payroll Savings Plan

WFO 87-17564

LEADS

ALEXANDRIA

AT ALEXANDRIA, VIRGINIA. Will furnish results of investigation conducted to date.

WASHINGTON FIELD

AT WASHINGTON, D. C. Will continue efforts to identify UNSUB through logical investigation and informants.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, WFO (87-17564)

DATE: 9/22/69

FROM : SA ANGELO J. LANO

SUBJECT:

UNSUB; Burglary of residence of
JOSEPH KRAFT, 3021 N Street, N.W.,
Washington, D.C.
LOSS OF SILVERWARE value exceeds \$5,000
ITSP
(OO:WFO)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP8AUMK

Victim JOSEPH KRAFT, free lance writer, departed residence 9:20 p.m., 9/3/69 to visit with neighbor former Governor W. AVERELL HARRIMAN. Returned home at 9:45 p.m., and discovered front door open. Mrs. KRAFT advised she was upstairs when her husband departed the residence and when she came down to the living room she found the front door ajar.

Missing were Sterling Silver Sheffield antique tray made in Edinborough England, 1780, from the Lenon collection. Sterling Silver teapot, coffeepot and creamer and sugar bowl. Above missing from dining room. Missing from Pantry were sterling silver pitcher and muffin dish. Total value about \$10,000.00.

Early A.M., 9/4/69, FAA Police, Washington National Airport advised Metropolitan Police Department (MPD), Washington, D.C. (WDC), that an employee of FAA located missing silverware in tall grass near parking lot. Silverware recovered by MPD and returned to owner. No suspects developed and no latents recovered from missing items.

Agents are requested to contact logical sources and advised SA LANO or results.

130

- (1-87-17564)
- (1-87-13084)
- (115-Each Criminal Agent)
- (15-S5)

ENCLOSURE

87-17564-2

62-116395-135081

SEARCHED INDEXED
SERIALIZED FILED
SEP 22 1969
FBI - WASH. F. O.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, WFO

DATE: 10/21/69

FROM : *EN/TW* SAC, BALTIMORE (87-14842)

(RUC)

SUBJECT:

UNSUB;
Burglary of Residence of
JOSEPH KRAFT, 3021 N. Street,
N.W., Washington, D.C.
Loss of Silverware
9/3/69; Value Exceeds \$5,000
ITSP
OO: WFO

RE: WFO at to BU 9/21/69.

No pertinent information developed at Baltimore.

2 - WFO
1 - Baltimore
JTP:nac
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP



62-116395-1350X

ENCLOSURE

27-175-1674

| | |
|-------------------|---------|
| SEARCHED | INDEXED |
| SERIALIZED | FILED |
| OCT 29 1969 | |
| FBI - WASH. F. O. | |

Handwritten signatures and initials are present over the stamp.

UNITED STATES GOVERNMENT

Memorandum

TO :

SAC, WFO

DATE: 10/22/69

FROM :

SAC, ALEXANDRIA (87-309) (RUC)

SUBJECT:

UNSUB;
Burglary of residence
of JOSEPH KRAFT;
3021 N. Street, N.W.,
Washington, D.C.
Loss of Silverware
9/3/69
Value exceeds \$5,000
ITSP
(OO: WFO)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/30/00 BY SP2AMK/

The following investigation was conducted by
SA RICHARD H. BLAY.

On September 10, 1969, Officer FREDERICK E. SMITH, Washington National Airport Police Department advised he had no knowledge regarding the recovery of the captioned item other than the fact they were recovered by a Mr. PONDER KAMP of the FAA. He stated his only involvement in the matter was to go to the Grounds Department at Washington National Airport and bring the recovered silver to the Police Office. He stated he was aware of the theft of silver and contacted the Metropolitan Police Department and advised them of the findings of various silver items. Officer SMITH continued he had no knowledge it was in fact the missing items. Officer SMITH concluded by stating he has no knowledge regarding the actual recovery of the stolen items.

On October 6, 1969, Mr. PONDER KAMP, 103 Ashby Street, Alexandria, Virginia, advised he has been employed by the Federal Aviation Administration since 1961 and is presently assigned to the Building and Grounds Department at Washington National Airport. Mr. KAMP said he did find some items of silver in early September, 1969. He stated he had been advised by his boss, Mr. McCULLEN, to mow the grass adjacent to the Maintenance Office Building located on the Washington National Airport grounds. KAMP explained this

② - WFO

2 - Alexandria

ENCLOSURE

RHB: dks (4) Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

| | |
|-------------------|---------|
| SEARCHED | INDEXED |
| SERIALIZED | FILED |
| OCT 27 1969 | |
| FBI - WASH. F. O. | |

area is removed from the actual terminal facilities and the buildings are occupied by Federal Aviation Assoc. personnel. Mr. KAMP stated he had been mowing the lawn on the opposite side of the building and came around to mow the other side at approximately 11:00 a.m. He noticed this brown colored cardboard box on the lawn. He described the box as being approximately 36" long by 18" deep and 18" wide. Mr. KAMP noticed the box as soon as he came around that side of the building as it was not hidden in any respect as the grass is mowed short and it was merely placed in this location adjacent to a parking lot. Mr. KAMP explained he went over to remove the box from the grass as it would be in his way when mowing the lawn. When he picked up the box, the bottom fell out of it and he noticed the box was soaked. Mr. KAMP is of the opinion that the box had been placed there the night before, as to the best of his recollection it had rained that night, but was not raining on the day he found it. Mr. KAMP recalled picking up the several pieces of silver and bringing it into his immediate supervisor's office, Mr. McCULLEN. Mr. KAMP said that was the last time he saw the silver. He said at the time he observed the silver he had no idea it was worth very much as it did not appear to him to be anything of value.

Mr. KAMP said the box fell apart when he picked it up, and therefore he placed it in the dumpster. Mr. KAMP explained that the dumpster is picked up daily and the trash brought to the incinerator. Mr. KAMP concluded by saying he has no knowledge as to who could have placed the box there nor has he any idea how long it was there other than that which was previously stated concerning it being there since the night before.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, WFO (87-17564) (C)

DATE: 12/5/69

FROM : SA ANGELO J. LANO

SUBJECT: UNSUB; Burglary of Residence of
JOSEPH KRAFT, 3021 N St., N.W.,
Washington, D.C., Loss of Silver-
ware, 9/3/69, in Excess of \$5,000
ITSP
(OO: WFO)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/90

Re WFO airtel to the Bureau, 9/4/69. WFO letter to the Bureau, 10/17/69. Baltimore letter to WFO, 10/21/69, (IO). Alexandria letter to WFO dated 10/22/69, (IO).

As previously reported, the victim apparently left his front door ajar when he went around the corner to visit with former Governor W. AVERELL HARRIMAN. Upon his return, the victim was appraised by his wife that silverware from the dining room and the pantry was missing. Victim contacted the Metropolitan Police Department, Washington, D.C. (WDC), and their investigation revealed no signs of forcible entry and no latent prints developed. No witnesses or suspects developed.

On the morning of 9/4/69, Detective HERBERT M. WANAMAKER, MPD, received a telephone call to report to the Washington National Airport Police (WNA) Office to view some recovered silverware. Upon arrival at WNA, Detective WANAMAKER was advised that the silverware was found in the tall grass near one of the entrances to the terminal at WNA. The silverware had been found in the tall grass by an employee.


Detective WANAMAKER recovered the items and returned them to WDC, where they were processed for latent fingerprints. No prints were developed. Victim's wife viewed the recovered silverware and advised that they were items she had reported missing the previous evening. The silverware was returned to Mrs. KRAFT.

2-WFO

(1-66-3763 Sub C)

AJL/sdb

(2)

DocId: 3296375 UPS  Bonds Regularly on the Payroll Savings Plan

CONSULTED
Date: 12/18/69 FILE SEARCHED

Initials: J.B. Date: 12-8-69

Initials: G.P.

SEARCHED INDEXED
SERIALIZED FILED

DEC 5 1969

FBI - WASH. F. O.

62-116395-1350X/5

Investigation by Alexandria revealed that PONDER KAMP was mowing tall grass adjacent to the Maintenance Office Building on WNA territory when he discovered a large cardboard box. He picked up the box, and the bottom fell out. Seven pieces of silverware fell from the box. KAMP advised he took the items to the WNA Police. He advised the cardboard box was soaked clear through so he placed it in a trash can to be burned.

No suspects were developed by Alexandria.

The Baltimore Office advised contacts with its informants was negative.

In view of the lack of physical evidence and the lack of suspects in this case, no further investigation is being conducted by WFO and the matter is being closed, UACB.

The following CIs and PCI of WFO were contacted with negative results:

WF 1888-R, on 10/1/69, by SA O. M. SMASAL
PCI WILLIAM OWEN REEDER, 9/19/69, by SA MELVIN T. GOLDBERG
WF 1816-C, 10/1/69, by SA LLOYD BRUCE
EDWARD MAGWOOD, (R-PROB), 9/23/69, by SA JOHN T. ALDHIZER III
WF 1822-R, 9/24/69, by SA PAUL E. MORRISON
WF 1295-R, 9/14/69, by SA MORRISON
WF 1671-R, 9/24/69, by SA MORRISON
WF 1872-R, 9/29/69, by SA ROBERT N. WALL
WF 1910-R, 10/13/69, by SA WAYNE G. DAVIS
WF 1928-R, 9/24/69, by SA GEROULD W. PANGBURN

- 1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)

The Attorney General

February 13, 1976

Director, FBI

- 1 - Mr. R. J. Gallagher
1 - Mr. J. C. Gordon
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. J. P. Graham

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-6-89 BY SP5 cjp/ahr

By letter dated January 19, 1976, you were furnished details concerning SSC Investigators Patrick Shea and Mary DeGree's contacts with former Federal Bureau of Investigation (FBI) Informant Douglas Frank Durham in May, 1975. Durham previously reported on extremist activities of the American Indian Movement (AIM). According to Durham, Shea and DeGree indicated their "strong desire to discredit the FBI," and their desire to "come up with some dirt on the FBI" because there was strong support to "nail the FBI to the cross." Durham stated that SSC investigators had maintained direct contact with Kenneth Tilsen, attorney for AIM.

Also, you were advised in referenced letter that an article appeared in the "Minneapolis Tribune" on December 14, 1975, which stated that Lock Johnson, an SSC investigator, had furnished to Tilsen a summary of information from correspondence between the Minneapolis FBI Field Office and FBI Headquarters.

You were also advised that Durham stated that he had been contacted by Ellen Miller who was affiliated with Congressman Otis Pike's Committee which is investigating intelligence activities. Ms. Miller asked Durham to provide her with anything he could offer which would reveal how the FBI and local police "conned" informants into providing information.

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir.:

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Files & Com. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Plan. & Eval. _____

Spec. Inv. _____

Training _____

Legal Coun. _____

Telephone Rm. _____

Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

SEE NOTE PAGE 2

The Attorney General

Your advice was requested as to what action should be taken regarding the unethical conduct of Senate and Congressional investigators as cited above.

Attached is a letter to the Director, FBI, from Mr. Durham dated January 29, 1976, in which Mr. Durham reaffirms his statements regarding the unethical conduct of SSC investigators and in which he stated that no employee of the FBI has ever suggested to him that he engage in any illegal, immoral or unethical activities.

This letter is provided for your information and assistance in furnishing a response to referenced letter.

Enclosure

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

Durham is former MP 4115-E who, while no longer being operated as an informant, periodically contacts the Minneapolis Division. Durham is currently traveling around the country under the sponsorship of the John Birch Society, speaking about his knowledge of extremist activity. In attached letter Durham agrees that there is no truth to the contention that his informant status was uncovered as a result of a leak within the FBI; reaffirms his charges of unethical activity by SSC investigators; states that it has never been suggested to him by an FBI employee that he engage in any activity which would be illegal, immoral or unethical and states that he would submit to a polygraph examination regarding all statements contained in this letter.

January 29, 1976

Mr. Clarence Kelley, Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington, D.C. 20535

Dear Sir:

Your letter of January 20, 1976 to Mr. Jim Kelso in Kansas City regarding my speaking engagement in that city on January 24 has been reviewed. I agree there is no truth in fact to the contention that my cover as a top aide in A.I.M. "was blown in March of 1975, apparently by a leak within the F.B.I." It is regretful that some printed material has related this obvious misinformation.

To date, I have made approximately 70 speeches to audiences that numbered approximately 21,000. I have also made numerous television appearances with an estimated 18,000,000 viewing audience, 31 newspaper interviews and 54 radio interviews with unknown circulation or audience size. At all of the appearances, I have strongly stated that it has been proved to my satisfaction that I was not exposed by a leak in the F.B.I. I have also mentioned during many of these appearances and interviews the fact that Senator Church's committee staff personally told me on May 8, 1975, that they would "do anything we can to nail the F.B.I. to the cross" and that they related they had associates who would be delighted to "dig up some dirt, any kind of dirt, on the F.B.I." At present it appears I am not even half done with my tour and I'm going to continue carrying this message.

I have never even had it suggested to me by an agent, employee or associate of the F.B.I. that I should engage in any activity that would in any way be illegal, immoral or unethical. This letter has not been solicited nor have I had any communication with any agent, associate or employee of the F.B.I. regarding this letter or the possibility of writing such correspondence. I would willingly submit to a polygraph examination regarding all statements contained in this letter.

If you are confronted by the claim of any individual or group with information that would seem to disagree with the contents of this communication, the contents should, if you so desire, provide you with a reply. A reply to this letter is neither expected nor anticipated.

Very sincerely yours,

Douglass F. Durham

Douglass F. Durham
P. O. Box 4735
Des Moines, Iowa 50306

CC TO MP and OM
by O-7.

23 FEB 2 1976

CORRESPONDENCE

| | |
|----------------|--|
| Assoc. Dir. | |
| Dep.-A.D.-Adm. | |
| Dep.-A.D.-Inv. | |
| Asst. Dir.: | |
| Admin. | |
| Comp. Syst. | |
| Ext. Affairs | |
| Files & Com. | |
| Gen. Inv. | |
| Ident. | |
| Inspection | |
| Intell. | |
| Laboratory | |
| Plan. & Eval. | |
| Spec. Inv. | |
| Training | |
| Legal Coun. | |
| Telephone Rm. | |
| Director Sec'y | |

G. J. EDWARDS
H. B. WARD

EXP. PROC.
JAN 30 1976

REC 100 62-116395-1350X

CO #368-88
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-6-89 BY SP5-ef/afk

2-4 to the AG
2/13/76, JPM:rk
1-DAG

1 - Mr. D. W. Moore, Jr.

① - Mr. J. P. Graham

January 20, 1976

Mr. Jim Kelso
14131 Holmes Road
Kansas City, Missouri 64145

Dear Mr. Kelso:

Your letter of January 5, 1975, citing the appearance of Douglas F. Durham in Kansas City, Missouri, on January 24, 1976, in which he will expose the activities of the American Indian Movement (AIM), has been received. The thought which prompted you to notify me is appreciated.

Attendance of Federal Bureau of Investigation (FBI) personnel at this event is not anticipated.

There is no truth, in fact, to the contention that Mr. Durham's cover as a top aide in AIM "was blown in March of 1975, apparently by a leak within the FBI."

Tickets to the January 24, 1976, event enclosed in your letter are returned herewith.

Enclosures (4)

Sincerely yours,

Clarence M. Kelley
Director

JPG:eks
(4)

SEE NOTE PAGE 2

Mr. Jim Kelso
14131 Holmes Road
Kansas City, Missouri 64145

NOTE:

Durham is a former extremist informant who was publicly identified as an FBI informant by AIM members in March, 1975. He is currently on a speaking tour sponsored by the John Birch Society. Bureau files contain no references identifiable with correspondent.

- 1 - Mr. J. B. Adams
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Notis)

Indef
The Attorney General

February 13, 1976

Director, FBI

- 1 - Mr. R. J. Gallagher
(Attn: Mr. J. C. Gordon)
1 - Mr. W. R. Wannall
1 - Mr. W. D. Cregar
1 - Mr. J. G. Deegan
1 - Mr. J. E. Graham

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

By letter dated January 19, 1976, you were furnished details concerning SSC investigators Patrick Shea and Mary De-ree's contacts with former Federal Bureau of Investigation (FBI) Informant Douglas Frank Durham in Bay, 1975. Durham previously reported on extremist activities of the American Indian Movement (AIM). According to Durham, Shea and De-ree indicated their "strong desire to discredit the FBI," and their desire to "come up with some dirt on the FBI" because there was strong support to "kill the FBI to the cross. Durham stated that SSC investigators had maintained direct contact with Kenneth Tilson, attorney for AIM.

Also, you were advised in referenced letter that an article appeared in the "Minneapolis Tribune" on December 14, 1975, which stated that Lock Johnson, an SSC investigator, had furnished to Tilson a summary of information from correspondence between the Minneapolis FBI Field Office and FBI Headquarters.

You were also advised that Durham stated that he had been contacted by Ellen Miller who was affiliated with Congressman Eric Fike's Committee which is investigating intelligence activities. Ms. Miller asked Durham to provide her with anything he could offer which would reveal how the FBI and local police "conned" informants into providing information.

1 - 62-116395

1 - 137-33264

SEE NOTE PAGE 2

JFG:eks
(14)

1350X

The Attorney General

Your advice was requested as to what action should be taken regarding the unethical conduct of Senate and Congressional investigators as cited above.

Attached is a letter to the Director, FBI, from Mr. Durham dated January 29, 1976, in which Mr. Durham reaffirms his statements regarding the unethical conduct of SSC investigators and in which he stated that no employee of the FBI has ever suggested to him that he engage in any illegal, immoral or unethical activities.

This letter is provided for your information and assistance in furnishing a response to referenced letter.

Enclosure

1 - The Deputy Attorney General
Attention: Michael L. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE:

Durham is former MP 4115-E who, while no longer being operated as an informant, periodically contacts the Minneapolis Division. Durham is currently traveling around the country under the sponsorship of the John Birch Society, speaking about his knowledge of extremist activity. In attached letter Durham agrees that there is no truth to the contention that his informant status was uncovered as a result of a leak within the FBI; reaffirms his charges of unethical activity by SSC investigators; states that it has never been suggested to him by an FBI employee that he engage in any activity which would be illegal, immoral or unethical and states that he would submit to a polygraph examination regarding all statements contained in this letter.

January 29, 1976

Mr. Clarence Kelley, Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington, D.C. 20535

Dear Sir:

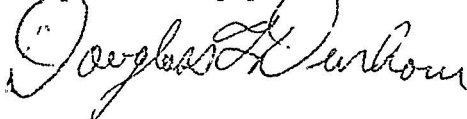
Your letter of January 20, 1976 to Mr. Jim Kelso in Kansas City regarding my speaking engagement in that city on January 24 has been reviewed. I agree there is no truth in fact to the contention that my cover as a top aide in A.I.M. "was blown in March of 1975, apparently by a leak within the F.B.I." It is regretful that some printed material has related this obvious misinformation.

To date, I have made approximately 70 speeches to audiences that numbered approximately 21,000. I have also made numerous television appearances with an estimated 18,000,000 viewing audience, 31 newspaper interviews and 54 radio interviews with unknown circulation or audience size. At all of the appearances, I have strongly stated that it has been proved to my satisfaction that I was not exposed by a leak in the F.B.I. I have also mentioned during many of these appearances and interviews the fact that Senator Church's committee staff personally told me on May 8, 1975, that they would "do anything we can to nail the F.B.I. to the cross" and that they related they had associates who would be delighted to "dig up some dirt, any kind of dirt, on the F.B.I." At present it appears I am not even half done with my tour and I'm going to continue carrying this message.

I have never even had it suggested to me by an agent, employee or associate of the F.B.I. that I should engage in any activity that would in any way be illegal, immoral or unethical. This letter has not been solicited nor have I had any communication with any agent, associate or employee of the F.B.I. regarding this letter or the possibility of writing such correspondence. I would willingly submit to a polygraph examination regarding all statements contained in this letter.

If you are confronted by the claim of any individual or group with information that would seem to disagree with the contents of this communication, the contents should, if you so desire, provide you with a reply. A reply to this letter is neither expected nor anticipated.

Very sincerely yours,



Douglass F. Durham
P. O. Box 4735
Des Moines, Iowa 50306

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 1/29/76

FROM : Legal Counsel

SUBJECT: SENSTUDY 75

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

1 - Mr. Deegan
1 - Mr. Hotis
1 - Mr. Daly

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

By memorandum dated 11/21/75, captioned "Ralph David Abernathy, EM - Southern Christian Leadership Conference (SCLC)," from J. G. Deegan to Mr. W. R. Wannall, it was recommended and approved that contact be made with captioned Committee to determine the facts surrounding the possible exhibiting of Bureau documents to Reverend Ralph David Abernathy of the Southern Christian Leadership Conference (SCLC).

John T. Elliff, Task Force Director for the Domestic Task Force of the Senate Select Committee, Mark Gitenstein and Michael Epstein, Staff Members of captioned Committee, were all contacted with regard to this matter and furnished no information concerning the showing of Bureau documents to Reverend Abernathy. Elliff stated he would continue his efforts to determine who in the Committee may have shown such documents and recontact SA Paul V. Daly of this Division.

As of 1/20/76, Elliff stated he had not been able to determine who may have shown such documents to Reverend Abernathy and he expressed the opinion that it may have been Lester Seidel, a Staff Member of that Committee, and that he would make further inquiries.

RECOMMENDATION:

For information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP

EX-115

REC-43 62-116395-1350

1 - 100-442706

FEB 4 1976

PVD:lad
(9)

LEGAL COUNSEL

2 - Mr. [redacted] Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. J. T. Aldhizer
February 6, 1976

The Attorney General

Director, FBI

REC-100

62-116395

1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

1349X1

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2AUM/KP

Reference is made to SSC letter dated
January 23, 1976, requesting, in part, materials
relating to Martin Luther King, Jr.

Enclosed for your approval and forwarding
to the SSC is the original of a memorandum in partial
response to the request for King materials. Also
enclosed for your records is a copy of the memorandum
along with a set of the materials to be delivered to
the SSC.

It will be noted in respect to Items 4 and 5
of the request that it has been necessary to repeat to
the SSC, through the enclosed memorandum, information
previously furnished to the SSC concerning original
recordings of documentation pertaining to Stanley David
Levison. It seems to us that the SSC's repetitive requests
for same material is counterproductive to our abilities
to prepare prompt responses for the SSC. This is
highlighted by the extremely short deadlines frequently
set by the SSC in its requests. In short, it unnecessarily
adds to the work burdens of the staffs of both the
Department and this Bureau.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____

Admin. _____ SFP:1hb/lhb
Comp. Syst. _____
Ext. Affairs. _____ (11)
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____

Telephone Rm. _____
Director Sec'y _____
MAIL ROOM ☒ TELETYPE UNIT ☐

SEE DIST-FILE
NOTE

SECRET MATERIAL ATTACHED

The Attorney General

It is being left to the Department's discretion as to whether or not this matter should be taken up with the SSC to avoid future similar situations. It would be appreciated if the Department's final judgment in this matter was made known to us.

Enclosures (2)

- 1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

NOTE: On 3/16/76 Steve Blackhurst, Dept., adv. that Dept. does not intend to take matter up w/ SSC at this stage as SSC Report is in preparation & requests have dwindled down appreciably - to be reconsidered by Dept. if many additional requests are received from SSC. Also, Dept. will not be responding to us in writing on this.

2 - Mr. J. A. Mintz
 (1 - Mr. J. B. Hotis)
 1 - Mr. W. R. Wannall
 1 - Mr. J. G. Deegan
 1 - Mr. J. T. Aldhizer
 1 - Mr. W. O. Cregar
 1 - Mr. S. F. Phillips

February 6, 1976

62-116395

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/30/80 BY SP2AMW

**U. S. SENATE SELECT COMMITTEE TO
 STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to SSC letter dated
 January 23, 1976, requesting, in part, materials
 relating to Martin Luther King, Jr.

This memorandum provides information and
 effects delivery of materials responsive to Items 1,
 2, 4, 5 and 6 of referenced request.

With respect to Item 1, the decision to
 include Stanley David Levison on the Security Index (SI)
 was based on a lengthy report dated June 19, 1953, at
 New York City, covering Levison's Communist Party, USA,
 activities. This report is not being delivered since
 its substance, which comprises the reasons behind the
 SI decision, was provided Senator Frank Church and
 selected SSC Staff Members during a special briefing
 by representatives of the FBI on November 5, 1975.

In response to Item 2, being delivered with
 this memorandum is a copy of New York airtel dated
 January 4, 1962, the substance of which was provided to
 the Attorney General (AG) by letter dated January 8, 1962,
 captioned "Stanley David Levison; Security Matter - C."
 Other than the initials of approving officials appearing
 on the letter, no other material was located in logical
 FBI Headquarters files pertaining to the decision to
 transmit the information from the airtel to the AG.

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

SFP:1hb/hb

(10)

ORIGINAL AND ONE COPY TO AG

SECRET MATERIAL ATTACHED

SEE NOTE PAGE 3

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

GPO : 1975 O - 594-120

This document is prepared in response to your request and is not for dissemination outside your Committee and the committee on the express approval of the FBI.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Item 4 requested the original record of the informant's assertion contained in an FBI letter to the AG dated September 4, 1963, concerning King, that Stanley David Levison is a secret member of the Communist Party (information received from informant in July, 1963).

This Bureau previously furnished to the SSC a copy of a memorandum dated July 26, 1963, from Special Agent (SA) Francis T. Leonard to the Special Agent in Charge (SAC), New York, which reported information obtained from the informant July 16, 1963, concerning Levison's Communist Party membership. The FBI cover memorandum of November 20, 1975, advised that our New York Office was contacted for documents representing original recordings from Bureau informants concerning Levison. As a result, our New York Office provided the material which was delivered with the November 20, 1975, memorandum and which has served as a basis for statements in various FBI documents that Levison was a secret member of the Communist Party. It might be noted, also, that the information below concerning Item 5, and specifically a memorandum of SA Leonard dated August 30, 1962, further establishes the originality of documentation of interest to the SSC.

Item 5 requested the original record of the informant's assertion contained in an August 30, 1962, memorandum of SA Leonard to the SAC, New York, in which it is reported that the informant advised on August 25, 1962 (correct date August 28, 1962), that Stanley Levison is a secret member of the Communist Party, USA.

This Bureau previously furnished to the SSC a copy of this Leonard memorandum and, in the cover memorandum of November 20, 1975, advised that the Leonard memorandum, among others of which copies were being furnished to the SSC, represented an original recording of the informant's information.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Regarding Item 6, being delivered with this memorandum are materials responsive to this request.

1 - The Attorney General

NOTE:

Regarding Item 1, consideration was given to furnishing the SSC the report which served as a basis for including Levison on the SI. However, since the special briefing provided to Senator Church and SSC Staff Members included details regarding our investigation of Levison, it would unnecessarily jeopardize our highly sensitive Communist Party sources to make this report available to the SSC. Bureau response to Item 3 is pending negotiations underway between Department and SSC. A copy of the SSC request is attached below the yellow of this LHM.

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 2/6/76

Caption of Document: U. S. Senate Select Committee
(SSC). (SSC Letter 1/23/76,
Items 1, 2, 4, 5 & 6)

Originating Office: FBI

Delivered by: J. O. Stammin Date: 2/11/76

Received by: Michael Murphy

Title: Club

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP

62-116395-1349X1

ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

2/6/76

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 1/23/76, Items 1, 2, 4, 5 & 6

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Operating Procedures
Information Handling**

8. SUMMARY (see reverse side before completing this item)

**Delivery of information pertaining to Martin Luther King, Jr.,
and Stanley David Levison.**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/00 BY SP2ALM/KP

62-116395

AJD:lhb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

SSC REQUEST 1-23-76

ITEM 1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

Retain
62-116375-1349X1
13771

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : SAC, New York (100-111180)

SUBJECT: STANLEY DAVID LEVISON
SM-C

DATE 6/19/53

31 STATISTICAL SECTION

CARDS PREPARED
JUN 23 38 PM '53OK
3x5 Card Filed
7-13-53ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP8AMV/

X It is recommended that a Security Index Card be prepared on the above-captioned individual.

The Security Index Card on the captioned individual should be changed as follows: (Specify change only)

NAME STANLEY DAVID LEVISON

ALIASES

NATIVE BORN X NATURALIZED ALIEN COMMUNIST X SOCIALIST WORKERS PARTY INDEPENDENT SOCIALIST LEAGUE MISCELLANEOUS (Specify) TAB FOR DETCOM TAB FOR COMSAB RACE White SEX MaleDATE OF BIRTH 5/2/12 PLACE OF BIRTH New York, N. Y.BUSINESS ADDRESS (Show name of employing concern and address)

Owner, Park Management Co.; officer of Atlantic Coast Realty Corp.

6 East 39 St., New York City

NATURE OF INDUSTRY OR BUSINESS (Specify from Vital Facility List)

Real Estate, Investments

RESIDENCE ADDRESS 309 West 104 Street, New York (100)-392452-3

SEP 25

EX - 103

JUN 22 1953

REGISTERED MAIL

DFG:LEJ

SSC REQUEST 1-23-76

ITEM 2

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AMK/P

Return

INFORMATIVE NOTEDate 1-5-62

*SEN'S 11/1/62
FOR IN INTEL
OPERATION*

Stanley Levison, Security Index subject of New York Office, is attorney and businessman who regularly contributes large sums of money to Communist Party, USA, Reserve Fund. Levison's connection with CP known only to NY 694-S*, CG 5824-S*, and a few top Communist Party functionaries. Attorney General being advised.

a

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SPALM/KP

F B I

Date: 1/4/62

Transmit the following in _____
(Type in plain text or code)Via AIRTEL _____
(Priority or Method of Mailing)

| | |
|--------------|---|
| Mr. Tolson | ✓ |
| Mr. Belmont | ✓ |
| Mr. Mohr | ✓ |
| Mr. Callahan | ✓ |
| Mr. Conrad | ✓ |
| Mr. DeLoach | ✓ |
| Mr. Evans | ✓ |
| Mr. Gale | ✓ |
| Mr. Rosen | ✓ |
| Mr. Sullivan | ✓ |
| Mr. Tavel | ✓ |
| Mr. Trotter | ✓ |
| Tele. Room | ✓ |
| Mr. Ingram | ✓ |
| Miss Gandy | ✓ |

TO: DIRECTOR, FBI (100-392452)

FROM: SAC, NEW YORK (100-111180)

SUBJECT: STANLEY LEVISON
IS-CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUPP

Extreme caution must be exercised with respect to dissemination of the information herein since, by its nature, it tends to identify NY 694-S*, a valuable informant, as the source thereof. Unless this information is obtained from a source other than NY 694-S*, it should not be incorporated - even in paraphrased form - in the investigative section of a report.

On 1/4/62, NY 694-S* advised SA ALEXANDER C. BURLINSON that during a contact on the aforesaid date with ISADORE WOFSY, CPUSA Reserve Fund functionary, WOFSY stated the following:

STANLEY LEVISON is doing important work for the CPUSA in his role of advisor to the Southern negro leader LUTHER KING. LEVISON wrote the speech KING delivered at the AFL-CIO convention in Florida. He is active in KING's "right to vote movement" in the South, and was instrumental in raising \$200,000 for the said movement.

By reason of his association with KING, LEVISON has access to the White House - he has been in contact with President KENNEDY, Attorney General ROBERT KENNEDY, and important leaders of the AFL-CIO. He also has contact with numerous people in government.

In accordance with his previous commitment to do so, LEVISON contributed \$12,000 to the CPUSA National Office during 1961.

3-Bureau (100-392452) (RM)
1-NY 134-91 (INV.) (41)
1-NY 100-19679 (ISADORE WOFSY) (415)
1-NY 100-128861 (CPUSA FUNDS RESERVE FUNDS) (415)
1-NY 100-111180 (424)

REC-71

ACB:ume

117 Approved: (8)

Sent _____ M Per _____

62 JAN 15 1962 Special Agent in Charge

SUBV. CONTROL

SECRET

1 - Mr. Rosen (McGowan)
1 - Mr. Bland
1 - Mr. Haack
1-Mr. Kitchens January 8, 1962

THE ATTORNEY GENERAL

Director, FBI

STANLEY DAVID LEVISON
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUKP

REC'D-READING ROOM

JAN 9 1 28 PM '62

I thought you would be interested in knowing that Levison, a New York attorney and businessman who is a secret member of the Communist Party, USA, is allegedly a close adviser to the Reverend Martin Luther King, prominent southern Negro leader. According to our source, who has furnished reliable information in the past, Levison reportedly wrote the speech that King delivered at the recent American Federation of Labor - Congress of Industrial Organizations convention and aids King in financial matters. Our source also said that Levison, through his association with King, reportedly has access to the White House and has been in contact with the President and you.

Because of the sensitive nature of our source, we have classified this communication "Secret."

160-392452

NOTE ON YELLOW: Subject's name in Security Index. Department has been furnished reports on him. Levison has for a number of years been involved in Communist Party (CP) Reserve Fund apparatus and other CP financial activities. Above information concerning him obtained from NY 62-15402 information concerning Levison known only to above informant, CG 5824-S*, and a few CP leaders.

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Ingram _____
Gandy _____

TWK:mtb
(10)

SECRET

MAIL ROOM ☐ TELETYPE UNIT ☐

67 JAN 9 1962

SSC REQUEST 1-23-76

ITEM 6

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/4

Retain

SAC, New York (100-111180)

November 23, 1962

KLC-14

Director, FBI (100-392452) / 72

JUNE

1- Mr. Donohue
1- Mr. Haack
1- Mr. Floyd

ST
C
STANLEY DAVID LEVISON
INTERNAL SECURITY - C

Reurlet dated 11-15-62.

Remain alert in this matter and if you find that further consideration should be given installation of a microphone surveillance at the subject's office, submit your recommendation accordingly.

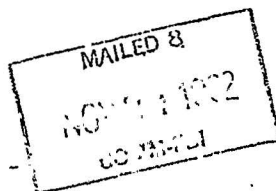
NOTE ON YELLOW:

Subject is on SI. He is New York attorney and businessman who is involved in current Communist Party financial matters. He is in frequent contact with Martin Luther King, prominent Negro leader. By airtel 8-16-62, NY advised that the microphone surveillance had been discontinued for security reasons and that the mate unit covering subject's office had been removed. The Bureau currently has tesur coverage of subject's office and installation of tesur coverage at subject's residence has been authorized. In relet, NY states the factors causing removal of the misur in 8-62 have not changed and NY recommends that the misur be permanently discontinued. Since the mate unit has been removed and coverage will be maintained through above tesurs plus live coverage from NY 694-S*, NY recommendation is approved.

INFORMANT

WBF:pag
(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/



SENSITIVE
FOREIGN
INTELLIGENCE
OPERATION

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

NOV 20 1962

MAIL ROOM ☐ TELETYPE UNIT ☐

UNITED STATES GOVERNMENT

Memorandum

J.F.M.
TO : DIRECTOR, FBI (100-392452) DATE: 11/15/62
FROM : SAC, NEW YORK (100-111180-Sub 6)
SUBJECT: STANLEY DAVID LEVISON
IS-C
(OO: NY) JUNE

Re NY airtel, 8/16/62.

Security situation regarding mate unit covering subject's office (NY 3575-S*) has not changed to date.

ELSON
Present coverage of LEVISON includes a tesur (NY 3580-S*) covering his office at 6 E. 39th St., NYC. Also a tesur survey of subject's residence at 585 West End Ave. has been completed and Bureau authority to install has been requested in separate communication.

It is felt that these two tesurs will give comprehensive coverage of LEVISON's activities. It is, therefore recommended that mate unit covering subject's office be permanently discontinued.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/01 BY SP2ALM/KP

2-Bureau (100-392452) (RM)
1-New York (100-111180-Sub 6) (414)
FTL:rmv
(3)

REC-14

EX-113

100-392452-172
31 NOV 16 1962

SUB CONTROL

172
11/15/62
11/15/62

11/15/62
11/15/62

F B I

Date: 8/16/62

Transmit the following in PLAIN TEXT
(Type in plain text or code)

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (100-392452)

FROM: SAC, NEW YORK (100-111180)

JUNE

SUBJECT: STANLEY LEVISON
IS - C

11/1/62
27
ECLUR

On 8/16/62, at 4:50 AM, NY 3575-S*, mate unit covering subject's office, was temporarily removed for security reasons, as information received that new telephone system to be installed in LEVISON's office.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SPAIN/KF

- 3 - Bureau (100-392452) (RM)
1 - New York (100-111180)

JJK: gmm
(5)

REC-21

100-372452

12 AUG 17 1962

TE 147-29

9116

SECRET

[Handwritten signature]

Approved: _____

Sent _____ M

Special Agent in Charge

F B I

Date: 3/16/62

Transmit the following in PLAIN TEXT

(Type in plain text or code)

Via AIRTELRM

(Priority or Method of Mailing)

TO : DIRECTOR, FBI (100-392452)

FROM : SAC, NEW YORK (100-111180)

JUNE

SUBJECT: STANLEY DAVID LEVISON
SM-C
(OO: NY)OK 5/1/62
Tut 9/16
CBPReBuairtel 3/2/62, granting authority to
install misur in subject's office, 6 E. 39th St., NYC.CONF. INFO. Misur installed 10:10 AM, 3/16/62, symbol
number, NY 3575-S*. Misur monitored at Sutec, NYC.
Full security assured.

CLSUR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

- 3 - Bureau (100-392452) (RM)
- 1 - NY (100-111180-SUB 6) (415)
- 1 - NY (100-111180) (415)

FTL:KMD
(6)

REC-43

12 cct
Wick100-392452-1746
4 MAR 27 1962Approved: [Signature]
Special Agent in ChargeSent [Signature] Per [Signature]

1 - Belmont
1 - Mr. Sullivan
1 - Mr. W. Matter
1 - Mr. Bland
1 - Mr. Donohue
1 - Mr. Haack
1 - Mr. Kitchens

March 2, 1962

AIRTEL

To: SAC, New York (100-111130)

REC-28

JUNE

From: Director, FBI (100-392452) - 3

STANLEY DAVID LEVISON
SECURITY MATTER - C

Reurairtel 2-28-62.

Provided full security assured, authority granted to install misur in subject's office, 6 East 39th Street, New York City.

Advise time, date, installation and symbol number. Sulet justification thirty days after installation and each six months thereafter. Necessary leased line letter follows.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/29/00 BY SP2AMK/P

NOTE ON YELLOW:

See memo Bland to Sullivan, 3-2-62, same caption, TWK:mtb.

MAILED 31
MAR 3 - 1962
COMM-FBI

TWK:mtb
(10)

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____

FBI

Date: 2/28/62

Transmit the following in PLAIN TEXT

(Type in plain text or code)

AIRTEL

RM

Via _____ (Priority or Method of Mailing)

TO : DIRECTOR, FBI (100-392452)

FROM : SAC, NEW YORK (100-111180)

JUNE

SUBJECT: STANLEY DAVID LEVISON
SM-C
(OO: NY)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SPAN/KP

ReBuairtel, 2/16/62.

Misur survey conducted 2/28/62. Misur can be securely installed in office occupied by LEVISON at 6 East 39th Street, NY, NY. Misur will be monitored in Sutech, NYO. Lease line letter necessary for misur and should read:

From 6 East 39th Street, NY, NY, to
201 East 69th Street, NY, NY.

Bureau authority requested to install misur in office of STANLEY LEVISON, 6 East 39th Street, NY, NY. Lease line letter necessary.

N.Y. ADVISED ON 3-2-62
that TRESPASS WILL be involved.

- 107

- 3 - Bureau (100-392452) (RM)
- 1 - NY (100-111180) (415)

JJK:KMD
(5)

REC-23

100-392452-139

16 MAR 13 1962

Approved: _____

Special Agent in Charge

Sent: _____

M

Per _____

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan *wcs*DATE: March 2, 1962 *V.*FROM : Mr. J. F. Bland *JFB*SUBJECT: STANLEY DAVID LEVISON
SECURITY MATTER - C

JUNE

1-Mr. Belmont *wcs*
 1-Mr. Sullivan *se*
 1-Mr. J. W. Matter
 1-Mr. Bland
 1-Mr. Donohue
 1-Mr. Haack
 1-Mr. Kitchens

Tolson ☒
 Belmont ☒
 Mohr ☐
 Callahan ☐
 Conrad ☐
 DeLoach ☐
 Evans ☐
 Malone ☐
 Rosen ☐
 Sullivan ☒
 Tavel ☐
 Trotter ☐
 Tele. Room ☐
 Ingram ☐
 Gandy ☐

This memorandum sets forth justification of microphone surveillance in office of Stanley David Levison, 6 East 39th Street, New York City.

CONF. INFO. *INFORMATION*
 Levison's name in Security Index. He is an attorney and businessman who is involved in secret Communist Party (CP) financial matters. NY 694-S* furnished information in January and February, 1962, concerning close association between subject and the Reverend Martin Luther King, Jr., prominent southern Negro leader. Levison reportedly wrote speech that King delivered at the AFL-CIO convention, aids him in financial matters, and characterized King as "a whole-hearted Marxist" who has studied it and believes in it. Levison allegedly has access to the White House and Attorney General through his association with King. This information previously furnished Attorney General and O'Donnell at White House.

New York airtel 2-28-62 requests authority for installation of a microphone in office of Levison. A survey conducted on Bureau authority disclosed installation can be made with complete security, although trespass will be necessary.

OBSERVATIONS:

Informant
 Although NY 694-S* is able to furnish some information concerning Levison, additional coverage is believed necessary to more adequately determine his influence on and association with King, his possible association with Government officials, and his financial activities in behalf of the CP, USA.

RECOMMENDATION:

sent as
 That attached airtel be sent to New York giving it authority to install a microphone in the office of Levison at 6 East 39th Street, New York City.

Enclosure

100-392452

TWK:mtb

(8)

REC-28

EX-107

25 MAR 13 1962

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/29/00 BY SP2ALN/KP

6 MAR 21 1962

1 - Mr. Donohue
1 - Mr. Haack
1 - Mr. Kitchens

February 16, 1962

AIRTEL

EX-103

TO: SAC, New York (100-111180)

JUNE

From: Director, FBI (100-392452) - 137

STANLEY DAVID LEVISON
SECURITY MATTER - C

Reurairtel 2-15-62.

Provided full security is assured, authority is granted to conduct a misur and resur survey at Levison's office, 5 East 52th Street, New York City, telephone number NY-4-2932. Promptly advise Bureau of results of your survey along with your comments concerning any security factors involved.

NOTE ON YELLOW:

INFORMANT

Subject's name in Security Index. Levison is New York attorney and businessman who is involved in secret Communist Party financial matters. NY 694-S* recently furnished information concerning close association between subject and Martin Luther King, Jr., prominent Southern Negro leader. On 2-12-62 informant advised that Levison told Gus Hall that King is a Marxist but cannot publicly espouse it because he is a minister of religion. New York desires additional coverage of Levison's activities in view of his apparent increased activity.

FBI - NEW YORK
REC'D - 2-20-62

TWK:mtb
(6)

LEB 12 4 30 PM '62

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SPANKP

SENSITIVE
FILE IN
INT. SECURITY
OPERATIONS

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Ingram _____
Gandy _____

☐ MAIL ROOM

☐ TELETYPE UNIT

FBI

Date: 2/15/62

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

Via AIRTEL _____
(Priority or Method of Mailing)

TO: DIRECTOR, FBI (100-392452)
FROM: SAC, NEW YORK (100-111180)
SUBJECT: STANLEY DAVID LEVISON
SM - C

JUNE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2A

ReNYairtel dated 2/12/62, captioned "DR. MARTIN LUTHER KING, Jr., SM-C".

The extent of KING's dependency on LEVISON for advice on a wide variety of subjects has been further established by information developed through NY 1300-S* on 2/11/62.

ELSUR

In addition to his association with KING, LEVISON has a wide circle of acquaintances in political life and with leading figures in the American Jewish Congress.

According to NY 694-S*, LEVISON and his brother, ROY BENNETT, donated \$12,000 to the CP, USA Reserve Fund. This, coupled with his alleged conversion of Reverend KING to Marxism and possible influence in high political circles, makes LEVISON a potentially dangerous Communist.

er, SENSITIVE
FORE: 911
INTELLIGENCE
operation

In light of facts developed the NYO requests authority to conduct a misrepresentation survey at LEVISON's office, 6 East 39th Street, NYC, telephone number MU 4-2932. It is felt that such coverage would reveal more fully LEVISON's activity for the CP, USA.

3-Bureau (100-392452) (RM)
1-New York (100-111180)

REC- 34

100-303422

RLP:eac
(5)

cc retained 831 RB

11 FEB 16 1962

EX-103

Approved: _____
Special Agent in Charge

Sent _____ M

Per

CONFIDENTIAL

NY 100-111180

ELSURS

Previous installations on LEVISON were
NY 1533-S* and NY 1070-S*, tesurs at his residences,
and NY 1831-S*, a misur at LEVISON's office.

In each instance this coverage was terminated
because specific information relative to CP, USA Reserve
Fund operations was not developed. It is felt now that
LEVISON's apparent increased activity warrants recommendations
contained herein.

*SENSITIVE FOREIGN
INTELLIGENCE OPERATION*

FBI

Date: 2/4/57

Transmit the following message via Airtel

(Priority or Method of Mailing)

FROM : SAC, NEW YORK

TO : BUREAU

CP, USA-FUNDS ^{SF10}
IS-C

ELSUR

NY 1831-S* discontinued at 1:00 PM
2/3/57. Full security maintained during removal.
Microphone and wiring removed. All monitoring
equipment being removed from plant this date.

KELLY

^{SF10}
3-Bureau (~~100-3-63~~)
1-New York (100-74560)

DFG:meh (#19)
(5)

Mr. Belmont

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SPAN/KP

RECORDED-18
117

10 FEB 8 1957

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

12-12-56

AIRTEL

SAC, NEW YORK (100-74560 Sub 2)

CP, USA - FUNDS; INTERNAL SECURITY - C

J U N E

RECORDED - 23

SF10
100-74560-62-5051
Reurlet 12-5-56.

EX-125
In accordance with your recommendation, authorization is granted your office to make a payment up to \$15 to various building service employees at 6 E. 39th Street, New York City.

It is suggested that in submitting blue slips for this payment, they contain a statement indicating the payment was made to building service employees for services rendered.

Hoover

SF10
100-74560

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP4M/KP

1 - J. S. Johnson 331 OPO

NOTE ON YELLOW:

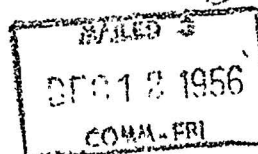
ELSOR

A fictitious cover firm, "Al-Sue Research" is used as a monitoring plant in room 203, 6 E. 39th Street, New York City, to cover a microphone surveillance installation on Stanley D. Levison. Levison is very closely affiliated with CP reserve fund operations. SF10
It is a custom in New York to make token payments to building service employees at this time of year and the New York Office desires to pay \$3 to each of five elevator operators at the above address. It is believed to be to the advantage of the Bureau to make these payments to prevent these employees from singling out this cover firm. These payments will assist in the continued protection of this cover firm as a monitoring plant.

RDS:jet
(5)

DEC 11 2 23 PM '56

DEC 26 1956



DocId:32989575 Page 83

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mason _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Nease _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

UNRECORDED COPY FILED IN 100-355415-2-1

1) Author for F-13 wet

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (100-3-63)
 FROM : SAC, NEW YORK (100-74560-Sub 2)

DATE: 12/5/56

JUNE

SUBJECT: CPUSA-FUNDS
 IS-C

~~CONFIDENTIAL~~

The fictitious cover firm, ~~"Al-Sue Research"~~, utilized as a monitoring plant for NY 1831-S*, is located in Room 203 at 6 E. 39th St., NYC, in a multi-story building of offices in midtown Manhattan. NY 1831-S* has been in a position to report on activities of STANLEY D. LEVISON at the latter's office in Room 601 at the above address since 8/19/56.

The superintendent of the building has advised that it has been the custom of the tenants in the building to make a token payment once a year to the building service employees for services they have rendered to tenants throughout the year.

To insure that "Al-Sue Research" is not singled out by the service employees as a non-conformist business, it is believed that the appearance as a normal business enterprise can best be maintained by conforming to this established practice, which is regarded in this area as a regular operating business expense.

Bureau authority, therefore, is requested to make payments totaling \$15.00 to the building service employees at 6 E. 39th St. Three dollars (\$3.00) each will be given to the five elevator operators who service this building.

- 2 - Bureau (100-3-63) (RM)
 1 - NY 100-74560-Sub 2

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/29/00 BY SP2AUX

EX-125

RECORDED - 26

INDEXED - 26

DFGHC
 (3)

Airtel to NY
 12/12/56
 RDS

UNRECORDED COPY FILED IN 100-3-63-2531

F B I

Date: 8/20/56

Airtel

Transmit the following message via _____

(Priority or Method of Mailing)

DIRECTOR, FBI (100-3-63) *SF10*

SAC, NEW YORK (100-74560)

JUNECP, USA - FUNDS *SF10*
IS-C

| | |
|----------------|-------|
| Mr. Tolson | _____ |
| Mr. Nichols | _____ |
| Mr. Boardman | _____ |
| Mr. Belmont | _____ |
| Mr. Mason | _____ |
| Mr. Mohr | _____ |
| Mr. Parsons | _____ |
| Mr. Rosen | _____ |
| Mr. Tamm | _____ |
| Mr. Nease | _____ |
| Mr. Winterrowd | _____ |
| Tele. Room | _____ |
| Mr. Holloman | _____ |
| Miss Gandy | _____ |

ReButel August 14 last, granting authority to install misur. Carbon mic installed on August 19, last in office of STANLEY LEVISON, Room 601, 6 East 39th Street, NYC.

CONF. INFT.

Installation completed at 6:15 PM August 19. Security Assured. Symbol number NY 1831-S* has been assigned to this installation which will be conducted from Room 203 at 6 East 39th Street.

KELLY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUM/KP

SF10
3 - Bureau (100-3-63) (RM)
1 - New York (100-74560)

DFG:kmi (#19)
(5)

RECORDED - 88

INDEXED-88 EX-126

Mr. Belmont

SF10

100-3-63-

27

27 AUG 24 1956

AUG 24 1956

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman

DATE: August 17, 1956

FROM : Mr. A. H. Belmont

SUBJECT: COMMUNIST PARTY, USA - FUNDS ^{SF 10}
INTERNAL SECURITY - C
Bufile 100-3-63 ^{FI 5}

| | |
|------------|-------------------------------------|
| Tolson | _____ |
| Nichols | _____ |
| Boardman | _____ |
| Belmont | <input checked="" type="checkbox"/> |
| Mason | _____ |
| Mohr | _____ |
| Parsons | _____ |
| Rosen | _____ |
| Tamm | _____ |
| Nease | _____ |
| Winterrowd | _____ |
| Tele. Room | _____ |
| Holloman | _____ |
| Gandy | _____ |

JUNE

The New York Office (NYO) by airtel dated 8/15/56 has advised that unless advised to the contrary by the Bureau, the NYO will handle its plant located in Room 203, 6 East 39th Street, New York City, (rental previously authorized) in the following manner.

This plant is used to monitor a microphone surveillance on the office of Stanley Levison, Room 601, 6 East 39th Street, New York City. Levison is engaged in secret financial operations on behalf of the Communist Party, (CP) USA.

In order to conserve manpower, the plant will be operated on week days during the hours of 8 A. M. until Stanley Levison closes his office and at any other time when there is an indication of activity in Levison's office. While the plant is not occupied the monitoring equipment will be located in a padlocked steel cabinet which will be fastened securely to the common wall of the two-room office and also to the floor of the back room. The NYO always removes any Bureau markings from equipment maintained in plants. The plant is a two-room office consisting of a main room with one window and a door leading to the outer hallway and a smaller back room where admittance can be gained from the main room. There are no windows or doors other than the common door between the partitioned two rooms. The lock on the outer door leading from the main room to the hallway will be changed by the NYO and only monitoring Special Agents will be in possession of the key. The door leading into the back room will be locked and monitoring Agents will have exclusive possession of the key.

cc - Mr. Boardman
Mr. Belmont
Mr. Bly

RECORDED - 91

18 AUG 24 1956

HOB:prh

(4)

Memorandum for Mr. Boardman

OBSERVATIONS:

It is believed that the NYO has taken all necessary security precautions and that the plant should be operated on the schedule outlined above. This microphone surveillance is expected to be extremely productive.

RECOMMENDATION:

If you agree, no action is necessary since the NYO will operate the plant under the afore-mentioned schedule unless advised to the contrary by the Bureau.

HOB
DB
GMB
HMB
rer
V/mw

FBI

Date: 8/15/56

Transmit the following message via A I R T E LREGULAR MAIL, RM
(Priority or Method of Mailing)

From SAC, NEW YORK (100-74560)

To: BUREAU (100-3-63) *EF-10*

| | |
|----------------|-------|
| Mr. Tolson | _____ |
| Mr. Nichols | _____ |
| Mr. Boardman | _____ |
| Mr. Belmont | _____ |
| Mr. Ladd | _____ |
| Mr. Mohr | _____ |
| Mr. Parsons | _____ |
| Mr. Rosen | _____ |
| Mr. Tamm | _____ |
| Mr. Nease | _____ |
| Mr. Winterrowd | _____ |
| Tele. Room | _____ |
| Mr. Holloman | _____ |
| Miss Gandy | _____ |

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/24/00 BY SPAN/KP

J U N E

CPUSA-FUNDS *SF10*
IS-C

Bureau authority granted on 8/14/56 to install a misur at the office of STANLEY LEVISON, Room 601, 6 E. 39th St., NYC. Authority was also granted on this date to rent Room 203, 6 E. 39th St., for monitoring purposes.

Room 203 actually is a two-room office consisting of a main room with one window and a door leading to the outer hallway and a smaller back room where admittance can only be gained from the main room. There are no windows or doors other than the common door between the partitioned two rooms. The lock on the outer door leading from the main room to the hallway will be changed by SAS of NYO and only monitoring SAS will be in possession of the key. The door leading into the back room from the main room will be locked and monitoring Agents will have exclusive possession of key.

The monitoring equipment will be located in a padlocked steel cabinet which will be fastened securely to the common wall of the two rooms and also to the floor of the back room.

It is at this time anticipated that coverage will be afforded only during business hours Monday through Friday, since it has previously been established that LEVISON and/or his office staff do not occupy the premises at any other time.

To conserve manpower, the plant will be operated week days during the hours of 8:00 AM to the close of subject's business and at all times when there is any indication of activity.

UACB the monitoring equipment will be secured in the padlocked steel cabinet in the locked back room of Room 203 when the plant is not in operation.

RECORDED - 91

SK10 KELLY

100-3-63-1

3 - BUREAU (100-3-63) (REGULAR MAIL, RM)
1 - NEW YORK (100-74560) (19)

CJS:HC (19)

Mr. Belmont

Approved: *[Signature]*
Special Agent in ChargeSent *[Signature]* M Per *[Signature]*

August 14, 1956

cc - Mr. Boardman
Mr. Belmont
Mr. Bly

TELETYPE

URGENT - code

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP4UMK

SAC, NEW YORK

JUNE. CP, USA ^{SF}DASH FUND, IS DASH C. AUTHORITY GRANTED INSTALL
MISUR ON OFFICE STANLEY LEVISON, ROOM SIX NAUGHT ONE, SIX EAST
THIRTYNINTH STREET, NYC, PROVIDED FULL SECURITY ASSURED. ADVISE
TIME, DATE INSTALLATION, AND SYMBOL NUMBER. JUSTIFY THIRTY
DAYS AFTER INSTALLATION AND EACH SIX MONTHS THEREAFTER.
AUTHORITY GRANTED RENT ROOM TWO NAUGHT THREE AT SIX EAST
THIRTYNINTH STREET, NYC, ON A MONTH DASH TO DASH MONTH BASIS
AT MONTHLY RENTAL OF ONE HUNDRED THIRTYFIVE DOLLARS. EVERY
SECURITY PRECAUTION SHOULD BE TAKEN RE THIS MATTER SO OWNER
OR OTHER TENANTS WILL NOT BECOME AWARE OF NATURE OF OPERATION.
AUTHORITY GRANTED REIMBURSE LOUIS ROSENBERG INITIAL PAYMENT
OF ONE HUNDRED FIFTY DOLLARS FOR REDECORATING COSTS, AND TO
INSTALL PRIVATE TELEPHONE AND PAY MONTHLY PAYMENTS CONNECTED
THEREWITH. SUTEL BUREAU SHOULD ANY SECURITY PROBLEM DEVELOP.

HOOVER

BUFILE ^{SF}100-3-63

NR. 141957

ENC. 1957-2004 BY [initials]

CK. 2012-202 BY [initials]

NOTE ON YELLOW:

See memo Belmont to Boardman, August 13, 1956, same caption,

HOB:mag. L B

SECID - 8260000

TYPED BY [initials]

cc - Mr. J. TELETYPE

HOB:mag

AUG 14 1956

(6) FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 20 1956

DECODED COPY

☐ Radio☒ Teletype

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mason _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Nease _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Gandy _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/29/00 BY SP2ALMKP

FROM NEW YORK 12

8-10-56

102230

TO DIRECTOR

URGENT

JUNE

CONFIDENTIAL
 CPUSA-EUNDS. ^{SFID} IS-C. REBUAIRTEL JUNE 11, 1956. MICROPHONE SURVEILLANCE SURVEY OF OFFICE OF STANLEY LEVISON, ROOM 601, 6 EAST 39TH ST, NYC, COMPLETED ON THIS DATE, INDICATING THAT MICROPHONE COVERAGE THERE IS FEASIBLE AND CAN BE CONDUCTED WITH FULL SECURITY IF SPACE PRESENTLY AVAILABLE IN ROOM 203 OF THIS BUILDING IS OBTAINED FOR MONITORING PURPOSES. LOUIS ROSENBERG, OWNER OF BUILDING AT THIS ADDRESS IS WILLING TO RENT THIS SPACE TO BUREAU ON A MONTHLY BASIS AT RATE OF ONE HUNDRED THIRTY FIVE DOLLARS A MONTH PLUS AN INITIAL PAYMENT OF ONE HUNDRED FIFTY DOLLARS TO DEFRAY REDECORATING EXPENSES ALREADY INCURRED BY HIM IN MAKING THIS SPACE SUITABLE FOR A PROSPECTIVE NEW TENANT. ROSENBERG MUST BE ADVISED BY AUGUST 15, 1956 IF BUREAU DESIRES TO RENT THIS SPACE. IT IS NOTED ABOVE SPACE IS LOCATED IN A HIGHLY DESIRABLE BUSINESS AREA OF NYC AND NORMAL PRACTICE IN RENTING SUCH SPACE ACCORDING TO ROSENBERG IS TO REQUIRE AT LEAST A ONE YEAR LEASE, A SECURITY DEPOSIT OF ONE MONTHS RENT, AND REIMBURSEMENT FOR DECORATING EXPENSES. ROSENBERG IS WILLING TO FOREGO LEASE REQUIREMENT AND SECURITY DEPOSIT. ABOVE PLANT CAN BE OPERATED UNDER A SUITABLE COVER NAME BY NYO. BUREAU AUTHORITY REQUESTED TO INSTALL MICROPHONE SURVEILLANCE AS OUTLINED ABOVE AND TO MAKE MONTHLY RENTAL PAYMENTS TO ROSENBERG AS LONG AS SUCH PLANT IS IN OPERATION, TOGETHER WITH ONE HUNDRED FIFTY DOLLAR INITIAL PAYMENT REQUIRED BY HIM FOR REDECORATING WORK ALREADY PERFORMED. AUTHORITY ALSO REQUESTED TO INSTALL AND MAKE PAYMENTS FOR PRIVATE TELEPHONE TO BE USED IN CONNECTION WITH ABOVE PLACE.

If the information contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

16 AUG 22 1956

DECODED COPY

☒ Radio

☐ Teletype

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mason _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Nease _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE _____ BY _____

PAGE TWO

NO IDENTIFIABLE REFERENCES TO ^{CONF SOURCE}ROSENBERG IN NYO INDICES. ^{CONF SOURCE}CSNY 1811-S,
WHO IS SUPERINTENDENT OF ABOVE BUILDING, ADVISES ROSENBERG IS RE-
LIABLE. ^{CONF SOURCE}

KELLY

RECEIVED:

6:25 PM TELETYPE

6:27 PM CODING UNIT CCA

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. L. V. Boardman *8/21/56*

DATE: August 13, 1956

FROM : Mr. A. H. Belmont *10*J U N ESUBJECT: COMMUNIST PARTY, USA - FUNDS *SF10*
INTERNAL SECURITY - C
Bufile 100-3-63 *SF10*ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/19/00* BY *SP4 MRP*

| | |
|------------|-------|
| Tolson | _____ |
| Nichols | _____ |
| Boardman | _____ |
| Belmont | _____ |
| Mason | _____ |
| Mohr | _____ |
| Parsons | _____ |
| Rosen | _____ |
| Tamm | _____ |
| Nease | _____ |
| Winterrowd | _____ |
| Tele. Room | _____ |
| Holloman | _____ |
| Gandy | _____ |

CONFIDENTIAL

The New York Office by teletype dated August 10, 1956, requested authority for the installation of a microphone surveillance on the office of Stanley Levison, Room 601, 6 East 39th Street, New York City. New York advised that the survey showed that this installation was feasible and could be conducted with full security if space now available in Room 203 of this building is obtained for monitoring purposes. The cost of the installation is as follows: Monthly rental of monitoring plant space \$135 per month. \$150 as an initial payment to defray redecorating expenses already incurred. Installation and monthly charge for private telephone to be used in the plant operation. Louis Rosenberg, owner of building at 6 East 39th Street, New York City, is willing to forego the one-year lease requirement and the security deposit of one month's rent. New York advises that this plant can be operated under a suitable cover name.

SENSITIVE INFORMATION

It is believed that this microphone surveillance covering Stanley Levison would be of extreme value to the Bureau. Stanley Levison is involved in large financial operations of the Communist Party, USA (CP, USA), particularly those operations of a commercial nature secretly operated by the CP. For example, on June 19, 1956, NY 694-S advised that Isadore Wofsy, acting national treasurer of the CP, USA, had turned over to the informant \$10,000 in \$50 and \$100 bills, requesting the informant to have this money changed into bills of smaller denomination and to hold it in safekeeping. Wofsy explained that this \$10,000 was part of a collection of \$15,000 which he had secured earlier that day from "a guy on Park Avenue." The New York Office believes that this was a reference to Stanley Levison who was observed meeting Wofsy on June 19, 1956 (100-392452-105).

CONFIDENTIAL

The New York Office has advised that there are no identifiable references to Louis Rosenberg, owner of the building at 6 East 39th Street, New York City, in the New York Office indices. New York also advises that CSNY 1811-S, who is the superintendent of the building at 6 East 39th Street, New York City, has stated that Louis Rosenberg is reliable.

Enclosure

cc - Mr. Boardman
Mr. Belmont
Mr. Bly

Mr. J. S. Johnson, Room 331, OPO

16 AUG 22 1956

HOB:mag

(5)

1956

Memorandum for Mr. L. V. Boardman

RECOMMENDATION:

It is recommended that the attached teletype be sent the New York Office authorizing the microphone installation on the office of Stanley Levison, Room 601, 6 East 39th Street, New York City; authorizing the rental of Room 203 at the same address for the monitoring plant at \$135 per month; authorizing \$150 be paid Louis Rosenberg, owner, for the redecorating expenses on Room 203 already incurred, and also authorizing the installation of a private telephone and monthly payments thereafter, all provided full security assured.

CONF SOURCE

Hof:

Hof
JRB
JRB

Hof

✓
Hof

str

June 11, 1956 AIRTEL

SAC, New York (100-74560)

RECORDED - 72

SF10

SENSITIVE FOREIGN
Intelligence operation

JUNE. COMMUNIST PARTY, USA, FUNDS, INTERNAL
SECURITY - C. Reurairtel June 4, 1956.

You are authorized to conduct a survey to
determine the feasibility of a risur installation on
the office of Stanley Levison, Room 601, 6 East 39th
Street, New York City, provided full security is assured.

HOOVER

Bufile 100-3-63

Sensitive
Foreign Intell
oper. (SF10)

RDS:alg
(4)

ely

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AMK

RECORDED
JUN 15 1956

11 3 15 56
JUN 15 1956

Handwritten initials and signatures, including "HAB" and "AD".

RECORDED 16

FBI

Date: 6/4/56

Transmit the following message via A I R T E LREGULAR MAIL, RM

(Priority or Method of Mailing)

From SAC, NEW YORK (100-74560)

To: BUREAU (100-3-63)J U N ECPUSA-FUNDS
IS-CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

| | |
|----------------|-------|
| Mr. Tolson | _____ |
| Mr. Nichols | _____ |
| Mr. Boardman | _____ |
| Mr. Belmont | _____ |
| Mr. Mason | _____ |
| Mr. Mohr | _____ |
| Mr. Parsons | _____ |
| Mr. Rosen | _____ |
| Mr. Tamm | _____ |
| Mr. Nease | _____ |
| Mr. Winterrowd | _____ |
| Tele. Room | _____ |
| Mr. Holloman | _____ |
| Miss Gandy | _____ |

12.4.56

(SF10) In line with Bureau's program of intensifying the investigation of CPUSA financial operations as set forth in the Bureau's letter to all offices dated 3/2/56, it is recommended that misur coverage be afforded the office of STANLEY LEVISON, Room 601, 6 E. 39th St., NYC, who, according to NY 694-S*, continues to be active in CP reserve fund affairs and operates certain businesses in which the CP has financial interests. SENSITIVE FOREIGN INTELLIGENCE OPERATION

(SF10) Extensive inquiries into LEVISON's activities in the past have revealed that he has had contacts with various individuals believed to be involved in CP financial operations. However, little has been ascertained concerning the purposes or outcome of these contacts. In addition, little is known concerning the amounts of CP funds under LEVISON's control and the manner in which he handles these funds.

It is believed that misur coverage on LEVISON's office may provide some of the answers to above problems.

Accordingly, Bureau authority is requested to conduct a survey to determine the feasibility of a misur at abovementioned location.

KELLY

3 - BUREAU (100-3-63) (REGULAR MAIL, RM)
1 - NEW YORK (100-74560) (19)

AJS:HC (19)
(4)

Mr. Belmont

Approved: J. B. K.
Special Agent in Charge

Sent _____ M Per _____

UNRECORDED COPY FILED IN

RECORDED - 72

JUN 5 1956



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 28 1976

Mike
TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination *Sanctuary*

SUBJECT: SSC Request Dated January 23, 1976

Attached is a letter from the SSC dated January 23, 1976, requesting in part additional FBI materials concerning Dr. Martin Luther King, Jr. Please arrange for an appropriate response to these requests. Access to the materials requested in Item 3 should be limited to those staff persons who actually attended the briefing with Senator Church. If you have any questions concerning appropriate responses to the various requests please call me. *PO*

2/1/76
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUMKP

62-116370-1349X1

7 MAR 4 1976

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALL, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHESON, JR., MD.
RICHARD S. SCHWAB, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
THEODORE A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 23, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
U. S. Department of Justice
Office of the Deputy Attorney General
Washington, D.C. 20530

Dear Mike:

Attached is a list of additional items we need in connection with our investigation of the King case.

Next Tuesday there will be an Executive Session of the Domestic Intelligence Subcommittee on the subject of the usefulness of FBI domestic intelligence reports. In connection therewith, I would appreciate your supplying the Committee with a representative sample of (a) daily morning reports, (b) daily evening reports, and (c) summation weekly reports which were prepared by the IDIU during 1970.^{1/} In order that we may have a random cross-section of these reports, please forward one such report for the third day and/or the second week of each month of 1970.

Finally, please also forward ten sample "hourly summaries" prepared by the IDIU during the summer of 1968.^{2/}

Your continued cooperation is appreciated.

Sincerely,

John T. Elliff
John T. Elliff

Director

Domestic Intelligence Task Force

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/29/60 BY SP2AMK

- 1/ See memorandum of James T. Devine, entitled "Inter-Divisional Information Unit, Civil Disturbance Group." dated September 10, 1970, p. 1, attached.
- 2/ See memorandum of J. Walter Yeagley, entitled "Operations of Intelligence Unit," dated April 10, 1968, pp. 2-3, attached.



ENCLOSURE

62-116395-1349X1

King Materials

1. Documents and materials reflecting the decision to include Stanley David Levison on the Security Index and the reasons for and date of such decision.
2. All materials reflecting the receipt at FBI Headquarters of the Information contained in the Director's January 8, 1962 memorandum to the Attorney General captioned "Stanley David Levison, Security Matter-C", and all materials pertaining to the decision to transmit such information to the Attorney General.
3. Access to the briefing paper or memorandum utilized by personnel of the Domestic Intelligence Division in the briefing of Committee Chairman Frank Church and certain Committee staff members concerning Stanley David Levison.
4. The original record of the informant's assertion contained in the Director's September 4, 1963 memorandum to the Attorney General captioned "Martin Luther King, Jr., Security Matter-C", to wit:

"A source who has furnished reliable information in the past advised in July 1963, that Stanley Levison is a secret member of the Communist Party, USA (CPUSA), and contributes funds to the CPUSA on a regular basis."

5. The original record of the informant's assertion contained in the August 30, 1962 memorandum from SA Francis T. Leonard to the SAC, New York, to wit:

"NY T..who has furnished reliable information in the past, advised on August 25, 1962, that STANLEY LEVISON is a secret member of the Communist Party, United States of America (excised) and (excised)"

6. All materials reflecting the initiation and termination of the microphone surveillance of the office of Stanley David Levison.

With respect to items 4 and 5, the informant's identity, if "live", may be deleted.

ENCLOSURE

62-116395-1349X1

1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar

The Attorney General

February 19, 1976

1 - Mr. S. J. Miller

Director, FBI

REC-100

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Enclosed is the original of a memorandum, with attachments, concerning interviews of FBI Special Agents (SAs) C. Jordan Naylor and Earl M. Petersen and former SAs Robert S. Baker and Eugene F. Olsen by SSC Staff Members. Also enclosed is a copy of the memorandum, with attachments, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (10)

62-116395

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

1 - 67- (Personnel File SA C. Jordan Naylor)
1 - 67- (Personnel File SA Earl M. Petersen)
1 - 67- (Personnel File Former SA Robert S. Baker)
1 - 67- (Personnel File Former SA Eugene F. Olsen)

SJM:1hb/1hb
(13)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AM/KP

MAIL ROOM ☐ TELETYPE UNIT ☐

84 MAR 9 1976

1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar
1 - Mr. S. J. Miller

62-116395

February 19, 1976

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEWS OF FBI SPECIAL AGENTS
(SAs) AND FORMER SAs BY SSC STAFF
MEMBERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALW/KP

The following concerns interviews of FBI SAs
C. Jordan Naylor and Earl M. Petersen and former SAs
Robert S. Baker and Eugene F. Olsen on January 22, 1976,
by SSC Staff Members.

All of the above-mentioned individuals were
released from their confidentiality agreement with the
FBI for the purpose of the interviews, which were to
be confined to information concerning the Secret Army
Organization and former FBI informant Howard Barry Godfrey.

Attached are four separate statements, each
reporting the results of the interview of the respective
author by the SSC representatives.

Enclosures (4)

1 - 67- (Personnel File SA C. Jordan Naylor)
Assoc. Dir. 1 - 67- (Personnel File SA Earl M. Petersen)
Dep. AD Adm. 1 - 67- (Personnel File Former SA Robert S. Baker)
Dep. AD Inv. 1 - 67- (Personnel File Former SA Eugene F. Olsen)
Asst. Dir.:
Admin. 1 - 67-
Comp. Syst. _____
Ext. Affairs _____
Files & Com. SJM:1hb/hb
Gen. Inv. (12)
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ORIGINAL AND ONE COPY TO AG

NOTE:

The results of the interviews were furnished to
FBIHQ as enclosures to San Diego airtel, 1/28/76, captioned
"Senstudy 75."

MAIL ROOM ☐ TELETYPE UNIT ☐

GPO : 1975 O - 594-120

FBI

Date: 1/28/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Precedence)

WRW/TJS

TO: DIRECTOR, FBI
ATTN: INTD; W. O. CREGAR

FROM: SAC, SAN DIEGO (66-1714)

SENSSTUDY 1975

WOC
Cregar

Enclosed for the Bureau are two copies each of statements prepared by SAs C. JORDAN NAYLOR and EARL M. PETERSEN and former Agents ROBERT S. BAKER and EUGENE F. OLSEN setting forth details of interrogation by investigators of the Senate Select Committee conducted at San Diego, California, 1/22/76.

- 2 - Bureau (Enc. 8)
1 - San Diego

CJN:dng
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUM/KP

REC-100

62-116375-11349X

JAN 31 1976

Cregar
TJM

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

let to AC 1-DA C
SJN:llb 2/19/76 Enc. 10



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
San Diego, California
January 28, 1976

In Reply, Please Refer to
File No.

SENATE SELECT COMMITTEE
ON INTELLIGENCE INVESTIGATIONS

RE: INTERVIEW OF FEDERAL BUREAU
OF INVESTIGATION (FBI) SPECIAL
AGENT (SA) C. JORDAN NAYLOR
BY SENATE SELECT COMMITTEE STAFF MEMBERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

On January 22, 1976, Special Agent (SA) C. Jordan Naylor was interviewed by Michael Madigan and Lester Seidel, who introduced themselves as investigators for the Senate Select Committee. The interview was conducted at the Federal Bureau of Investigation Office at San Diego, California, and lasted approximately ninety minutes. SA Naylor was not advised of his rights nor was he advised that he could have an attorney present during the interview.

It was mutually agreed that the interview would be recorded on tape, and Mr. Madigan stated that a transcript of the interview would be furnished to SA Naylor. SA Naylor requested that the tape not be destroyed until after a review of the transcript had been approved, to which Mr. Madigan agreed. The interview was conducted in a very informal manner, beginning with the interviewers indicating they had previously been Assistant U. S. Attorneys. Adding to the informality, neither investigator was dressed in a business suit or necktie, and Mr. Seidel frequently placed his feet on the table of the interview room.

At the outset of the interview, Mr. Madigan indicated the interview would center around activities of the Secret Army Organization (SAO), with particular attention to the activities of former Federal Bureau of

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.



62-116395-1349X

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

Investigation (FBI) informant Howard Barry Godfrey.

Mr. Madigan began the interrogation by asking how SA Naylor became acquainted with Mr. Godfrey.

SA Naylor recalled that he first met Howard Barry Godfrey in 1966 in the company of former SA Eugene F. Olsen. It was recalled that on that occasion, Mr. Godfrey appeared at the San Diego Office of the FBI on the recommendation of a friend and was anxious to report information regarding an attempt to recruit Godfrey into the Minutemen organization. Naylor recalled that Godfrey did not desire to participate in this group but felt that due to the illegal activities of the group, it should be reported to the FBI. The illegal activities referred specifically to the fact that the group was gathering and storing arms, ammunition and explosives to be used against the communists in their attempts to take over the United States Government. The specific results of that particular interview were not recalled. In December, 1966, former SA Olsen retired from the FBI, and it was reported that Godfrey subsequently contacted SA Naylor during the early part of 1967 regarding additional activities of members of the Minutemen Organization. From that time until late in 1968, Mr. Godfrey was in frequent contact with SA Naylor and was developed as a criminal informant in an attempt to determine if the materials being stockpiled by the Minutemen Organization were being stolen, with particular concern that the items might be taken from Government facilities.

It was further reported that toward the end of 1968, when Mr. Godfrey began furnishing information of a security nature regarding the Minutemen Organization, that Godfrey's direction was turned over to former SA Steven Christensen, who was working in the field of internal security.

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

Mr. Madigan asked at what period of time Godfrey began furnishing information regarding the SAO.

SA Naylor advised that at no time did Godfrey ever mention the SAO to SA Naylor, and the SAO was not believed to be in existence during the time Godfrey was under SA Naylor's supervision.

Mr. Madigan asked about any financial arrangements between the FBI and Mr. Godfrey, with specific interest in the exact amount of money paid to Godfrey.

SA Naylor advised that to the best of his recollection, Godfrey received only a small amount of remuneration for his services, generally limited to expenses incurred by Godfrey while participating in activities with the Minutemen Organization. It was indicated that the entire amount of money paid to Godfrey by SA Naylor was less than \$400.00 during a one-and-a-half year period.

Mr. Madigan asked if the FBI ever financed Godfrey in the purchase of arms and ammunition to be used by the Minutemen Organization.

SA Naylor advised that he could not recall a single instance in which funds were given to Mr. Godfrey to be used in the purchase of any arms, ammunition or explosives for use of the Minutemen Organization. It was indicated that there may have been one or two limited occasions when Godfrey reported that a large amount of ammunition was in the possession of a Minutemen member, and on those occasions, Godfrey was authorized to purchase one box of ammunition from a large supply in an effort to trace that ammunition as to its origin in determining whether or not it might be stolen Government property.

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

Both Madigan and Seidel asked questions regarding Godfrey's personal motives and his purposes for participating in the activities of the Minutemen Organization.

SA Naylor advised that it was his personal feeling that Mr. Godfrey is a patriotic, loyal American citizen and that through the entire period in which he served as an FBI informant was anxious to serve his country and to attempt to put a stop to the illegal activities of members of the Minutemen Organization by making these illegal activities known to proper law enforcement authorities. The investigators were advised that any information furnished by Godfrey was always properly disseminated to the police department, sheriff's office or agents of the Alcohol, Tobacco and Firearms Agency as appropriate.

Madigan and Seidel asked questions relative to the stability and dependability of Godfrey and were particularly interested in determining whether or not his original motives in following the activities of Minutemen members might have ever changed with particular concern that he may have developed an attitude of participating in Minutemen activities in furtherance of his own personal desires.

SA Naylor stated that to his knowledge, the informant was never anxious to participate in activities required of him and frequently indicated a desire to disassociate himself from the Minutemen Organization, fearing for his own safety and safety of his family due to the vindictive nature of members of the Minutemen Organization. It was reported that Mr. Godfrey never changed his feelings or initial purpose for reporting on activities of members of the Minutemen Organization and never willingly served his own purposes in participating in any activities carried out by members of that group. Investigators were advised that Mr. Godfrey always reported activities of the group in advance when their plans were known; however, on frequent

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

occasions, spontaneous activities of the group generated in a meeting were carried out immediately without allowing Mr. Godfrey time to report the plans until after the activities had been carried out.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

San Diego, California

January 23, 1976

In Reply, Please Refer to
File No. SD 66-1741

SENATE SELECT COMMITTEE
ON INTELLIGENCE INVESTIGATIONS;

RE: INTERVIEW OF FEDERAL BUREAU
OF INVESTIGATION (FBI) SPECIAL
AGENT (SA) EARL M. PETERSEN BY
SENATE SELECT COMMITTEE STAFF MEMBERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUKP

On January 22, 1976, SA Earl M. Petersen was interviewed by Michael Madigan and Lester Seidel, Staff Members of the Senate Select Committee at the Office of the Federal Bureau of Investigation (FBI), in San Diego, California. The interview lasted for 40 minutes. SA Petersen was not advised of his rights, nor was he advised that he could have an attorney present during the interview.

SA Petersen agreed that he had no objection to having the interview taped, and was advised that a transcript of the interview would be furnished to the San Diego Office of the FBI by the interviewers.

SA Petersen was advised that the interview would consist of information concerning Howard Barry Godfrey, a former informant of the FBI in San Diego, and of information concerning the Secret Army Organization (SAO). Most of the questions were asked by Mr. Madigan.

Mr. Madigan indicated that the SAO was one and the same as the Minutemen Organization and inquired as to when the SAO originated.

SA Petersen advised that he did not feel that the Minutemen and the SAO organizations were one and the same, but that the SAO was an organization which had many members of the

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.



ENCLOSURE

62 116395-1349X

SENATE SELECT COMMITTEE
ON INTELLIGENCE INVESTIGATIONS

Minutemen organization interested in it. Both organizations were national in scope; however, the Minutemen organization was much larger than the SAO. The SAO first started with a meeting held somewhere in Arizona in about February, 1969. SA Petersen stated that he was of the opinion that Godfrey did not attend this meeting, but pointed out that there were others who felt that he did. Godfrey had been an informant prior to this time and was a member of the SAO from its inception.

Mr. Madigan inquired whether Godfrey was one of those informants who gets into an organization feeling opposed and then after getting into it, turns and becomes a working and active member of the organization. He asked if Godfrey liked being in the organization. SA Petersen advised that Godfrey did not like being in the organization, and that SA Petersen had been with former SA Steven Christensen when Godfrey had strongly requested to be allowed to get off the hook and no longer be an informant. SA Petersen pointed out that Godfrey was a gun enthusiast and liked guns and associated items, and therefore, enjoyed being with and associating with other persons who were interested in guns, such as members of right wing organizations, but it was reiterated that Godfrey did not like to be an informant; that he did not ask to become an informant in the first place, and that he would gladly have ceased being an informant during the period of time that the SAO was in existence. SA Petersen advised that he has the highest regard for Howard Barry Godfrey and feels that he is an individual who is pro-law enforcement and pro-FBI, and did his best to do a good job as an informant for the FBI.

Questions were asked whether money was ever furnished to Godfrey to purchase explosives or weapons for the SAO. SA Petersen replied that never was money furnished to Godfrey for purchase of explosives or weapons for the SAO. It was pointed out that Godfrey had in the past purchased explosives or weapons; however, they were purchased to be turned over to the FBI to get them out of the hands of people who had them. A discussion was also had concerning explosives, weapons and material placed in Godfrey's possession to hold for an individual

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

which were obtained by the FBI and turned over to Alcohol, Tobacco and Firearms Division of the Treasury Department. Some of the material was lost by Alcohol, Tobacco and Firearms (AT&F), and it was necessary for the FBI to furnish money to Godfrey to buy the items that were lost, in order that his status as an informant could be protected. It was also pointed out that on at least one occasion, officials of AT&F had come to San Diego from Los Angeles to personally talk to Godfrey, who was known to them as being an informant of the FBI, concerning a threatened bombing of their headquarters. The question of whether Godfrey might have given William Francis Yakopec any explosives came up, and it was explained that Godfrey and Yakopec were next door neighbors and friends, and that it was possible that explosives had been passed back and forth between them, but that Godfrey did not give him explosives to use in bombing the Guild Theater. Regarding Yakopec, the staff members were advised that Yakopec was inspired to bomb the Guild Theater because he was excited by pornography and was tempted to view such movies and purchase such material, and because of this, which was strongly opposed by his religious feelings, he felt that if he could destroy places which showed pornographic movies or sold pornographic material, he could remove the temptation from himself. At the time that he bombed the Guild Theater, Yakopec would probably not have been prosecuted, because all local law enforcements, including the San Diego Police Department, the San Diego County Sheriff's Office, the California Bureau of Investigation, and the FBI thought that Godfrey was of such value within the SAO, that he should not be exposed merely to prosecute someone like Yakopec. When Yakopec decided to throw a bomb into the Genie Massage Parlor, wherein he was going to throw a bomb over a stone fence into a swimming pool, Agents of the FBI felt that this could possibly kill or injure people in the pool, and it was decided that Godfrey's status as informant could no longer be protected to allow such an incident to occur. At that time, he was turned over to the police department as a source for testimony against Yakopec, as well as Hoover and other Secret Army individuals who had violated the law.

Questions were asked regarding why Steve Christensen had kept the pistol used by George Mitchell Hoover to shoot Paula Tharp in the elbow. The staff investigators were advised that at the time the shot was fired into Peter Bohmer's home

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

Godfrey and Hoover were riding in Godfrey's car, when Hoover took a gun from under the front seat and after looking at it, suddenly fired at a lighted window in Bohmer's house. At the time he shot at the window, Hoover remarked this gun shoots low, indicating that he intended to shoot at the top of the window and not to shoot through the window at such a level that he could hit someone inside the house. Shortly thereafter, Godfrey advised former SA Steven Christensen that Hoover had fired the shot which struck Paula Tharp. Godfrey also turned over the gun to Steven Christensen. Christensen probably felt that if he turned over the gun to the police department, that they would immediately prosecute Hoover, and would reveal Godfrey's status as an informant. Former SA Steven Christensen and SA Petersen went to the San Diego Police Department and advised Captain Kenneth O'Brien that Hoover had been the individual who fired the pistol striking Paula Tharp in the elbow. This information was kept at a high level in the police department, as they agreed that informant Godfrey was very important to law enforcement to determine what was going on inside the SAO. It was asked whether Christensen had advised any superior in the FBI that he had the gun, and SA Petersen replied that he had not, inasmuch as he would then have been immediately ordered to turn the gun over to the police department for use as evidence in the Hoover trial. Christensen, instead, took the gun home, wrapped it in cloth, and placed it under a couch in his living room. Later, when Godfrey was being interviewed by Deputy District Attorney Huffman, in a hotel in Hotel Circle in San Diego, Detective Rubien Brandon and SA Earl Petersen were present. The questioning of Godfrey by Huffman finally got around to a question as to what he had done with the gun used to shoot Paula Tharp. In reply to this question, Godfrey answered that he did not wish to answer the question. Inasmuch as Godfrey had been cooperative in answering all other questions after further discussion, Huffman accused Godfrey of shielding Steve Christensen who had the gun. Godfrey again replied that he did not wish to discuss or answer this question. It became clearly obvious that Huffman had determined Steven Christensen had the gun and that Godfrey, because he would answer all of the other questions, and no questions pertaining to the gun, was shielding Christensen. At that point, SA Petersen advised

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

that he would contact Christensen and ask him if he had the gun. This was done, and Christensen advised in answered questions that he did have the gun, that he was willing to turn it over to the San Diego Police Department, that SA Petersen should accompany Detectives to his home to turn over the gun, and that the key to the house could be obtained from a woman taking care of the house. SA Petersen and Detective Brandon went to Christensen's house and Detective Brandon recovered the pistol for evidence in the trial of Hoover.

SA Petersen advised that in his opinion, Christensen kept the gun for evidence in any future trial involving the shooting of Paula Tharp, and that he kept it at home in order to protect his informant from appearing as a witness, and therefore destroying his further activity as an informant.

Questions were asked concerning the amount of money paid to Godfrey for services and expenses. SA Petersen remarked that probably the highest payments to Godfrey were made after SA Petersen became the primary Agent handling Godfrey on July 10, 1972. After that time, Godfrey was in a position of being a witness in upcoming Grand Juries and trials, and he was paid \$250 for services in a month, and at one time, was given \$200 for expenses in connection with bond money for Secret Army members that had been arrested. At that time, Godfrey's status as an informant was still secure. It was pointed out that Godfrey was paid very little for his services over a long period of time, with payments as small as \$40 with \$12 for expenses. At the time he became involved in the Secret Army, his payments increased because his activity increased considerably and his expenses increased somewhat because he was driving his car more. Questions were asked concerning money actually paid as expenses to the SAO, and it was pointed out to the Senate Investigators that if Godfrey paid dues to an organization or bought a ream of paper for them, he would be compensated for this expense. And that in this sense he had paid some of the expenses of the SAO. It was pointed out that this would be true of any informant in any organization.

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

The interview was concluded in order to allow former SA Baker and former SA Eugene Olsen to be interviewed, as they had other appointments. Staff Investigator Madigan stated that there could be a couple more questions for SA Petersen after they finished with the other interviews, however, upon completion of the other interviews, the interviews were terminated.

- 6* -

INTERVIEW OF ROBERT S. BAKER BY LESTER SEIDEL AND MICHAEL MADIGAN
OF THE U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES AT
SAN DIEGO, CALIFORNIA, JANUARY 22, 1976

QUESTIONING CONDUCTED BY SEIDEL AND RECORDED ON TAPE.

QUESTION ONE - Pertained to my duties as San Diego FBI Supervisor of Secret Army Organization (SAO). I explained I did not supervise SAO and that organization did not materialize to the best of my knowledge until after I was removed from supervisory status.

QUESTION TWO - Whether or not former Special Agent STEVEN L. CHRISTENSEN was under my supervision and I advised he was and worked for me first as a criminal Agent handling deserter matters and later as a security Agent handling white extremist groups.

QUESTION THREE - My recollection of former San Diego source ARTHUR B. GODFREY. I acknowledged GODFREY was known to me as a source on "Minutemen" activities. I recalled GODFREY was handled by CHRISTENSEN and at no time was there ever any indication CHRISTENSEN urged GODFREY to participate in any activities that might be in violation of any laws.

I further explained GODFREY's file was reviewed periodically by me and annually by members of the FBI Inspection Staff and to the best of my recollection, GODFREY was always given high ratings by the Inspection Staff.

QUESTION FOUR - In connection with my assignment as San Diego Office coordinator on activities in connection with the 1972 Republican National Convention. Did I recall the SAO making any plans to disrupt the activities of militants protesting the convention. I explained that my primary duties consisted of preparing a weekly summary suitable for dissemination to FBI Headquarters, U. S. Secret Service, U. S. Attorney, San Diego and other FBI field offices. In addition I represented the FBI at meetings of all San Diego law enforcement agencies planning for the convention. I did not recall any information that the SAO was planning to take any action against the protesters.

QUESTION FIVE - Did I have any information connecting DONALD SEGRETTI and (First Name Unknown) BUSCH with the SAO. I had no information of any association between SEGRETTI, BUSCH, and the SAO other than what I had recently read in the "San Diego Union" newspaper.

MADIGAN asked me about my being subpoenaed to testify in a law suit filed by PETER BOHMER against the FBI and other local law enforcement agencies. I pointed out to him I had neither been subpoenaed nor testified in this case.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2A/M/KO

62-116395-

2025 RELEASE



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

San Diego, California

January 28, 1976

In Reply, Please Refer to
File No.

SENATE SELECT COMMITTEE
ON INTELLIGENCE INVESTIGATIONS

RE: INTERVIEW OF FEDERAL BUREAU
OF INVESTIGATION (FBI) SPECIAL
AGENT (SA) EUGENE F. OLSEN (RETIRED)
BY SENATE SELECT COMMITTEE STAFF MEMBERS

On January 22, 1976, at the Office of the Federal Bureau of Investigation (FBI), San Diego, California, the writer was interviewed by Michael Madigan and Lester Seidel, Counsel for the Senate Select Committee on Intelligence, (202) 224-1700, G-308 D50B, Washington, D. C. 20510, concerning the captioned matter and specifically for any knowledge the writer might have concerning the "recruitment of Howard Barry Godfrey as an informant for the FBI."

The writer advised Mr. Madigan and Mr. Seidel that several months before the retirement of the writer from the FBI on December 31, 1966, he was contacted by the above Howard Barry Godfrey, who furnished the writer with information to the effect that he had learned that one Jerry Dikus, then living in the La Mesa or El Cajon, California, area, had a quantity of firearms and ammunition in his possession, that he had indicated to Godfrey that he had firearms in the trunk of his car, and to the best of the writer's knowledge, he had firearms concealed either in his house or garage, or both.

Godfrey indicated that he had furnished this information to Mr. J. Clifford Wallace, then an attorney in San Diego and now a Federal judge in San Diego, who at that time was serving as Stake President of the then San Diego East Stake of the Church of Jesus Christ of Latter Day Saints, which then comprised the La Mesa and El Cajon

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP



62-116375-1349X
ENCLOSURE

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

area, and Mr. Wallace suggested he contact the writer at the FBI Office in San Diego to report this information, which he did.

It is the recollection of the writer that he informed Godfrey that the above information appeared to be of interest to the FBI both from the possibility that it might involve a theft of firearms and ammunition or the interstate transportation of stolen firearms and ammunition and also with regard to the internal security of the nation and the possibility of illegal and subversive activities on the part of Dikus and others. It is the recollection of the writer that he asked Godfrey to furnish promptly to the FBI any additional information which he might obtain concerning these activities of Dikus and/or others.

To the best of the writer's knowledge, he had never known or seen Godfrey prior to the above interview, and to the best of his recollection, he has not seen him since, as it is the writer's recollection that he introduced Godfrey to Special Agent (SA) C. Jordan Naylor and perhaps other Agents to whom Godfrey was to report any additional pertinent information that might come to his attention.

The writer was asked whether he considered the potential of Godfrey as an informant for the Bureau at the time of the above interview with him in 1966. The writer replied that in this case, as in all other similar cases of any such information of value to the Bureau furnished by any person whatever, the writer would certainly have been alert to the possibility of utilizing the services of any person who might be in a position to serve as an informant or source of information by reason of his acquaintance or association with subjects of an FBI investigation for the purpose of obtaining valuable information of interest to the Bureau.

SENATE SELECT COMMITTEE ON
INTELLIGENCE INVESTIGATIONS

It was pointed out by the writer, however, that inasmuch as the writer retired from the Bureau in December, 1966, he has no personal knowledge as to the activities of Godfrey either as an FBI informant or otherwise. All information which came to the attention of the writer, however, was in a completely correct manner and was handled in a completely correct manner and made a matter of record. The writer pointed out that he considers that Mr. Wallace did exactly the right thing, both as an attorney and as a church official, in recommending to Godfrey that he contact the FBI to furnish to them information in his possession which might be of interest to the Bureau and that Godfrey himself did exactly the right thing in so doing. The writer further stated that so far as his knowledge is concerned, everything in this matter was handled in a completely correct manner. He pointed out, further, that any information concerning the actual development of Godfrey as an informant, if any, or concerning his activities as an informant, if any, would have to be obtained from Agents having later contact with him, as the writer's contact with him was limited to the initial contact referred to above or possibly a second contact with him but did not extend further in the matter.

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

☒

INTERVIEW

TESTIMONY

OTHER

2/19/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC

The Attorney General with a copy for forwarding to the White House

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures reporting interviews of FBI Special Agents C. Jordan Naylor and Earl M. Petersen and former Special Agents Robert S. Baker and Eugene F. Olson by SSC Staff Members

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

NA

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Operating Procedures
Information Handling**

8. SUMMARY (see reverse side before completing this item)

Interviewed regarding knowledge of Secret Army Organization and former FBI informant.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/29/00 BY SP2ALM/KP

62-116395

**SJM:1hb
(4)**

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.**

TREAT AS YELLOW

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McDermott

DATE: 1/28/76

FROM : W. L. Bailey *WLB*

SUBJECT: DISPOSITION OF SSC AND HSC RECORDS

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

On January 21, 1976, Special Agents Andrew J. Duffin, Intelligence Division, and William L. Bailey, Files and Communications Division, accompanied Mr. Thomas Martin, Office of the Assistant Attorney General, Civil Division, Department of Justice, to a conference held at CIA Headquarters. This conference dealt with the disposition of SSC and HSC records that have been obtained from the FBI, CIA, Department of Defense, State Department and National Security Council.

The results of this conference are set forth in the attached memorandum dated January 22, 1976, prepared by Scott D. Breckinridge, CIA. The attached documents are self explanatory and require no further action on the part of the FBI.

RECOMMENDATION:

For information.

EX-115

REG-43

62-116395-1349

6 FEB 3 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUM/KP

3 ENCLOSURE

Enclosure

- 1 - Mr. Wannall - Enclosure
Attention Mr. Cregar
- 1 - Mr. Mintz - Enclosure
Attention Mr. Daly
- 1 - Mr. Duffin - Enclosure

84 FEB 9 1976 WLB:nlm (6)

UNRECORDED COPY FILED IN 62-116395

INTELLIGENCE COMMUNITY STAFF TRANSMITTAL AND DOCUMENT RECEIPT

TO: MR. REX LEE
DEPARTMENT OF JUSTICE

FROM: Intelligence Community Staff
Central Intelligence Agency
Room 6E-2914
Washington, D.C. 20505

THE DOCUMENTS LISTED HEREON ARE FORWARDED FOR:

| INFORMATION | | ACTION | | RETENTION | | LOAN | |
|--|----------|-----------|---|-----------|--|--------|--|
| CONTROL NUMBER | COPY NO. | DOC. DATE | SUBJECT (Unclassified preferred) | | | CLASS. | |
| 76-0132/1 | | 22 JAN 76 | DISPOSITION OF RECORDS RE: THE INVESTIGATION. | | | | |
| <p>ALL FBI INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/29/00 BY SP8ALM/KP</p> <p>DATE SENT 22 JAN 76 153710</p> <p>FEB 5 1976</p> | | | | | | | |

RECEIPT

SIGNATURE (acknowledging receipt of above documents)

DATE OF RECEIPT

RETURN TO

INTELLIGENCE COMMUNITY STAFF
CENTRAL INTELLIGENCE AGENCY
ROOM 6E-2914
WASHINGTON, D.C. 20505



ENCLOSURE

FORM 3772
4-75

- 1 - WHITE, RETURN COPY
- 2 - PINK, ADDRESSEE HOLD BACK
- 3 - CANARY, ICS HOLD BACK


CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

Review Staff: 76/0132/1
22 January 1976

MEMORANDUM FOR: Mr. Rex Lee
Assistant Attorney General
Civil Division
Department of Justice

Herewith is the package I propose to forward as the report on disposition of SSC and HSC investigative records, for submission to ICG.

If you have any questions, please advise them by COB today, as I plan to forward the package to Mr. Rogovin then.


Scott D. Breckinridge

Attachment: a/s

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2 ALM/KP

Enclosure
WLB:ay:McDermott
1/28/76
WLB:mlm

Review Staff: 76/0132
22 January 1976

MEMORANDUM FOR: Mitchell Rogovin
SC/DCI

SUBJECT : Handling of HSC and SSC Investigative Materials

Representatives of the Department of State, Department of Defense, Department of Justice, the National Security Council Staff, and the Central Intelligence Agency have considered alternative ways for storing and handling the materials gathered by the Senate and House Select Committees in their current study of the intelligence activities of the government.

The key objectives were those of physically secure storage, with proper controls over access to the materials, the ultimate decision on normal declassification remaining with the departments, agencies or organizations that originated the materials.

Two main alternatives were developed for where the materials should be stored. These were the National Security Agency (NSA) and the National Archives and Records Service (NARS), the preference being for the former. The NSC Staff, in preferring storage at NSA, specified additional handling provisions for its materials.

Attached are alternative draft resolutions, providing for storage at NSA or at NARS. Also attached is the NSC staff proposal for modification of the proposal for storage at NSA, providing for special handling there of NSC materials. These are intended to provide a basis for discussions with SSC and HSC personnel.

It is requested that this report be submitted to the ICG. It is noted that time has become an essential consideration, in view of the imminent conclusion of the HSC investigation.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALNKP

S. D. Breckinridge

Attachment: a/s

ENCLOSURE

FEB 15 1976

62-110395-1349

W. L. Barclay / McDermott
V2 8/76
W. L. Barclay

ALL FBI INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/29/00 BY SP5JAC/MK

Resolved, that all records, including books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by the Select Committee to Study Governmental Operations With Respect to Intelligence Activities, established under Senate Resolution 21 of the 94th Congress, shall be transferred upon the termination of the Select Committee's mandate to the National Security Agency, there to be held in secure storage as described below in Section 2, with their use being limited to those persons or organizations authorized in the manner described below in Section 3.

Section 2. All records transferred to the National Security Agency for secure storage by the Senate Select Committee shall be stored in a secure area or areas separate and discrete from all other areas in which records are stored by the National Security Agency. This secure storage shall meet the security specifications designated in Executive Branch standards for appropriate storage of classified and/or unclassified material. The National Security Agency personnel with access to the records will be appropriately cleared and briefed for records requiring special clearance.

Section 3. Use of the records transferred by the Senate Select Committee to the National Security Agency shall be limited to persons cleared and briefed for the classifications and controls of the materials involved, and shall be further limited to those persons and members of organizations authorized in the specific manner described below:

Section 3(a). Use of the records containing information originated by the Senate Select Committee shall be limited to (1) current members of the acting, duly established Senate Legislative Oversight Committee or Committees, (2) appropriate staff members of the acting, duly established Senate Legislative Oversight Committee or Committees, as duly authorized by the Chairman of such Committee in writing. Use of such stored records, developed by the Senate Select Committee from the testimony, depositions or affidavits of the employees or of former employees of the various departments, agencies or organizations shall be subject to the requirements of Section 3(b) below, as though furnished by them.

Section 3(b). Records furnished or information provided to the Senate Select Committee shall be available for use by persons, agencies, departments, or organization, or by congressional committee or bodies other than the duly designated Senate Legislative Oversight Committee or Committees, only with the prior concurrence of the originating department, agency, organization, or its successor.

WL Bailey / 4th District
1/28/76
WL B

ENCLOSURE

62-116395-1341

Section 3(c). Any requests for records or information delivered to the National Security Agency by the Senate Select Committee under this Resolution, other than requests from the duly established Senate Legislative Oversight Committee or Committees (as provided in Section 3(a), supra) shall be made in writing by a representative designated by the department, agency or organization that originated said information. The designated official shall be responsible for ensuring that the proper clearances exist for the requestor.

Section 3(d). The records shall be treated as legislative records for all purposes relating to their availability in litigation or upon request by any person pursuant to law.

Section 4. Eventual downgrading or declassification of classified records transferred by the Senate Select Committee to the National Security Agency shall be carried out by the originating departments, agencies and organizations, or their successors, in accordance with applicable statutes and Executive Orders.

W.C. Farley / McDermott
1/28/76
W.C. Farley

Resolved, that all records, including books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by the Select Committee To Study Governmental Operations With Respect To Intelligence Activities, established under Senate Resolution 21 of the 94th Congress, shall be transferred upon the termination of the Select Committee's mandate to the National Archives and Records Service as a trustee for and agent of the Congress, there to be held in secure storage as described below in Section 2, with their use being limited to those persons or organizations authorized in the manner described below in Section 3.

Section 2. All records transferred to the National Archives and Records Service for secure storage by the Senate Select Committee shall be stored in a secure area or areas separate and discrete from all other areas in which records are stored by the National Archives and Records Service. This secure storage shall meet the security specifications designated in Executive Branch standards for appropriate storage of classified and/or unclassified material. The Central Intelligence Agency, acting in behalf of the Executive Branch, will conduct a physical security survey to ensure that the storage facilities meet those standards. National Archives and Records Service personnel with access to the records will be appropriately cleared and briefed for records requiring special clearance.

Section 3. Use of the records transferred by the Senate Select Committee to the National Archives and Records Service shall be limited to persons cleared and briefed for the classifications and controls of the materials involved, and shall be further limited to those persons and members of organizations authorized in the specific manner described below:

Section 3(a). Use of the records containing information originated by the Senate Select Committee shall be limited to (1) current members of the acting, duly established Senate Legislative Oversight Committee or Committees, (2) appropriate staff members of the acting duly established

WL Bailey/McDonnell
128/76
WL R. mlu

Senate Legislative Oversight Committee or Committees, as duly authorized by the Chairman of such Committee in writing. Use of such stored records, developed by the Senate Select Committee from the testimony, depositions or affidavits of the employees or of former employees of the various departments, agencies or organizations shall be subject to the requirements of Section 3(b), below, as though furnished by them:

Section 3(b). Records furnished or information provided to the Senate Select Committee shall be available for use by persons, agencies, departments, or organization, or by congressional committees or bodies other than the duly designated Senate Legislative Oversight Committee or Committees, only with the prior concurrence of the originating department, agency, organization, or its successor.

Section 3(c). Any requests for records or information delivered to the National Archives and Records Service by the Senate Select Committee under this Resolution, other than requests from the duly established Senate Legislative Oversight Committee or Committees (as provided in Section 3(a), supra) shall be made in writing by a representative designated by the department, agency or organization that originated said information. The designated official shall be responsible for ensuring that the requestor has the proper clearances or approvals necessary for access to the requested materials.

Section 4. Eventual downgrading or declassification of classified records transferred by the Senate Select Committee to the National Archives and Records Service shall be carried out by the originating departments, agencies and organizations, or their successors, in accordance with applicable statutes and Executive Orders.

Section 5. Should any request under the authority of 5 U.S.C Section 552 be received for records held by the National Archives and Records Service hereunder, the National Archives and Records Service shall advise any person making such request that the records are not subject to the provisions of 5 U.S.C. Section 552.

W.L. Bailey / McDermott
1/28/76
WLB:mlm

Section 2(a): Certain particularly sensitive material supplied to the Select Committee by the White House or the NSC shall be maintained in a separate safe in the secure storage area. Access to the material in this safe will be controlled by the NSC rather than by NSA. The provisions of Section 3 below will apply to the material in this safe in the same manner as to the other material in the secure storage area.

WL Bailey / McDermott
1/28/76
B. incin

January 12, 1970

Honorable Hugh Scott
Minority Leader of the Senate
Room 260 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Scott:

You will recall that by letter dated January 27, 1970, you and Senate Majority Leader Mike Mansfield requested that the FBI not destroy or otherwise dispose of material relevant to the subjects of inquiry by the Senate Select Committee.

Please find enclosed a copy of a letter which I have addressed to Senator Frank Church, Chairman of the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities, suggesting what, I hope, is a reasonable modification of our total moratorium on file destruction.

Please accept my assurance of continued cooperation in all matters of mutual interest.

Sincerely yours,

EX-115

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

REC-43
Clarence L. Kelley
Director

62-116395-1348

JAN 30 1976

Enclosure

- 1-Mr. Adams
- 1-Mr. Mintz
- 1-Mr. Wannall

JJMcD:jmr
(7)

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____

"TREAT AS ORIGINAL"

FD-448 (10-22-71)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - PLAINTEXT

JAN 28 1976

TELETYPE

To: DIRECTOR, FBI
ATTENTION: SA JIM GRAHAM, ROOM
From: SAC, SAN DIEGO 4072
JEH
Subject: SENSTUDY 75

Date: 1/28/76

Time Transmitted -

Received -

| | |
|------------------|-------|
| Assoc. Dir. | _____ |
| Dep. Dir. | _____ |
| Dep. Asst. Dir.: | _____ |
| Admin. | _____ |
| Comp. Syst. | _____ |
| Ext. Affairs | _____ |
| Files & Com. | _____ |
| Ident. | _____ |
| Inspection | _____ |
| Intell. | _____ |
| Laboratory | _____ |
| Plan. & Eval. | _____ |
| Spec. Inv. | _____ |
| Training | _____ |
| Legal Coun. | _____ |
| Telephone Rm. | _____ |
| Director's Sec'y | _____ |

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☐ Other _____
☐ (6 min) ☒ (4 min)

Special handling instructions:

Article is from the SD Union, Home Edition,
1/27/76.

1- ENCLOSURE

Approved: *[Signature]*

62-116395-

NOT RECORDED

14 FEB 4 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP8ANKP

[Handwritten signature]

Report Due On FBI Probe

By PATRICK DILLON

San Diego, The San Diego Union

The FBI was "very much involved" with the Secret Army Organization, a Senate investigator said here yesterday after interviewing an SAO cofounder and former FBI informant, Howard Henry Godfrey.

Michael Madigan, a staff investigator for the Senate Intelligence Committee, said he would report links between the SAO and FBI to the panel which is conducting a yearlong investigation of FBI activities.

The investigator questioned Godfrey yesterday in Sacramento, where the former San Diego fireman and longtime FBI informant currently is employed by the state Fire Marshal's office.

"TAKING THE RAP"

Madigan, a former U.S. attorney in Boston and Washington, D.C., said he could not elaborate on his interview with Godfrey.

"But it took up most of the morning," he said.

Richard Turner, Godfrey's attorney, said his client was "taking the rap for the FBI."

"They paid him. They told him what to do. They knew what he was doing every single day," Turner said. "They approved it. They blessed it. If they didn't think he was doing something right they could have told him so."

The San Diego Union recently detailed Godfrey's dual role as an SAO leader and FBI informant.

Former Agent

Madigan said his four-day visit to California has confirmed most news reports about FBI involvement with the SAO's guerrilla war against political dissidents in San Diego during the early 1970s.

He said the Senate Intelligence Committee still may subpoena Godfrey to testify before the panel in Washington, D.C.

Former FBI agent Steven Christensen, whom Godfrey identified in court testimony as his FBI supervisor, prob-

(Continued on A-4, Col. 5)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE _____ BY _____

Report Due On FBI Probe

(Continued from Page A-1) ally will be summoned to testify before the panel, Madigan said.

Christensen told the court in 1972 during trials of SAO members that he paid Godfrey a monthly salary and reimbursed the informant for his expenses, sometimes used to purchase explosives and supplies for the SAO.

Madigan arrived in San Diego from Washington late Thursday to begin his probe here. He was accompanied by another Senate investigator, Lester Seidel.

Like Madigan, Seidel is a former U.S. attorney in Washington, D.C.

Seidel visited San Diego last summer, interviewed law enforcement officials and persons who claimed they were victims of FBI-sanctioned attacks, then recommended that the Senate Intelligence Committee conduct a full-scale probe of FBI activities here.

Madigan and Seidel last week interviewed FBI agents Jordan Naylor and Earl Petersen who had contact with Godfrey while he worked as a paid informant for the bureau here.

Seidel said Richard Huffman, chief deputy district attorney, and John Hewick,

or, deputy district attorney, were interviewed because they prosecuted SAO members on charges ranging from assault to possession of illegal explosives and attempted murder.

"We wanted to find out if any prior cooperation between the police and district attorney's office and FBI existed before Godfrey surfaced as an informant," Seidel said.

Seidel left San Diego Sunday afternoon and returned to Washington to report to the Senate Committee.

Madigan was to return to Washington this morning and hold a briefing with the Senate Committee.

Another panel member named Arthur Jefferson is scheduled to arrive in San Diego today to begin a probe of FBI attempts to encourage warfare in 1969 between rival black nationalist factions here and in Los Angeles.

The FBI already has turned over to the Senate panel a 1,200-page document confirming that the FBI attempted to foster strife among blacks throughout the nation.

In San Diego, the document reveals, the FBI took credit for "the high degree

of unrest" that existed in Southeast San Diego in 1969 and 1970.

The bureau here, operating with approval from FBI headquarters in Washington, D.C., attempted to add fuel to a feud between the Black Panther party and its rival, known as the US organization.

Clashes between the two groups resulted in the shooting deaths of two persons and wounding of four others in Southeast San Diego.

An afternoon meeting is scheduled today between Jefferson and Leon Williams, San Diego's first black city councilman.

Williams said he attempted to mediate differences between the Panthers and US organization in Southeast San Diego but was informed by city officials that the Panthers planned to assassinate him.

The city officials who warned him were identified by Williams as then-City Mgr. Walter Hahn and O.J. Reed, who was police chief.

"We met twice in Hahn's office," Williams said. "I asked them where they got the information. They said the FBI told them."



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

FEB 4 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Request Dated February 4, 1976

Attached is a letter from the SSC dated February 2, 1976. Please arrange for an appropriate response to Parts II, III, and IV of the letter. I have asked Assistant Attorney General Pommerening to prepare an appropriate response to Part I.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUM/KP

ENCLOSURE

REC-100

62-116375-1347

FEB 6 1976

LEGAL COUNSEL

cc: Paul Daly



FEB 4 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSG Request Dated February 4, 1976

Attached is a letter from the SSC dated February 2, 1976. Please arrange for an appropriate response to Parts II, III, and IV of the letter. I have asked Assistant Attorney General Pommerening to prepare an appropriate response to Part I.

~~ALL THE INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2AUM/KP~~

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MOND, MINN.
WALTER D. HURDLER, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TEX.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, MD.
RICHARD S. SCHWEIKER, N.Y.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

February 4, 1976

FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

There are several different parts to this request for materials from the Justice Department and the FBI.

Dept. handling
Part I. The Select Committee requests delivery of the materials prepared for the Administrative Division of the Justice Department regarding the FBI budget. Specifically, this includes the budget figures for the six FBI program categories under the heading "Intelligence", the definitions of these categories, the figures for all FBI budget program categories, and the justifications submitted by the FBI for its programs. To the extent possible, this material should cover both fiscal years 1976 and 1977.

Part II. The Select Committee requests that the FBI provide materials pertaining to the electronic surveillance of executive branch officials under the administration of President Franklin D. Roosevelt. It is our understanding that material pertaining to this matter may appear in the "official and confidential" files of Director Hoover. *Passing to FBI*

*with Ells
conversations
Part III
with Bureau as at
was previously
given to Bureau, see
in 2/12/76 response
to 2/14/76 request.
Black and white.*
Part III. With respect to my letter of January 20, 1976, regarding FBI materials pertaining to Mr. Leonard D. Boudin, the Select Committee requests immediate clearance of all the materials submitted, except those relating to the incident in New York City involving a foreign government's United Nations delegation.

62-116375-1347

ENCLOSURE

Michael E. Shaheen, Jr., Esq.
Page Two

February 4, 1976

Part IV. On December 17, 1975, I addressed an informal memorandum to Mr. Cregar of the FBI requesting clearance of certain documents pertaining to FBI activity in North Carolina. These included memoranda between the SAC, Charlotte, and the FBI Director dated 5/9, 5/24, 5/31, 8/21, 8/22, 8/25, all in 1967, and 1/30/69. In addition, there was a Brennan to Sullivan memorandum of 8/24/67 and a set of materials on black extremists.

The Select Committee formally requests clearance of these materials for public release.

Sincerely,

John T. Elliff
Director
Domestic Intelligence Task Force

*Cregar, John Elliff (SSC)
conversations, Cregar told Elliff
we are not requesting unless request
in writing giving reason SSC wants
it. Elliff says we can Morgan
and get info for his constituency.
Steven Blackhurst, DCS, aware.
Blackhurst said not to respond
unless SSC made further request.*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: SENSTUDY 75

1 - Mr. Mintz
1 - Mr. Wannall
1 - Mr. Cregar

DATE: 1/30/76

1 - Mr. Blunt
1 - Mr. Hotis
1 - Mr. Daly

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. ☒ _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

By letter dated 1/19/76 addressed to Michael E. Shaheen, Jr., Office of Deputy Special Counsel, captioned Committee requested certain information pertaining to this Bureau's investigation of the Black Panther Party. In general, these requests relate to documents relevant to civil litigation between the Bureau and the estate of Fred Hampton. Questions 4, 5, and 7 relate to "copies of reports made as a result of information supplied by William O'Neal, FBI informant within the Chicago BPP, to FBI Special Agents; access to FBI files in Chicago, on Fred Hampton, Mark Clark, Jeff Forte, Blackstone Rangers, The Woodlawn Organization, Rev. John Fry, Nathaniel Junior, Charles La Paglia, Chicago Chapter of the Black Panther Party; and the file of informant William O'Neal" respectively. These questions raise problems concerning the integrity of Bureau files as they pertain to informants and access to field office files in the Chicago Office. *[Signature]*

In view of the relevance to current litigation involving the Bureau, Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, was contacted and the aforementioned requests were discussed. Blackhurst agreed that these particular requests should be discussed with the Committee and that he would arrange for a discussion concerning this matter. Blackhurst was advised the Bureau would take no further action regarding these requests until such a discussion was held.

RECOMMENDATION:

For information.

ENCLOSURE *[Signature]*

Enc.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP

PVD:lad *[Signature]*

84 FEB 25 1976

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Letter Dated January 19, 1976

Attached is a letter from the SSC dated January 19, 1976 requesting access to various FBI documents at the FBI's Chicago office. Please have someone call Steve Blackhurst of my staff to discuss an appropriate response to this request.

cc: Paul Daly

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 19, 1976

Michael E. Shaheen, Jr., Esq.
Office of Deputy Attorney General
U.S. Department of Justice
Room 4313
Washington, D.C. 20530

Dear Mike:

Our investigation into the FBI's intelligence operations against the Black Panther Party in Chicago, Illinois, has reached a critical stage and we submit the following document request with that understanding, as well as the fact that this Select Committee is due to end in the very near future.

We are therefore requesting that the materials enumerated in the attached document request be made available to Select Committee staff, as soon as possible, for study in the FBI's Chicago office.

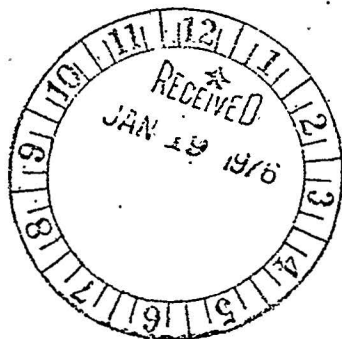
Yours truly,

John T. Elliff

John T. Elliff
Director

Domestic Intelligence Task Force

Encl.



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP3ALM/KP

ENCLOSURE

62-116395-1346X

1. The 90-day progress letters submitted by Chicago office to FBI Headquarters in the COINTELPRO operations against Black Nationalist-Hate Groups.
2. All FBI inspection reports or other reports relating to the existence of weapons in possession of the Chicago Black Panther Party at the apartment at 2337 West Monroe Street, Chicago, Illinois.
3. Any informant reports which would indicate that BPP member William O'Neal was involved in criminal activity while a member of the BPP.
4. Copies of reports made as a result of information supplied by William O'Neal, FBI informant within the Chicago BPP, to FBI Special Agents.
5. Access to FBI files in Chicago, on Fred Hampton, Mark Clark, Jeff Forte, Blackstone Rangers, The Woodlawn Organization, Rev. John Fry, Nathaniel Junior, Charles La Paglia, Chicago Chapter of the Black Panther Party.
6. Copies of memoranda or letters between the FBI and IRS regarding the finances of: Fred Hampton, Bobby Rush, The Chicago Black Panther Party, Rev. John Fry, Charles La Paglia.
7. The file of informant William O'Neal.

1 - Mr. J. A. Mintz
(Attention: J. B. Hotis)
1 - Mr. W. R. Wannall

Assistant Attorney General
Criminal Division

February 27, 1976

Director, FBI

1 - Mr. R. L. Shackelford
1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. E. P. Grigalus

EX-116

REC-116

1345X1
PROPOSED WARRANT REQUIREMENTS
FOR USE OF INFORMANTS IN
DOMESTIC INTELLIGENCE CASES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP8ALM/KP

Reference is made to your letter dated January 27, 1976, captioned as above, in which you requested our views concerning proposals for a warrant requirement for informants in domestic intelligence cases. This Bureau's responses to the list of the five questions submitted in the enclosure to referenced letter are set forth in numerical order.

1. The Attorney General's proposed guidelines are under extensive consideration and the guidelines have not yet been finalized. As the guidelines are not as yet implemented in a final form, it is not possible to determine at this time how they will be administered or whether their implementation will substantially reduce the number of cases and the related use of informants. This, however, in no way would affect the FBI's position that such a requirement is overly burdensome and unnecessary as informants have been used since time immemorial and such use is clearly legal.

MAILED 6
MAR 1 1976
FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____

EPG:dew dem
(10)

SEE NOTE PAGE FOUR

Assistant Attorney General
Criminal Division

2. The number of warrants required for approximately 1,000 intelligence informants would number much more than 1,000. For example, one intelligence informant may be targeted against a number of organizations and individuals of investigative interest and it is assumed a warrant would be required in each instance. It is not uncommon for an intelligence informant to be in position to furnish information on approximately 100 persons and many organizations of investigative interest. Accordingly, it is not difficult to see that one active intelligence informant could require a large number of warrants. The workload of the judicial system would be faced with a great many more warrant requirements than the numerical size of intelligence informants. It is believed that such warrant requirements would number well into the thousands which obviously would place an additional strain on an already overloaded judicial system.

3. The impracticalities of an informant warrant requirement would greatly be reduced if judicial approval was required, not for each individual informant, but for the use of a particular number of informants against a group that is the subject of a domestic intelligence investigation. The number of warrants under this procedure would be reduced; however, this in no way would alter the impracticalities of obtaining a warrant. Reasons why this should not be done are set out hereinafter.

4. As you know, the Keith decision addressed the constitutional standards required for electronic surveillances of domestic organizations. The court suggested that greater latitude might be given in such matters because of the special policy and practical considerations involved. Even if such allowances are made, we do not believe it is feasible to regulate the use of informants by judicial warrants. If the warrants are to be meaningful, it would be necessary for the courts to supervise and monitor the activities of the informant on a continuing basis. These procedures would delay the investigative process and impose enormous administrative burdens on the courts

Assistant Attorney General
Criminal Division

and agencies involved. In addition, judgments would be required about the role of the informant and the relevance of information that we feel are best made by the executive branch. As the Attorney General pointed out, extension of the warrant requirement in this way "would be a step toward the inquisitorial system of justice." Moreover, it would undermine the independence and "neutrality of the judiciary, a neutrality which our system takes pains to protect."

5. Approval by the Attorney General or his designee of the use of informants in domestic intelligence investigations would not be practical. As you are aware, the guidelines that are being proposed would also affect the use of our informants. The enforcing of these guidelines should be an adequate safeguard. Any policy which would require the individual approval of each Bureau informant outside this Bureau should be considered as a questionable and irregular practice.

In view of the above, this Bureau is of the opinion that the need for a warrant requirement is impractical, unnecessary and, in substance, totally unworkable, not only from an intelligence viewpoint, but also from a legislative and judicial viewpoint as so many intricate facets are involved. The mandatory use of warrants in our informant operations in connection with intelligence investigations might well impair our national defense.

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

Assistant Attorney General
Criminal Division

NOTE:

The Senate Select Committee requested of the Department the Bureau's views concerning the utilization of warrants involving informants in domestic intelligence investigations. The Senate specifically asked five questions of the Department and the Department in turn requested our viewpoints in each of the five questions. These questions involve the following: (1) what effect the new guidelines would have on the utilization and number of warrant applications involving informants, (2) an assessment of the workload on the judicial system if warrants were utilized, (3) an assessment of the practicality of a warrant requirement, if applied, not to each individual informant but for the use of a particular number of informants against a group under investigation, (4) what standard would the Bureau suggest for a warrant requirement for intelligence informants, and (5) an opinion on the proposal that the Attorney General or his designee approve informant use as opposed to a judicial warrant requirement. This matter was coordinated with SA Tony J. Seabaugh, ~~Extremist~~ Informant Unit, and SA John B. Hotis, Legal Counsel Division.

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation

DATE: January 27, 1976

FROM : Richard L. Thornburgh
Assistant Attorney General
Criminal Division

SUBJECT: Proposed Warrant Requirements for Use of
Informants in Domestic Intelligence Cases

Attached is a copy of a letter dated January 9, 1976 from Frederick A. O. Schwarz, Jr., Chief Counsel, Senate Select Committee on Intelligence Activities, to the Attorney General concerning proposals for a warrant requirement for informants in domestic intelligence cases. Mr. Schwarz attached to the letter a list of five questions, which is also enclosed.

The Internal Security Section of the Criminal Division has been assigned the responsibility of preparing a response and we would appreciate your views on this proposal, including the Bureau's answers to the five questions propounded by Mr. Schwarz.

I would appreciate your handling this expeditiously so that Mr. Schwarz and the Committee may receive a prompt response.

EX-116

REC-2

62-116395-1345X1

3-3
JAN 27 1976

37 JAN 28 1976

EXP-PROC.

UNRECORDED CITY FILED IN 134

2 ENCLOSURE

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/29/00 BY SP2ALM/KP



5010-110

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWERS, TEXAS, VICE CHAIRMAN
PHILIP S. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HICKEY, KY.
ROBERT MORGAN, N.C.
GARY HART, COLORADO
HOWARD H. BAKER, JR., JR.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.
WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS S. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 91TH CONGRESS)

WASHINGTON, D.C. 20510

January 9, 1976

The Honorable Edward H. Levi
The Attorney General
U.S. Department of Justice
Washington, D.C. 20530

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/29/00 BY SP8AMK/P

Dear Mr. Attorney General:

During your appearance before the Select Committee on December 11, 1975, there was considerable discussion concerning proposals for a warrant requirement for the use of paid and controlled informants to infiltrate political groups in domestic intelligence investigations. You expressed concern that a warrant requirement in such cases would be impractical and would unduly burden the courts.

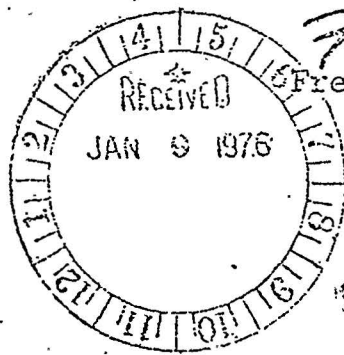
Second, you indicated the Justice Department would be developing guidelines for the use of informants. Presumably, their provisions might so limit the manner and predicate for use of informants as to make a warrant requirement unnecessary.

To explore this matter in greater detail before the Committee drafts its recommendations, we seek your comment on the enclosed set of questions which are designed to focus on some of the practical aspects of a warrant requirement. In addition, please feel free to comment on other aspects of a warrant requirement for informants and to state the case against warrants, including what provisions might be included in the prospective guidelines which would tend to make a warrant requirement less useful.

Sincerely yours,

Frederick A O Schwarz Jr
Frederick A. O. Schwarz, Jr.

Enclosure



[Handwritten signature]
MAR 8 1976
[Handwritten initials]

62-116395-1345X1

ATTACHMENT

1. If the effect of new guidelines on the opening of domestic intelligence investigations is to substantially reduce the number of such investigations, would there not be a corresponding reduction in the number of intelligence informants? If so, would this not greatly reduce the number of warrant applications that would have to be submitted to the courts or to an administrative review body? Would this affect your view that such a requirement is overly burdensome?
2. According to figures submitted to the Select Committee by the FBI, as of June 30, 1975, there were 1,040 domestic intelligence informants. How would you assess the impact on the work load of the judicial system if a warrant application were applied to an informant program of this approximate size?
3. Would not the alleged impracticality of an informant warrant requirement be greatly reduced if judicial approval was required, not for each individual informant, but for the use of a particular number of informants against a group that is the subject of a domestic intelligence investigation? What are the reasons why this could not be done?
4. In United States v. United States District Court, 407 U.S. 297 (1972), the Supreme Court stated that different standards for a warrant application may be appropriate as between criminal surveillances and those involving domestic security. 407 U.S. 322-323. What standard would you suggest for a warrant requirement for intelligence informants?
5. What is your view with respect to the proposal that, rather than a judicial warrant requirement, the Attorney General or his designee approve the use of informants in domestic intelligence investigations?

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395- 1345

NOTE: THIS IS A PERMANENT CHARGE OUT FOR A XEROX COPY/COPIES OF "JUNE" MAIL THAT WAS INCLUDED IN COPIES OF FBI DOCUMENTS FURNISHED TO THE ATTORNEY GENERAL BY MEMO/LETTER DATED 1-27-76 IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U. S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. THE COPY/COPIES OF THE "JUNE" MAIL DATED AS INDICATED BELOW HAS/HAVE BEEN REMOVED FROM THIS ENCLOSURE MATERIAL TO BE FILED IN THE APPROPRIATE HOUSTUDY OR SENSTUDY "JUNE" FILE INDICATED ABOVE, LOCATED IN THE SPECIAL FILE ROOM OF THE RECORDS SECTION.

DATE(S) OF MAIL: 1-15-76REMOVED BY: W. WardlawDATE REMOVED: 7-20-76

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2AUM/DP

2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

The Attorney General

January 27, 1976

1 - Mr. P. E. Nugent

Director, FBI

U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated December 18, 1975, containing requests for materials concerning Martin Luther King, Jr., the Poor People's Campaign and the Sanitation Workers Strike in Memphis, Tennessee.

Enclosed for your approval and forwarding to the SSC is an original of a memorandum in partial response to Item 6 in referenced SSC letter. A copy of this memorandum is being furnished for your records, along with a set of the materials which are to be reviewed by the SSC.

Enclosures (2)

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP8ALM/KP

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

PEN:adn adn
(9)

NOTE:

Copy of the SSC letter dated 12/18/75 is attached to the file copy of the enclosed LHM. Exact copies of the materials to which access is being given are maintained in the Office of the SENSTUDY 75 Project. Conference between SSC Staff Member and SA William O. Cregar mentioned in enclosed LHM was held 12/30/75.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐ TELETYPE UNIT ☐

62-116395

2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. P. E. Nugent
January 27, 1976

U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP8AUK/

Reference is made to SSC letter dated December 18, 1975.

Item 6 of referenced SSC letter requested access to all FBI materials pertaining to Dr. Martin Luther King, Jr., the Poor People's Campaign, and the Sanitation Workers Strike in Memphis, Tennessee, from January 1, through April 4, 1968.

As a result of a conference between SSC Staff Member Mark Gittenstein and Special Agent William O. Cregar of this Bureau, the aforementioned request was restated in that access was requested to all FBI materials in the King file relating to the Poor People's Campaign and the Sanitation Workers Strike from January 1, through April 4, 1968, and to all materials in the latter two files pertaining to Martin Luther King, Jr., for the same time period.

This is to advise that the bulk of the material desired is now available for review by the SSC Staff at FBI Headquarters. Because of the great volume of relevant material to be culled from our files, partial proffer is now being made. We are expeditiously processing the remaining material and the SSC will be promptly advised when it is available for review.

It should be noted that public source materials to which access is being provided are those contained in the main files on King, the Poor People's Campaign and the Sanitation Workers Strike. No items from newspaper clipping files (Sub A) which exist for King and Poor People's Campaign are being provided in view of the public nature and availability of same coupled with the very voluminous nature of these clippings.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

PEN:adn
(8)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ORIGINAL AND ONE TO AG

SECRET MATERIAL ATTACHED

MAIL ROOM ☐

TELETYPE UNIT ☐

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

With regard to excisions in materials to which access is being given, where no notation appears as to reason for excision, the excision was made for the reason that the information actually summarizes or quotes from conversations monitored during electronic surveillances of King. In some cases, it can be ascertained precisely what information in FBI files came from electronic surveillances of Dr. King; however, there exist areas where documentation of the information is not precise and no accurate determination can be made. Therefore, no assurances can be given that portions of the material to which access is being given do not contain information developed as a result of electronic surveillances of King.

1 - The Attorney General

PHILIP A. HART, MICH.
WALTER F. MONDALL, MINN.
WALTER H. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
DANNY GOLDWATER, ARIZ.
CHARLES MCC. NATHIAS, JR., MD.
RICHARD S. STARKEN, PA.

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 18, 1975

Attorney General Edward H. Levi
Room 3111
Department of Justice
Washington, D.C. 20530

Dear General Levi:

We have been asked to chair a special subcommittee of the Select Committee on Intelligence which will concentrate on matters relating to domestic intelligence activities of the Federal government. Our mandate is to prepare for the full committee's consideration a draft report of findings of fact on alleged abuses or excesses by the FBI and other domestic intelligence agencies; the causes of such alleged abuses or excesses and recommendations which the Committee might make to remedy the problems we have uncovered.

We are aware of the fine work in which your staff has been engaged in these areas and hope that they will be available to work with the Committee staff on these matters. However, the Subcommittee finds the Committee record needs to be supplemented in several important respects and therefore finds it necessary to direct a number of requests to the FBI for further information which we hope will be treated on a priority basis so that the Subcommittee can meet the deadlines set by the full committee. These and future requests which will be handled between the two committee counsel or Mr. Elliff, Domestic Task Force Leader, and Mr. Shaheen, Special Counsel for Intelligence Coordination, will pertain to both information necessary for us to formulate meaningful recommendations and to pursue matters on certain specific alleged abuses which remain unsettled. Among the future requests will be questions pertaining to your guidelines on "Domestic Security Investigations" and on manpower and budget statistics for the FBI's domestic intelligence program.

For us to meet the deadline set by the full committee, it is essential that the information requested below be

~~SECRET~~

62-116395-1344

ENCLOSURE

NDR-16
DECLASSIFIED BY SPANMVP
ON 11/28/00

December 18, 1975

provided during the last week of December and the first week of January:

1. With respect to each of the examples of effective prevention of violence provided the Committee pursuant to John Elliff's letter of November 26 to Mr. Shaheen, please provide access to materials in the investigative file for the 6-month period preceding the act of violence prevented. Please deliver:

(a) All materials relating to the legal and factual predicate for each investigation;

(b) The first investigative report disseminated outside the FBI in each such case, and a list of recipients of that report;

(c) The total number of individuals whose names were referred to the FBI's general name index in the course of each investigation;

(d) The total number of individuals about whom information was obtained through informants, confidential sources, physical surveillance, electronic surveillance and other sensitive techniques; and

(e) The annual report from the office of origin for each such investigation to FBI headquarters for the last five years during which the case in question was an open investigation.

2. Please provide any information which you have refuting the suggestion made on page 34 of the General Accounting Office's September 24 report to the House Judiciary Committee, that cases in which violence can be predicted probably represent less than 2% of all FBI domestic intelligence investigations.

3. Please provide all memoranda or analyses prepared for the Justice Department, Director Kelley, or Assistant Director Wannall on the findings of the General Accounting Office as presented to the House Judiciary Committee on September 24.

4. Please provide the annual report from the office of origin to FBI headquarters for the investigation of

~~SECRET~~

Attorney General Edward H. Levi

Page three

December 18, 1975

must read
Dr. Martin Luther King in 1963 through 1968, and for the investigation of the Women's Liberation Movement for the years that that organization was under investigation, and the annual reports available on the investigations about which materials were supplied pursuant to John Elliff's request of October 28.

Page
5. Please provide specific examples of cases where the FBI has taken action in the past similar to that which would be authorized by Section IV on "preventive action" of the draft Department of Justice's guidelines on "domestic security investigations."

must
6. Access to all FBI materials pertaining to Dr. Martin Luther King, Jr., the Poor People's Campaign, and the Sanitation Workers Strike in Memphis, Tennessee, from January 1 through April 4, 1968. *Conference with Gillewstein 12/23/75*
will be a re later two files

7. All materials pertaining to "Project Overshoe."

Thank you for your prompt consideration of this request. We look forward to continuing cooperation on this area of joint concern.

Sincerely,

Walter F. Mondale

Walter F. Mondale
Chairman

Howard W. Baker Jr.

Howard W. Baker Jr.
Vice-Chairman

No Sub A material 11 done 12/18/75
and Ben Ruppel files

~~SECRET~~

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE 7
☐ LTR ☒ LHM ☐ Memo ☐ Report dated 1/26/76
U.S. SENATE SELECT COMMITTEE
Caption of Document:

12/18/75 request, Item 6 (Partial
proffer)
Originating Office: FBI
Delivered by: J.O. Stassinis Date: 1/29/76
Received by: Michael Murphy
Title: Clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/28/00 BY SP2AUM/KP

62-116395-1344
ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

1/27/76

FOR REVIEW

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

| | |
|-------------------------------------|-----|
| <input checked="" type="checkbox"/> | SSC |
| <input type="checkbox"/> | HSC |

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/18/75, item 6

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

S

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Information handling
Intelligence collection**

8. SUMMARY (see reverse side before completing this item)

**Available for review by appropriate SSC Staff Members at FBIHQ:
Materials in the Martin L. King file relating to the Poor
People's Campaign and the Sanitation Workers Strike from 1/1/68
thru 4/4/68 and all materials in the above two files pertaining
to Martin L. King. Jr.**

62-116395

FMK:fmk

(4)

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75**

TREAT AS YELLOW

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE **11/29/00** BY **SP2AUN/KP**

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. J. B. Adams
1 - Mr. T. J. Jenkins
2 - Mr. J. A. Mintz (1-Mr. Hotis)
1 - Mr. W. V. Cleveland
January 26, 1976

1 - Mr. H. N. Bassett
1 - Mr. E. W. Walsh
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

Reference is made to SSC letter dated January 8, 1976, as modified by discussion of January 12, 1976, between Mr. John T. Elliff, SSC Domestic Intelligence Task Force Director, and Mr. William O. Cregar of this Bureau. The SSC letter requested FBI responses to eight questions concerning each of five allegations of FBI misconduct and abuse.

Enclosed for your approval and forwarding to the SSC are the originals of five memoranda, each replying to one of the allegations. Also enclosed for your records are copies of the five memoranda which are being delivered to you with the material which is being furnished to the SSC.

Enclosures (10)

62-116395

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

EX-115

SFP:mjg
(14)

REC-38

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2AUM/KP

MAR 16 1976

NOTE:

The LHMs which are being furnished to the SSC and the Department were prepared by the interested Divisions and the yellows of the LHMs denote specifically who prepared them. The material which was gathered to accompany the LHMs were similarly gathered by the responsible Divisions.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

ENCLOSURE

ENCL BEHIND FILE

SECRET MATERIAL ATTACHED

84 MAR 22 1976

TELETYPE UNIT ☐

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

1/26/76

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC
☐ HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

5 memoranda and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 1/8/76

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Operating procedures
Information handling

8. SUMMARY (see reverse side before completing this item)

Material regarding allegations of FBI misconduct and abuse.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP8AMK/DP

62-116395

SJM:lhb
(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

5- *[Signature]*

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. J. J. McDermott
January 23, 1976
(Attn: W. L. Bailey)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated January 14, 1976, requesting certain materials from the FBI.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum, with attachment, in response to one of the SSC requests. A copy of the memorandum, with attachment, is also enclosed for your records.

Enclosures (4)

62-116395

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

SFP:mjgmy
(10)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/KP

REC-10

62-116395-133910

FEB 6 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____

84 FEB 9 1976

ROOM ☐

TELETYPE UNIT ☐

NW 55143 DocId:32989575 Page 160

GPO 954-546

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. J. J. McDermott
(Attn: W. L. Bailey)

62-116395

January 23, 1976

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar

U. S. SENATE SELECT COMMITTEE 1 - Mr. S. F. Phillips
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated January 14, 1976, requesting certain materials from the FBI. Item 8, (a) and (b), of referenced letter requested all materials pertaining to or reflecting the nature of the "Director's Special List" as well as a listing of the items on the list.

The "Director's Special List," which has been in use for over 25 years, is an administrative device established to provide a special method of following matters considered to be of a priority nature in which the FBI Director has an immediate interest. The "Special List" is prepared on a daily basis, the original being furnished to the Director for his information and a copy being sent to the appropriate Assistant Director in charge of the division handling the subject matter involved. The Assistant Director then returns the copy to the Director's Office indicating the status of the inquiry. All copies of the "Special List" are destroyed at the end of 30 days. There are no copies permanently retained in FBI files. Form DO-11 captioned "MEMORANDUM FOR (ASSISTANT DIRECTOR'S NAMES) Re: Inquiries re status of ticklers" is utilized on a daily basis for making up the "Director's Special List." A copy of this form is attached for informational purposes.

Enclosure

1 - The Attorney General

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2AUM/KP

ORIGINAL AND ONE COPY TO AG
SFP:mjgms(9)

NOTE:

Research and preparation of above response by Supervisor
W. L. Bailey of the Files and Communications Division.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings before your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

MEMORANDUM FOR

Re: Inquiries re status of ticklers

The following matters have been assigned to your division for attention.
 You should indicate the status of each and return this memorandum to the
 Director's Office by 1 o'clock on the following day.

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/27/00 BY SP2A/NKP

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 1/23/76

U.S. SENATE SELECT COMMITTEE

Caption of Document:

1/14/76 request, item 8

Originating Office: FBI

Delivered by: J. O. Stassinos Date: 1/29/76

Received by: Flora Hoben

Title: clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2ALW/KP

62-116395-1339

ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT

BRIEFING

INTERVIEW

TESTIMONY

OTHER

1/23/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 1/14/76, item 8a and 8b

6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Information handling
Operating procedures

8. SUMMARY (see reverse side before completing this item)

Explanation furnished for the use of the "Director's Special
List".

62-116395

FMK: fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2AWK/P

TREAT AS YELLOW

5. mjd

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: 1/22/76

FROM : L. E. Rhyme

SUBJECT: DOCTOR SIDNEY GOTTLIEB
DESTRUCTION OF GOVERNMENT
PROPERTY

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. O'Connell
- 1 - Mr. Rhyme
- 1 - Mr. Davis
- 1 - Mr. Moore
- 1 - Mr. Wannall
- 1 - Mr. Mintz

Sensstudy

PURPOSE: To advise that investigation in this matter has been completed and the Criminal Division of the Department of Justice desires no further investigation.

DETAILS: On 8/1/75, the Criminal Division of the Department requested investigation to determine the detailed circumstances of captioned subject's involvement in a former CIA Drug Testing Program and the destruction of official records pertaining to this program, reportedly on Doctor Gottlieb's orders.

Through investigation, it was determined that a co-worker of Doctor Gottlieb stated he had been in Doctor Gottlieb's office sometime in late 1972 or early 1973, and heard Doctor Gottlieb mention that Mr. Richard Helms, the Director of CIA, had ordered the destruction of all CIA's Drug Testing records. Additional interviews verified the information that Doctor Gottlieb was heard to state that he was destroying the Drug Testing records on orders from then Director Helms.

The Department advised that according to newspapers, Doctor Gottlieb was granted immunity and testified concerning this matter before the Senate Subcommittee to Investigate Intelligence Activities. The Department desired that Doctor Gottlieb, who maintains a residence in India, be interviewed in this matter and contact with his attorney in September, 1975, disclosed he would not be made available until after the above Congressional testimony. The Department still desired that Doctor Gottlieb be interviewed and no additional investigation.

On 10/20/75, Doctor Gottlieb's attorney advised he was unable to make Doctor Gottlieb available in the foreseeable future, but would notify the FBI when he could be made available. On 1/12/76, Doctor Gottlieb's attorney advised that he would not be made available for interview by the FBI.

WLD:els (10)

CONTINUED - OVER

Assoc. Dir. _____
Dep. Dir. _____
Dep. Asst. Dir. _____
Asst. Dir. _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/SP

ORIGINAL FILED IN 52-101074-20

NOT RECORDED

22 FEB 6 1976

Resub. put in 62-116395

6-2 p.m.

84 FEB 9 1976

Memorandum to Mr. Gallagher
Re: DOCTOR SIDNEY GOTTLIEB

The Department was advised that Doctor Gottlieb's attorney will not make him available for interview and Departmental Attorney Edward Fenig, Criminal Division, stated that no further investigation should be conducted.

ACTION: None. For information.

W ELR in G. J. PM
95
J. J. H. J.

1 - Mr. J. Adams
 2 - Mr. J. A. Mintz
 (1 - Mr. J. B. Feltis)
 1 - Mr. W. R. Wannall
 1 - Mr. W. O. Cregar

The Attorney General

January 22, 1976

Director, FBI

1 - Mr. F. J. Cassidy
 1 - Mr. D. Ryan

U. S. SENATE SELECT COMMITTEE ON
 INTELLIGENCE ACTIVITIES (SSC)

Enclosed is the original of a memorandum, with two enclosures, which reports information relating to interviews conducted by representatives of the Senate Select Committee (SSC) with Special Agent David Ryan of the Intelligence Division, FBI Headquarters, on October 16 and 21, 1975.

A copy of the memorandum and its enclosures are also enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures - 6
 62-116395

1 - The Deputy Attorney General
 Attention: Michael E. Shaheen, Jr.
 Special Counsel for
 Intelligence Coordination

1 - 62-116009 (Cointelpro)
 1 - 67-
 (Personnel file of SA David Ryan)

REC-100

62-116395-1338

FEB 6 1976

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

DR:lfj/sj
 (13)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/27/00 BY SP2ANB

MAIL ROOM ☐ TELETYPE UNIT ☐

UNREC COPY A... OF ENCL FILED IN 62-116395

1 - Mr. J. B. Adams
 2 - Mr. J. A. Mintz
 (1 - Mr. J. B. Hotis)
 1 - Mr. W. R. Wannall
 1 - Mr. W. O. Cregar
 1 - Mr. F. J. Cassidy
 1 - Mr. D. Ryan

62-116395

January 22, 1976

**U. S. SENATE SELECT COMMITTEE TO STUDY
 GOVERNMENTAL OPERATIONS WITH RESPECT
 TO INTELLIGENCE ACTIVITIES (SSC)**

**RE: INTERVIEW OF SPECIAL AGENT DAVID RYAN
 OF THE INTELLIGENCE DIVISION, FBI HEAD-
 QUARTERS, BY SSC STAFF MEMBERS**

On October 13, 1975, Miss Barbara Banoff, staff member, Senate Select Committee (SSC), telephonically contacted Special Agent (SA) David Ryan and requested he furnish, on October 14, 1975, an informal briefing to staff members of the SSC. This briefing was afforded to the staff members on October 14, 1975, from 10 a. m. until 1:30 p. m. Participating as representatives of the FBI were Mr. Hunter E. Helgeson, Inspector-Deputy Assistant Director, Intelligence Division, and SA David Ryan, Unit Chief, Analytical Research Unit, Intelligence Division. Miss Banoff, Ms. Mary DeOreo, and Messrs. Mark Gitenstein, Arthur Jefferson and Sam Bouschard represented the SSC staff. This informal briefing generally encompassed all areas of the discontinued Counterintelligence Programs (Cointelpros). All questions put forth by the SSC staff were forthrightly answered.

Subsequently on the morning of October 15, 1975, Miss Banoff telephonically requested SA Ryan to depose under oath before the SSC on the morning of October 16, 1975. Thereafter, on the late afternoon of December 15, 1975, Banoff caused to be delivered to SA Ryan a 14-page document entitled "Cointelpro - Deposition Outline." This outline, which contains some 125 specific and general areas of questioning along with numerous other related questions, constituted the subsequent deposition furnished on October 16 and 21, 1975, by SA David Ryan. A copy of this outline is attached.

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

1 - 62-116009 (Cointelpro)
 1 - 67-
 (Personnel file of SA David Ryan)

DR:lfj
 (12)

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/27/00 BY SP2ALM/KP

[Handwritten signatures and initials: JAM, ZHC, DR, and others]

62-116395-1338

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)**

On October 16, 1975, SA Ryan was interviewed from 10 a. m. to 6 p. m., excluding approximately one hour for lunch, by SSC staff members at SSC offices in the former Carroll Arms Hotel, Washington, D. C. Participating in the questioning were Miss Banoff, Ms. DeOreo, Mr. Gitenstein, and Mr. Frederick A. O. Schwarz, Jr., Chief Counsel of the SSC. Also present was Ms. Rosemary Tacione, Court Reporter.

Miss Banoff stated that no member of the Committee (Senator) was available and thus Ryan would not be placed under oath. She stated that upon completion and transcription of the deposition Ryan would be asked to affirm under oath to its accuracy at which time his affirmation would be administered by a Senator. Ryan questioned as to whether this deposition would be classified, the level of classification, and the identity of the classifying officer. Banoff stated she was not sure of the correct answer to this question but indicated because the deposition would encompass FBI documents which were classified up to and including "Top Secret" the entire deposition would be so classified by the SSC. She added that the SSC had agreed with the FBI that no information received during this deposition would be publicized without the agreement of the FBI or Department of Justice. Based upon this commitment, the interview was commenced.

During the deposition, a number of internal FBI documents which had previously been furnished the SSC through established liaison with the Special Counsel for Intelligence Coordination of the Department, after being identified by Ryan, were entered as exhibits into the testimony. A number of these documents were classified up to "Top Secret." However, at the request of the SSC, these documents were subsequently reviewed by FBI Headquarters (FBIHQ), appropriate deletions were specified, and the documents with the deletions were declassified for use by the SSC in public hearings. This notice of declassification appears in FBIHQ memorandum dated November 14, 1975, which has been referred to the SSC.

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

At the request of Miss Banoff, Ryan signed an "Advice of Rights" and "Waiver of Rights" statement, a copy of which is attached.

Ryan requested and received permission of the SSC staff members to make an opening statement. In this statement and in subsequent portions of the interview, he outlined he had been assigned supervision at FBIHQ for FBI Cointelpros for the approximate period 1963-1967. He said his supervision primarily related to the program directed against the Communist Party, USA (CPUSA), although he had been instrumental in preparing initiating documents relating to the programs directed against White Hate Groups, Black Extremists, Soviet-bloc Intelligence and the Special Operations, noting that the latter was in the nature of a control file utilized for consideration of a variety of intelligence-type operations primarily in the foreign or counterintelligence areas. He indicated he had been knowledgeable of the Cointelpro while serving in an FBI field office and since the fall of 1974 he had been assigned responsibility at FBIHQ for coordinating all matters relating to the discontinued Cointelpro operations. The latter included matters relating to Freedom of Information Act requests; press inquiries, and other publicity afforded the programs; civil suits, and inquiries of various congressional committees.

Ryan advised it was his view the FBI, during the period 1956 to 1971, reasonably, and within the perimeters of existing law, utilized Cointelpro activities for the sole purpose of limiting the capability of those practicing massive violence and subversion to the

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

detriment of the American people and our constitutional form of government. He advised his review of these programs and his experience with the CPUSA Program convinced him that they had an impact on the crises of the time, helped bring about favorable change, and that the FBI personnel involved acted with a reasonable, good faith belief they were doing what was necessary and lawful. He advised the Department of Justice had conducted a thorough review of the programs and had concluded none of the actions taken constituted a prosecutable violation of Federal statutes and only a small minority posed problems of civil liability. Ryan cited the so-called Petersen Report on FBI Cointelpros, a sanitized copy of which was released by then Attorney General William B. Saxbe on November 18, 1974, which stated, "The overwhelming bulk of these activities were clearly legitimate and proper undertakings, within the scope of the FBI's ongoing responsibilities."

Ryan also advised that in addition to the Petersen Committee review of the FBI Cointelpros, a review had also been conducted in late 1974 by Assistant Attorney General J. Stanley Pottinger of the Civil Rights Division. As a result of this latter review, it was announced by the Civil Rights Division on January 3, 1975, that it had "found no basis for criminal charges against any particular individual involving particular incidents."

Thereafter, the questioning commenced in accordance with the general "Cointelpro - Deposition Outline." Although Miss Banoff endeavored to confine her questioning to the outline, Ms. DeOreo requested extensive elaboration and constantly questioned whether Cointelpro activities were conducted in substantive files other than those captioned Cointelpro. This latter question was repeated on a number of occasions with Ryan responding that all matters relating to the rules and administration of the Cointelpros were handled ordinarily in the Cointelpro files.

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SEC)**

During the discussion of the origin, implementation, supervision, and controls afforded to the Cointelpro targeted against the Communist Party, USA, Ryan outlined in detail the rationale for institution of this program which became the model for other subsequent Cointelpro efforts. He advised the FBI was concerned regarding the impunity with which the CPUSA and its members violated the laws of the United States and this was one strong reason for the initiation of the program. He cited the fact that there was documented information that the CPUSA had served as a puppet of the Soviet Union in this country since its founding in 1919 and that it had been a front for intelligence as well as political activities of the Soviet Government. He commented in some detail regarding evidence of the use of the Party as a vehicle for intelligence and indicated that there was still strong evidence of the Soviet domination and control of the CPUSA. When the program against the CPUSA was initiated, one of the initial tasks was to alert the Internal Revenue Service (IRS) to the identities of over a hundred Communist Party members who had assumed false identities and were operating in an underground status with false identification and through filing false Federal income tax information. Ryan commented regarding the Smith Act of 1940 which, at great expense in terms of FBI resources and informant coverage, was unsuccessfully utilized to contain communism. He indicated that the Internal Security Act of 1950 and the Communist Control Act of 1954 similarly had been rendered ineffective as a result of Supreme Court decisions. Congress had clearly indicated its intention to contain the Communist Party through this legislation, and there was a general attitude in the country that the communist problem should be "left to the FBI." The initiation of the program against the CPUSA was a collective decision motivated by FBI field offices and Headquarters supervision in response to the conditions cited above.

During the entire deposition, Ryan on two instances touched upon sensitive areas possibly subject to classification. These were in his comments relating to the foreign influence of the Communist Party and in his comment that one specific Cointelpro action directed

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

against the Party had possibly rendered the Party then and now ineffective. He was asked by SSC staff members to elaborate on these areas, and specifically by Chief Counsel Schwarz, but he refused to go into details based on the sensitivity and classified nature of the subject matter. The deposition furnished by Ryan, with review and possible excisions in these two areas of discussion, could be readily declassified.

During the deposition, Ryan was repeatedly queried for his opinion regarding the motivation and intentions of individuals involved with the Cointelpro. On a number of occasions Ryan refused to furnish his opinion stating as an FBI Agent for over 24 years he felt uneasy when discussing other than factual situations. SSC staff members and particularly Chief Counsel Schwarz stated that it was vital to their inquiry that the opinions of knowledgeable personnel in the intelligence community be provided to the SSC.

Each of the five basic Cointelpros was discussed in some detail. Ryan indicated he was not personally involved with the Cointelpro directed against black extremists or New Left revolutionaries and that his knowledge of these programs primarily was hearsay or based upon his review of documentation in FBIHQ files. He pointed out on numerous occasions in response to questioning that the programs were tightly supervised at FBIHQ, that there was no intent to harass, that each recommended technique was considered based on a counterintelligence objective, and that to his knowledge no violence resulted from any authorized Cointelpro action. He pointed out in a number of instances Cointelpro proposals were denied because of the possibility of physical harm and cited as an example the instance in 1968 when FBIHQ had instructed a West Coast field office to alert local police and two members of an extremist organization that a competing black militant group had plans to murder them.

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)**

Without citing specific examples, Ryan advised that the Cointelpro directed against the Communist Party had developed a number of sophisticated intelligence-gathering techniques which were and continue to be productively utilized by the FBI in meeting its foreign counterintelligence responsibilities.

A major portion of the deposition on October 16, 1975, was consumed with questioning and the introduction of FBI documents regarding notification furnished by the FBI to the Executive and Legislative Branches regarding the Cointelpros and Cointelpro activity. In this regard, Ryan commented in some detail regarding the following matters and documents which he cited as constituting notification to responsible authorities of the existence of the programs:

1. The late Director J. Edgar Hoover briefed President Eisenhower and members of the Cabinet regarding the Cointelpro directed against the Communist Party on November 6, 1958.

2. Letters relating to Cointelpros were directed to Attorneys General William Rogers on May 8, 1958, Robert Kennedy on January 10, 1961, Nicholas DeB. Katzenbach on September 2, 1965, Ramsey Clark on December 19, 1967, and John Mitchell on September 17, 1969. The first two letters related to Cointelpro activities directed against the CPUSA and the latter three related to Cointelpro actions directed against the Ku Klux Klan and related groups. Additionally, a copy of the letter dated May 8, 1958, was sent to Presidential Aide Robert Cutler at the White House. A copy of the letter dated January 10, 1961, was sent to Secretary of State Dean Rusk, and a copy of the letter dated September 2, 1965, was sent to Presidential Aide Marvin Watson at the White House. It was noted that by letter dated September 3, 1965, Attorney General Katzenbach congratulated the late Director Hoover for efforts against the Klan, indicating it was unfortunate that these activities could not be afforded publicity so the Bureau could receive its due credit.

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

3. Detailed information relating to the FBI Cointelpros had been prepared by former Director Hoover for "off-the-record" testimony before the House Subcommittee on Appropriations for six appearances before the Subcommittee between 1958 and 1966.

4. It was indicated that former Assistant to the Director Cartha DeLoach advised in November, 1974, he specifically recalled briefing Attorney General Clark and President Lyndon Johnson regarding Cointelpro activities. Former Assistant to the Director John Mohr advised in November, 1974, he recalled the Director, on several occasions, had furnished detailed information relating to the Cointelpros to the House Subcommittee on Appropriations. Mr. Nicholas P. Callahan, current Associate Director of the FBI, also recalled in November, 1974, that in the past Director Hoover had furnished information to the House Subcommittee on Appropriations relating to our Cointelpros.

Ryan stated he personally recalled on numerous occasions during the period 1963-1967 he prepared write-ups and summaries relating to the Cointelpro directed against the Communist Party and relating to Cointelpro actions. It was his understanding these write-ups would be routed to Director Hoover for his use in briefing appropriate Government officials regarding FBI Cointelpro efforts.

At the conclusion of the deposition on October 16, 1975, Mr. Schwarz advised Ryan it was contemplated by the SSC that three days of publicly televised testimony would be afforded to FBI Cointelpro activities. He said Ryan would be the principal witness on these days.

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)**

At the request of the SSC, Ryan appeared at SSC offices in the Carroll Arms Hotel on October 21, 1975, and deposed from 2 p.m. until 5 p.m. SSC staff members present included Miss Banoff, Ms. DeOreo and Mr. Bouschard. Mr. Frank Shelbourne was present as Court Reporter.

At the beginning of this session, Ryan advised he desired to make an opening statement. He advised he had reflected upon some of the questions asked by Miss Banoff which appeared to overemphasize actions involving sex or immorality utilized in the Cointelpros. Ryan expressed concern that Banoff's interest was for headline purposes and not to seriously study the problem and to develop appropriate legislation to enable the FBI to meet its responsibilities in combating revolutionary extremist and subversive activities. He pointed out that he was concerned that Banoff appeared to be emphasizing a relatively few documents that dealt in the area of immorality on the part of Cointelpro targets, to the exclusion of the abundance of material she had been permitted to review which described legitimate proper and effective actions calculated to curtail violence, subversion and extremism. He indicated he had determined through Banoff herself that she planned to question former SA Russell Horner, who had been responsible for Headquarters supervision of the New Left Cointelpro, extensively regarding Cointelpro actions involving immorality, and that she would question SA Thomas J. Deakin, who had been responsible for Headquarters supervision of the Black Extremist Cointelpro, in these areas. Ryan stated that Banoff's preoccupation in this area of sensationalism precluded objective discussion looking towards effective legislation and he therefore questioned the desirability of continuing his deposition to the SSC.

To support his contention, he quoted from Category 12, "Informing Family or Others of Radical or Immoral Activity," in the Petersen Report on FBI Cointelpros, which indicated,

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

"These activities represent a little more than one percent of all Cointelpro activities--a total of some 30 instances in all domestic-based programs. This type of activity was reported to have been used infrequently in connection with the Communist Party, USA, Program, and was not used in connection with the Socialist Workers Party Program. It was reported to have been used in 12 instances in connection with the Black Extremists Program, in two instances in connection with the White Hate Groups, and in 16 instances in connection with the New Left." Banoff advised in response to this citation that the SSC would make its own determination as to what areas of FBI abuse it would explore and that the SSC did not necessarily agree with the accuracy or conclusions of the Petersen Report. At this point Ryan indicated an intention to discontinue his participation in the interview.

Following a lengthy off-the-record discussion, Banoff agreed that she would express the concern of Ryan, as set forth above, to both the Chief Counsel and Minority Counsel of the Committee with the request that if they saw fit they would communicate Ryan's concern to the SSC members (Senators). Banoff agreed that she would advise Ryan in writing when this action had been taken.

Based on the above consideration, which Ryan requested be read into the testimony, he agreed to continue with the deposition.

The balance of the deposition was extremely general in nature, discussing such matters as the administration, supervision and coordination of the programs, and relationship to other FBI intelligence and investigative efforts and the bases for their termination.

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

During the period November 11-13, 1975, Ryan presented himself at SSC offices to review the transcript of his deposition. This transcript, which was classified "Top Secret," consisted of two volumes of 174 pages and 165 pages, respectively, and 27 exhibits. Although it is believed the transcript accurately indicated the true character of the Cointelpro effort and substantiated the contention that the programs had an impact on the crises of the time, helped bring about favorable change, and that FBI personnel acted with a reasonable, good belief they were doing what was necessary and lawful, there were numerous inaccuracies and errors in the transcription which generally distorted the testimony. These included highly significant errors such as use of the word "frequent" where "infrequent" should have been used, and a reference to the "Fifth Amendment" instead of the "First Amendment." Seventeen pages of handwritten corrections were presented to Miss Banoff. She indicated it was the practice of the SSC to insert these handwritten corrections behind the testimony as an appendix to the transcript. Ryan objected to this suggestion and insisted the document itself be corrected to accurately indicate the true testimony. Ryan requested this action be taken before the transcript was furnished, as Banoff previously indicated would be done, to members of the Committee (Senators).

It is noted that on November 18, 1975, the SSC held a publicly televised hearing at which time the SSC members and the public were furnished a briefing on numerous alleged FBI abuses, including those in the area of the Cointelpros. On November 19, 1975, Assistant to the Director-Deputy Associate Director James B. Adams testified in a publicly televised hearing before the SSC regarding alleged FBI abuses, including those relating to the Cointelpros. The SSC has indicated there will be no additional public hearings regarding FBI Cointelpros.

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

Barbara Banoff of the SSC staff, on several occasions during the above deposition, indicated the deposition would be referred to the SSC members (Senators) for their review prior to public testimony relating to the Cointelpros so they would have a full understanding of the programs. She indicated this was one reason why it was desired that Ryan affirm under oath to his testimony.

On November 13, 1975, Ryan advised Banoff he was concerned that he had not received the letter promised by her indicating SSC members had been alerted as promised above. Banoff indicated she had not got around to taking care of this action. On December 1, 1975, Banoff and SSC member Michael Epstein were again reminded of Banoff's promise to furnish Ryan the letter described above. Banoff again indicated she had not found time to take this action. At this time she also indicated (1) that she had caused Ryan's corrections to be inserted into the text of the transcript of his testimony but that her action in this instance had been unique as this was not done in the instance of other depositions, and (2) that Ryan's testimony (deposition) had not been furnished to the members of the SSC (Senators) and that it was contemplated that certain portions of the testimony would be furnished to the Senators in the future in "digest" form. Banoff indicated if Ryan desired and if a Senator could be located to administer the oath, he could affirm to his deposition at any time he desired.

On January 8, 1976, Mr. Mark Gitenstein of the SSC staff was advised that Miss Banoff had failed to alert Ryan by letter as promised and he was requested to so alert appropriate SSC staff members.

As of this writing, Banoff has not forwarded to Ryan the promised letter, the terms of which resulted in continuation of Ryan's deposition, and Ryan has not affirmed his deposition.

Enclosures - 2

- 12 -

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

DOCUMENT

BRIEFING

X

INTERVIEW

TESTIMONY

OTHER

1/22/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

SSC

**The Attorney General with a copy for forwarding
to the White House**

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

**Memorandum reporting results of an interview by SSC Staff
Members of incumbent SA David Ryan**

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

NA

6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Intelligence collection
Information handling**

8. SUMMARY (see reverse side before completing this item)

**Interviewed regarding the discontinued Counterintelligence
Programs.**

62-116395

FMK:fmk

(4)

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75**

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11/27/00 BY SP8AMK

TREAT AS YELLOW

5-708

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

COINTELPRO Deposition Outline

| <u>Issues</u> | <u>Witnesses</u> | <u>Relevant Documents</u> |
|---|------------------|---|
| I. Origins | | |
| A. CPUSA | | |
| 1. What are the prior actions, constituting "harassment", referred to on page 1? (Documents?) | | Memo Belmont to Boardman 8/28/56 prepared by Reddy |
| 2. Why were the Smith Act and Internal Security Act prosecutions not sufficient? | | |
| 3. How was it decided to initiate a formal program? (Conference, meeting, etc.?) | | |
| 4. Who participated in the decision? | | |
| 5. With respect to the Muste operation, who in the Bureau decided "after careful study" that the CP should not dissolve and reform into a broader socialist organization? | | Memo Belmont to Boardman 9/5/56 prepared by O'Connor |

62-116395-1338

| Issues | Witnesses | Relevant Documents |
|---|-----------|---|
| <p>Paragraph 2 indicates that the new organization, if allowed, would not be illegal under existing legislation (Smith Act, etc.). Who decided to discourage the dissolution of an illegal group and the formation of a legal organization? (Cf. Bureau effort to change the philosophy of the NOI -- serial 100-448006-564.)</p> <p>6. Why were non-CPUSA members targeted? (Relationship with COMINFIL, etc.)</p> | | |
| <p>B. Socialist Workers Party</p> | | <p>Memo Belmont to Boardman 8/28/56</p> |
| <p>1. Why was the SWP program initiated just five years after the SWP activities against the CPUSA were considered beneficial to the Bureau?</p> | | <p>SAC letter 10/12/61 prepared by Rosack</p> |
| <p>2. How was the decision made?</p> | | |
| <p>3. Who participated?</p> | | |

| Issues | Witnesses | Relevant Documents |
|---|-----------|--------------------|
| 4. Why was this not a "crash program"? (What is a crash program?) | | |
| 5. The SAC letter states as the reasons for its targeting the "open espousal" of its line, running candidates, and supporting such causes as Castro's Cuba and integration problems arising in the South. | | |
| a. Are these activities illegal? | | |
| b. Was the SWP violent? | | |
| 6. The SAC letter states that the SWP had been in frequent contact with international Trotskyite groups. | | |
| a. Was the SWP in contact with foreign governments? | | |
| b. Was it the agent of a foreign government? | | |
| c. Is there any evidence that the SWP was involved in espionage? | | |

| Issues | Witnesses | Relevant Documents |
|--|-----------|--|
| 7. Why were non-SWP members targeted? | | |
| C. White Hate | | Memo Gale to Tolson (requested) 7/30/64 |
| 1. How was it decided to open this program? | | |
| 2. Was there pressure on the Bureau to "do something" about the Klan? | | |
| 3. How were the target groups chosen? Why not, say, the Minutemen? | | |
| 4. What are "Action Groups"? Is this another index? | | |
| With regard to the special emphasis on "Action Groups", was it intended that the vast majority of individuals in each organization who do <u>not</u> | | |

| Issues | Witnesses | Relevant Documents |
|---|-----------|--|
| <p>use strong-arm tactics and violent action to achieve their ends not be targeted, or merely not so intensively?</p> | | |
| <p>5. With regard to paragraph 2, several purposes of the new program are listed. The last purpose is to "disrupt or eliminate their efforts to circumvent or violate the law." Why was this not the <u>only</u> purpose?</p> | | |
| <p>Had law enforcement methods broken down?</p> | | |
| <p>6. Why, in contrast to other programs, was there such precision of targeting?</p> | | |
| <p>D. Black Nationalist</p> | | <p>SAC letter to Albany 8/25/67 prepared by Ryan</p> |
| <p>1. Isn't there a memo recommending this?</p> | | |
| <p>2. How and by whom was it decided to implement this new program?</p> | | |

| Issues | Witnesses | Relevant Documents |
|--|-----------|--|
| 3. What was its relationship to previous CPUSA/COMINFIL activity directed against black groups? (CIRM) | | |
| 4. How were the targets chosen? | | |
| 5. What was the basis for including SCLC and CORE? Why was CORE apparently dropped six months later? | | |
| a. Were these "hate type" groups? | | |
| b. Were they violence prone? | | |
| 6. With reference to page 2, what is the basis for precluding leaders from "spreading their philosophy"? | | |
| 7. Does page 2 contain an instruction to field offices to gather information on the personal lives of targets for counter-intelligence purposes? | | |
| 8. Why was the program enlarged six months later? | | Memo Moore to Sullivan 2/29/68 prepared by Deakin |
| | | SAC letter to Albany 3/4/68 |

| Issues | Witnesses | Relevant Documents |
|---|-----------|--------------------|
| 9. Is having group members "arrested on every possible charge until they could no longer make bail" a standard counterintelligence technique? | | |
| 10. Who decided on the long-range goals set forth? | | |
| Number 3 is the prevention of violence. Why are there four others? How are they related to the prevention of violence? | | |
| 11. Who decided to make Martin Luther King a primary target? | | |
| a. What evidence existed, that King was radical and violence-prone? | | |
| b. Doesn't that contradict the statement on page 3 re King's "supposed 'obedience' to 'white, liberal doctrines' (non-violence)"? And why "supposed"? | | |

| Issues | Witnesses | Relevant Documents |
|--|-----------|---|
| E. New Left | | Memo Brennan to Sullivan 5/9/68 prepared by Grigalus and Wells |
| | | SAC letter to Albany 5/10/68 |
| 1. How and by whom was it decided to start this program? | | |
| 2. How is the New Left defined, either in COINTELPRO documents or other documents? | | |
| 3. The document talks about several characteristics of the New Left. | | |
| a. If one alleges police brutality, does this make him a member of the NL? | | |
| b. What is the relationship between "vicious and scurrilous attacks on the Director" and the New Left? | | |
| c. What is the relationship between calling for the "defeat of the United States in Vietnam" and | | |

| Issues | Witnesses | Relevant Documents |
|---|-----------|------------------------------|
| those who opposed the war? Were both kinds of conduct or advocacy "New Left"? | | |
| d. Was everyone targeted engaged in "violent and illegal activities"? | | |
| 4. Why were no organizations or individuals specifically named? (Cf. White Hate and Black Nationalist programs, with detailed lists.) | | |
| Did this failure to specifically target prompt some overbreadth in proposals from the field? | | |
| F. Since no instructions were printed in the Manual, how were field offices kept informed? How did Bureau personnel decide what was COINTELPRO and what was not? (Cf. King case.) | | Yearly reviews |
| | | Phillips interview |
| II. Legal Authority | | |
| A. What statutory authority exists for COINTELPRO activities? | | Justice Department letter of |

| Issues | Witnesses | Relevant Documents |
|---|-----------|--------------------|
| <p>B. What other legal authority exists for COINTELPRO activities?</p> <p>C. Did anyone involved ever ask whether there was a legal basis for COINTELPRO activities? Was it ever considered?</p> <p>D. Do you think the Bureau should have a statutory basis for such activities?</p> | | |
| III. Indices | | |
| <p>A. What was the relationship between the following indices or lists and COINTELPRO?</p> <ol style="list-style-type: none">1. Security Index.2. Reserve Indices.3. Key Activists.4. Rabble Rouser.5. Key Black Extremists. | | |

| <u>Issues</u> | <u>Witnesses</u> | <u>Relevant Documents</u> |
|--|------------------|------------------------------------|
| IV. Implementation | | |
| A. What was the administrative structure within the Bureau to handle COINTELPRO? | | |
| 1. Was there a COINTELPRO unit? | | |
| 2. When was it organized? | | |
| a. Who headed it? | | |
| b. Who else was involved? | | |
| c. Who supervised COINTELPRO prior to that? | | |
| 3. Who was authorized to approve field proposals? | | |
| What was the chain of command? | | |
| 4. Did headquarters suggest actions to the field? | | New Left SAC letter _____ |
| | | SAC letter 60-56 12/6/60 (request) |
| 5. Did headquarters hold conferences with field coordinators? | | Yearly reviews |

| Issues | Witnesses | Relevant Documents |
|---|-----------|--------------------|
| B. How was COINTELPRO coordinated with intelligence personnel? | | |
| 1. What was the relationship between intelligence gathering and COINTELPRO? | | |
| a. Electronic surveillance. | | |
| b. Surreptitious entry. | | |
| c. Mail opening. | | |
| d. Foreign intelligence (other agencies). | | |
| e. Bank records. | | |
| f. Tax returns, Selective Service records, etc. | | |
| 2. Where did the techniques and expertise for COINTELPRO come from? | | |
| 3. Was there any attempt to get information on techniques and expertise from another agency, <u>e.g.</u> , the CIA? | | |
| With what result? | | |

| Issues | Witnesses | Relevant Documents |
|--|-----------|----------------------------|
| C. What did COINTELPRO cost? Was a budget analysis ever done? | | Yearly reviews |
| D. How were the results of actions determined? | | Status letters |
| 1. Why were the field offices instructed to resolve any doubts about results in their favor? | | Letter to New York 9/13/63 |
| 2. Why were so few results determined? | | |
| E. What was the relationship between COINTELPRO and the Mass Media program? | | |
| F. How many incentive awards or letters of commendation were given for COINTELPRO actions? | | |
| G. What steps were taken to ensure that state and federal laws were not violated? | | |
| 1. Inconsistency in sending threats through the mail or by phone. | | |

| Issues | Witnesses | Relevant Documents |
|--|-----------|--------------------|
| 2. Mail fraud. | | |
| H. Outside the Bureau, who was informed that COINTELPRO existed, and how were they informed? | | |
| I. What was the rationale behind the following general categories of actions? | | |
| 1. Reprint mailings (propaganda). | | |
| 2. Actions against teachers. | | |
| 3. Campus speakers. | | |
| J. Specific cases -- to await second round. | | |
| V. Termination | | |
| A. How and by whom was it decided to terminate the COINTELPROs? | | |
| B. Was the Media theft the reason for termination? | | |
| C. Have any "ad hoc" actions been approved on an individual basis since termination? | | |

JOHN G. TOWEN, TEXAS, VICE CHAIRMAN
ALLEN A. HART, MICH.
ALGER F. MENDALL, ARIZ.
ALGER G. HENNINGSEN, N.J.
ROBERT MORGAN, N.C.
ALGER HART, COLO.
HOWARD H. BAKER, JR., TENN.
J. RAY GOLDWATER, ARIZ.
CHARLES MC C. HATHAS, JR., M.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHNAPF, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 31, 89TH CONGRESS)

WASHINGTON, D.C. 20510

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: _____

Date: _____

Witness: _____

Witness: _____

62-116395-1338

UNITED STATES

DEPARTMENT

Memorandum

TO : Mr. J. B. Adams

1 - Mr. W. R. Wannall

DATE: 1/20/76

FROM : Mr. W. R. Wannall

1 - Mr. A. F. Watters, Jr.

SUBJECT: PATRICK V. MURPHY

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

Sensitivity

By letter dated 1/19/76, Patrick V. Murphy, President, Police Foundation, Washington, D. C., informed the Director that he had accepted an invitation to participate in a panel of police officials at an Executive Session of a subcommittee of the Senate Select Committee on Intelligence Activities on Tuesday, 1/20/76. According to correspondence to Mr. Murphy extending the invitation from Senator Walter F. Mondale, Chairman of the subcommittee, the topic for discussion at the Executive Session would be the FBI's dissemination of the product of its domestic intelligence investigations to local authorities and whether such dissemination has been of value.

In his communication Mr. Murphy indicated that it would be helpful if someone on Mr. Kelley's staff would contact him in order to brief him concerning the issues involved in his testimony.

In response to Mr. Murphy's request I telephoned Mr. Murphy at his home at 5 p.m. on Monday, 1/19/76. With the assistance of Special Agent Albert F. Watters, Jr., of the Intelligence Division, who is familiar with the issues of concern to the Senate Select Committee, I outlined for Mr. Murphy what options the Committee was considering adopting to govern FBI domestic intelligence collection in the future. Specifically these options are: (1) to charter the FBI substantially in the same manner as it is currently chartered by Presidential Directives and other authorities to conduct investigations into subversive activities and related matters; (2) to take both domestic intelligence collection and foreign counterintelligence out of the FBI and create a separate agency to perform these functions; (3) to eliminate the domestic intelligence collection effort by the FBI and confine the Bureau to gathering evidence of Federal violations; and (4) to enact a statutory charter for the collection of domestic intelligence concerning a narrow range of matters involving potential force and violence, under strict guidelines such as those now being proposed by the Attorney General's Guidelines Committee within the Department of Justice.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/SP

AFW:fb
(3)

Records put cc in directory 62-116395

NOT RECORDED

4 FEB 2 1976

FEB 12 CONTINUED - OVER

FEB 1 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ORIGINAL FILED IN

Memorandum to Mr. J. B. Adams
RE: PATRICK V. MURPHY

I pointed out to Mr. Murphy that the subcommittee, in assessing the probable effect of eliminating FBI domestic intelligence investigations, would be most interested in his views as to whether this activity by the Bureau has been of value to local government officials in anticipating violence and dealing with civil disorder.

Mr. Murphy indicated that the Senate Select Committee's invitation, dated 1/15/76, left him little time to prepare for his testimony and that his remarks would, therefore, have to be of a general nature. However, he asked that I convey his appreciation to the Director for affording him an opportunity to become better acquainted with the broader questions of concern to the Senate Select Committee.

ACTION:

None. For information of the Director and for record purposes.

AW TJD H

gma

myl
Gman

K

| | |
|----------------|---------------------|
| Dep. AD Inv. | _____ |
| Asst. Dir.: | _____ |
| Sui | Admin. _____ |
| Wa | Comp. Syst. _____ |
| Ph | Ext. Affairs _____ |
| Fra | Filos. & Com. _____ |
| Ch | Gen. Inv. _____ |
| Ident. | _____ |
| Inspection | _____ |
| Intell. | _____ |
| Laboratory | _____ |
| Legal Coun. | _____ |
| Plan. & Eval. | _____ |
| Spec. Inv. | _____ |
| Training | _____ |
| Telephone Rm. | _____ |
| Director Sec'y | _____ |

January 19, 1976

Honorable Clarence M. Kelley
 Director
 Federal Bureau of Investigation
 9th & Pennsylvania Avenue, N. W.
 Washington, D. C. 20535

Dear Clarence:

I received this invitation last Friday afternoon and have
 accepted.

It would be helpful if I were to receive a telephone call
 today from someone on your staff who can familiarize me with the issue.

It is my understanding there will also be three other people
 attending:

James F. Ahern, former Chief of Police in New Haven and
 presently Director of the Insurance Crime Prevention Institute;

Lewis Cottell, Chief of Detectives, New York City Police
 Department; and

Robert J. di Grazia, Commissioner, Boston Police Department.

Best regards.

Sincerely,

Pat.

Patrick V. Murphy

PVM:jdm

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/21/00 BY SP2AM/KP

4 FEB 4 1976

W. J. Adams
John P. ...

EXP. PROC.
 30
 1/20/76 AFW:ph
 (300 info g. Director)
 & for record (per p. 2)

2 - Mr. J. A. Mintz
(1 - Mr. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. D. M. Lattin

January 14, 1976

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated December 8, 1975, requesting certain materials from the Federal Bureau of Investigation.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum which constitutes this Bureau's response to Part I of the above request. Also enclosed is a copy of the memorandum for your records.

Enclosures (2)

62-116395

- 1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

DML:rsm
(9)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/KP

FEB 6 1976

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

5- ENCLOSURE

CONFIDENTIAL MATERIAL ATTACHED

THIS IS A COPY

MAIL ROOM ☐

TELETYPE UNIT ☐

62-116305

2 - Mr. J. A. Mintz
(1 - Mr. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. D. M. Lattin
January 14, 1976

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE
ACTIVITIES (SSC)

Reference is made to SSC letter dated December 8, 1975, requesting certain materials from the Federal Bureau of Investigation.

The material requested under Part I is being delivered with this memorandum.

1 - The Attorney General

DML:rsm (8)

NOTE:

Bureau's memorandum dated September 9, 1975, plus enclosures was in response to Part IV, 4,J of SSC letter dated 8/20/75, which requested all materials reflecting the information supplied by, and Bureau supervision of the handling of William Divale. Per Bureau instructions, Los Angeles, by airtel 12/17/75, furnished Xerox copies of pertinent documents. These documents reviewed and excised by IS-2 Section. Copy of SSC letter 12/8/75 is attached to file copy of enclosed memorandum. Exact copies of documents furnished are maintained in Senstudy Project Office.

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2AUKP

CONFIDENTIAL MATERIAL ATTACHED

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

December 9, 1975

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

M-16
FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: Senate Select Committee Request

Attached is a letter from the Senate Select Committee dated December 8, 1975. Please prepare an appropriate response to this request.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2AUM/KP

cc: Paul Daly



*1-Ad Hoc
12-11-75*

62-116395-1337

5 Phillips

ENCLOSURE

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWLER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, N.P.H.
WALTER F. MCNALLY, MINN.
WALTER D. HULL, ILLINOIS, KY.
ROBERTY MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC G. MATHIAS, JR., MD.
RICHARD S. SCHWIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. C. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 8, 1975

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence
Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2AW/KP

Dear Mike:

This document request consists of three parts.

I. FBI Informants

Please provide copies of all memoranda, records and other materials reflecting conversations, interviews, reports, communications between former FBI informant William Divale and any personnel of the FBI during 1968 which pertained in any way to Walter Crowe and/or Sirhan Sirhan.

II. FBI Laboratory

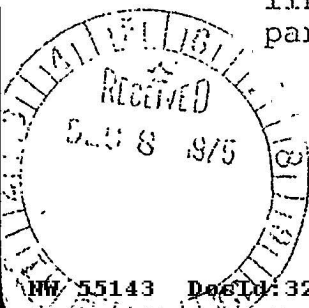
Please provide such portions of the 1971 Inspection Report on the Laboratory Division as to pertain to intelligence and counterintelligence operations and activities of the FBI.

III. Martin Luther King, Jr.

With respect to Mr. Sizoo's unserialized December 1, 1964 memorandum to Mr. Sullivan captioned "Martin Luther King, Jr.", which was forwarded by Mr. Shaheen in response to Items 3 and 4 of the SSC Letter of 11/7/75, please forward:

a. Mr. Sullivan's "informal memo" which is referred to in the first paragraph;

b. The facts and circumstances surrounding the lining out of certain portions of the first and third paragraphs;



62-116 395-1337

ENCLOSURE

Michael E. Shaheen, Jr.
Page 2

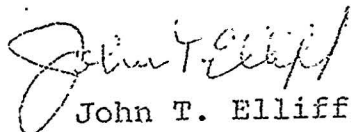
December 8, 1975

c. Access to Mr. Sizoo's December 1, 1964 memorandum in its original form;

d. All memoranda and any other materials which pertain to the suggestions or implementation of the suggestions, contained in Mr. Sizoo's December 1, 1964 memorandum.

Your continued cooperation is appreciated.

Sincerely,



John T. Elliff
Director

Domestic Intelligence Task Force

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 1/12/76

U.S. SENATE SELECT COMMITTEE.
Caption of Document:

12/8/75 request, item 1

Originating Office: FBI

Delivered by: [Signature] Date: 1/12/76

Received by: Joan K. Wilson

Title: Receptionist

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2AMK/P

62-116375-1337

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

1/14/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

☒ SSC

☐ HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/8/75, Part I

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Information handling
Intelligence collection

8. SUMMARY (see reverse side before completing this item)

All materials relating to FBI informant William Divale during 1968 which pertained in any way to Walter Crowe and/or Sirhan Sirhan.

62-116395

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2ALM/CP

TREAT AS YELLOW

5-170

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

SSC REQUEST

12/8/75, Item 1

RETAIN

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/KP

62-116395-1337

ENCLOSURE

SECRET

FEDERAL BUREAU OF INVESTIGATION

| | | | |
|--|--|---|--|
| REPORTING OFFICE LOS ANGELES | OFFICE OF ORIGIN LOS ANGELES | DATE 10/25/68 | INVESTIGATIVE PERIOD 10/23/68 - 10/24/68 |
| TITLE OF CASE WALTER SHERRILL CROWE, JR. | | REPORT MADE BY FREDRICK E. BECKER | TYPED BY kaf |
| | | CHARACTER OF CASE ISA OF 1950; SM - C | |

REFERENCES: Los Angeles report of SA FREDRICK E. BECKER dated 1/17/68.
 Los Angeles FD-122 dated 6/27/68.
 Los Angeles letter to the Bureau dated 6/28/68.
 Bureau letter to Mr. J. WALTER YEAGLEY, Assistant Attorney General, dated 10/11/68, copies of which were forwarded to Los Angeles and captioned "WALTER SHERRILL CROWE, JR.; FAYE HALPERN; IRVING ALEX HALPERN; Security Matter - C, Internal Security Act of 1950".

- C -

MDR-16
CLASSIFIED BY SP2ALM/KP
DECLASSIFY ON: 25XJ

**ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE.**

| ACCOMPLISHMENTS CLAIMED | | | | | | NONE | ACQUIT-TALS | CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO |
|-------------------------|-------|------|-------|---------|------------|------|-------------|--|
| CONVIC. | AUTO. | FUG. | FINES | SAVINGS | RECOVERIES | | | |
| | | | | | | | | |

| | | | |
|---|-------------------------|---|--|
| APPROVED | SPECIAL AGENT IN CHARGE | DO NOT WRITE IN SPACES BELOW | |
| COPIES MADE: | | <div style="text-align: right;">100-67358-199</div> SEARCHED _____ INDEXED _____ SERIALIZED _____ FILED _____ <i>Becker</i> | |
| 5 - Bureau (100-445791) (RM) 1 - Secret Service, Los Angeles (RM) 3 - Los Angeles (100-67358) | | | |

| Dissemination Record of Attached Report | | | | Notations |
|---|--|--|--|---|
| Agency | | | | This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI. |
| Request Recd. | | | | |
| Date Fwd. | | | | |
| How Fwd. | | | | |
| By | | | | |

SECRET

LA 100-67358

ADMINISTRATIVE

This report is classified confidential inasmuch as the confidential information from LA T-2 through LA T-6, the unauthorized disclosure of which could reasonably result in the identification of confidential informants of continuing value and therefore jeopardize their future effectiveness.

CROWE is currently maintained on the Security Index of the Los Angeles Office and he is in Priority III.

CROWE was interviewed by Bureau Agents of the Los Angeles Office in connection with the assassination of Senator ROBERT F. KENNEDY, Los Angeles file 56-156, Bufile 62-587, and in connection with the bombings of the Selective Service Headquarters, Van Nuys, California, Los Angeles file 25-81796, Bufile 25-574428.

INFORMANTS

SOURCE

LA T-1

JAMES COOK,
Deputy Sheriff,
Research Bureau,
Los Angeles County
Sheriff's Office (LASO),
Los Angeles, California
(conceal per request)

LOCATION

Orally to SA FREDRICK E. BECKER
on 10/23/68, instant report.

Individual owed obligation of confidentiality

DIUALE → LA T-2 134-2702A-557 through 587
LA 4688-S on informant symbol number 100-67852-91

LA T-3 (S)
LA 4863-S Confidential informant

134-3023A-342
-364
-384
-391 (S)
-395
-411
-432

- B -
COVER PAGE

LA 100-67358

SOURCE

LA T-4

CSLA 4971-S

LA T-5

LA 4921-S

LA T-6

LA 4891-S (S)

NEGATIVE INFORMANTS

CSLA 3184-S

10/24/68

Orally to SA FREDRICK E.
BECKER

CSLA 4703-S

10/24/68

Orally to SA FREDRICK E.
BECKER

- C -
COVER PAGE

1. ☒ Subject's name is included in the Security Index, Priority III.
2. ☐ The data appearing on the Security Index card are current.
3. ☒ Changes on the Security Index card are necessary and Form FD-122 has been submitted to the Bureau.
4. ☒ A suitable photograph ☒ is, ☐ is not available.
Date photograph was taken 8/3/64.
5. ☐ Subject is employed in a key facility and _____ is charged with security responsibility. Interested agencies are _____.
6. ☒ This report is classified confidential because
(state reason) disclosure of information provided by source T-2 through T-6 could reasonably result in the identification of sources of continuing value and compromise their effectiveness thereof.
7. ☐ Subject previously interviewed (dates) _____
☒ Subject was not interviewed because (state reason)
CROWE is a current member of the Communist Party (CP) and he actively participates in party activities. CROWE has also been advised to not talk to FBI Agents at any time and it is felt that further contacts with CROWE may result in attempts on his part to embarrass the Bureau.
8. ☐ This case no longer meets the Security Index criteria and a letter has been directed to the Bureau recommending cancellation of the Security Index card.
9. ☒ This case has been re-evaluated in the light of the Security Index criteria and it continues to fall within such criteria because
(state reason) of CROWE's CP membership and activity as well as his associations with the Los Angeles activities of the Students for a Democratic Society, (SDS).
10. ☒ Subject's SI card ☐ is ☒ is not tabbed Detcom.
☐ Subject's activities warrant Detcom tabbing because (state reasons)

- D* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

~~CONFIDENTIAL~~

Copy to: 1 - Secret Service, Los Angeles

Report of: FREDRICK E. BECKER
Date: 10/25/68

Office: Los Angeles, California

Field Office File #: 100-67358

Bureau File #: 100-445791

Title: WALTER SHERRILL CROWE, JR.

#MDR-16
DECLASSIFIED BY SP2ALM/KP
ON 11/27/06

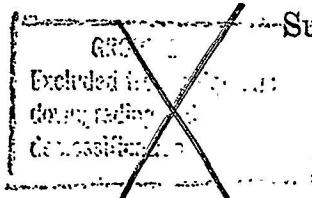
Character: INTERNAL SECURITY ACT OF 1950;
SECURITY MATTER - C

Synopsis: CROWE resides at 1300 Topoka Street, Pasadena, California, and he is presently employed as a Social Worker, Metropolitan Aid to the Totally Disabled, Los Angeles County Department of Public Social Services, 2707 South Grand Avenue, Los Angeles, California. From November 1967 to August 1968, CROWE participated in numerous meetings and functions of the Southern California District Communist Party (SCDCP). From November 1967 to June 1968, CROWE attended numerous functions of the Students for a Democratic Society (SDS), University of California at Los Angeles (UCLA) Chapter, Los Angeles, California. In July 1968, CROWE participated in a demonstration sponsored by the Peace Action Council (PAC) in Los Angeles. Additional sources familiar with Communist Party (CP) or CP related activities in the area of CROWE's residence and employment were unable to furnish any additional information concerning recent activity on his part. CROWE was interviewed by Bureau Agents, on 6/6/68 and 6/7/68, in regards to his acquaintance with SIRHAN D. SIRHAN, accused slayer of Senator ROBERT F. KENNEDY. CROWE was also interviewed by Bureau Agents on 9/18/68, since SDS members were considered suspects in two Los Angeles bombing matters.

MDR-16
CLASSIFIED BY SP2ALM/KP
DECLASSIFY ON: 25X 1

- NATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.



~~CONFIDENTIAL~~

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

U. S. GOVERNMENT PRINTING OFFICE: 1967-O-272-675

~~SECRET~~

LA 100-67358

DETAILS

BACKGROUND

RESIDENCE AND EMPLOYMENT

LA T-1 (10/23/68)

On October 23, 1968, source advised that WALTER SHERRILL CROWE, JR., resides at 1300 Topeka Street, Pasadena, California, and he is presently employed as a Social Worker, Metropolitan Aid to the Totally Disabled, Los Angeles County Department of Public Social Services, 2707 South Grand Avenue, Los Angeles, California.

SOUTHERN CALIFORNIA DISTRICT
COMMUNIST PARTY (SCDCP)

LA T-2 (12/7/67)

Source advised that WALTER SHERRILL CROWE, JR., attended a meeting of the Student's Club, SCDCP, held at 3271 South Sepulveda, Apartment 2, Los Angeles, California, on November 13, 1967.

LA T-2 (11/28/67)

Source stated that CROWE attended a meeting of the Student's Club, SCDCP, held in Los Angeles on November 20, 1967.

LA T-2 (12/7/67)

Source stated that CROWE attended the December 4, 1967, meeting of the Student's Club, SCDCP, at 437 Kelton Street, Los Angeles, California. Discussion centered around a twenty page letter which was addressed to University of California at Los Angeles (UCLA) students and its intention was to inform the students about the Communist Party (CP).

- 2 -

~~SECRET~~

~~SECRET~~

LA 100-67358

CROWE was elected to be one of twelve persons to serve on the Youth Committee for the SCDCP.

LA T-2 (12/19/67)

Source stated that CROWE was one of approximately twenty-five persons who attended a SCDCP meeting held in Los Angeles on December 16, 1967. Not all of the persons present were members.

LA T-2 (12/19/67)

Source stated that on December 18, 1967, CROWE attended a meeting between the youth of the SCDCP and members of the Students for a Democratic Society (SDS) (see appendix). The meeting took place at 1734 Armhurst Street, Los Angeles. Attempts were made to bring the CP and the SDS closer. It was decided that the CP youth would send delegates to the National Council meetings of the SDS.

LA T-2 (12/19/67)

CROWE attended a meeting of the Student's Club, SCDCP, held on December 18, 1967, at 1946 Iffy Street, Los Angeles. CROWE was selected to attend the National SDS Council meeting planned for December 31, 1967, at Bloomington, Indiana. The CP agreed to pay all of CROWE's expenses.

LA T-2 (1/10/68)

CROWE attended a meeting of the SCDCP Youth Commission which was held on January 7, 1968, at 3445 South Tenth Avenue, Los Angeles.

LA T-2 (1/16/68)

CROWE attended a meeting of the Student's Club, SCDCP, which was held on January 10, 1968, at 1955 South Armacost Street, Los Angeles.

- 3 -

~~SECRET~~

~~SECRET~~

LA 100-67358

LA T-2 (2/16/68)

Source stated that CROWE attended a meeting of the Student's Club, SCDCP, held on February 12, 1968, at 1947 South Armacost Street, Los Angeles. The topic of discussion was attempts to get the SCDCP and the SDS closer. Attempts to recruit SCDCP members from the ranks of the SDS were also discussed.

LA T-2 (3/15/68)

CROWE attended a meeting of the Student's Club, SCDCP, held on March 14, 1968, at 1947 South Armacost Street, Los Angeles.

LA T-3 (4/11/68)

Source advised that CROWE attended a meeting of the Student's Club, SCDCP, held on April 3, 1968, at 1974 Robertson Boulevard, Los Angeles. (S)(u)

LA T-3 (4/29/68)

Source stated that CROWE was one of six persons present at a meeting of the Student's Club, SCDCP, which was held on April 24, 1968, at 1974 Robertson Boulevard, Los Angeles. (S)(u)

LA T-2 (6/28/68)

CROWE attended a meeting of the Student's Club, SCDCP, held at 4020 Garden Avenue, Los Angeles, on June 2, 1968.

LA T-4 (6/24/68)

Source advised that CROWE was one of approximately 750 persons who attended a demonstration held in front of the Los Angeles Police Department (LAPD) Headquarters, 150 North

- 4 -

~~SECRET~~

~~SECRET~~

LA 100-67358

Los Angeles Street, Los Angeles, on June 2, 1968. The purpose of the demonstration was to protest the arrest of individuals indicted by the Los Angeles County Grand Jury for conspiracy in connection with high school walkouts in the Los Angeles area. Several other members of the Student's Club, SCDCP, were in attendance.

LA T-3 (6/17/68)

Source advised that CROWE attended the June 8, 1968 meeting of the Student's Club, SCDCP, held at 1974 South Robertson Boulevard, Los Angeles. At this meeting CROWE stated he had been interviewed by FBI Agents in connection with his acquaintance with SIRHAN B. SIRHAN, the suspected slayer of Senator ROBERT F. KENNEDY. CROWE indicated that he did not give any information to the FBI regarding the CP or CP members. It was suggested to CROWE that he should not talk to FBI Agents in regards to anything without consulting an attorney and he was criticized for having talked to FBI Agents in the past. (S)(u)

LA T-3 (6/25/68)

Source advised that CROWE attended a meeting of the Student's Club, SCDCP, held at 1346 Quintero Street, Los Angeles, on June 18, 1968. (S)(u)

It was suggested at this meeting that CROWE be one of four SCDCP representatives at a SDS Southern California District Convention to be held at the University of California at Irvine, Irvine, California, on June 22 through June 23, 1968. (u)(S)

LA T-2 (6/28/68)

Source advised that CROWE attended the meeting of the Student's Club, SCDCP, held at 437 Kelton Street, Los Angeles, on June 24, 1968.

LA T-3 (7/1/68)

Source advised that CROWE attended a meeting of the Student's Club, SCDCP, held at 1974 South Robertson Boulevard, Los Angeles, on June 25, 1968. (S)(u)

- 5 -

~~SECRET~~

~~SECRET~~

LA 100-67358

Topics of discussion included the nominating of delegates for a New York convention of the CP to be held from July 4 through July 7, 1968. It was estimated that it would cost the CP about \$5,000 to send the Los Angeles CP delegates to the convention.

LA T-2 (7/16/68)

Source advised that CROWE attended a meeting of the Student's Club, SCDCP, held at 7518 West Lockwood, Los Angeles, on July 6, 1968.

CROWE was listed as a staff member of a newspaper to be called the "Red Beard", which was to be put out by the youth section of the SCDCP as regular as possible.

It was stated that the LAPD had interviewed CROWE twice regarding his knowledge of SIRHAN B. SIRHAN and CROWE reportedly got very angry at the police and told an attorney about the police interviews. CROWE was reportedly advised to talk no further with law enforcement agencies.

LA T-3 (8/2/68)

Source advised that CROWE attended a meeting of the Student's Club, SCDCP, held on July 24, 1968, at 1734 Armacost Street, Los Angeles. Approximately ten persons were in attendance. ~~(S)~~ (u)

LA T-3 (9/6/68)

Source stated that CROWE attended the August 30, 1968, meeting of the Student's Club, SCDCP, held at 1974 South Robertson Boulevard, Los Angeles. ~~(S)~~ (u)

STUDENTS FOR A DEMOCRATIC
SOCIETY (SDS)

LA T-2 (11/28/67)

Source advised that WALTER SHERRILL CROWE was one of approximately 60 persons who attended a regional conference

- 6 -
~~SECRET~~

~~SECRET~~

LA 100-67358

of the Los Angeles area SDS which was held at the Pacoima Congregational Church, 9989 Laurel Canyon Boulevard, Pacoima, California, from November 24 through November 25, 1967.

LA T-2 (12/7/67)

Source stated that CROWE attended a meeting of the UCLA Chapter, SDS, held on December 6, 1967, at the Student Union Building, UCLA, Los Angeles.

LA T-2 (1/10/68)

CROWE was one of approximately 300 persons who attended the SDS National Council meeting at Bloomington, Indiana, from December 27 through December 31, 1967. CROWE was one of 13 known communists to attend the meeting.

For the most part, the CP was reported to be a bad word among the SDS delegates at the meeting.

LA T-2 (1/22/68)

CROWE was listed on the membership list of the UCLA Chapter, SDS, in January 1968.

LA T-2 (1/22/68)

Source advised that CROWE was one of 40 to 50 persons who attended a meeting of the UCLA Chapter, SDS, which was held on January 17, 1968, on the UCLA campus.

Topics of discussion at the meeting included the organization and structure of the UCLA Chapter of the SDS and the visits of Central Intelligence Agency (CIA) and military recruiters on the UCLA campus.

CROWE was reported to be playing a leading role in the UCLA Chapter of the SDS in an effort to recruit SDS members into the Student's Club, SCDCP, and to draw the SDS and the CP into a closer association.

- 7 -

~~SECRET~~

~~SECRET~~

LA 100-67358

LA T-2 (2/16/68)
LA T-5 (2/18/68)

Sources advised that CROWE attended a SDS meeting held at 1352 Poinsettia Place, Los Angeles, on February 11, 1968. About 60 persons were in attendance.

Topics of discussion included consideration for easing up on the militant activity and attitude of the SDS because it was felt that the SDS has grown large enough to be able to influence society without being quite so militant.

LA T-2 (6/28/68)
LA T-3 (6/25/68)

Sources advised that CROWE attended a SDS convention which consisted of the Southern California District of the SDS and was held from June 22 through June 23, 1968, at the University of California at Irvine campus, Irvine, California.

PEACE ACTION COUNCIL
(PAC) (see appendix)

LA T-6 (8/13/68)

Source advised that on July 28, 1968, CROWE was one of many persons who participated in a PAC sponsored demonstration for the purpose of protesting United States policy in Vietnam and the presence of Vice President HUBERT H. HUMPHREY at the Century Plaza Hotel, Los Angeles, California.

MISCELLANEOUS

On October 24, 1968, sources, who are generally familiar with CP and CP related activity in the Los Angeles area, advised that they knew of no further activity on the part of CROWE.

- 8 -

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date 6/7/68

WALTER SHERRILL CROWE, JR. advised he lives at 1300 Topeka, Pasadena, California, telephone SY 4-7064. He is employed as a social worker in the Metropolitan Aid to Totally Disabled Section of the Los Angeles County Department of Welfare at 2615 South Grand Avenue, Los Angeles.

On examining a set of photographs, he positively identified SIRHAN BISHARA SIRHAN as a person he had known in the Pasadena School District since the sixth grade. He advised this acquaintance continued until both finished two years at Pasadena City College (PCC). He advised that they lived within two or three blocks of each other in addition to attending the same school and that he knew SIRHAN well but SIRHAN was not his best friend.

CROWE states in 1965, he left for college, University of California at Los Angeles (UCLA), and claims to have only seen SIRHAN once since that time, in March 1968. He contacted SIRHAN because CROWE learned through his mother, MARGARET CROWE, who is a member of the Westminster Presbyterian Church on Lake Avenue in Pasadena, that MARY SIRHAN, SIRHAN SIRHAN's mother, indicated SIRHAN wanted to see CROWE. When they met, they were together approximately three hours during the evening. They went to two topless bars in Pasadena and drank beer. They concluded the evening by eating tacos at Ernie's Taco Restaurant on Colorado near Fair Oaks in Pasadena.

During their time together, CROWE told SIRHAN about his schooling at UCLA, from where he had just graduated. They talked about the Mid-East and politics. CROWE claims to have not seen SIRHAN since that meeting and denies having talked to him on the telephone or having had any other contacts.

CROWE states that when he knew SIRHAN in 1965, SIRHAN counted heavily on Egyptian Premier NASSER and the United Arab Republic (UAR) gaining a victory over Israel.

9

On 6/6/68 at Los Angeles, California File # Los Angeles

by SA ROBERT H. MORNEAU, JR. and
SA IRVIN B. WEISS, III/rhm,jr/asi Date dictated 6/6/68

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

~~SECRET~~

LA 56-156

In March 1968, although still favoring a UAR victory, SIRHAN seemed to have quieted down on the subject of Israel. He did not feel the Israeli Territory could be freed by the Arabs and that his general attitude towards Israel had mitigated. SIRHAN indicated a decreasing amount of interest in politics and an ambition to get a job, although he told CROWE he was always interested in the politics of the Near East.

CROWE stated that SIRHAN developed most of his sentiment against Israel from his family and he feels that SIRHAN had no stronger anti-Semitic feelings than did his mother, MARY SIRHAN. He stated that SIRHAN never became violent when arguing with him although he did argue strenuously. CROWE always took the attitude that the Zionists need not be driven into the sea but SIRHAN would argue excitedly in favor of this action.

CROWE does not believe that SIRHAN ever smoked. He was only a moderate drinker and then only rarely did he drink. He knew some girls, dated some, but CROWE never double dated with him.

CROWE feels that in March 1968, some kind of a barrier had arisen between them at their meeting. He knew that SIRHAN was probably jealous of his, CROWE's, education, while SIRHAN had been thrown from a horse and could not be a jockey. CROWE said he never saw SIRHAN outright mad.

CROWE recalled that SIRHAN stated in 1965 that he was dropped from PCC but that he would come back and the school would want him back. CROWE said he does not feel SIRHAN was politically motivated enough to murder Senator KENNEDY but, in retrospect, realizes he must have been.

CROWE recalled that at PCC, probably sometime in 1964, he attended, with SIRHAN, a banquet at the YMCA in Pasadena. This banquet was sponsored by the "Organization of Arab Students" (OAS). CROWE believes there were only four or five members of OAS at PCC but, at the banquet, there

10
~~SECRET~~

~~SECRET~~

LA 56-156

were a large number and they were addressed by an Egyptian Consul. - CROWE believes SIRHAN lost contact with other Arab students and bases this on the fact that during Christmas 1967, while shopping in Bullock's in Pasadena, he met two former Arab students from PCC. They had a friendly discussion during which these Arab students asked CROWE if he had seen SIRHAN.

CROWE stated that SIRHAN apparently had no opinion on Negroes. He believes SIRHAN is a member of the Greek Orthodox Church in Pasadena.

CROWE recalls two Arabs with whom SIRHAN was associated at PCC. They are MUSTAFA SERMAIN (phonetic), a student from Lebanon, and ABDUL DABBAS (phonetic), who taught Arabic at PCC.

CROWE can recall no specific discussion of American politics during the March 1968 meeting with SIRHAN. CROWE formerly went to a rifle range run by the City in Pasadena, owned guns and was interested in marksmanship. He stated that SIRHAN had absolutely no interest along these lines when he knew him.

CROWE stated he can recall SIRHAN as being moody, up one day and depressed the next. He tended to be withdrawn. CROWE cannot think of any additional information regarding SIRHAN but volunteered to communicate with the FBI if he should think of anything and, further, he is available for recontact at any time.

11

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date 6/7/68

WALTER S. CROWE, Jr., was interviewed in his home, 1300 Topeka, Pasadena, California. No one was at home other than CROWE for the first two to three minutes, then a much younger brother looked in the front door inquiring about whether he could spend the night with a neighbor friend at which time the interview was moved to an FBI car in front of the house. The car was driven three blocks away to another street where the interview was continued with CROWE in the back seat by himself and the interviewing Special Agents in the front seat.

At the outset of the interview CROWE was told that this interview would be about CROWE's alleged activities in the Communist Party, USA (CP). He was told that the question had now arisen as to whether there was any conspiracy to kill Senator KENNEDY that might involve the CP; that the public, the Congress, and the President was demanding and had a right to know the answer to this question. He was told he might conceivably have to testify in court or before Congress about anything he said during this interview. He said he understood the situation.

CROWE stated he would cooperate in every way possible. He was asked about his own CP activity. CROWE states in 1965, while a student at Pasadena City College (PCC), he had been active in forming an Ad Hoc committee that had to do with the issue of Negro rights and an effort to help secure these rights. CROWE claimed he was principal organizer.

CROWE stated that in 1965 at PCC he was also the principal organizer in an effort to get a Students for a Democratic Society Club (SDS) active on campus but noted that other students were apathetic, and it never got started. One TOM GOOD (phonetic) knew about this SDS club, but was not active and did not join or help form this club. DOUG LAYFIELD (phonetic) also a student tried to help form this club.

12

On 6/7/68 at Pasadena, California File # Los Angeles
 by SA's ROBERT H. MORNEAU, Jr. and
IRVIN B. WELLS, III: (rh, jr./jck) dictated 6/7/68

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

~~SECRET~~

LA 56-156

CROWE states SIRHAN SIRHAN knew about the formation of this club but was apathetic and never helped or hindered, did not join or offer to join the SDS club. At the end of the 1965 academic year in June, CROWE finished at PCC and in September began at the University of California at Los Angeles (UCLA). He almost immediately joined the UCLA chapter of the W.E.B. Du Bois Club that was then active on campus. The next year, sometime in 1966, he attended the W.E.B. Du Bois Club national convention in Chicago as a West Coast representative. However, by late 1966 or early 1967, the W.E.B. Du Bois Club had grown unpopular because the members at UCLA got tired of it and it folded.

CROWE states that in April, 1967, he and seven others formed a Student Club of the Communist Party, USA, on the campus of UCLA. They met to discuss political matters, he paid dues, but not to any national headquarters, only in his group. He remained in this CP club until he was graduated in March, 1968. He is still in the club, but each of the other seven members graduated with him, and they are considering forming an ex-student CP club. CROWE stated joining the CP club was a natural extension of his membership in the W.E.B. Du Bois Club.

With regard to SIRHAN, CROWE states he considered him "erratic" in his political philosophy and though essentially liberal and left of center, he had definite phases of his thinking where he was right of center, particularly on the subject of the state of Israel. When asked what he meant by liberal, CROWE stated, "politically liberal." Pressed for more definite information, CROWE states he does not know SIRHAN's economic philosophy. Politically, SIRHAN favored movements that according to CROWE are considered by the general populace to be left of center. CROWE states SIRHAN was opposed to the Vietnam war.

While at PCC in 1965, CROWE recalls that SIRHAN claimed he wanted to live in society in the United States and get along with people and make money. SIRHAN was not interested in the SDS Club that CROWE wanted to form. Although aware of CROWE's activities, SIRHAN did not support him. CROWE cannot recall specifically discussing the formation of the SDS group with SIRHAN although SIRHAN must have known. SIRHAN would likely have been on the fringe of groups where CROWE was expressing a desire to form the club and where SIRHAN must have overheard such expressions.

13
~~SECRET~~

~~SECRET~~

LA 56-156

CROWE states he was in the W.E.B. Du Bois Club at UCLA after he left PCC and dropped out before his 1968 meeting with SIRHAN so that SIRHAN could not have known of this club membership while CROWE was a member.

CROWE tried to fix the date he went out with SIRHAN, that is, the first time he saw SIRHAN since 1965 which is also the last time he ever saw or spoke to SIRHAN. CROWE was interviewed on June 7, 1968. He believes the time he went out with SIRHAN was four weeks and two days prior to this date. CROWE looked at a calendar and stated the date was Friday, May 2, 1968. CROWE recalled he began working for Los Angeles County as a social worker the day before this date, that is, Thursday, May 1, 1968.

CROWE states he met SIRHAN about 8:00 p.m. just as it was getting dark (daylight saving time had just gone into effect). They met and ate dinner at Bob's, 1616 East Colorado, Pasadena, California. They ate from 8:00 p.m. to 9:00 p.m. During this time and since they had not seen each other since June, 1965, they exchanged personal information. SIRHAN said he had been working with horses since graduation, had fallen several times, was not currently working, and had not completed his education. CROWE then told SIRHAN about completing his BA work at UCLA, about joining the W.E.B. Du Bois Club and the Student Club of the CP.

CROWE states he told SIRHAN that the CP, USA and the CP in Russia functioned differently and were not the same group. He also mentioned to SIRHAN that the Russian Government was supporting the Arabs with arms in the fight against Israel. CROWE claims he did not directly tell SIRHAN that the two CP's were in effect helping Russia which in turn was helping the Arabs; however, he thinks it possible this impression could have been perceived by SIRHAN. CROWE asks the question how can he know what influenced SIRHAN. SIRHAN never told him this was significant information, he showed no surprise, gave no indication of startled enlightenment, he accepted this information along with other information that CROWE was verbalizing.

14/
~~SECRET~~

~~SECRET~~

LA 56-156

CROWE states there is no way that SIRHAN could know the other seven members of his CP Club and noted that he has not told SIRHAN. Further CROWE said he does not walk the streets recruiting CP members and for that matter based on SIRHAN's prior lack of interest in the SDS would not and could not have recruited him for the CP at this time. CROWE says that recruitment would have to follow overt activities on the part of SIRHAN over an extended period of time, like membership in a club like the W.E.B. Du Bois Club that CROWE was in. Since this background was lacking in SIRHAN, CROWE could not recruit him and did not try.

CROWE states that of the hour between 8 p.m., and 9 p.m., when they talked, the discussion of CP activity, including the W.E.B. Du Bois Club took about twenty minutes. At about 9 p.m., two other former students whom CROWE recognized but whose names he absolutely does not know and never knew, came into Bob's Restaurant. He stated Bob's is the restaurant adjacent to Pasadena City College and is frequented regularly by students as a hang-out. These two former students joined CROWE and SIRHAN both of whom recognized both of them and vice versa. At this point CROWE discontinued all efforts to discuss anything personal with SIRHAN since he and SIRHAN were out "on the town" for the evening. The other two students decided to join in and they left Bob's going to a topless bar across the street from Dow Radio on East Colorado Boulevard in Pasadena. They next went to a topless restaurant on Foothill Boulevard in the eastern part of Pasadena, named the Black Cat. After a very few beers in both bars they all went to Ernies Taco Restaurant on Colorado near Fair Oaks in Pasadena, had some Mexican food, split up, the two others going off together and he and SIRHAN going their separate ways. CROWE did not see, talk to or communicate with SIRHAN in any way, directly or indirectly since that time.

CROWE states he is "aware of the awful" implications of his contact with SIRHAN. He has seen a Los Angeles newspaper account of an interview of Mayor SAM YORTY since the murder of Senator KENNEDY wherein YORTY make reference to

~~SECRET~~

~~SECRET~~

LA 56-156
(rh, Jr./vaa)

notes that once belonged to SIRHAN which suggest that SIRHAN believes in the objectives of the Communist Party. CROWE "hopes to God" that dates on these notes are prior to his talk with SIRHAN on May 2, 1968. CROWE states this matter weighs heavily on his conscience. He hopes he did not influence SIRHAN to shoot Senator KENNEDY. He cannot believe that his brief remarks to SIRHAN could be the motivation, but since he does not know of anyone else who contacts SIRHAN, knows only of his own contact, he has an ache in the pit of his stomach when he thinks of the consequences. He says he is examining his own conscience searching for an answer; he says he has a "dreadful" fear that he might be responsible for this shooting which he states must be considered one of the crimes of the century.

CROWE cannot think of any way in which to further clarify his feelings or enlighten this investigation. He says he is always available for recontact and interview further at any time and he was told he would be recontacted and reinterviewed.

CROWE states he never discussed the current political scene in the United States with SIRHAN on their May 2, 1968, meeting and never discussed Senator KENNEDY or any candidates in the California primary with SIRHAN.

16
~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

1

Date 9/20/68

On September 18, 1968, WALTER S. CROWE provided the following information after being advised as to the identities of the interviewing agents and the nature of the interview. CROWE was interviewed at the Los Angeles County Department of Public Social Services, 2707 South Grand Avenue, Los Angeles, California, where CROWE is employed as a case worker.

CROWE advised he graduated from the University of California at Los Angeles (UCLA) in June, 1968, at which time he accepted employment on a full time basis with the County of Los Angeles in the Department of Social Welfare. CROWE plans to return to the campus in the near future to commence work toward a Master's Degree in the field of Social Work.

CROWE when asked to account for his whereabouts at the time of the bombing of the draft board in North Hollywood and the destruction of the Army vehicles in Van Nuys, advised he would be unable to recall exactly his location at the time, but due to the time factor, he felt most certainly that he was probably asleep in the cooperative apartments located on the UCLA campus. CROWE stated the FBI is well aware of his political beliefs and also aware of his belief in peace and love for everyone. Therefore, he would make no consideration toward a militant stand or militant act and cannot understand how the FBI could possibly associate these bombings with any peace action group.

CROWE refused to discuss his association with any particular student organizations, refused to discuss his feelings toward the war in Vietnam, or the present draft system in the United States. CROWE continued the FBI is totally aware of his activities since he declared himself a Conscientious Objector. He feels certain that the FBI is eavesdropping on telephone conversations and from time to time, is shadowing him throughout Los Angeles. CROWE stated that if he should learn of the responsible parties in either bombing, he would notify the FBI Office in Los Angeles.

17

On 9/18/68 at Los Angeles, California File # Los Angeles 25-81795

SAS THOMAS E. LAVIN and
by JAMES E. QUICK/gjr (TAL) Date dictated 9/20/68

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

~~SECRET~~

2
LA 25-81796

The following description was obtained through observation and interview:

| | |
|----------------|---|
| Name | WALTER SHERILL CROWE, JR., Also known as Walt Crowe |
| Sex | Male |
| Race | Caucasian |
| Nationality | American |
| Height | 5'7" |
| Weight | 145 pounds |
| Build | Medium |
| Eyes | Brown |
| Hair | Dark |
| Birth data | August 3, 1945, Pasadena, California |
| Marital status | Single |
| Organizations | Admitted membership in Students for a Democratic Society, but refused to discuss same. |

~~SECRET~~

~~SECRET~~

1

APPENDIX

PEACE ACTION COUNCIL

The "People's World", a weekly west coast communist newspaper, in its issue of November 5, 1966, in an article on Page 3, describes the Peace Action Council (PAC) as, "a coordinating agency for peace activists" which conducts emergency mobilizations and demonstrative actions against the war in Vietnam.

On July 22, 1966, a source reported that the PAC, which has also been known as the Greater Los Angeles Peace Action Council (GLAPAC), was formed during the early summer of 1966, for the express purpose of protesting the war in Vietnam during the National Governors' Conference held in Los Angeles, California from July 4 to July 8, 1966. Following the conclusion of that conference, the PAC members decided to continue as a coordinating group to sponsor similar protest demonstrations at later dates.

This source was recontacted on May 8, 1968, and reported that the PAC continues to operate under the same basic concept.

APPENDIX

- 19 -

~~SECRET~~

~~SECRET~~

~~CONFIDENTIAL~~

1

APPENDIX

STUDENTS FOR A DEMOCRATIC SOCIETY

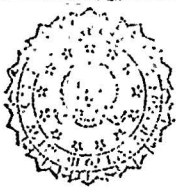
The Students for a Democratic Society (SDS), as it is known today, came into being at a founding convention held at Fort Huron, Michigan, in June, 1962. The SDS is an association of young people on the left and has a current program of protesting the draft, promoting a campaign for youth to develop a conscientious objector status, denouncing United States intervention in the war in Vietnam and to "radically transform" the university community, and provide for its complete control by students. Gus Hall, General Secretary, Communist Party, USA, when interviewed by a representative of United Press International in San Francisco, California, on May 14, 1965, described the SDS as a part of the "responsible left" which the Party has "going for us". At the June, 1965, SDS National Convention, an anticommunist proviso was removed from the SDS constitution. In the October 7, 1966, issue of "New Left Notes", the official publication of SDS, an SDS spokesman stated that there are some communists in SDS and they are welcome. The national headquarters of this organization as of April 18, 1967, was located in Room 206, 1608 West Madison Street, Chicago, Illinois.

APPENDIX

~~CONFIDENTIAL~~

- 20* -

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

October 25, 1968

In Reply, Please Refer to
File No.

~~SECRET~~

Title : WALTER SHERRILL CROWE, JR.

Character: INTERNAL SECURITY ACT OF 1950;
SECURITY MATTER - C

Reference: Los Angeles report of SA FREDRICK E.
BECKER dated and captioned as above.

All sources (except any listed below) whose identities
are concealed in referenced communication have furnished reliable
information in the past.

This document contains neither recommendations nor conclusions of the FBI. It is the property
of the FBI and is loaned to your agency; it and its contents are not to be distributed outside
your agency.

-21-

~~SECRET~~

SECRET

F B I

Date: 1/27/69

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIR MAIL - REGISTERED
(Priority)

| | |
|--------------|-------|
| Mr. Tolson | _____ |
| Mr. DeLoach | _____ |
| Mr. Mohr | _____ |
| Mr. Bishop | _____ |
| Mr. Casper | _____ |
| Mr. Callahan | _____ |
| Mr. Conrad | _____ |
| Mr. Felt | _____ |
| Mr. Gale | _____ |
| Mr. Rosen | _____ |
| Mr. Sullivan | _____ |
| Mr. Tavel | _____ |
| Mr. Trotter | _____ |
| Tele. Room | _____ |
| Miss Holmes | _____ |
| Miss Gandy | _____ |

TO: DIRECTOR, FBI (62-587)

FROM: SAC, LOS ANGELES (56-156) (P)

SUBJECT: KENSALT
OO: LOS ANGELESMDR-16
CLASSIFIED BY SP2ALM/GP
DECLASSIFY ON: 25X 1

Enclosed for the Bureau are five (5) copies of a letterhead memorandum (LHM) concerning WALTER SHERRILL CROWE, JR.

The enclosed LHM is classified Confidential in order to protect the identity of Sources 1 and 2, who are security informants of continuing value.

The enclosed LHM was prepared for information purposes in view of the friendship between WALTER SHERRILL CROWE, JR., who is listed on the Security Index of the Los Angeles Office, Priority III, and SIRHAN B. SIRHAN, accused slayer of Senator ROBERT F. KENNEDY.

The following sources were utilized in the LHM:

Source 1:

LA 4863-S (S)

Source 2:

LA 4688-S - Informant symbol number

Source 3:

Mrs. JUNE WIRTH

Supervisor

Metropolitan Aid to the Totally Disabled

Los Angeles County Department of Welfare

Los Angeles, California

(Conceal per request)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

③ - Bureau (Encs. - 5) (AM-RM).

2 - Los Angeles

(1 - 56-156)

(1 - 100-67358) (WALTER SHERRILL CROWE, JR.)

FEB:CM This document is prepared in response to your request and is for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized persons without the express approval of the FBI.

Approved: _____

Sent _____

Per _____

Special Agent in Charge

SECRET

SECRET

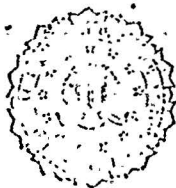
LA 56-136

It may be desirable to disseminate the enclosed LHM to the Department of Justice in both the KENSALT case and the security matter, inasmuch as CROWE is currently under consideration for prosecution under the Amended Internal Security Act, and Departmental Attorney ROBERT GRANDALL is currently in Los Angeles interviewing informants concerning CROWE and other security subjects.

The Bureau is requested to give consideration as to dissemination locally to the District Attorney's Office, Los Angeles County, as they have an interest in CROWE. It would appear that dissemination should be made in order to have all current information disseminated. Los Angeles is holding any local dissemination in abeyance pending Bureau approval.

- 2 -

SECRET



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
Los Angeles, California
January 27, 1969

~~SECRET~~

In Reply, Please Refer to
File No.

~~CONFIDENTIAL~~

WALTER SHERRILL CROWE, JR.

Walter Sherrill Crowe, Jr., born August 3, 1945, continues to reside with his parents at 1300 Topeka Street, Pasadena, California, and is currently employed as a Social Worker, Metropolitan Aid to the Totally Disabled, Los Angeles County Department of Welfare, 2615 South Grand Street, Los Angeles, California.

Crowe is a graduate of the University of California at Los Angeles (UCLA) in June 1968.

Source One, who has furnished reliable information in the past, advised that from October 1966 through August 1967 Walter Crowe was active in the UCLA Chapter of the W. E. B. Du Bois Club of America (see Appendix). Source One further advised that Crowe has participated in numerous anti-Vietnam war demonstrations. (S)(u)

Source Two, who has furnished reliable information in the past, advised in January 1969 that Crowe was now a past member of the Southern California District Communist Party (SCDCP), after joining in April 1967 for the stated purpose of "evading the draft." Source Two advised that Crowe had attended numerous meetings of the SCDCP from November 1966 to September 1968, when his activities ceased.

Source Two advised that Crowe attended numerous functions of the Students for a Democratic Society (SDS) (see Appendix) Chapter at UCLA from November 1967 to June 1968.

Sources familiar with Crowe and subversive activities in the Los Angeles area advise that there has been no activity on the part of Crowe since October 1968.

Crowe was interviewed by Agents of the Federal Bureau of Investigation (FBI) on June 6 and 7, 1968, in regard to his

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
Subject to Criminal Sanctions

~~CONFIDENTIAL~~

| |
|-------------------------|
| GROUP 1 |
| Excluded from automatic |
| downgrading and |
| declassification |

SEARCHED —
INDEXED —
SERIALIZED —

~~SECRET~~

5 - Bureau
2 - Los Angeles
(1 - 44-156)
(1 - 100-67358)
FE:JX
(7)

#NDP-16
DECLASSIFIED BY SP2ALM/KP
ON 11/27/00

~~CONFIDENTIAL~~

~~SECRET~~

WALTER SHERRILL CROWE, JR.

acquaintance with Sirhan B. Sirhan, accused slayer of Senator Robert F. Kennedy. Crowe advised at that time that he had known Sirhan since they were both in the sixth grade of school at Pasadena, California. He stated that he had lived within blocks of Sirhan when they were children, but that he and Sirhan were not close friends. Crowe stated that from 1965 to May 1968 he saw Sirhan only one time. Crowe stated that after his May 1968 meeting with Sirhan he felt that there was a barrier between them, because Sirhan was jealous of Crowe's education.

During the interview of Crowe on June 7, 1968, he was informed that the interview would concern his alleged activities in the Communist Party. Crowe advised he would cooperate in every possible way.

Crowe advised that in 1965, while a student at Pasadena City College, Pasadena, California, he was active in forming an Ad Hoc Committee that dealt with the issue on Negro civil rights. He further stated he was active in the SDS at Pasadena City College in 1965. Crowe said that Sirhan was attending Pasadena City College at that time, but that he was apathetic toward the SDS.

Crowe stated that he, Crowe, joined the W. E. B. Du Bois Club Chapter at UCLA in about October 1965 and remained active in the chapter until it folded in early 1967.

Crowe advised that in April 1967 he and seven others formed a Student Club of the SCDGP on the UCLA campus. He advised that this group met to discuss politics, and that all dues collected went to their club and not to any national headquarters. He advised he remained active in the club until his graduation from UCLA in the spring of 1968.

Crowe advised that Sirhan did not support him in any of his clubs or activities. Crowe further advised that recruitment for the Communist Party would have to follow overt activities on the part of the person to be recruited. He said Sirhan took no such overt action, and he did not attempt to recruit him.

Crowe advised that he had not seen Sirhan since the one meeting in May 1968, and that he had never discussed Senator Kennedy with Sirhan.

~~CONFIDENTIAL~~

~~SECRET~~

~~CONFIDENTIAL~~

~~SECRET~~

WALTER SHERRILL CROWE, JR.

Source Two advised in January 1969 that Crowe has not attended SCDCP meetings during the past three months and no longer considers himself a Communist Party member. Source Two stated that Crowe looks upon himself as a Marxist. Source Two said that Crowe would like to quit his job as a social worker and attend graduate school. Source Two described Crowe as being a very reserved and shy person who is lacking in self-confidence and is very passive.

On January 23, 1969, Source Two furnished the following information concerning the relationship between Crowe and Sirhan B. Sirhan:

Source Two advised that Crowe and Sirhan were close friends during grade school and high school days to the point where they exchanged such things as phonograph records. During this period Crowe was not a member of the Communist Party, but he was a socialist in his thinking.

Source Two advised that in May 1968 Crowe spent an evening with Sirhan, and that following this meeting Crowe felt that Sirhan had become stagnant and despondent and had not advanced in his political thinking. Crowe felt that because he, Crowe, had gone to college, he had progressed politically and intellectually, and that he and Sirhan had nothing in common. Crowe told Source Two that Sirhan thought politically along Marxist lines in that he believed there is a ruling class and that imperialism does exist, but that Sirhan was not a political activist. Crowe felt that Sirhan was despondent because of the Arab problems, which Sirhan blamed on United States support for Israel.

Source Two said that Crowe lived at his family's home, 1300 Topeka Street, Pasadena, California, following his graduation from UCLA in the spring of 1968 until about June 10, 1968, when he moved into the cooperative at UCLA. Crowe stayed at the cooperative during the summer quarter of 1968, although he was not attending the university, and Crowe then returned to live at his family's home.

Source Two advised that Crowe attended Communist Party meetings until October 1968. Source Two advised that Crowe did not attempt to recruit Sirhan into the Communist Party at any time, and that Sirhan never discussed Senator Kennedy with Crowe.

~~SECRET~~

~~CONFIDENTIAL~~

~~SECRET~~

WALTER SHERRILL CROWE, JR.

Source Three advised in January 1969 that Crowe has been employed as a Social Worker, Metropolitan Aid to the Totally Disabled, Los Angeles County Department of Welfare, since May 1968. Source Three advised that Crowe has been steadily employed since that time and was not absent from work on any day during the months of May, June or July 1968. Source Three described Crowe as being a slow, absent-minded worker who is shy and withdrawn but still honest to the point of embarrassment.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

- 4 -

~~CONFIDENTIAL~~

~~SECRET~~

~~CONFIDENTIAL~~

~~SECRET~~

1

APPENDIX

STUDENTS FOR A DEMOCRATIC SOCIETY

The Students for a Democratic Society (SDS), as it is known today, came into being at a founding convention held at Port Huron, Michigan, in June, 1962. The SDS is an association of young people on the left and has a current program of protesting the draft, promoting a campaign for youth to develop a conscientious objector status, denouncing United States intervention in the war in Vietnam, and to "radically transform" the university community, and provide for its complete control by students. GUS HALL, General Secretary, Communist Party, USA, when interviewed by a representative of United States International in San Francisco, California, on May 14, 1965, described the SDS as a part of the "responsible left" which the Party has "going for us". At the June, 1965, SDS National Convention, an anti-communist proviso was removed from the SDS constitution. In the October 7, 1966, issue of "New Left Notes", the official publication of SDS, an SDS spokesman stated that there are some communists in SDS and they are welcome. The national headquarters of this organization as of June 24, 1968, was located in Room 206, 1608 West Madison Street, Chicago, Illinois.

APPENDIX

- 5 -

~~SECRET~~

~~CONFIDENTIAL~~

~~SECRET~~

APPENDIX

W. E. B. DU BOIS CLUBS OF AMERICA (DCA)

A source advised that on October 26-27, 1963, a conference of members of the Communist Party, USA (CPUSA), including national functionaries, met in Chicago, Illinois, for the purpose of setting in motion forces for the establishment of a new national Marxist-oriented youth organization which would hunt for the most peaceful transition to socialism. The delegates were told that it would be reasonable to assume that the young socialists attracted into this new organization would eventually pass into the CP itself.

A second source has advised that the founding convention for the new youth organization was held from June 19-21, 1964, at 150 Golden Gate Avenue, San Francisco, California, at which time the name W.E.B. DuBois Clubs of America (DCA) was adopted. Approximately 500 delegates from throughout the United States attended this convention.

The second source advised in September, 1966, that MIKE ZAGARELL, CPUSA Youth Director, stated that in Negro communities the Party still supported the plan to build "left" socialist centers and to solidify the Party base through the DCA. This source also advised in September, 1966, that DANIEL RUBIN, CPUSA National Organizational Secretary, stated the Party believes the DCA should have a working class outlook and be a mass organization favorable to socialism, socialist countries and Marxism, and in April, 1967, GUS HALL, CPUSA General Secretary, indicated that the DCA primary emphasis should be on developing mass resistance to the draft.

A third source advised in September, 1967, that JARVIS TYNER was elected Chairman of the DCA on September 10, 1967, near the conclusion of the Third National Convention of the DCA held in New York, New York, from September 8-10, 1967.

A fourth source advised on July 26, 1968, that JARVIS TYNER continues in his position as Chairman of the DCA.

This fourth source also advised on July 26, 1968, that JARVIS TYNER is a member of the National Committee of the CPUSA.

This fourth source further advised on July 26, 1968, that the headquarters of the DCA is located at 34 West 17th Street, New York, New York.

APPENDIX

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Los Angeles, California
January 27, 1969

~~SECRET~~

In Reply, Please Refer to
File No.

Title WALTER SHERRILL CROWE, JR.

Character

Reference Memorandum dated and captioned
 as above at Los Angeles.

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET~~

WASHDC--19--

847PM DEFERRED 12/5/68 BCD

TO DIRECTOR (134-13459) 3 ENCODE

FROM LOS ANGELES (134-2702) 3P

del to for a
for cryptographic system
SENT BY CODED TELETYPE

re/forward
LA FOUR SIX EIGHT EIGHT DASH S

informant
INFORMANT

LA FOUR SIX EIGHT EIGHT DASH S ADVISED INSTANT DATE HE ATTENDED SDCP BOARD MEETING DECEMBER FOUR LAST. BEN DOBBS, EXECUTIVE SECRETARY, SDCP, SAID YOUTH COMMISSION AND YOUTH CONFERENCE, CP, USA, SCHEDULED FOR NEW YORK CITY DECEMBER TWENTY THROUGH DECEMBER TWENTY TWO NEXT. DOBBS URGED GOOD REPRESENTATION AT THESE MEETINGS DUE TO FACTIONALISM EXISTING BETWEEN CALIFORNIA CP AND NATIONAL COMMITTEE CP, USA. MEETING OF YOUTH COMMISSION, SDCP SCHEDULED DECEMBER SEVEN NEXT TO DISCUSS STAND TO BE TAKEN AT NATIONAL MEETINGS. *re/forward* LA FOUR SIX EIGHT EIGHT DASH S WILL ATTEND.

INFORMANT ADVISED THIS DATE SDS WILL HOLD NATIONAL CONFERENCE, ANN ARBOR, MICHIGAN, DECEMBER TWENTY SEVEN THROUGH JANUARY ONE NEXT.
END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALMVP

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content must not be disclosed to unauthorized personnel without the express approval of the FBI.

PAGE TWO

134-2732

INFORMANT PLANNED TO SPEND SEMESTER RECESS FROM UCLA DECEMBER FOURTEEN NEXT THROUGH JANUARY FIVE NEXT, ON TRIP TO NEW YORK WITH WALTER CROWE, SCDGP MEMBER. MODE OF TRAVEL IS VIA CAMPER. INFORMANT AND CROWE ELEGIBLE TO ATTEND CP USA YOUTH CONFERENCE AND SDS NATIONAL CONFERENCE.

INFORMANT WILLING TO ATTEND BOTH AFOREMENTIONED CONFERENCES IF BUREAU INTERESTED. IT WOULD BE NECESSARY FOR INFORMANT TO USE AIR TRANSPORTATION FOR RETURN TO LOS ANGELES FROM ANN ARBOR TO INSURE RETURN FOR CLASSES ON JANUARY SIX NEXT SINCE CROWE DESIRES TO MAKE RETURN TRIP IN LEISURELY FASHION.

INFORMANT ADVISED WHOULD BUREAU APPROVE ATTNDANCE AT ~~AFOREMENTIONED NATIONAL MEETINGS~~, IT WOULD BE ESSENTIAL FOR HIM, AS A SECURITY MEASURE, TO TRAVEL AT THE MINIMAL RATE. LOS ANGELES FEELS INFORMANT'S SECURITY WILL NOT BE JEOPARDIZED BY SUCH RETURN TRAVEL.

BUREAU AUTHORIZATION REQUESTED TO REIMBURSE INFORMANT UP TO TWO HUNDRED TWENTY FIVE DOLLARS ADDITIONAL EXPENSES FOR TRANSPORTATION TO ANN ARBOR AND TO LOS ANGELES AND EXPENSES INCURRED ON DAYS OF ATTENDANCE AT NATIONAL CONFERENCES.
END PAGE TWO

PAGE THREE

134-2732

SHOULD SCDCP PROVIDE FUNDS TO INFORMANT, THEY WILL BE DEDUCTED FROM BUREAU AUTHORIZED AMOUNT.

BUREAU REQUESTED TO ADVISE LOS ANGELES BY CLOSE OF BUSINESS DECEMBER TWELVE NEXT IF AUTHORITY GRANTED AS INFORMANT PLANS TO LEAVE LOS ANGELES DECEMBER FOURTEEN NEXT.

AIR MAIL COPIES TO DETROIT AND NEW YORK.

END

WLM FBI WASH DC

WASH DC --1--

DEFERRED 12-16-68 NJZ

TO DIRECTOR (134-13459)

FROM LOS ANGELES (134-2722)

*deletion for security of
FBI Cryptographic systems*

informant
LA FOUR SIX EIGHT EIGHT DASH

SENT BY CODED TELETYPE

RE LOS ANGELES TEL TWELVE FIVE LAST, BU APPROVED
TWELVE TEN LAST; BUAIRTEL CAPTIONED "CPUSA, ORGANIZATION,
IS DASH C" TWELVE SIXTEEN LAST; AND LOS ANGELES AIRTEL,
SAME CAPTION; TWELVE ELEVEN LAST.

INFORMANT ADVISED TWELVE ELEVEN AND THIRTEEN LAST,
CP YOUTH CONFERENCE SCHEDULED FOR WEEKEND TWELVE TWENTYSEVEN
NEXT AT NEW YORK CITY.

RE LOS ANGELES TEL WAS APPROVED BY BUREAU TO GRANT ADDITIONAL
EXPENSE MONEY OF TWO HUNDRED TWENTY FIVE DOLLARS FOR INFORMANT TO
ATTEND CP YOUTH CONFERENCE AND SUB NATIONAL CONFERENCE. SUBSEQUENT
TO SUBMISSION OF REQUEST; INFORMANT ADVISED FATHER OF
WALTER CROWE; SCHEDULED TRAVELING COMPANION SERIOUSLY ILL
END PAGE ONE

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/KP

246

PAGE TWO

LA 134-2737

AND DEATH EXPECTED, CAUSING CROWE TO CANCEL PLANS FOR TRIP TO NEW YORK. DUE TO CHANGE IN DATE OF CP YOUTH CONFERENCE, INFORMANT COULD NOT ATTEND BOTH.

UACB BY TWELVE TWENTY NEXT, APPROVED EXPENSE FUNDS WILL BE UTILIZED BY INFORMANT FOR TRAVEL TO NEW YORK FOR CP YOUTH CONFERENCE. IF INQUIRY MADE OF INFORMANT RE TRAVEL, EXPLANATION WILL BE FAMILY MEMBERS IN NEW YORK DISAPPOINTED IN CANCELLED TRIP AND FURNISHED TRANSPORTATION AS CHRISTMAS GIFT.

END

LRC FBI WASH DC

TKS CUL

dybb (last.)

R. M. M. M.

[Handwritten signature]

[Handwritten signature]

62-1163-1336

REC-10

JAN 23 1976

[Handwritten signature]
FEB 9 1976

11-1163-5-12
62-1163-5

ROUTING AND TRANSMITTAL SLIP

ACTION

| | | |
|---|----------|------------------------|
| 1 TO (Name, office symbol or location) Paul Daly | INITIALS | CIRCULATE |
| | DATE | COORDINATION |
| 2 | INITIALS | FILE |
| | DATE | INFORMATION |
| 3 | INITIALS | NOTE AND RETURN |
| | DATE | PER CON - VERSATION |
| 4 | INITIALS | SEE ME |
| | DATE | SIGNATURE |

REMARKS

We have referred this letter to Doug Marvin for appropriate action.

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP6ALM/KP

Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions.

| | |
|--|-------|
| FROM (Name, office symbol or location) Steve Blackhurst | DATE |
| | PHONE |

OPTIONAL FORM 41

AUGUST 1967

GSA FPMR (41 CFR) 101-11.206

e48-16-81594-1

552-103

GPO

5041-101

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALL, MINN.
WALTER D. HULL, ILL., KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.
WILLIAM J. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

Blackhurst

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 9, 1976

The Honorable Edward H. Levi
The Attorney General
U.S. Department of Justice
Washington, D.C. 20530

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/21/00 BY SP2ALM/KP

Dear Mr. Attorney General:

During your appearance before the Select Committee on December 11, 1975, there was considerable discussion concerning proposals for a warrant requirement for the use of paid and controlled informants to infiltrate political groups in domestic intelligence investigations. You expressed concern that a warrant requirement in such cases would be impractical and would unduly burden the courts.

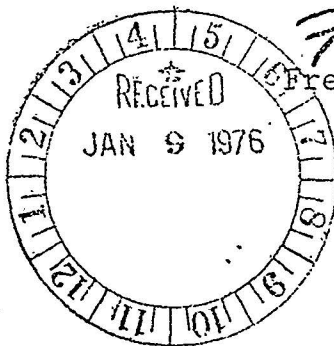
Second, you indicated the Justice Department would be developing guidelines for the use of informants. Presumably, their provisions might so limit the manner and predicate for use of informants as to make a warrant requirement unnecessary.

To explore this matter in greater detail before the Committee drafts its recommendations, we seek your comment on the enclosed set of questions which are designed to focus on some of the practical aspects of a warrant requirement. In addition, please feel free to comment on other aspects of a warrant requirement for informants and to state the case against warrants, including what provisions might be included in the prospective guidelines which would tend to make a warrant requirement less useful.

Sincerely yours,

Frederick A O Schwarz Jr
Frederick A. O. Schwarz, Jr.

Enclosure



62-116395-1336

ATTACHMENT

1. If the effect of new guidelines on the opening of domestic intelligence investigations is to substantially reduce the number of such investigations, would there not be a corresponding reduction in the number of intelligence informants? If so, would this not greatly reduce the number of warrant applications that would have to be submitted to the courts or to an administrative review body? Would this affect your view that such a requirement is overly burdensome?
2. According to figures submitted to the Select Committee by the FBI, as of June 30, 1975, there were 1,040 domestic intelligence informants. How would you assess the impact on the work load of the judicial system if a warrant application were applied to an informant program of this approximate size?
3. Would not the alleged impracticality of an informant warrant requirement be greatly reduced if judicial approval was required, not for each individual informant, but for the use of a particular number of informants against a group that is the subject of a domestic intelligence investigation? What are the reasons why this could not be done?
4. In United States v. United States District Court, 407 U.S. 297 (1972), the Supreme Court stated that different standards for a warrant application may be appropriate as between criminal surveillances and those involving domestic security. 407 U.S. 322-323. What standard would you suggest for a warrant requirement for intelligence informants?
5. What is your view with respect to the proposal that, rather than a judicial warrant requirement, the Attorney General or his designee approve the use of informants in domestic intelligence investigations?

| ROUTING AND TRANSMITTAL SLIP | | ACTION |
|---|----------|---------------------|
| 1 TO (Name, office symbol or location) Paul Daly | INITIALS | CIRCULATE |
| | DATE | COORDINATION |
| 2 | INITIALS | FILE |
| | DATE | INFORMATION |
| 3 | INITIALS | NOTE AND RETURN |
| | DATE | PER CON - VERSATION |
| 4 | INITIALS | SEE ME |
| | DATE | SIGNATURE |
| REMARKS We have referred this letter to Doug Marvin for appropriate response. <div style="text-align: right;"> MDR-16 ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/27/00 BY SP2AUM/KP </div> Do NOT use this form as a RECORD of approvals, concurrences, disapprovals, clearances, and similar actions | | |
| FROM (Name, office symbol or location) Steve Blackhurst | | DATE PHONE |

OPTIONAL FORM 41

AUGUST 1967

GSA FPMR (41CFR) 100-11.206

c48-10-81594-1

552-103

GPO

5041-101

1/19/76

LEGAL COUNSEL DIVISION

Attached are two Senate Select Committee requests dated 1-9-76 and 12-11-75, addressed to the Attorney General. The January 9th request asks the Department to furnish certain information concerning informant matters as they pertain to warrant requirements for an informant's use. The December 11th request asks the Department to furnish certain information concerning the Bureau's advising the Attorney General of "all sensitive investigative practices."

The attached requests were furnished by the Department on 1-16-76. Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, advised the Department is preparing the responses to these requests.

Enclosures

1 - Mr. Wannall

1 - Mr. Mintz

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP2ALM/KCP

PVD:dkg (3)

| | |
|----------------|-------|
| Assoc. Dir. | _____ |
| Dep. AD Adm. | _____ |
| Dep. AD Inv. | _____ |
| Asst. Dir. | _____ |
| Admin. | _____ |
| Comp. Syst. | _____ |
| Ext. Affairs | _____ |
| Files & Com. | _____ |
| Gen. Inv. | _____ |
| Ident. | _____ |
| Inspection | _____ |
| Intell. | _____ |
| Laboratory | _____ |
| Legal Coun. | _____ |
| Plan. & Eval. | _____ |
| Spec. Inv. | _____ |
| Training | _____ |
| Telephone Rm. | _____ |
| Director Sec'y | _____ |

RECEIVED
JAN 21 10 55 AM 1976
LEGAL COUNSEL

ASSOCIATE DIRECTOR
RECEIVED
JAN 26 1 30 PM
INTELLIGENCE DIV

RECEIVED
JAN 21 9 41 AM '76
INTELLIGENCE DIV

ASSOCIATE DIRECTOR
RECEIVED
JAN 26 1 30 PM
INTELLIGENCE DIV

RECEIVED-DIRECTOR
F. B. I.
JAN 20 12 37 PM 1976

RECEIVED
JAN 26 1 30 PM '76
INTELLIGENCE DIV

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUBLETT, IOWA, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 11, 1975

MDR-16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/27/00 BY SP4M/KP

The Honorable Edward H. Levi
Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Attorney General:

Your statement to the Committee on December 11, 1975 indicated that on February 26, 1975 you instructed FBI Director Kelley to report to you "any requests made of the Bureau or practices within the Bureau, which he deems improper or which present the appearance of impropriety." You stated further that on February 28, 1975 Director Kelley ordered FBI personnel to report such requests or practices to him. According to your written statement, you reaffirmed your February directive in July 1975 and made an additional request "for a report of all sensitive investigative practices."

You indicated that the Director promptly complied with your directives and "has regularly provided information on conduct by Bureau agents and programs underway within the Bureau that could raise questions."

In your response to questions from members of the Committee you testified that the information reported by Director Kelley in response to your directives dealt with FBI activities and programs outside the COINTELPRO.

The Committee requests that you provide it with all documents, including but not limited to Director Kelley's memoranda and the attachments thereto, which you have received from the FBI in response to your directives of February 26 and of July 1975. The Committee will, of course, treat these documents in the same manner in which other sensitive material has been handled.

I look forward to your response to this request.

Many thanks for your informative and thoughtful testimony. Your continued cooperation is greatly appreciated by the Committee.

DEC 17 1975

Sincerely,

Frank Church
Chairman

OFFICE OF LEGISLATIVE AFFAIRS

ATTY. GENERAL

DEPARTMENT OF JUSTICE

DEC 15 1975

O.R.O.M.

OFFICE OF LEGISLATIVE AFFAIRS

ATTY. GENERAL