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Released under the John  
F. Kennedy  
Assassination Records  
Collection Act of 1992  
(44 USC 2107 Note).  
Case#:NW 55172 Date:  
11-20-2017

# File #:

62-116395

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# Serial Scope:

1563, 1564

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1566 THRU 1568  
1570 THRU 1576  
1582, 1583  
1586  
157 NR 1592  
1594 THRU 1596  
157 NR 1597 THRU 1602  
1604, 1605  
1607  
1610



F B I

Date: 5/10/76

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL

REC-100  
 (Priority)  
 ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6/27/80 BY SP-3 DB/ma

TO: DIRECTOR, FBI  
 (ATTN: INTD, S.F. PHILLIPS)

FROM: SAC, CHICAGO

SUBJECT: SENSTUDY '75

Re telephone conversation between Mr. S.F. PHILLIPS,  
 Division 5, and ASAC RUSSELL JEAN GRAY, JR., Chicago, on  
 5/5/76.

On 5/5/76 JOHN CARDINAL CODY, Roman Catholic  
 Archbishop of Chicago, telephonically advised SA HUBERT M.  
 HART he had been informed by a Washington contact that a  
 Senate Committee report being released at 3:00 PM that date  
 would indicate that on 2/24/66 he had agreed to help the FBI  
 "hold down" Dr. MARTIN LUTHER KING, JR. in Chicago. Cardinal  
 CODY said he could not recall any meeting or agreement of that  
 nature although he has conferred with various FBI officials  
 over the years.

The excerpt from the Senate Committee report  
 furnished by Mr. PHILLIPS was telephoned to the Cardinal  
 by SA HART at 5:35 PM, 5/5/76. He was also informed our  
 records indicated he was visited by former SAC MARLIN W. JOHNSON  
 on 2/24/66. Cardinal CODY said he still had no independent  
 recollection of this meeting or what was discussed and he  
 would so indicate if the press inquired. He did not request  
 a copy of the communication prepared by SAC JOHNSON and none  
 was offered to him.

- (3) - Bureau (Enc. 3)  
 1 - Chicago (80-724)

RJG/sjf  
 (4)

23 MAY 12 1976

Approved: \_\_\_\_\_

Sent \_\_\_\_\_ M Per \_\_\_\_\_

84 MAY 27 1976 Special Agent in Charge  
 NW 55172 DocId:32989591 Page 2

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

UNRECORDED COPY FILED IN

100-106670

16/0

Records  
 100-106670-619

PHILLIPS  
 (Signature)

It is noted the Cardinal was released from the hospital on 5/5/76 where he had been recovering from the removal of his gall bladder. SA HART has been the liaison between the Chicago Office and the Cardinal since 1966 and has developed a friendly personal working relationship with him.

Attached as the last page of this airtel is a copy of an article which appeared in the 5/6/76 edition of the Chicago Daily News. In view of the quality of the xeroxing the last sentences at the bottom of the first two columns are repeated hereafter:

Column 1

"Cardinal Cody is convalescing in Chicago's Columbus Hospital after April 25 gall bladder surgery and couldn't be reached directly for comment, but a spokesman for the archdiocese quoted the Cardinal as saying the committee's report is "absolutely untrue."

Column 2

"Wednesday to accompany its monumental two volumes released last week on the nation's domestic and foreign intelligence operations.

"The supplement is the second of 13 such volumes of detail on the committee's schedule."

For information.

(Mount Clipping in Space Below)

# FBI's try to use Cody against Dr. King told

By Robert Gruenberg  
Of our Washington Bureau

WASHINGTON — The FBI tried to use John Cardinal Cody of Chicago and Francis Cardinal Spellman of New York to discredit the Rev. Dr. Martin Luther King Jr., according to the Senate Select Committee on Intelligence.

The committee reported Wednesday that in 1964 the FBI sent an agent to try to persuade Cardinal Spellman to warn Pope Paul VI that a planned audience for Dr. King would be "embarrassing."

Cardinal Spellman, however, refused to do the FBI's bidding, and Dr. King in September of that year was granted a 20-minute audience with the Pope, who agreed to make a public declaration against racial injustice.

In 1966, according to the committee, the FBI sent an agent to try to convince Cardinal Cody to help "neutralize the effect" of Dr. King in Chicago.

The committee reported that Cardinal Cody apparently was briefed "about alleged Communist influence on Dr. King and about Dr. King's private life."

According to the committee, an FBI internal memo states that the agent who briefed the Chicago archbishop came away with the feeling that Cardinal Cody would "do everything possible to neutralize King's effect."

Cardinal Cody is convalescing in Chicago's Columbus Hospital after April 25 gall bladder surgery and couldn't be reached directly.

At the time of the alleged briefing Dr. King was active in the Chicago civil rights movement.

THE APPROACHES to Cardinals Cody and Spellman were part of a six-year campaign by the FBI to destroy the reputation of Dr. King, according to the committee headed by Sen. Frank Church (D-Ida.).

The campaign continued even after Dr. King was assassinated in 1968, the committee said.

A year after the civil rights leader's death, the committee reported, the FBI considered but rejected a proposal by the Atlanta office of the FBI to begin a covert operation against his widow, Coretta Scott King.

The nature of the proposed program against Mrs. King wasn't disclosed to the committee.

But it was to serve "in the event the bureau (FBI) is inclined to entertain counterintelligence action against (her) and/or the continuous objection of the public image" of the slain Negro leader, the Atlanta office said.

J. Edgar Hoover rejected the idea, saying "the bureau does not desire counterintelligence action against Coretta King of the nature you suggest at this time."

THE QUOTATION attributed to the late FBI chief is virtually the only positive statement in his behalf in the 103-page supplementary study issued by the committee Wednesday to accompany its monumental two volumes released last week on the nation's domestic and foreign in-

The volumes are destined to become the reference works for the coming debate in the Senate over establishing an independent intelligence oversight committee — a proposal that already has met with stubborn opposition among some veteran lawmakers.

"I find it hard to understand how anyone can read the detailed accounts of the vendetta (against Dr. King) and not appreciate the need for an independent congressional oversight committee," said Sen. Church.

DURING A nine-hour conference Dec. 23, 1963, in FBI headquarters here, 21 proposals were suggested for discrediting Dr. King, the report said.

These included "using" ministers, "disgruntled" acquaintances, "aggressive" newsmen, "colored" FBI agents, Dr. King's housekeeper and even Dr. King's wife, the report said.

There even was discussion of "placing a good-looking female plant" in Dr. King's office, according to an FBI work paper.

Attempts also were made to have universities withhold honorary degrees, prevent publication of articles favorable to Dr. King and to find news sources "friendly" to the FBI to publish damaging articles, the committee case study said.

The "extreme personal vindictiveness" that marked Hoover's attitude toward Dr. King was recorded as early as 1962 with a statement by the FBI chief that "King is no good," the study found.

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

7 CHICAGO DAILY NEWS  
CHICAGO, ILLINOIS

Date: 5-6-76  
Edition: BLUE STREAK  
Author: ROBERT GRUENBERG  
Editor: D. FELDMEIR  
Title: CRIME RECORDS

Character: 94-1199  
or  
COPY SENT TO BUREAU  
Submitting Office: CHICAGO

☐ Being Investigated

INDEXED  
FILED  
MAY 10 1976  
FBI - CHICAGO

Mandick



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

MAY 13 1976

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

FROM: Steven Blackhurst  
Assistant Special Counsel for Intelligence Coordination

SUBJECT: Letter from Senator Morgan Dated May 11, 1976

*SB* *Sensitivity*

Attached for your information is a letter Senator Morgan sent to the Attorney General following their meeting earlier this week.

*sa*

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HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY gaur/mjp  
*mjp-16*

REC-100

62-116345-1607

14 MAY 20 1976

cc: Paul Daly

*2* ENCLOSURE

*Rec'd 10:45 am  
5/17/76*

*5.8*



FROM	MORGAN, Robert Senator Select Com to Study Govt Operations with Respect to	DATE OF DOCUMENT	SUSPENSE DATE
TO	Intelligence Activities	5/11/76	5/19/76
	Edward H. Levi Attorney General	DATE RECEIVED	CONTROL NO.
		5/11/76	0838
DESCRIPTION	follow-up to mtg with AG requesting FBI documents on former FBI informant. Also documents on Black Panther Party in North Carolina.	REFERRED TO	DATE
		M. Shaheen	5/11
		cc: AG	
		DAG	
REMARKS	Prepare appropriate response for the Attorney General's signature and send copy to OLA, Room 1603.	P. Daly	
		PREPARE REPLY FOR SIGNATURE OF Edward H. Levi	

MAIL CONTROL

REPLACES AD-820      DJ-295  
WHICH MAY BE USED      7-5-73

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mjr-k

62-116395-1607  
ENCLOSURE

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WILLIAM G. MILLER, STAFF DIRECTOR  
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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

May 11, 1976

The Honorable Edward H. Levi  
The Attorney General  
Washington, D.C. 20530

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-24-01 BY SP2AUM/PP  
MDR-16

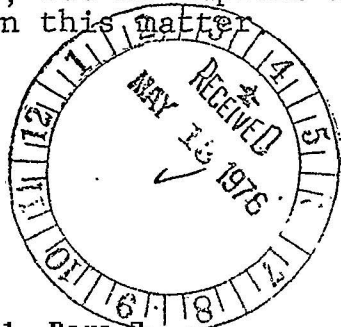
Dear Mr. Levi:

I would like to thank you for the courtesy you extended by promptly responding to my request to see you. Your action exemplified the spirit of cooperation between the Executive and Congress which prompted my request.

I do feel that my concern that the FBI clear for release the documents with which I was concerned deserves your serious attention. While I am aware that the release of the documents may confirm the identity of a former FBI informant, I feel the posture the Bureau has taken in publicly denying that the events described in the documents ever took place necessitates their release, if only to set the record straight. It should be noted that the Bureau's public position in this situation, as well as in others, has been taken in direct response to public statements I have made critical of past improper FBI activities. Accordingly, it is the confirmation of improper FBI activity, instead of the identity of the informant, with which I am concerned. Further, it is my feeling that, based on information I have received, the identity of the informant is already common knowledge.

The other group of documents for which I sought release concern FBI actions taken against the Black Panther Party in North Carolina. These in no way involve a confidential source, and I anticipate no problems with their clearance. Under separate cover I am furnishing Mr. Steve Blackhurst copies of the documents for which I seek clearance.

Again, let me express my appreciation to you for your assistance in this matter.



Sincerely,

*Robert Morgan*  
Robert Morgan

ENCLOSURE

62-116395-1607



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

MAY 12 1976

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

FROM: Steven Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: Attached Letter Dated May 11, 1976

G Attached is a letter from Walter Ricks of the Senate Select Committee staff enclosing the documents which Senator Morgan requests be cleared for public release. As you know the Attorney General told Senator Morgan that the Bureau would review the documents to determine which ones could be released.

We would appreciate it if you would review the documents, make the necessary excisions, and return them to this Office for transmittal to the Committee.

Let to AG, cc DA 5/28/76  
Encl (2)  
JDP: [initials]

REC-101 62-116395-1605

14 MAY 17 1976

2-ENCLOSURE

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MDR-16

cc: Paul Daly



84 JUN 4 1976



MAY 12 1976

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

FROM: Steven Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: Attached Letter Dated May 11, 1976

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DATE 1-30-01 BY SP2AUM/JP  
MVC-16

cc: Paul Daly



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CHARLES MC C. MATHIAS, 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

May 11, 1976

Mr. Steve Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination  
Office of the Deputy Attorney General  
U.S. Department of Justice  
Washington, D.C. 20530

Dear Mr. Blackhurst:

Forwarded herewith are copies of FBI documents which Senator Morgan wishes to have cleared for public release. The documents were the subject of the meeting yesterday with Attorney General Levi which we attended. Please notify me of the results of your efforts to have the documents cleared as soon as possible.

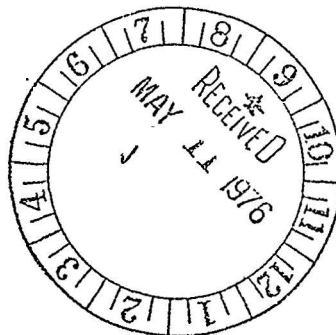
Thank you for your assistance in this matter.

Sincerely yours,

Walter E. Ricks, III

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DATE 1-30-01 BY SP8/um/ld  
MDR-lu

Enclosures



62-116395-1605  
E1 CLO. 13

OFFICE OF  
ASSISTANT ATTORNEY GENERAL

Office of Legislative Affairs

5/11/76

To: Attorney General  
Deputy Attorney General  
FBI, Attn: Paul Daly ✓

From: Michael M. Uhlmann

The attached correspondence has been sent to Mike Shaheen asking him to prepare a response for the Attorney General's signature.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP8CMB/JP  
MDR/b

5-8

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## United States Senate

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

WASHINGTON, D.C. 20510

May 11, 1976

The Honorable Edward H. Levi  
The Attorney General  
Washington, D.C. 20530

Dear Mr. Levi:

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I do feel that my concern that the FBI clear for release the documents with which I was concerned deserves your serious attention. While I am aware that the release of the documents may confirm the identity of a former FBI informant, I feel the posture the Bureau has taken in publicly denying that the events described in the documents ever took place necessitates their release, if only to set the record straight. It should be noted that the Bureau's public position in this situation, as well as in others, has been taken in direct response to public statements I have made critical of past improper FBI activities. Accordingly, it is the confirmation of improper FBI activity, instead of the identity of the informant, with which I am concerned. Further, it is my feeling that, based on information I have received, the identity of the informant is already common knowledge.

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Again, let me express my appreciation to you for your assistance in this matter.

Sincerely,

*Robert Morgan*  
Robert Morgan

ENCLOSURE

62-111375-1605

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DATE 1-20-01 BY SP8MJK/af  
MJK-16

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. T.W. Leavitt *TWb/ST*

DATE: 5/10/76

FROM : J.G. Deegan *JGD*

SUBJECT: SENSTUDY '75

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 \_\_\_\_\_

## PURPOSE:

To advise of a telephone call from former Section Chief George C. Moore on Friday, 5/7/76, concerning a request he received from a representative of Rolling Stone Newspaper (an underground newspaper) in connection with the publication of the Senate Select Committee on Intelligence Activities (SSC).

Former Section Chief Moore said he received the call from an individual who identified himself as a reporter for the Rolling Stone Newspaper and who wanted to interview him in detail concerning "Moore's testimony before the SSC." Mr. Moore told this individual that he had no comment to make and when the individual pursued it further he was told by Mr. Moore that any information concerning matters which he supervised in the FBI would have to come from a representative of the FBI and not from him.

## ACTION:

For information.

JGD:tdp (5) *JGD*

62-116395

- 1 - External Affairs Division
- 1 - Mr. Leavitt
- 1 - Mr. Phillips
- 1 - Mr. Deegan

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2A/m/af

APPROVED: \_\_\_\_\_  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir. \_\_\_\_\_  
Admin. \_\_\_\_\_

Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Intell. *TWb/ST* \_\_\_\_\_  
Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_

*Records*  
*cc 67-*

*(Geo. C. Moore)*  
REC-107  
62-116395-1604

MAY 17 1976

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: SENSTUDY 75

1 - Mr. N. P. Callahan  
1 - Mr. J. B. Adams  
1 - Mr. T. J. Jenkins  
1 - Mr. D. W. Moore  
(Attn: H. A. Boynton)

DATE: 5/10/76

2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)  
1 - Mr. T. W. Leavitt  
2 - Mr. S. F. Phillips

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 \_\_\_\_\_

**PURPOSE:** To advise of a falsehood in a Senate Select Committee (SSC) report, its possible impact on the Bureau and the writer personally, and the writer's request that this matter be taken up, through the Department, with Senator Church personally.

**SYNOPSIS:** SSC report on FBI investigation of Martin Luther King, Jr., contains falsehood in stating that supervisor of King case (mid-1960's) still in "high position with the FBI." Writer is person referred to and never, since supervision of King case, served higher than Unit Chief, which is next to lowest of nine official Headquarters ranks ranging from Director to Supervisor. Statement containing falsehood in a footnote of report added after FBI review and contrary to agreements by the SSC, Department and Bureau on our review of SSC's drafts prior to publication. This matter subject of a page 1 "Los Angeles Times" article 5/6/76 which could lead to further media or other exploration with result that writer's name may be publicly revealed. This raises great personal concern for writer and also impacts on Bureau. This is latest of many SSC abuses revealed to us during Committee's life. Writer requests Bureau address itself to Senator Church personally on this matter.

**RECOMMENDATION:** Legal Counsel Division address, through the Department, an appropriate communication to Senator Church personally, which should voice the Bureau's and writer's concern, dismay and protest.

ENCLOSURE

**APPROVED:**

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_

Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
Ident. \_\_\_\_\_  
Inspection \_\_\_\_\_  
Intell. \_\_\_\_\_

Laboratory \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Plan. & Eval. \_\_\_\_\_  
Rec. Mgmt. \_\_\_\_\_  
Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_

14 MAY 18 1976

Enclosure

62-116395

1 - 100-106670 (Martin Luther King, Jr.)

1 - 67- (Personnel File SA Seymour Fred Phillips)

SFP:1hb/1hb (12)

SEE ADDENDUM, PAGE 1a

84 MAY 25 1976

CONTINUED - OVER

ROUTE IN ENVELOPE

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6/27/80 BY SP23 DB/bke

100-116395-1602

Memorandum for Mr. Leavitt  
Re: SENSTUDY 75

ADDENDUM: J. B. ADAMS:ams 5/13/76

I can appreciate Mr. Phillips' concern over this matter; however, I do not feel the issue is of such magnitude in comparison to the overall quality of the Senate Intelligence Committee product to warrant any formal action at this time.

*JBA*

*I agree the magnitude of this situation is not great enough to choose this course. This is not to be taken as a disclaimer of the feeling evidenced by SA Phillips who rightfully may be concerned. It is only that the publicity has been made and no action on our part at this point can really be effective in destroying it. It might even add credibility for such is our experience at times.*

*4*

Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

DETAILS: An Appendix to the SSC's Final Report on the FBI's domestic intelligence work, entitled "Dr. Martin Luther King, Jr., Case Study," was publicly released 5/5/76. On page 146 appears information concerning the FBI's attempt to determine the validity of an allegation in 1965 that King had a numbered account in a foreign bank with a balance of over \$1,000,000. The information, as reported by the SSC, indicates that the allegation was received by the King case supervisor (writer) at the time and that he conceived the plan to check out the allegation. Four footnotes relating to this information (#289-292) appear at the bottom of page 146. Three of the footnotes identify specific FBI documents, copies of which we had furnished to the SSC. One of the footnotes, #289, states, "If should be noted that the Supervisor in charge of the King case is still in a high position with the FBI and handled the committee's documents requests in the King case investigation."

The 5/6/76 issue of the "Los Angeles Times" contains an article on page 1 headed, "FBI Supervisor Who Sought to Discredit King Still There." (Attached to the original and to each copy of this memorandum is a Xerox of the article.) The article reports rather fully the information on this matter contained on page 146 and quotes almost in its entirety the footnote quoted above. The article outlines the author's (writer not identified in article but believed to principally be Ron Ostrow) efforts to identify the supervisor in charge of the King case and includes his contacts with the SSC and Assistant Attorney General J. Stanley Pottinger. It appears that the author's interest prompting such a highlighted story stems from an earlier-released statement by Pottinger that "the top nine persons responsible for the FBI campaign all are either dead or retired." When this statement of Pottinger is compared with the footnote quoted above, the inconsistency is glaring.

CONTINUED - OVER



Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

This memorandum and the recommended action is prompted by a deep concern of the writer for his own personal safety. Without being theatrical or exaggerating, the writer recognizes that walking the streets today are individuals mentally or otherwise so affected that they might attempt some act of violence in what they would consider retaliation for the death of a martyred hero. While this is a personal concern, there is an obvious simultaneous impact on the Bureau should anything impair the safety of the writer. While the writer's name is not yet a matter of public record, it is certainly not unlikely that the footnote in question will serve as the springboard for such media or other investigation which will finally result in an exposure of the writer, by name, as the King case supervisor.

Two principal derelictions on the part of the SSC are noted in relation to this matter. (1) The statement that the writer is in a high position with the FBI is an absolute falsehood. At the time the writer assumed supervision of the King case, he held the lowest ranking Special Agent position at FBIHQ, that of a Supervisor. During the supervision of that case, he was elevated to the position of Unit Chief and has never risen above that position since supervising the King case. Significantly, of nine position ranks at FBIHQ, from the Director to a Supervisor, the Unit Chief is the next to lowest rank. (2) By agreements between the SSC, the Department and the Bureau, we were permitted to review drafts of the SSC's reports so that we might call to its notice necessary changes relating to classification, sensitivity of material, and identities of personnel below rank of Section Chief. When the draft of this Appendix was reviewed by the writer,

CONTINUED - OVER



Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

it did not contain the quoted footnote. Not only is there considerable question as to the validity of the quoted portion as a footnote rather than as being included in the details of the material, but its mere post-review addition raises considerable questions.

The writer hesitates to become accusatory as to motive but is hard put to be dissuaded from belief that this addition of the footnote was a deliberate act with intention to eventual public uncovering of the writer's name. The SSC has been furnished documents and the writer, upon interview by the SSC Staff, furnished information fully revealing of the positions which the writer has held in the Bureau since his supervision of the King case. In short, the SSC knows full well that the claim that the writer is in a high position is a falsehood.

As the Director and other Bureau officials are aware, an abuse by the SSC is nothing new to us. The Department is also similarly aware. The current instance is just the latest of many SSC abuses and, notwithstanding the writer's personal feelings and involvement, he must consider this as an extreme abuse.

I am, therefore, requesting that the Bureau, through the Department, personally bring this matter to attention of Senator Church and make crystal clear to him that the Bureau, and I personally, consider this action by the SSC with deep concern, dismay and that the Bureau and I protest the SSC's action. Under normal circumstances, as head of our Senstudy 75 Project, I would handle this aspect insofar as necessary correspondence and arrangements are concerned. However, for obvious personal considerations, I believe this should be handled by our Legal Counsel Division.

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 Director Sec'y \_\_\_\_\_

# FBI Supervisor Who Sought to Discredit King Still There

WASHINGTON—The FBI supervisor who once proposed discrediting Dr. Martin Luther King by trying to prove that he maintained a secret foreign bank account, still holds "a high position" in the FBI, the Senate Intelligence Committee said Wednesday.

FBI and Department of Justice officials and the Senate committee attorney who conducted an investigation into the FBI campaign against King refused to identify the official.

J. Stanley Pottinger, assistant attorney general for civil rights, said last Thursday that "the top nine persons" responsible for the FBI campaign "all are either dead or retired."

Pottinger said in an interview Wednesday that he did not regard the committee's disclosure as a conflict with his earlier statement because "he is not one of the top nine people in positions of authority" in the FBI.

Pottinger conceded he did not know that the individual, with whom he said he had "spent a lot of time talking," was responsible for suggesting the tactic against King. "In the chain of command, he is an Indian—not a chief," Pottinger said.

The disclosure came as Sen. Frank Church (D-Ida.), chairman of the Senate committee, called for appointment of a special prosecutor to investigate the FBI's harassment of King, rather than permitting the Justice Department to conduct the probe.

"It's hard for me to believe the department can adequately conduct an investigation," Church said, referring to Atty. Gen. Edward H. Levi's decision last week to keep the investigation inside the department instead of naming an outside commission, as proposed by Pottinger.

According to a report by the Senate committee staff on the King case, the supervisor in charge conceived the move against King during a 1965 golf game.

A remote acquaintance of the supervisor mentioned that he had heard from a friend that an acquaintance had said that Dr. King had a numbered account in a foreign bank with a balance of over \$1 million," the staff report said.

It quoted the supervisor as then suggesting to William C. Sullivan, the former chief of the FBI's domestic intelligence division and the man the committee said headed the anti-King program:

"If we can prove that King is hoarding large sums of money, we would have available possibly the best information to date which could be used to discredit him, especially in the eyes of his own people. We may take the action to discredit King ourselves through friendly news sources, or the like, or we might turn the information over to the Internal Revenue Service for possible criminal prosecution."

The staff report said the late FBI Director J. Edgar Hoover approved the plan. By December, 1965, Hoover described the foreign bank account investigation as "the most important presently pending" facet of the King investigation.

"The investigation was dropped shortly afterward, however, when it developed that the initial source of the allegation informed the FBI that 'it was merely a wild conclusion that had been previously drawn by someone whose identity he does not now recall,'" the staff report said.

In a footnote, the report said it "should be noted that the supervisor in charge of the King case is still in a high position with the FBI and handled the committee's documents requests in the King case investigation."

At a press conference last Nov. 26, after the committee disclosed the FBI campaign against King, President Ford was asked whether he favored purging those responsible from government service.

Declaring that the actions against King were "abhorrent to all Americans, including myself," Ford said, "Whether or not we can identify the individuals, if they are still alive, is difficult, but I certainly will consult with the attorney general regarding that matter."

Asked if he thought an effort should be made to identify those responsible, Ford said, "I think so."

An FBI spokesman agreed Wednesday with Pottinger's ranking of the supervisor far below the top nine officials responsible for the King program. "We do not consider this gentleman a high official," the spokesman said.

At the time he supervised the King case, he was among the lowest ranking agent personnel at the FBI's Washington headquarters, the spokesman said. In the intervening 11 years, he has advanced one rank, the spokesman said.

Although Pottinger and Senate committee officials have refused to identify the top officials who directed the King harassment, documents cited by the committee's report make it clear that the ranking would include Hoover and his closest aide, Clyde Tolson, who is also dead, and retired FBI officials Sullivan, Alan Belmont, Frederick Baumgardner, Cartha DeLoach and Charles Brennan.

Michael E. Shaheen Jr., the Justice Department attorney now responsible for completing the King investigation, did not return a call Wednesday.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 7-20-81 BY SPK/MLP  
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The Washington Post \_\_\_\_\_  
 Washington Star-News \_\_\_\_\_  
 Daily News (New York) \_\_\_\_\_  
 The New York Times \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 The Los Angeles Times \_\_\_\_\_

Date MAY 6 1976

Page 9

UNITED STATES GOVERNMENT

# Memorandum

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Director Sec'y \_\_\_\_\_

TO : Mr. Jenkins

DATE: 5/6/76

FROM : D. W. Moore, Jr.

SUBJECT: "LOS ANGELES TIMES" ARTICLE 5/6/76  
CONCERNING BUREAU SUPERVISOR HANDLING  
MARTIN LUTHER KING MATTER

## PURPOSE

The purpose of this memorandum is to record contact with Ron Ostrow, reporter for the "Los Angeles Times," and his agreement to not pursue the identity of the FBI Supervisor mentioned in his article of 5/6/76.

## DETAILS

On the evening of 5/5/76 Ron Ostrow, reporter for the "Los Angeles Times," contacted Deputy Assistant Director Homer Boynton of the External Affairs Division. Ostrow stated that the Senate Select Committee (SSC) case study on Dr. Martin Luther King, page 146, footnote #289, indicates that "the supervisor in charge of the King case is still in a high position with the FBI and handled the Committee's documents request in the King case investigation." Ostrow stated that this statement appeared to contradict the comments of Assistant Attorney General J. Stanley Pottinger who indicated approximately one week ago that the top 9 persons responsible for the FBI campaign against Dr. King were all either dead or retired.

Ostrow was advised that the individual alluded to in the report was not a high official of the FBI and in the order of rank of investigative employees at FBIHQ was near the bottom. Ostrow was informed that this gentlemen in no way had anything to do with policy-making or direction of activities against Dr. King. Ostrow stated that he was most anxious to determine the identity of this individual and had been in contact with Mr. Pottinger at the Department of Justice.

Subsequent to the release of the article (attached) on 5/6/76 Mr. Seymour Phillips and Mr. Boynton met with the Director to express concern about the footnote in the SSC case study and Ostrow's article. This concern revolved about the matter of

- 1 - Mr. Moore
- 1 - Mr. Leavitt
- 1 - Mr. Seymour Phillips

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84 MAY 1 1976

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

Moore to Jenkins memorandum  
Re: Los Angeles Times Article

the possibility that a deranged or warped-minded individual might decide to make amends for what might be considered to be an affront to Dr. King and attempt to do bodily harm to Bureau employees responsible for these actions. The Director agreed with this assessment of the problem and instructed that Boynton contact Ostrow and ask him if he would be willing to desist in his efforts to identify the FBI Supervisor.

On the afternoon of 5/6/76 Boynton met with Ron Ostrow and conveyed the aforementioned concerns. Ostrow indicated that he did not intend to pursue this matter any further unless he received pressure to do so, in which case he would immediately notify Boynton. In accordance with the Director's instructions, if Ostrow is to proceed further, consideration will be given to contacting higher level officials at the "Los Angeles Times" up to and including the publisher in order to protect the identity of Mr. Seymour Phillips in this matter.

RECOMMENDATION

For information.

*Director  
advised  
5/7/76  
JH*

*JH*

*M/B  
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UNITED STATES GOVERNMENT

# Memorandum

1 - Mr. J. B. Adams  
1 - Mr. T. J. Jenkins  
1 - Mr. D. W. Moore

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

TO : Mr. T. W. Leavitt

DATE: 5/6/76

FROM : S. F. Phillips

2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)  
1 - Mr. T. W. Leavitt  
1 - Mr. J. G. Deegan  
2 - Mr. S. F. Phillips

SUBJECT: SENSTUDY 75

**PURPOSE:** To advise of inquiry from Cardinal Cody concerning appearance of his name in Senate Select Committee (SSC) report on Martin Luther King, Jr., investigation, and advice given to Chicago Office in responding to Cody and press inquiries-- "no comment" as to latter.

**SYNOPSIS:** Chicago Office had inquiry from Cardinal Cody who was being contacted by press because his name appears in SSC report on King investigation. Chicago desired guidance as to press inquiries and what it can advise Cody. Report reveals discussion in 1966 between then SAC Marlin Johnson and Cody re King, this information taken from a Chicago letter to FBIHQ, copy furnished to SSC. After review of full facts known, Mr. Adams directed all press inquiries be responded to with "no comment." Pursuant to Adams' instructions, Chicago advised to give Cody benefit of pertinent information in SSC report and he be told FBI will respond to press inquiries on matter with "no comment." Cody to also be tactfully advised that we cannot let him see the Chicago letter reporting Johnson's discussion with him and that in not so doing, he will be placed in a better posture re no recollection of past events if asked by the press. However, to make clear to Cody that FBI is not advising him re his responses to the press.

**RECOMMENDATION:** For Information.

**APPROVED:**

Assoc. Dir. \_\_\_\_\_  
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Memorandum to Mr. T. W. Leavitt  
Re: SENSTUDY 75  
62-116395

*John P.*

*ILL*  
~~DETAILS:~~ At 3:10 p.m., 5/5/76, writer telephonically contacted by ASAC Russell Gray, Jr., Chicago, who advised as follows: Cardinal Cody, Archbishop of Chicago Diocese, Roman Catholic Church, who is just being released from hospital after surgery, contacted Chicago Office to advise that "eastern press" has been calling him about appearance of his name in SSC report on Martin Luther King, Jr., investigation. Report reveals that he had discussed King with an FBI Agent in 1966 and Cody had little recollection of matter; could not even recall name of contacting Agent. Gray referred writer to Chicago letter to FBIHQ 2/24/66, re King written by then SAC Marlin Johnson which reported a Johnson conversation with Cody concerning King and other matters. Gray requested advice on two specific matters: (1) Guidance for press inquiries; (2) What may Chicago Office tell Cody and may it give him a copy of the Johnson letter to FBIHQ?

Page 172 of the SSC report on King case entitled "Doctor Martin Luther King, Jr., Case Study," contains the following two pertinent paragraphs mentioning Cody:

"In February 1966 Dr. King held a press conference following a meeting with the Reverend John P. Cody, Archbishop of the Chicago Diocese of the Roman Catholic Church, and announced that he and Cody were in agreement on general civil rights goals and that he hoped priests and nuns in Chicago would participate in SCLC programs. The Domestic Intelligence Division subsequently recommended that a special agent acquainted with the Archbishop brief him about Dr. King to aid 'the Archbishop in determining the degree of cooperation his archdiocese will extend to King's program in Chicago and (to) result in a lessening of King's influence in Chicago.'

"The Archbishop was briefed on February 24, 1966, 'along the lines discussed with Assistant Director Sullivan.' The agent who conducted the briefing wrote that he felt 'certain that (Cody) will do everything possible to neutralize King's effect in this area.'"

Memorandum to Mr. T. W. Leavitt  
Re: SENSTUDY 75  
62-116395

The two paragraphs were supported by three footnotes, two of which, #394 and 395 are to the aforementioned Chicago letter (memorandum) of 2/24/66.

Files relating to our SENSTUDY 75 Project reveal that we have furnished to the SSC a copy of 2/24/66 letter with some excisions but which did reveal Johnson's conversation with Cody about King. We also had furnished the SSC a copy of an internal FBIHQ memorandum which documented the first paragraph quoted above from the King report.

All of the above was discussed with Mr. J. B. Adams who directed the following action be taken. Bureau (HQ and Chicago Office) to respond to press inquiries on this matter strictly, "no comment." Chicago Office to permit Cody to read exactly what is in the SSC report (two paragraphs quoted above). It is Adams' belief that once Cody sees these excerpts he will likely be less concerned. Most significant on this point, and it should be specifically pointed out to Cody, is the portion of Johnson's letter which states, "...he felt certain that (Cody) will do everything possible to neutralize King's effect in this area." This excerpt reveals that it was Johnson's feeling that Cody would neutralize King's effect and not an expressed statement by Cody on this point. Cody will be told that Bureau's responses to any press inquiries will be "no comment." Also, Cody to be told that our files reveal he did have a meeting with Johnson and that the 2/24/66 letter reported the results thereof to FBIHQ, but that we are unable to permit his seeing that letter. It should be tactfully pointed out to Cody that by his not seeing the Johnson letter which would refresh his memory, he would be in a better position in answering any press inquiries, to be able to truthfully claim "no recollection." It should be made clear to Cody that the FBI is not advising him in any way as to whether or not he should answer press inquiries and if he does, what he should say.

Deputy Assistant Director Boynton, External Affairs Division, was briefed on this matter and advised of Mr. Adams' instructions as to "no comment" to press.

At 5:40 p.m., 5/5/76, writer telephonically contacted ASAC Gray in Chicago and dictated to his secretary the two pertinent paragraphs from the SSC report. Gray was then

Memorandum to Mr. T. W. Leavitt  
Re: SENSTUDY 75  
62-116395

fully informed of Mr. Adams' instructions. He indicated he would abide by them strictly and expressed appreciation for the prompt response in the guidance being given the Chicago Office in this matter.



UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. J. B. Adams

DATE: 5/5/76

FROM : Legal Counsel *JA*

SUBJECT: SENSTUDY 75

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

## PURPOSE:

To advise of the Senate Select Committee's decision not to interview former SA Nathan L. Ferris.

## SYNOPSIS:

Senate Select Committee staff representative advised on 5/5/76 that Committee had decided not to interview former SA Ferris and further stated former SA Ferris had resisted attempts by that Committee to interview him.

## RECOMMENDATION:

For information.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2A/JP

## APPROVED:

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Dep. AD Adm. \_\_\_\_\_  
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## DETAILS:

On 5/5/76, Paul Wallach, Counsel for captioned Committee, telephonically advised SA Paul V. Daly of this Division that the Committee had attempted to interview former SA Ferris and that former SA Ferris had refused stating that he did not want to talk to "you creeps." Wallach advised Committee decided not to subpoena or force former SA Ferris to submit to interview.

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. Phillips
- 2 - Mr. Daly
- 1 - Personnel File - Nathan L. Ferris

PVD:lad *LD*

84 MAY 21 1976

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UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: SENSTUDY 75

1 - Mr. J. B. Adams  
1 - Mr. T. J. Jenkins  
1 - Mr. D. W. Moore  
(Attn: H. A. Boynton)

DATE: 5/4/76

2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)  
1 - Mr. T. W. Leavitt  
2 - Mr. S. F. Phillips

Assoc. Dir. \_\_\_\_\_  
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Director's Sec'y \_\_\_\_\_

**PURPOSE:** This is to advise of status of our review of Senate Select Committee (SSC) report on domestic intelligence activities and observations concerning possible Bureau response to report.

**SYNOPSIS:** In February, 1976, Director asked that we gather material for possible response to the SSC report on our security work. Date for issuance of report extended from 3/15 to 4/30/76; Committee's life ends 5/31/76. Report dealing primarily with FBI released 4/26/76; approximately 15 separate supplements (Appendices) to be released this month. INTD is making detailed review of the Report and will do same with supplements. This being done by approximately 20 Supervisors having most expertise in specific areas. They are pinpointing SSC's inaccuracies, distortions, slantings, etc. Believed we should withhold decision on response to SSC Report until after review of all of SSC's releases (Appendices). Also to be noted is position expressed by CIA Director Bush on release of SSC Report on CIA; namely, say little and attempt to end public debate on U. S. intelligence.

**RECOMMENDATION:** For information.

APPROVED: \_\_\_\_\_  
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ENCLOSURE

Enclosure

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14 MAY 17 1976  
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Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

DETAILS: The Director's memorandum to Messrs. Jenkins and Moore 2/24/76, "Re: Senate Select Committee Report," directed that we then start gathering material for use in any response we might make when the SSC releases its report on the FBI's security work, such as press release or similar action defending ourselves. The original date the report was to be released was 3/15/76, but the SSC received some date extensions, last one to 4/30/76. Life of the Committee to cease 5/31/76. Memorandum from D. W. Moore, Jr., to Mr. Jenkins 3/16/76, "Senate Select Committee Report," advised of the INTD review of the SSC's draft reports and observed that it would be premature to prepare a public statement at that time.

For the past two months we have been reviewing drafts of various portions of the SSC report and its appendices (exhibits, case studies, and the like) and, in addition to negotiating some changes and corrections in these drafts with the SSC Staff, we have, where appropriate, submitted memoranda to the Department, with copies for the White House, containing our critique of the various drafts. This has encompassed such matters as what we felt to be distortions, slantings, inaccuracies, reporting out of context, and similar reporting abuses.

On 4/28/76, the SSC made public its Final Report entitled "Intelligence Activities and the Rights of Americans - Book II," which deals primarily with the FBI - domestic intelligence activities. (Book I dealt with foreign and military intelligence matters, is primarily of concern to CIA and was released 4/26/76.) We immediately launched a substantive review effort of the Report in the INTD. This involves approximately 20 Supervisors, Section Chiefs and their Number One Men reviewing the portions of the Report

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

where they have the most expertise and responsibility. This effort is presently under way and the personnel are preparing material for consideration where they recognize inaccuracies and other delinquencies in the Report. It should be significantly noted, however, that during the remaining life of the Committee this month, it will be publishing approximately 15 separate documents in the form of Appendices to the already-released Report. They will cover such specific matters as Martin Luther King, Jr., investigation, COINTELPRO, electronic surveillances, surreptitious entries and a variety of other subjects.

OBSERVATIONS: It is believed that full consideration to any response the Bureau may decide to make on the SSC's Report (including Appendices) should not be given until after the review of the some 15 Appendices due for release this month. We will, of course, review each of these as we are reviewing the basic Report. It should be of more than mild interest to us that when Book I of the SSC Report relating primarily to CIA was released, CIA Director George Bush was reported as indicating that neither he nor his Agency would say much about the report after it is released. Bush made clear that one thing he wants is an end to the public debate over U. S. intelligence ("Washington Star," 4/26/76, article by Vernon A. Guidry, Jr.). Although Bush was apparently speaking as head of the CIA, we should recognize that he is also Director of Central Intelligence and thus his thoughts should impact on the entire intelligence community, including the FBI.

When all the reviews are completed, we will more precisely address ourselves to the matter of possible response. For your additional information, there is attached a statement prepared by the External Affairs Division which it is using to answer press inquiries on this matter.

The Senate Select Committee on Intelligence findings can be informative and provide constructive assistance to the Nation, to the Congress, to the Executive Branch, and to the Government's intelligence agencies.

We need a balanced approach in fashioning today's reforms and hopefully this report will help bring about such a result. Rather than endless rumination over the past, we are examining our activities precisely and will take corrective action wherever warranted. We have guidelines now and perhaps more may be needed. At the same time, we must make certain that the FBI's important functions are not impaired through inattention. They can be maintained within a framework of both fairness and efficiency.

I have not read the entire report but I am doing so. My review will not be directed toward uncovering errors or misinterpretations of the thrust of the deliberations. I intend to keep foremost not what is good for the FBI but what is best for the Nation. Hopefully we can together assure that both are served to make them mutually compatible.

ENCLOSURE

62-116395-1598

1 - Mr. J. J. McDermott  
1 - Mr. J. B. Adams  
1 - Mr. J. A. Mintz  
1 - Mr. D. W. Moore, Jr.

Mr. T. W. Leavitt

5/3/76

J. G. Deegan

1 - Mr. T. W. Leavitt  
1 - Mr. J. G. Deegan  
1 - Mr. S. F. Phillips  
1 - Mr. D. Ryan

COINTELPROS

**PURPOSE:** To summarize the Findings and Recommendations, relating to our discontinued Counterintelligence Programs (Cointelpros), as set forth in the Final Report of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (SSC) released 4/28/76.

**SYNOPSIS:** Approximately one-fifth of the text of Book 2 of the SSC Final Report discusses or refers to Cointelpro with emphasis on Black Extremist and New Left Programs. The SSC concludes covert action programs have been used to disrupt lawful political activities of Americans and to discredit them, using tactics abhorrent in a free and decent society. Report indicates many of the victims were nonviolent, not foreign controlled and posed no security threat. Further the actions taken interfered with First Amendment rights and tactics used often risked and sometimes caused serious emotional, economic, or physical damage. Report recommends prohibiting FBI from disseminating information for improper purposes, interfering with lawful speech, publication, assembly, organizational activity or associations, and from harassing through unnecessary overt investigative techniques. Additionally, Report recommends the Department of Justice notify all Cointelpro victims and third parties who had received anonymous Cointelpro communications. Although Report contains no new or surprise allegations, its identification of Cointelpro actions, sometimes naming targets, may be expected to result in increased Freedom of Information Act (FOIA) inquiries.

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SEE DETAILS PAGE 2

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MAY 27 1976

Memorandum to Mr. T. W. Leavitt  
Re: Cointelpros  
62-116009

RECOMMENDATION: None. For information.

DETAILS: Book 2 of the Final Report of the SSC, released 4/28/76, sets forth the results of the Committee's investigation into Federal domestic intelligence activities.

Approximately one-fifth of the text of this Book discusses or refers to the discontinued Cointelpros and emphasis is placed on the programs targeting black extremists and the New Left. The Report makes frequent reference to the "perceived threat" and "imprecise targeting." Examples of particularly sensational Cointelpro actions are used to illustrate alleged abuses in other areas, and statements of former and present Bureau personnel regarding other areas of our intelligence responsibilities are used to emphasize alleged Cointelpro abuses.

Approximately 63 pages of the 341-page text deal with or refer to Cointelpro, and the acronym is utilized in uppercase type approximately 127 times. Pages 65-67, 86-89 and 211-219 detail Cointelpro activities.

CONTINUED - OVER



Memorandum to Mr. T. W. Leavitt  
Re: Cointelpros  
62-116009

Under the title "Using Covert Action to Disrupt and Discredit Domestic Groups," a major finding of the Committee, "that covert action programs have been used to disrupt the lawful political activities of individual Americans and groups and to discredit them, using dangerous and degrading tactics which are abhorrent in a free and decent society," the following findings are set forth:

a. Although the claimed purposes of the programs were to protect national security and to prevent violence, many of the victims were nonviolent, were not controlled by a foreign power and posed no threat to national security.

b. The acts taken interfered with the First Amendment rights of many citizens.

c. The tactics used often risked and sometimes caused serious emotional, economic, or physical damage. It is indicated the sustained use of such tactics in an attempt to destroy Dr. Martin Luther King, Jr., violated the law and fundamental human decency. (Page 211)

Recommendation 40 (page 317) states the FBI should be prohibited from (a) disseminating information for improper purposes; (b) interfering with lawful speech, publication, assembly, organizational activity or association; and (c) harassing individuals through unnecessary overt investigative techniques. It would appear the latter is in support of past allegations of the SSC that our aggressive investigation in itself amounted to Cointelpro-type action.

CONTINUED - OVER



Memorandum to Mr. T. W. Leavitt  
Re: Cointelpros  
62-116009

Recommendation 90 (page 336) indicates the Freedom of Information and Federal Privacy Acts should continue to be vigorously enforced and, in addition, recommends "the Department of Justice should notify all readily identifiable targets of past illegal surveillance techniques, and all Cointelpro victims, and third parties who had received anonymous Cointelpro communications, of the nature of the activities directed against them, or the source of the anonymous communications to them." It would appear this recommendation would include other areas of past alleged abuse, as well as Cointelpro. Also the inclusion of third parties is an expansion upon previous notification suggested.

Although the Final Report contains no new or surprise allegations, the identification of targets by name, or of circumstances which would enable ready identification, may be expected to present an increase in FOIA inquiries. For example, documents are foot-noted outlining Cointelpro actions directed against Leonard Boudin (attorney in the Ellsberg case and currently in the Trotskyite suit) and Dr. Benjamin Spock, former minority Presidential candidate who in the past had been indicted for conspiring to violate the Selective Service Act. (Page 246) Also references are set forth to original FBI documents and details set out regarding an action conducted against "a Midwest lawyer running for city council" who was defeated and who later ran successfully for a judgeship. Five FBI communications to or from the Detroit Office are cited. (Page 248) Anyone familiar with political or subversive activities in the Detroit area would be readily able to identify the target in this instance as the current Mayor of Detroit.

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Dep. AD ☒

Dep. AD Inv. ☒

Asst. Dir.:

Admin. ☐

Comp. Syst. ☐

Ext. Affairs ☐

Gen. Inv. ☐

Ident. ☐

Inspection ☐

Intell. ☒

Laboratory ☐

Legal Coun. ☐

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Rec. Mgnt. ☐

Spec. Inv. ☐

Training ☐

Telephone Rm. ☐

Director Sec'y ☐

FBI/DOJ

UNITED STATES GOVERNMENT

# Memorandum

*Handwritten initials*  
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TO : Director Kelley  
Michael Shaheen

DATE: May 11, 1976

FROM : Attorney General *gin*

SUBJECT:

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*Seratusly* *Cassidy*

I note the following paragraph in the New York Times for today:

The committee staff also reported that the bureau had made at least 491 surreptitious entries between 1960 and 1975 to install listening devices in the homes or offices of criminal suspects, and that 509 microphones had been surreptitiously installed by the bureau in domestic intelligence cases during the same period.

Also the following paragraph in the Washington Post:

In addition to the estimate of more than 200 "black bag jobs," the report said the FBI has installed more than 500 bugs without warrant since 1960 "against intelligence and internal security targets," a technique which "the Justice Department still permits."

These paragraphs give the impression that entries without a warrant are still being made or are still "permitted" for internal security targets.

I need to know whatever information you have on this.

EXP. PROC.  
MAY 11 1976  
SENATE SELECT COMMITTEE  
ON INTELLIGENCE ACTIVITIES (SSC)

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21 MAY 14 1976



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# Justice Department Indicates It Might Not Defend 3 F.B.I. Agents in Suit by Socialist Workers Party

By JOHN N. CREWDSON

Special to The New York Times

WASHINGTON, May 10—The Justice Department has raised the possibility that it will not defend in a civil lawsuit three agents of the Federal Bureau of Investigation who allegedly took part in or approved burglaries of the Socialist Workers Party's New York City offices in the early 1960's.

The papers filed in Federal District Court in Manhattan on Friday, Justice Department lawyers asserted that "at this stage it is unclear whether there is, or may be, a conflict between" the Government's defense of other Federal officials already named in the case, and the defense it could offer the three agents.

The Government response to the Socialist Workers' motion did not elaborate, but Justice Department officials said that the dilemma had been occasioned in part by doubt over the legality of the break-ins and by the possibility that the three agents might eventually find themselves subject to criminal prosecution by the Justice Department in that regard.

## Implications of Move

Should the department decide not to offer a defense, that decision would have serious implications for numerous other former and present F.B.I. agents involved in the bureau's counterintelligence program over the years who may find themselves the targets of similar civil suits brought by other victims of the program, known as Cointelpro.

The Justice Department is reviewing the 15-year record of the bureau's harassment and disruption of the Socialist Workers Party, the Communist Party and other domestic radical and right-wing groups, and Attorney General Edward H. Levi has said that victims of particularly egregious violations of their privacy and personal freedoms will be notified.

The Socialist Workers party through a discovery order

granted by Federal District Judge Thomas P. Griesa, has obtained hundreds of pages of F.B.I. files recounting the bureau's attempts to disrupt its operations, including documents showing that its Manhattan offices were burglarized by Federal agents on an average of once every three weeks between 1960 and 1966.

Although most of those documents have been censored by the bureau, the names of two F.B.I. agents, George P. Baxtrum Jr. and Arthur J. Greene Jr., appeared in bureau reports referring to the burglaries.

The lawyers for the Socialist Workers are attempting to add Mr. Baxtrum and Mr. Greene to the list of defendants in their

suit as well as John F. Malone, who headed the bureau's New York City office between 1960 and 1975.

## Individual Suits Expected

One Justice Department lawyer said today that, unlike the other defendants, the party intended to sue the three agents as individuals, making them personally liable for any damages awarded.

Another Justice Department official said that he hoped a decision on whether to offer representation to the agents should that become necessary would be made by the end of this week.

The official's remarks followed the disclosure today by

the staff of the Senate Select Committee on intelligence activities that the F.B.I. had carried out as many as 1,300 "surreptitious entries" for various purposes between 1942 and 1970.

In addition to the 92 known burglaries of the Socialist Workers' offices, the staff report said, F.B.I. agents conducted at least 239 entries directed at some 15 domestic political groups to search offices or members' homes or to photograph or seize documents.

In none of these cases, the report said, were various attorneys general advised that the bureau was conducting break-ins without a judicial search warrant, a practice that courts

have found to be in violation of the Fourth Amendment prohibition against unlawful search and seizure.

## Other Entries Cited

The committee staff also reported that the bureau had made at least 491 surreptitious entries between 1960 and 1975 to install listening devices in the homes or offices of criminal suspects, and that 509 microphones had been surreptitiously installed by the bureau in domestic intelligence cases during the same period.

The report took note of internal F.B.I. documents conceding that the burglaries were "clearly illegal," and it said that even after the practice had been formally terminated by a

Edgar Hoover, the late F.B.I. Director, in early 1967, at least one such break-in was carried out by bureau agents.

Mr. Hoover's order did not ban surreptitious entries to install microphones, however, or burglaries against foreign intelligence targets, such as embassies and consulates in the United States.

Meanwhile, F.B.I. sources said that a public apology on Saturday by Clarence M. Kelley, the current F.B.I. Director, for some of the bureau's past actions had generated considerable adverse reaction among present and former agents of the bureau.

In a speech at Westminster College in Fulton, Mo., Mr. Kelley, without being specific,

termed some of the F.B.I.'s activities "clearly wrong and quite indefensible," and he implicitly criticized Mr. Hoover in giving his assurances that the bureau would never again be able to act "without accountability."

## Advice to Kelley Noted

As the Congressional investigations of the F.B.I. have progressed over the last year, some of Mr. Kelley's aides have been advising him, as one put it, "to put a little daylight" between himself and Mr. Hoover, under whom all of the reported abuses occurred.

Another group of executives at the bureau's headquarters, mainly older men who came to power under Mr. Hoover, re-

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One bureau source, asked today about the reaction to Mr. Kelley's Westminster speech, said: "There are still a lot of people who have a lot of respect for Hoover. He [Mr. Kelley] wins nothing by this."

Another source conceded that "maybe the timing wasn't the best" for Mr. Kelley's address, coming as it did after the Congressional committees had disclosed most of their adverse findings about the bureau, and he added that "things are getting sticky around here." F.B.I. officials divided into "various camps" in their response to the Director's remarks.

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NEW YORK TIMES

May 11, 1976

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ENCLOSURE

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# FBI Break-ins Still Go On, Panel Reports

By George Lardner Jr.  
Washington Post Staff Writer

The FBI still conducts break-ins against intelligence targets without getting a court order, a special Senate intelligence committee report said yesterday.

The Senate investigators said such surreptitious entries are conducted mainly to plant hidden microphones and other recording devices, but occasionally the missions have turned into raids for other information as well.

The FBI assured the committee that in recent years at least, the "opportunity" to expand the entries into multi-purpose burglaries has been "exploited" only against foreign agents.

The report said that according to an FBI memorandum supplied to the committee last fall, in the course of installing electronic bugs, "there have been occasions when observations and recordings were made of pertinent information contained within the premises."

The release of the 16-page report coincided with a statement by FBI Director Clarence M. Kelley that it is "my great desire to dispel any thought that the FBI can't be trusted."

Kelley made his remarks while taping a television interview in Nashville as a followup to a weekend speech in which he said the FBI was sorry for its past abuses.

The Senate committee report said that special teams of FBI agents have carried out more than 1,000 surreptitious entries without judicial warrants since World War II "despite the questionable legality of the technique and its deep intrusion into the privacy of targeted individuals."

More than 200 of these were so-called "black bag jobs"—burglaries conceived and conducted not for the sake of planting a bug but for other purposes such as "physical search and photographing or seizing documents."

Such entries included a long series of break-ins, perhaps as many as 92 of them between 1960 and 1976 against the Socialist Workers Party and affiliates such as the Young Socialist Alliance, the report said.

"The door is locked with a Master padlock only," said one FBI memo laying out detailed plans for a post-midnight burglary on alliance headquarters in New York City. "Previous spot checks on numerous occasions have shown that there is a very limited amount of pedestrian and automobile traffic after 12 midnight. Entrance will be made between the hours of 12 midnight and 4 a.m., June 30, 1960."

The take from such raids, the report said, included photographs of items such as membership lists, "current photographs of SWP

members," and a letter detailing the "health status of (the) national chairman." The number of documents photographed during these raids, the study recounted, reached as high as 220 on one break-in and regularly was more than 100.

More often than not, the report said, no force or even lock-picking was needed to make the secret entry.

If a building manager appeared to be a "patriotic citizen," one former FBI man told the committee, FBI

agents would simply "show our credentials and wave the flag" to get doors opened.

In case more rigorous work was required, the report pointed out, "selected FBI agents received training courses in the skills necessary to perform surreptitious entries."

"The unit chief who taught the courses stated that he had participated in numerous 'black bag jobs' in which his only role was to open locks and safes," the Senate investigators reported.

The FBI unit chief, the report continued, "said that he would ordinarily receive an incentive award for a successful entry."

In addition to the estimate of more than 200 "black bag jobs," the report said the FBI has installed more than 500 bugs without warrant since 1960 "against intelligence and internal security targets," a technique which "the Justice Department still permits."

The bureau also submitted a chart showing that it has carried out 491 surreptitious entries to install hid-

den microphones. "In criminal investigations" since 1960, Ninety-seven of these entries were conducted under the authority of court orders since 1968 when the Omnibus Crime Control Act legalized electronic eavesdropping under judicial supervision and other restraints.

Senate intelligence committee staff members said neither the Justice Department nor the FBI offered any clear explanation of why warrantless entries to eavesdrop on "foreign espionage or intelligence" targets

are still considered necessary when warrants could be obtained from the courts under the provisions of the 1968 law.

The Senate committee, headed by Frank Church (D-Idaho), has recommended that warrants be required for all such entries as a matter of policy.

"Warrantless surreptitious entries against American citizens who have no significant connection with a foreign power, its agents or agencies," are undoubtedly unconstitutional," the report said. "The constitutional issues arising from warrant-

less surreptitious entries against foreign agents within the United States have not been definitely resolved by the courts."

In addition to its occasional use of espionage-connected break-ins to plant a bug, the report said, the Justice Department is still asserting the authority to carry out burglaries for other purposes "in foreign intelligence cases," but has told the committee it is not presently conducting any such operations.

The late FBI Director J. Edgar Hoover abruptly ordered an end to "black bag

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THE WASHINGTON POST  
Washington, D. C.

May 11, 1976 Pg. A1 & A16

ENCLOSURE

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"jobs" in 1966 after apparently approving hundreds of warrantless entries, the report noted.

Hoover's motives remain unclear, the report said.

"Break-ins to install microphones were not banned," the report noted. "Moreover, Hoover's order did not finally terminate 'black bag jobs' against foreign targets. Despite Hoover's directive, there is evidence that at least one 'black bag job' directed against a 'domestic subversive target' took place between 1966 and 1968."

The Senate investigators said they were unable to find any evidence that the FBI told any Attorney General about its "black bag jobs," although several Attorneys General "were aware of the FBI practice of break-ins to install electronic listening devices."

The Senate study made clear that the actual number of surreptitious entries the FBI carried out may never be known, partly because of its "Do Not Elie" system, which provided for the periodic destruction of pertinent records.



UNITED STATES GOVERNMENT

# Memorandum

TO : Director Kelley  
Michael Shaheen

DATE: May

FROM : Attorney General

SUBJECT:

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Assoc. Dir. ☒  
Dep. AD Adm. ☒  
Dep. AD Inv. ☒  
Asst. Dir.:  
Admin. \_\_\_\_\_  
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Director Sec'y \_\_\_\_\_

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34 MAY 18 1976

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By JOHN N. CREWDSON  
Special to The New York Times

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The papers filed in Federal District Court in Manhattan on Friday, Justice Department lawyers asserted that "at this stage it is unclear whether there is, or may be, a conflict between the Government's defense of other Federal officials already named in the case, and the defense it could offer the three agents."

The Government's response to the Socialist Workers' motion did not elaborate, but Justice Department officials said that the dilemma had been occasioned in part by doubt as to the legality of the break-ins and the possibility that the three agents might eventually find themselves subject to criminal prosecution by the Justice Department in that regard.

## Implications of Move

Should the department decide not to offer a defense, that decision would have serious implications: for numerous other former and present F.B.I. agents involved in the bureau's counterintelligence program over the years who may find themselves the targets of similar civil suits brought by other victims of the program, known as Cointelpro.

The Justice Department is reviewing the 15-year record of the bureau's harassment and disruption of the socialist Workers Party, the Communist Party and other domestic radical and right-wing groups, and Attorney General Edward H. Levi has said that victims of particularly egregious violations of their privacy and personal freedoms will be notified.

The Socialist Workers party through a discovery order

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In none of these cases, the report said, were various attorneys general advised that the bureau was conducting break-ins without a judicial search warrant, a practice that courts

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By George Lardner Jr.  
Washington Post Staff Writer

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The FBI assured the committee that in recent years at least, the "opportunity" to expand the entries into multi-purpose burglaries has been "exploited" only against foreign agents.

The report said that according to an FBI memorandum supplied to the committee last fall, in the course of installing electronic bugs, "there have been occasions when observations and recordings were made of pertinent information contained within the premises."

The release of the 16-page report coincided with a statement by FBI Director Clarence M. Kelley that it is "my great desire to dispel any thought that the FBI can't be trusted."

Kelley made his remarks while taping a television interview in Nashville as a follow-up to a weekend speech in which he said the FBI was sorry for its past abuses.

The Senate committee report said that special teams of FBI agents have carried out more than 1,000 surreptitious entries without judicial warrants since World War II "despite the questionable legality of the technique and its deep intrusion into the privacy of targeted individuals."

More than 200 of these were so-called "black bag jobs"—burglaries conceived and conducted not for the sake of planting a bug but for other purposes such as "physical search and photographing or seizing documents."

Such entries included a long series of break-ins, perhaps as many as 92 of them between 1960 and 1976 against the Socialist Workers Party and affiliates such as the Young Socialist Alliance, the report said.

"The door is locked with a Master padlock only," said one FBI memo laying out detailed plans for a post-midnight burglary on alliance headquarters in New York City. "Previous spot checks on numerous occasions have shown that there is a very limited amount of pedestrian and automobile traffic after 12 midnight. Entrance will be made between the hours of 12 midnight and 4 a.m., June 30, 1960."

The take from such raids, the report said, included photographs of items such as membership lists, "current photographs of SWP

members," and a letter detailing the "health status of (the) national chairman." The number of documents photographed during these raids, the study recounted, reached as high as 220 on one break-in and regularly was more than 100.

More often than not, the report said, no force or even lock-picking was needed to make the secret entry.

If a building manager appeared to be a "patriotic citizen," one former FBI man told the committee, FBI

agents would simply "show our credentials and wave the flag" to get doors opened.

In case more rigorous work was required, the report pointed out, "selected FBI agents received training courses in the skills necessary to perform surreptitious entries."

"The unit chief who taught the courses stated that he had participated in numerous 'black bag jobs' in which his only role was to open locks and safes," the Senate investigators reported.

The FBI unit chief, the report continued, "said that he would ordinarily receive an incentive award for a successful entry."

In addition to the estimate of more than 200 "black bag jobs," the report said the FBI has installed more than 500 bugs without warrant since 1960 "against intelligence and internal security targets," a technique which "the Justice Department still permits."

The bureau also submitted a chart showing that it has carried out 491 surreptitious entries to install hid-

den microphones "in criminal investigations" since 1960. Ninety-seven of these entries were conducted under the authority of court orders since 1968 when the Omnibus Crime Control Act legalized electronic eavesdropping under judicial supervision and other restraints.

Senate intelligence committee staff members said neither the Justice Department nor the FBI offered any clear explanation of why warrantless entries to eavesdrop on "foreign espionage or intelligence" targets

are still considered necessary when warrants could be obtained from the courts under the provisions of the 1968 law.

The Senate committee, headed by Frank Church (D-Idaho), has recommended that warrants be required for all such entries as a matter of policy.

"Warrantless surreptitious entries against American citizens who have no significant connection with a foreign power, its agents, or agencies, are undoubtedly unconstitutional," the report said. "The constitutional issues arising from warrant-

less surreptitious entries against foreign agents within the United States have not been definitely resolved by the courts."

In addition to its occasional use of espionage-connected break-ins to plant a bug, the report said, the Justice Department is still asserting the authority to carry out burglaries for other purposes "in foreign intelligence cases," but has told the committee it is not presently conducting any such operations.

The late FBI Director J. Edgar Hoover abruptly ordered an end to "black bag

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DATE 1-30-81 BY SP/PLA/14

THE WASHINGTON POST  
Washington, D. C.  
May 11, 1976 Pg. A1 & A16

jobs" in 1966 after apparently approving hundreds of warrantless entries, the report noted.

Hoover's motives remain unclear, the report said.

"Break-ins to install microphones were not banned," the report noted. "Moreover, Hoover's order did not finally terminate 'black bag jobs' against foreign targets. Despite Hoover's directive, there is evidence that at least one 'black bag job' directed against a 'domestic subversive target' took place between 1966 and 1968."

The Senate investigators said they were unable to find any evidence that the FBI told any Attorney General about its "black bag jobs," although several Attorneys General "were aware of the FBI practice of break-ins to install electronic listening devices."

The Senate study made clear that the actual number of surreptitious entries the FBI carried out may never be known, partly because of its "Do Not File" system which provided for the periodic destruction of pertinent records.

UNITED STATES GOVERNMENT

# Memorandum

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 \_\_\_\_\_

TO : Mr. Fehl

DATE: 5-6-76

FROM : G. R. Steel

SUBJECT: REVIEW OF SENATE SELECT COMMITTEE REPORT  
INTELLIGENCE ACTIVITIES AND THE RIGHTS  
OF AMERICANS, "BOOK II"

Attached is an original and one copy of a double-spaced blank memorandum with comments of the Special Investigative Division concerning the above-final report, Part III, "Findings," page 261, F (c), which deals with the Federal Employee Security Program.

## ACTION:

None. For Information.

Enclosures (2)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-20-01 BY SP8M/PP  
msb-16

- 2- [unclear]
- 1 - Mr. Leavitt  
(Attention Mr. Phillips)
  - 1 - Mr. Fehl
  - 1 - Mr. Steel
  - 1 - Mr. Ervin

WCE:pln  
WCE (5)

84 MAY 17 1976

REVIEW OF SENATE SELECT COMMITTEE REPORT  
"INTELLIGENCE ACTIVITIES AND THE RIGHTS  
OF AMERICANS," BOOK II

Part III, "Findings," page 261, F (c), paragraph 4, first sentence, reads "It has been the policy of the FBI, and presumably other agencies as well, to disseminate via name check reports any information in its files - no matter how old or how unreliable - which might relate to the standards of the Executive Order."

The phrase, "no matter how old or how unreliable," reflects neither FBI policy nor FBI practice in dissemination of information in Federal Employee Security cases. In fact, FBI dissemination policy as set forth in the Manual of Rules and Regulations (MRR), Part II, Section 5, and referred to in footnotes in the final report on four separate instances requires standards of verification or reliability be clearly pointed out. These four instances may be found in the MRR, Part II, Section 5, pages 2, 3, 4, and 10. On page 4, the MRR specifically spells out the requirement that "in each instance every reasonable effort should be made to provide additional descriptive information regarding the source which will enable recipient agencies to intelligently evaluate the information." Further, we know of no standards by which we may establish that information becomes worthless after a time certain. Instead,

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DATE 1-31-01 BY SP1/AM/JP

MDR-16

62-116395-1595



it is the relevance of the information and not its age that governs the dissemination. Finally, the purpose of the Executive Order is to authorize investigations of allegations that the conduct of Federal employees or applicants does not meet the standards of the Executive Order. No personnel action is possible without a thorough investigation of the allegations. Therefore, the statement, "no matter how old or how unreliable," does not reflect our policy or practice in Federal Employee Security cases.

REVIEW OF SENATE SELECT COMMITTEE REPORT  
"INTELLIGENCE ACTIVITIES AND THE RIGHTS  
OF AMERICANS," BOOK II

Part III, "Findings," page 261, F (c), paragraph 4, first sentence, reads "It has been the policy of the FBI, and presumably other agencies as well, to disseminate via name check reports any information in its files - no matter how old or how unreliable - which might relate to the standards of the Executive Order."

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ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP8/MP/JP  
1/30/01

it is the relevance of the information and not its age that governs the dissemination. Finally, the purpose of the Executive Order is to authorize investigations of allegations that the conduct of Federal employees or applicants does not meet the standards of the Executive Order. No personnel action is possible without a thorough investigation of the allegations. Therefore, the statement, "no matter how old or how unreliable," does not reflect our policy or practice in Federal Employee Security cases.



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

MAY 6 1976

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

FROM: Steven K. Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: SSC Request dated May 5, 1976

Attached is a letter from the Senate Select  
Committee dated May 5, 1976. Please arrange for  
an appropriate response.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2A/mj  
*MDL-16*

cc: Paul Daly

REC-100

62-116315-1594

MAY 11 1976

*Handwritten: Paul Daly*  
ENCLOSURE

*Handwritten: 5-8*



84 MAY 18 1976

MAY 6 1976

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

FROM: Steven K. Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: SSC Request dated May 5, 1976

Attached is a letter from the Senate Select Committee dated May 5, 1976. Please arrange for an appropriate response.

cc: Paul Daly

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2RUM/PP  
MDR-16

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

PHILIP A. HART, MICH.  
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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

May 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 Senate Select Committee requests delivery on a priority basis on or before Friday, May 7, 1976, of all memoranda reflecting a meeting at the FBI in either 1961 or 1962, at which time General Edward Lansdale met with Allan Belmont. Also in attendance at said meeting were Sterling Donahue and Richard Cotter.

A copy of this letter is simultaneously being delivered to Mr. Seymour Phillips of the FBI. We would appreciate Mr. Phillips being orally notified that he has the Department's approval to begin gathering materials responsive to the instant request.

Sincerely,

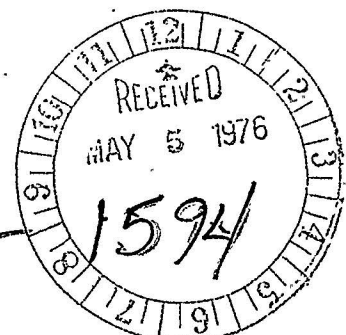


Paul G. Wallach  
Counsel

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HEREIN IS UNCLASSIFIED  
DATE 1-3-01 BY SP7AUM/140

MDL-16

cc: Seymour Phillips



ENCLOSURE

FBI

Date: 5/3/76

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

TO: DIRECTOR, FBI (157-370)  
ATTENTION: SUPERVISOR JOSEPH DEEGAN  
ROOM 4092, JEH BUILDING

FROM: *UBA* SAC, CHARLOTTE (157-230)

SUBJECT: EXTREMIST MATTERS  
CHARLOTTE DIVISION

Enclosed is an article which appeared in the 4/29/76, edition of the Charlotte Observer, Charlotte, N. C., entitled, "Agencies Spied On N. C. Klan, Panthers". Enclosed article appeared in the same edition of the newspaper which contained a report based upon the Senate Select Committee hearings reviewing intelligence agencies. The enclosed article is critical of the FBI's operations in the State of North Carolina as related to the klan and the Black Panther Party. It was noted many of these charges had been made before by Senator ROBERT MORGAN. However, MORGAN indicated that while he was Attorney General of North Carolina, he was misled by the Bureau in these areas.

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HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2AUM/144

1cc let a enc. - 4084 JEH  
JPG:mp 5/11/76

ENCLOSURE

- 2 - Bureau (Enc. 2)  
2 - Charlotte (1 - 157-230) (UKA)  
(1 - 157-6171) (BPP)

JPK:cbw  
(4)

**ENCLOSURE**

62-116375-  
**NOT RECORDED**

46 MAY 17 1976

17  
20 MAY 17 1976

ORIGINAL FILED IN 157-370-8-2516

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_

84 MAY 21 1976

NW 55172 DocId:32989591 Page 54



(Mount Clipping in Space Below)

# Agencies Spied On N.C. Klan, Panthers

By CARL STEPP

Observer Washington Bureau

WASHINGTON — Sen. Robert Morgan, D-N.C., says the Senate report on domestic spying on Americans "should let every citizen know it could happen to him."

In its final report Wednesday, the Senate Intelligence Committee, of which Morgan is a member, accused the CIA, FBI and IRS of using wiretaps, mail openings, crank phone calls, break-ins, harassment and surveillance against millions of Americans not guilty of any crime.

North Carolina targets included the Ku Klux Klan, the Black Panthers, and the late Congressman Harold Cooley.

Morgan termed the actions "intolerable" and said they were directed against thousands of innocent organizations and citizens not suspected of any crimes.

In North Carolina, the report says:

• The FBI, at the suggestion of its Charlotte office, in 1967 formed an FBI-controlled group of KKK klaverns that attracted 250 members. According to Morgan, the goal was to divide the klan movement, discredit its leaders and promote violence among rival klansmen.

Robert Murphy, who headed the Charlotte FBI office during the 1960s, said Wednesday he had no comment on the charges.

• The FBI sent a phony letter, purportedly from the klan's National Intelligence Committee, "firing" the North Carolina grand dragon and "suspending Imperial Wizard Robert Shelton. Shelton complained to both the FBI and Post Office about possible mail fraud, but the FBI "solemnly (assured) Shelton that his complaint was not within the FBI's jurisdiction."

• The report suggests, but doesn't say directly, that in 1971 the FBI in North Carolina falsely accused a Black Panther member of being a government informant, even though it knew that elsewhere "two members of the Black Panther Party had been murdered as suspected informants."

• The FBI bugged the hotel room where on Feb. 17, 1971, Rep. Cooley, chairman of the House Agriculture Committee, was meeting with representatives of a foreign country to discuss sugar-quota legislation. Resulting personal and political information was forwarded to Attorney General Robert Kennedy.

Many of the allegations have been made before by Morgan, who has been an outspoken critic of the FBI's secret activities.

But the report offers the strongest documentation of the charges.

In a statement Wednesday, Morgan said

that he "came to the committee neither looking for nor expecting to find what was found."

Later, in an interview, he explained that as former attorney general of North Carolina he "resented that I was misled by the bureau."

Based on statements by the late J. Edgar Hoover and others, Morgan said, "I had been firmly convinced that the Southern Christian Leadership Conference (of the late Dr. Martin Luther King Jr.) was full of communists. From hearing FBI officials speak before the committee, that was the only logical conclusion. Yet when we pushed them, day after day, to come up with names and evidence, they could only come up with two names and the evidence there was very weak."

"If we are to hold ourselves out to the rest of the world as the true country of freedom," Morgan said, "then we must first practice the principles of freedom at home."

## INTELLIGENCE ACTIVITIES AND THE RIGHTS OF AMERICANS

BOOK II

FINAL REPORT  
OF THE  
SELECT COMMITTEE  
TO STUDY GOVERNMENTAL OPERATIONS  
WITH RESPECT TO  
INTELLIGENCE ACTIVITIES  
UNITED STATES SENATE

AP Photo

Copies of the Senate report are available for \$3.60 from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

1A THE CHARLOTTE  
OBSERVER  
Charlotte, N.C.

Date: 4/29/76

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office CE

☐ Being Investigated

ENCLOSURE

ENCLOSURE

1 - J. B. Adams  
2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)  
1 - Mr. T. W. Leavitt

The Attorney General

April 22, 1976

2 - Mr. S. F. Phillips

Director, FBI

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

Enclosed for your approval and forwarding to the SSC is the original of a memorandum relating to this Bureau's review of the SSC's draft report concerning electronic surveillances. 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

SFP:1hb/1hb  
(10)

APPROVED:	Comp. Syst.....	Laboratory.....
Assoc. Dir.....	Ext. Affairs.....	Legal Coun.....
Dep. AD Adm.....	Gen. Inv.....	Plan. & Eval.....
Dep. AD Inv.....	Ident.....	Rec. Mgmt.....
Asst. Dir.:.....	Inspection.....	Spec. Inv.....
Admin.....	Intell. <u>TOLIVER</u>	Training.....

ENCLOSURE

REC-100

MAY 6 1976

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HEREIN IS UNCLASSIFIED  
DATE 1-30-9 BY SP8HUM/AP  
MDR-16

TO BE HAND-DELIVERED BY THE OFFICE OF CONGRESSIONAL AFFAIRS

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's Sec'y \_\_\_\_\_  
MAY 7 1976 ROOM \_\_\_\_\_ TELETYPE UNIT \_\_\_\_\_

1 - J. B. Adams  
 2 - Mr. J. A. Mintz  
     (1 - Mr. P. V. Daly)  
 1 - Mr. T. W. Leavitt  
 2 - Mr. S. F. Phillips

62-116395

April 22, 1976

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

Representatives of this Bureau have reviewed the SSC's draft report concerning electronic surveillances. The purpose of the review was to recognize and bring to the attention of the SSC Staff any information the FBI believes to be classified or otherwise sensitive to the extent that it should not be made public, as well as the identities of any FBI personnel below the rank of Section Chief which, by prior agreement between the SSC and FBI, would not be included in the report.

Set forth below are the instances noted where deletions are suggested. An enumeration of these instances was informally furnished to Mr. Thomas Dawson of the SSC Staff on April 19, 1976.

4/13/76

**"ELECTRONIC SURVEILLANCES**

"It is noted that Ernest H. Belter's name appears in several places within this document. As Belter was below the rank of Section Chief, in accordance with the agreement to excise names of FBI personnel below that rank, Belter's name should be excised in the following instances:

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 \_\_\_\_\_

p. 49      Paragraph 3 and footnote  
           50      Paragraph 1  
                   Paragraph 2, lines 2 and 9  
                   3 footnotes

SFP:1hb/lhb

(9)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

51 Footnote  
54 Last paragraph, lines 1 and 3  
55 3 footnotes  
83 Footnote"

1 - The Attorney General

NOTE:

The draft report was reviewed by Supervisor J. W. Dalseg, INTD, and Supervisor S. F. Phillips of the Senstudy 75 Project furnished the informal note to Dawson of the SSC.

APPROVED:	Comp. Syst.....	Laboratory.....
Assoc. Dir. <i>[initials]</i>	Ext. Affairs.....	Legal Coun. <i>[initials]</i>
Dep. AD Adm. <i>[initials]</i>	Gen. Inv.....	Plan. & Eval. <i>[initials]</i>
for Dep. AD Inv. <i>[initials]</i>	Ident.....	Rec. Mgmt.....
Asst. Dir.:	Inspection.....	Spec. Inv.....
Admin. <i>[initials]</i>	Intell. <i>TWC/HE</i>	Training.....

*[Large handwritten signature/initials]*

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 4/22/76

Caption of Document: U.S. Senate Select Committee (SSC).  
(Review of SSC draft report on  
electronic surveillances)

Originating Office: FBI

Delivered by: J. O. Cant Date: 4/27/76

Received by: Florence Shoben

Title: CR

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1-30-01 BY SP8M/BJ

MDA-16

TO: Intelligence Community Staff  
ATTN: Central IndexFROM:  
**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

4/22/76

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

☒ SSC☐ HSC4. 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, other-  
wise state verbal request of (name), initiative, subpoena, etc.)**Not applicable**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**

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

**Concerning review of SSC draft report regarding electronic  
surveillances.**ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 12/30/75 BY SP/AMH/JP  
MDR/6**62-116395**SJM:1hb  
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX  
IN CONNECTION WITH SENSTUDY 75.**TREAT AS YELLOW**

5-✓

274-10148'

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. J. B. Adams

DATE: 4/26/76

FROM : Legal Counsel

SUBJECT: SENATE SELECT COMMITTEE

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 \_\_\_\_\_

## PURPOSE:

The purpose of this memorandum is to report an invitation to testify given to former Special Agent Supervisor George Tucker by Mike Epstein of the Senate Select Committee.

## SYNOPSIS:

Epstein contacted Tucker and requested him to be available for an interview and possible testimony concerning Tucker's interview of Ed Morgan. Tucker advised Epstein he would not agree to an interview as he had no knowledge beyond that which was reported in FBI files.

## RECOMMENDATION:

For information.

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

- 1 - Personnel File former SA George Tucker
- 1 - Mr. Leavitt
- 1 - Mr. Daly
- 1 - Mr. Phillips
- 1 - Mr. Mintz

JAM:mfd  
(6)

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EX-104

REC-69

62-112315-1583



84 MAY 10 1976

Memorandum to Mr. Adams  
Re: SENATE SELECT COMMITTEE

DETAILS:

At 9:38 a.m. on April 23, 1976, George Tucker, formerly a supervisor at Washington Field Office, now retired, whose address is Post Office Box 246, Harwich Port, Massachusetts, 02646, telephone number 617-432-3691, telephonically advised me that he had been contacted by Mike Epstein of the Senate Select Committee, who asked him to be available for an interview concerning a memorandum he had prepared following an interview by Tucker on March 21, 1967, of Ed Morgan. Mr. Tucker told Epstein that he first desired to discuss this matter with the Bureau and that Epstein should call him later during the day.

Mr. Tucker told me that he could recall having conducted the interview of Ed Morgan and having prepared an FD 302, but he could not recall the name of the Agent who accompanied him on the occasion of that interview. He said he has no recollection of any information beyond that which was recorded in the FD 302. Mr. Tucker asked whether he was authorized to submit to an interview by Epstein.

I advised Mr. Tucker that the secrecy agreement which he may have signed while an Agent of the Bureau was waived for purposes of an interview that might be conducted by Epstein. However, I told Mr. Tucker that the decision whether he would submit to an interview was entirely his. I explained that the Bureau was cooperating with the Senate Select Committee by waiving the secrecy agreements. I also explained that if Mr. Tucker felt that he needed the assistance of counsel in such an interview, he could request the appointment of counsel and his request would be forwarded to the Department where such counsel would be provided. Mr. Tucker said that he did not feel that it was necessary for him to have counsel as he recalls his only participation in this matter was that he conducted an interview.

At 4:20 p.m. on April 23rd, Mr. Tucker called me again and said that Epstein had called him to determine whether he would submit to an interview and Tucker had refused. Epstein told him that the Committee might issue a subpoena for Mr. Tucker to require his appearance and testimony at which time his testimony would be taken under oath and made a matter of record.

Memorandum to Mr. Adams  
Re: SENATE SELECT COMMITTEE

Tucker responded to Epstein by saying that he thought that his testimony would be recorded anyway. He said that he explained to Epstein that he had no knowledge beyond that which was recorded in the Bureau files and he referred Epstein to the Bureau.

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: SENSTUDY 75

- 1 - Mr. J. L. Adams
- 2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)
- 1 - Mr. T. W. Leavitt

DATE: 4/28/76

- 1 - Mr. S. F. Phillips
- 1 - Mr. J. P. Thomas

Assoc. Dir. \_\_\_\_\_  
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Director Sec'y \_\_\_\_\_

**PURPOSE:** To record comments of Senate Select Committee (SSC) Staff Member explaining seemingly critical remark about FBI in SSC report on foreign intelligence.

**DETAILS:** "The New York Times" 4/27/76 printed portions of SSC "final" report on foreign counterintelligence (CI), released by SSC 4/26/76 (copy attached). It included a statement that "recent evidence suggests that F.B.I. counterespionage results have been less than satisfactory." On 4/27/76, Supervisor J. P. Thomas, Senstudy Project Unit, contacted John Elliff, Director of the SSC Task Force on the FBI, called this statement to his attention and asked whether this statement was based on any specific information which the FBI could use to improve its counterespionage effectiveness. Elliff replied that he did not write this statement, but could say that it was definitely not based on any specific FBI activity or nonperformance; it was a reflection of testimony of past and present CIA personnel; it related to past problems, mentioned in the paragraph above the one quoted, which spoke of some old differences between the FBI and CIA. It was also based, in part, on testimony of former Assistant Director C. D. Brennan who said that, in his time, a lower priority was given to CI matters than to domestic intelligence matters. Elliff reiterated that the questioned statement had nothing to do with recent events but related to recently obtained information concerning past events. Elliff noted that, elsewhere in the full SSC report, he had included language noting that, in recent past, CI work of the FBI had been upgraded and additional emphasis been placed on CI training, etc. Elliff added "informally" that we should recognize that there was a conflict within the SSC between the group working with CIA, which naturally expressed pro-CIA sentiments to the detriment of CIA's "opposition"; and those, such as Elliff, who have more knowledge of FBI accomplishments; the report is necessarily a compromise between these two groups.

Enclosure ENCLOSURE  
62-116395

JPT:1hb (7)

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Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

ACTION: None. For record purposes.

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APPROVED: <i>[Signature]</i>	Comp. Syst.....	Laboratory.....
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### Foreign Intelligence Collection in the United States

The C.I.A. engages in both overt and clandestine activity within the United States for the purpose of foreign intelligence collection. The agency's Domestic Collection Division is responsible primarily for overt collection, while the Foreign Resources Division manages clandestine collection of foreign intelligence. Both divisions are currently within the Directorate of Operations. Formerly run and staffed by the Directorate of Intelligence, the D.C.D. was moved to Operations in 1973 and now has many clandestine services officers assigned to it.

The Domestic Collection Division openly collects foreign intelligence information from American citizens on a wide variety of subjects, primarily of an economic and technological nature. The Domestic Collection Division currently maintains contact with tens of thousands of American citizens who, on a confidential basis, volunteer information of intelligence value to the United States. The committee notes that the Central Intelligence Agency is overtly in contact with many members of the American academic community to consult with them on the subjects of their expertise. On occasion, at the request of the academic concerned, these contacts are confidential.

The committee believes there are significant benefits to both the Government and the universities in such contacts and that they should not be discouraged. The committee sees no danger to the integrity of American academic institutions in continuing such overt contacts.

The Domestic Collection Division operates from 38 offices around the United States and lists itself in local telephone directories, although it conducts its business as discreetly as possible.

The committee notes that due to the recent revelations about C.I.A. activities, some foreign intelligence sources are shying away from cooperation with the Domestic Collection Division, thus impeding this division's most important function, namely, the overt collection of foreign intelligence.

The committee also questions the recruiting, for foreign-espionage purposes, of immigrants desiring American citizenship because it might be construed as coercive.

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The Washington Post \_\_\_\_\_  
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 Daily News (New York) \_\_\_\_\_  
 The New York Times 4/27/76  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 The Los Angeles Times \_\_\_\_\_

Date \_\_\_\_\_

ENCLOSURE

62-116395-1582



## Foreign Counterintelligence

Counterintelligence is defined quite broadly by the C.I.A. It includes the knowledge needed for the protection and preservation of the military, economic and productive strength of the United States, as well as the Government's security in domestic and foreign affairs, against or from espionage, sabotage and subversion designed to weaken or destroy the United States.

Counterintelligence is a special form of intelligence activity, aimed at discovering hostile foreign intelligence operations and destroying their effectiveness. It involves protecting the United States Government against infiltration by foreign agents, as well as

controlling and manipulating adversary intelligence operations. An effort is made to discern the plans and intentions of enemy intelligence services and to deceive them about our own.

The committee finds that the threat from hostile intelligence services is real. In the United States alone, well over a thousand Soviet officials are on permanent assignment. Among these, over 40 percent have been identified as members of the KGB or GRU, the Soviet civilian and military intelligence units, respectively. Estimates for the number of unidentified Soviet intelligence officers raise this figure to over 60 percent and some defector sources have estimated that 70 percent to 80 percent of Soviet officials in the United States have some intelligence connection.

Furthermore, the number of Soviets with access to the United States has tripled since 1960, and is still increasing. In 1974, for example, over 200 Soviet ships with a total crew complement of 13,000 officers and men visited this country. Some 4,000 Soviets entered the United States as commercial or exchange visitors in 1974. In 1972-1973, for example, approximately one-third of the Soviet exchange students here for the academic year under the East-West Student Exchange Program were cooperating with the KGB, according to the Central Intelligence Agency.

Other areas of counterintelligence concern include the sharp increase in the number of Soviet immigrants to the United States (4,000 in 1974 compared to fewer than 500 in 1972); the rise in East-West commercial exchange visitors (from 641 in 1972 to 1,500 in 1974); and the growing number of officials in this country from other Communist block nations (from 416 in 1960 to 798 in 1975).

Coordination between C.I.A. and F.B.I. counterintelligence units is especially critical. The history of C.I.A.-F.B.I. liaison has been turbulent, though a strong undercurrent of cooperation has usually existed at the staff level since 1952 when the bureau began sending a liaison person to the C.I.A. on a regular basis. The sources of friction between the C.I.A. and F.B.I. in the early days revolved around such matters as the frequent unwillingness of the bureau to collect positive intelligence for the C.I.A. within the United States or to help recruit foreign officials in this country.

The committee believes that counterintelligence requires the direct attention of Congress and the executive for three reasons: (1) two distinct and partly incompatible approaches to counterintelligence have emerged and demand reconciliation; (2) recent evidence suggests that F.B.I. counterespionage results have been less than satisfactory; and (3) counterintelligence has infringed on the rights and liberties of American

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 The National Observer \_\_\_\_\_  
 The Los Angeles Times \_\_\_\_\_

Date \_\_\_\_\_

## Recommendations

22. By statute, a charter should be established for the Central Intelligence Agency which makes clear that its activities must be related to foreign intelligence. The agency should be given the following missions:

¶The collection of denied or protected foreign intelligence information.

¶The conduct of foreign counter-intelligence.

¶The conduct of foreign covert action operations.

¶The production of finished national intelligence.

23. The C.I.A., in carrying out foreign intelligence mission I, would be permitted to engage in relevant activities within the United States so long as these activities do not violate the Constitution nor any Federal, state or local laws within the United States. The committee has set forth in its domestic recommendations proposed restrictions on such activities to supplement restrictions already contained in the 1947 National Security Act. In addition, the committee recommends that by statute the intelligence oversight committee(s) of Congress and the proposed counter-intelligence committee of the National Security Council be required to review, at least annually, C.I.A. foreign intelligence activities conducted within the United States.

24. By statute, the Attorney General should be required to report to the President and to the intelligence oversight committee(s) of Congress any intelligence activities which, in his opinion, violate the constitutional rights of American citizens or any other provision of law and the actions he has taken in response. Pursuant to the committee's domestic recommendations, the Attorney General should be made responsible for ensuring that intelligence activities do not violate the Constitution or any other provision of law.

25. The committee recommends the establishment of a special committee of the Committee on Foreign Intelligence to review all foreign human intelligence collection activities. It would make recommendations to the C.F.I. with regard to the scope, policies, and priorities of U.S. clandestine human collection operations and choices between overt and clandestine human collection. This committee would be composed of a representative of the Secretary of State as chairman, the other statutory members of the C.F.I., and others whom the President may designate.

26. The intelligence oversight committee(s) of Congress should carefully examine intelligence collection activities of the Clandestine Service to assure that clandestine means are used only when the information is sufficiently important and when such means are necessary to obtain such information.

27. The intelligence oversight committee(s) should consider whether:

¶the Domestic Collection Division (overt collection operations) should be removed from the Directorate of Operations (the Clandestine Service), and returned to the Directorate of Intelligence;

¶the C.I.A.'s regulations should require that the D.C.D.'s overt contacts be informed when they are to be used for operational support of clandestine activities;

¶the C.I.A.'s regulations should prohibit recruiting as agents immigrants who have applied for American citizenship.

28. The President of the United States, in consultation with the intelligence oversight committee(s) of Congress, should undertake a classified review of current issues regarding counterintel-

ligence. This review should form the basis for a classified Presidential statement on national counterintelligence policy and objectives, and should closely examine the following issues: compartmentation, operations, security, research, accountability, training, internal review, deception, liaison and coordination, and manpower.

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 Daily News (New York) \_\_\_\_\_  
 The New York Times \_\_\_\_\_  
 The Wall Street Journal \_\_\_\_\_  
 The National Observer \_\_\_\_\_  
 The Los Angeles Times \_\_\_\_\_

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Date of Mail 4-1-76

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MDR-16

See File 66-2554-7530 for authority.

Subject JUNE MAIL - *Sens study*

Removed By 84 MAY 13 1976

File Number 62-116395-1576

Permanent Serial Charge Out



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

APR 27 1976

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

FROM: Steven Blackhurst  
SB Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: SSC Request Dated April 23, 1976

Attached is a letter from the Senate Select,  
Committee dated April 23, 1976. Please arrange for  
an appropriate response.

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1 ENCLOSURE

cc: Paul Daly

Rec'd 4<sup>4</sup><sub>P</sub>,  
4/28/76

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MAY 10 1976

APR 27 1976

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

FROM: Steven Blackhurst  
Assistant Special Counsel for  
Intelligence Coordination

SUBJECT: SSC Request Dated April 23, 1976

Attached is a letter from the Senate Select Committee dated April 23, 1976. Please arrange for an appropriate response.

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cc; Paul Daly

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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

April 23, 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 access at FBI Headquarters to all summaries of information obtained from electronic surveillance of Frank A. Capell and Robert Manuel in 1965, which were disseminated by the FBI to the White House and/or the Attorney General. This request specifically encompasses, but is not limited to, summaries which contain information pertaining to attempts of the subjects to "smear or discredit high-ranking Government officials" and summaries which contain information pertaining to a book then being written about the President. This type of information is referred to in a memorandum from Mr. R. D. Cotter to Mr. W. C. Sullivan, dated November 3, 1965, captioned: "Frank A. Capell -- Espionage-X."

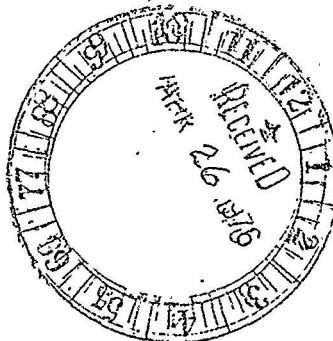
Sincerely yours,

*John T. Elliff*

John T. Elliff  
Director

Domestic Intelligence Task Force

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DATE 1-30-01 BY SP8/MLP  
MDL-76



62-116395-1575  
ENCLOSURE

UNITED STATES GOVERNMENT

# Memorandum

- 1 - Mr. J. B. Adams  
1 - Mr. D. W. Moore  
(Attn: H. A. Boynton)  
2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)

DATE: 4/26/76

- 1 - Mr. T. W. Leavitt  
1 - Mr. J. G. Deegan  
2 - Mr. S. F. Phillips

Assoc. Dir. \_\_\_\_\_  
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Director Sec'y \_\_\_\_\_

TO : Mr. T. W. Leavitt *TW*

FROM : S. F. Phillips *SF*

SUBJECT: SENSTUDY 75

**PURPOSE:** This informative memorandum advises of negotiations with Senate Select Committee (SSC) Staff resulting in radical change in its draft report on Martin Luther King, Jr., which was to contain a highly erroneous statement adverse to the Bureau.

**SYNOPSIS:** Draft of SSC report on King contained statement: "The Committee, to avoid furthering the violations of privacy already perpetuated by the Bureau, has requested the FBI to excise from all documents submitted to the Committee any reference to Dr. King's personal life." This is highly inaccurate and in SSC's effort to appear sanctimonious, it twisted facts to reflect adversely on Bureau. On our condemnation of the statement, SSC changed draft to read: "The Committee did not investigate Dr. King's personal life. The issue is raised here only because it apparently played some part in forming the attitudes of certain FBI officials towards Dr. King. Moreover, in order to preclude further dissemination, the Committee requested that the FBI excise from all documents any information obtained as a result of an electronic surveillance of Dr. King." The revision thus eliminated inaccuracies and removed the adverse reflection on the Bureau.

**RECOMMENDATION:** None. For information.

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62-116395

1 - 100-106670 (Martin Luther King, Jr.)

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84 MAY 5 1976



Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

DETAILS: SSC's final draft of its "Martin Luther King, Jr., Case Study" contained a statement, "The Committee, to avoid furthering the violations of privacy already perpetuated by the Bureau, has requested the FBI to excise from all documents submitted to the Committee any reference to Dr. King's personal life." On review, writer noted statement's inaccuracy. SSC did not ask us to excise from documents furnished it information as to King's personal life. Only information we were asked to excise was that from electronic surveillances (elsurs) on King with no mention made by SSC as to content of products of elsurs. We followed such SSC stipulation as religiously as possible. Most significantly, we did furnish documents containing "personal life" data on King when the documents were responsive to SSC requests and the information was not a product of King elsurs. Review also highlighted SSC's sanctimony in accusing Bureau of violating King's privacy whereas SSC avoided same.

In reviewing the many drafts of SSC's reports to soon be published, we have by prearrangements addressed ourselves back to the SSC concerning changes involving only classification and privacy of Bureau personnel problems and generally not concerning its warped presentations, editorializing, slanting and other similar objectionable features. These latter-type situations are being included in letterhead memoranda which we are furnishing to the Department and White House.

In the instance cited above, it was decided, after writer conferred with Deputy Assistant Director W. O. Cregar, that it would be in the Bureau's best interest if we could negotiate with the SSC to make changes which would correct the statement and at the same time remove the

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Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

adverse reflection on the Bureau. In arriving at this decision, we recognize that, if the statement was reported as is, we could counter it in a manner which would not only set the record straight but also make look foolish the SSC for its inaccuracy. However, we all recognize that a "denial," "correction," or the like never quite catches up with the original statement nor has near the impact of the original statement. This is especially true when one must depend on our media for "corrections." In this light, therefore, decision to attempt to have statement changed was launched.

On 4/20/76, writer discussed matter with SSC Staff Member Thomas Dawson at which time it was determined that, since we had last seen the draft, there had been added at the very end of the challenged statement: "  
", acquired through electronic surveillance of King." While the addition of this phrase made the original statement more complete, it did not lessen in any way the basic objectionable features of the statement. Dawson was told fully and candidly why we objected to the statement. He was shown several SSC requests which make it clear we were asked to excise as to source (elsurs on King) not as to content (private activities of King). He was also told of instances where we had furnished the SSC documents with private life information when the documents were responsive to SSC requests and data therein did not originate with King elsurs. Dawson appeared to accept our arguments and said he would check back with the SSC Staff and advise.

Dawson telephoned on 4/21/76 and offered to replace the original statement with one reading as follows: "The Committee did not investigate Dr. King's personal life. The issue is raised here only because it apparently played

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Memorandum to Mr. T. W. Leavitt  
Re: Senstudy 75  
62-116395

some part in forming the attitudes of certain FBI officials towards Dr. King. Moreover, in order to preclude further dissemination, the Committee insisted that the FBI excise from all requested documents any information obtained as a result of an electronic surveillance of Dr. King." He was told that the change was a vast improvement over the original version in that it was no longer an erroneous statement and also eliminated the SSC's sanctimony which was also unfavorable to the Bureau. It was pointed out, however, that the statement in its revised version did not track, and it was suggested for it to have meaning there needed to be added at the end something such as is indicated by the underlined portion as follows: ". . . any information obtained as a result of an electronic surveillance of Dr. King, inasmuch as such electronic surveillances produced information on King's personal life." Dawson was also told that the use of the word "insisted," though a minor matter, was viewed as not accurately describing the situation. The SSC had "asked" or "requested" the excisions, not insisted we make them. Dawson agreed to change "insisted" to "requested." However, after conferring with the SSC Staff, he declined to add anything as suggested. No further effort was made to urge him on the matter of the addition we suggested as it was believed that the essential point had been made; namely, change statement so it was no longer inaccurate or adverse to the Bureau.

Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination of the Department, was kept up to date of our actions in this matter. He fully agreed with our objections and the efforts we made to effect the changes.

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

The Attorney General

April 22, 1976

Director, FBI

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

1 - Mr. D. W. Moore  
1 - Mr. T. V. Leavitt  
1 - Mr. H. E. Helgeson  
1 - Mr. S. F. Phillips  
1 - Mr. J. G. Deegan  
1 - Mr. T. J. Seabaugh  
1 - Mr. J. D. Powell

Reference is made to my memorandum of December 19, 1975, which enclosed a proposed memorandum for delivery to Senator Frank Church, Chairman of the SSC. These memoranda advised of the disclosure in the December 10, 1975, issue of the Greensboro, North Carolina, "Greensboro Daily News," of the identity of FBI informant George F. Dorsett, attributed to a "Senate Intelligence Committee source." In these memoranda I enumerated several documents that were delivered to the SSC by the FBI and which when examined as a group and compared with each other led to Mr. Dorsett's identification as an informant.

Reference is also made to my February 11, 1976, memorandum in which I reiterated the request that the December 19, 1975, memorandum be delivered to Senator Church.

Enclosed herewith is a copy of an article that appeared in the April 4, 1976, issue of the "Greensboro Daily News" captioned "Morgan Confirms Spy Within KKK," and with a subcaption "George Dorsett." The enclosed article and the December 10, 1975, article were both by Jack Betts, "Greensboro Daily News" staff writer.

The enclosed article reports that Senator Robert Morgan of North Carolina, who is a member of the SSC, specifically identified Mr. Dorsett as an FBI informant in a speech Senator Morgan gave before an audience at Wake Forest University's Law Day observance April 3, 1976.

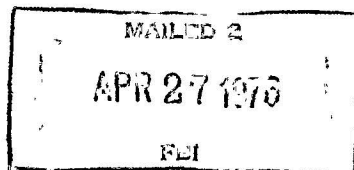
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62-116395

1 - Charlotte (157-230)

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EX-115 REC-62 116395-1573  
SEE NOTE FOR SAC, CHARLOTTE,  
PAGE 2

120- APR 29 1976

SEE NOTE PAGE 2

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 8-21-80 BY SP2MPC/m

The Attorney General

As I indicated in my previous memoranda I consider this disclosure of an FBI informant allegedly by the SSC and now by Senator Morgan a most serious breach of the confidentiality that must be afforded the material and information that this Bureau has furnished to the SSC. It is noted that Mr. Dorsett experienced harassment following the December, 1975, disclosures concerning his informant relationship with the FBI. It is felt that Senator Morgan's present disclosure creates a very real danger of further harassment and possible physical harm to Mr. Dorsett or members of his family. This situation would prevail in the event of the disclosure of any informant. It is respectfully requested that this matter be brought to the attention of Senator Church, the Chairman of this committee. It is noted that Dorsett's identity as an informant has not been publicly acknowledged either by Dorsett or this Bureau.

Please advise what action is taken concerning this matter.

Enclosure

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

NOTE FOR SAC, CHARLOTTE:

Reference is made to Charlotte airtel to the Director 4/15/76 captioned "United Klans of America, Inc., Knights of the Ku Klux Klan, EM - Klan," which enclosed a copy of the 4/4/76 article appearing in the "Greensboro Daily News." A copy of this memorandum is being furnished for your information.

NOTE:

As set forth above, George F. Dorsett, former Bureau klan informant has been identified in the "Greensboro Daily News" as such. The referenced communications to the Attorney General have voiced the seriousness with which this matter is viewed

NOTE CONTINUED PAGE 3

The Attorney General

NOTE CONTINUED:

and request the Attorney General to protest the breach of confidentiality on the part of the SSC. Senator Morgan, a member of the SSC has been most vocal before North Carolina audiences and in the North Carolina press in his denunciations of the Bureau and the Internal Revenue Service and the Central Intelligence Agency as well. The Director met with Senator Morgan on 2/17/76. By routing slip Deputy Associate Director J. B. Adams instructed this latest disclosure by Senator Morgan should also be called to the attention of the Attorney General.

APPROVED: <i>[Signature]</i>	Comp. Syst.....	Laboratory.....
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*[Signature]* *[Signature]*

MIKE MANSFIELD  
MONTANA

United States Senate  
Office of the Majority Leader  
Washington, D.C. 20510

March 24, 1976

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Dep. A.D. Inv. ☒  
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Telephone Rm. ☐  
Director Sec'y. ☐

*all*  
*K*

Honorable Clarence M. Kelley  
Director  
Federal Bureau of Investigation  
Washington, D. C. 20535

*Sen study*

Dear Mr. Director:

You will recall that we wrote to you on January 27, 1975, requesting "that you not destroy, remove from your possession or control or otherwise dispose of documents. . ." which might be pertinent to the investigation which was provided for by S. Res. 21. We are now advised by Senator Church, as Chairman, that this moratorium is broader than necessary at this time.

Accordingly, we rescind our request of January 27, 1975, to the end that you may resume the Bureau's routine records disposal program. Our understanding is that the files involved in that program do not relate to security and intelligence matters.

With appreciation for your cooperation, we are

Sincerely yours,

*Hugh Scott*  
HUGH SCOTT, REPUBLICAN LEADER  
(PENNSYLVANIA)

*Mike Mansfield*  
MIKE MANSFIELD, MAJORITY LEADER  
(MONTANA)

EX-115

REC-62 2-116395-1572

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20 APR 26 1976

RECORDS SYSTEMS

84 MAY 5 1976

100-299251 Page 81

Counsel Division

3-25-76

66-3286-

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MAR 25 1976



George Dorsett

# Morgan Confirms Spy Within KKK

of  
state.)

BY JACK BETTS  
Daily News Staff Writer

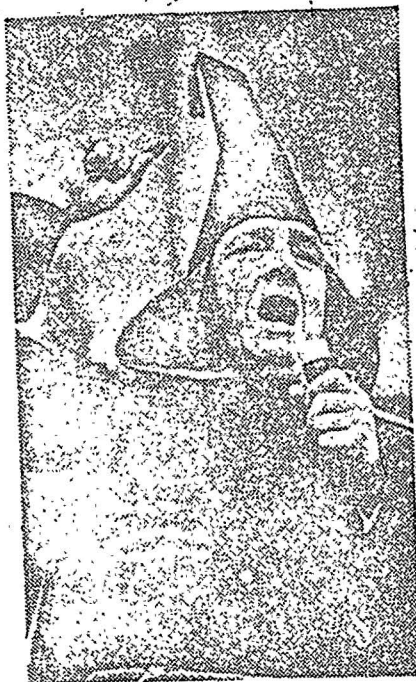
Sen. Robert Morgan, D-N.C., has publicly identified a Greensboro man as a paid informant on the Ku Klux Klan for the Federal Bureau of Investigation during the FBI's campaign of infiltrating left-and-right-wing hate groups during the later Sixties.

In remarks prepared for delivery Saturday night in Winston-Salem, Morgan identified the man as "the Rev. Mr. Dorsett" and said that at the same time Dorsett was on the FBI payroll, he was speaking in "a most inflammatory manner" at Ku Klux Klan rallies in North Carolina.

Morgan press aide Neil Hill said the reference was to George Dorsett of Greensboro, a long time participant in KKK affairs and the chaplain of the state Klan.

Dorsett was identified by the Greensboro Daily News in December as the FBI's principal contact in the state KKK, but until now his identity has not been officially confirmed by Morgan, the FBI or the Senate Intelligence Committee, of which Morgan is a member.

In a speech prepared for delivery before an audience at Wake Forest University's Law Day observance, Morgan detailed several instances of what he called the federal government's "law-



Rev. Dorsett

lessness" in its campaigns against groups and individuals.

Morgan said the list of illegalities on the part of the Internal Revenue Service, the FBI, the Central Intelligence Agency and other agencies was "frightening",

GREENSBORO DAILY NEWS  
Greensboro, N. C.

Date: 4/4/76  
Edition: Morning  
Author: Jack Betts  
Editor: William Snider  
Title:

Character:  
or  
Classification:  
Submitting Office:

☐ Being Investigated

"morally reprehensible" and "shows a lack of respect for law."

He cited the break-ins of homes of Socialists Workers Party members by the FBI without warrants, and of the reported "organizing of Klaverns of the Ku Klux Klan" in North Carolina in an attempt to weaken the influence of existing Klan groups.

But, said Morgan, many were not aware that "the Rev. Mr. Dorsett, who was on the FBI payroll at the time, spoke in a most inflammatory manner at one of the largest Klan rallies in the state."

The Senator quoted Dorsett as saying, at a Raleigh Klan meeting in 1966, "We don't intend to have any violence if we have to kill every nigger in America."

Commented Morgan, "For an FBI informant to act in this way is most immoral. It sets race against race and is a prelude to lawlessness."

He also cited the FBI's writing of anonymous letters to individuals "in an effort to break up their marriages."

In one such case, he said, the FBI wrote the wife of a Klansman that her husband "had taken the flesh of another unto himself," and in another letter to the husband of a peace activist, wrote that "your old lady doesn't get enough at home or she wouldn't be shucking

(See Spying: D-2, Col. 1)

## Spying Confirmed

### From D-1

and jiving with our black men."

Both letters, Morgan said, were "fabrications," and the FBI reported the only "tangible result" was that the husband and wife in one case separated.

Said Morgan, "Apparently our FBI has forgotten the maxim, 'What God has joined together, let no man put asunder.'"

Morgan was critical of the FBI's actions in these cases; saying, "All of this immoral and illegal activity was carried out with the excuse that it was in the interest of national security. National security became the catch-all for illegal activity."

But the Constitution, said Morgan, "gives no one, not even the president, the right to break the law.... We must make it clear that everyone, from the president to the most common citizen, must obey the law, that no one is exempt for any reason. Only then can we be certain of preserving our freedom."

- 1 - Mr. J. B. Adams  
2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)

The Attorney General

March 26, 1976

Director, FBI

- 1 - Mr. T. W. Leavitt  
1 - Mr. J. G. Deegan  
2 - Mr. S. F. Phillips

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

Enclosed for your approval and forwarding to the SSC is the original of a memorandum relating to this Bureau's review of the SSC's draft report concerning Martin Luther King, Jr. Also enclosed is a copy of this memorandum for your records.

Enclosures (2)

62-116395

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

SFP:mjg  
(11)

**CLASSIFIED INFORMATION ENCLOSED**

REC-100

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HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2RUM/jap  
MDP-16

62-116395-1571

APR 29 1976

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MAIL ROOM ☐

TELETYPE UNIT ☐

62-116395

~~SECRET~~

- 1 - Mr. J. B. Adams
  - 2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)
  - 1 - Mr. T. W. Leavitt
  - 1 - Mr. J. G. Deegan
- March 26, 1976

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE.

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

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
EXCEPT WHERE SHOWN  
OTHERWISE.

- 2 - Mr. S. F. Phillips

On March 22 and 23, 1976, representatives of this Bureau reviewed the SSC's draft report entitled "Dr. Martin Luther King, Jr., Case Study." The purpose of the review was to recognize and bring to the attention of the SSC Staff any information the FBI believes to be classified or otherwise sensitive to the extent that it should not be made public, as well as the identities of any FBI personnel below the rank of Section Chief which, by prior agreement between the SSC and the FBI, would not be included in the report.

Set forth below are the instances noted where deletions or changes are suggested. An enumeration of these instances was informally furnished to Mr. Dan McCorkle of the SSC Staff on March 23, 1976.

"3/23/76

"DR. MARTIN LUTHER KING, JR., CASE STUDY

"The following are matters requiring modifications or deletions for reasons indicated in the draft report entitled as above.

"Page 14, paragraph 2 - Information regarding Advisor A, i.e., that he was 'a secret member of the Communist Party, USA,' is classified. (S) (u)

"Page 16, paragraph 1 - Information in line 1 characterizing Advisor A as a 'secret member' is classified. (S)

- Assoc. Dir. \_\_\_\_\_
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- Dep. AD Inv. \_\_\_\_\_
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SFP:mjgmy  
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DATE OF REVIEW 3-26-96  
SEE NOTE PAGE THREE

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ENCLOSURE

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11

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U. S. Senate Select Committee  
to Study Governmental Operations  
With Respect to Intelligence Activities (SSC)

"Page 16, footnote number 13 - Information in this footnote, which identifies Advisor A as 'a secret member of the Communist Party, USA,' is classified. (S) (u)

"Page 21, line 2 - Reference to a member of the Communist Party as hidden should be classified. (S) (u)

"Page 26, paragraph 2 - Information referring to Advisor A as 'a secret member of the Communist Party, USA . . . ' is classified. (S) (u)

"Page 29 - The last sentence on this page is incomplete and, when completed, should be made available to the FBI for review.

"Page 42, footnote number 32 - The name of Agent Daniel Quigley should be deleted.

"Page 67 - The section marked (GUTHMAN INSERT) should be made available to the FBI for review.

"Page 110, footnote number 63 - The name William Stapleton should be deleted.

"Page 111, footnote number 64 - The name Stapleton should be deleted.

"Page 176, last paragraph, line 1 and footnote number 46 - The name Thomas Deakin should be deleted."

There were also noted during the review several instances where names of individuals (or descriptive information identifying individuals) were set forth. As it was our understanding that the SSC did not intend to include such names in the report for reasons of privacy and as it appeared such inclusion may have been inadvertent, the specific instances of reference were orally brought to the attention of Mr. Thomas Dawson of the SSC Staff on March 22, 1976.

1 - The Attorney General

- 2 -

~~SECRET~~

~~SECRET~~

U. S. Senate Select Committee  
to Study Governmental Operations  
With Respect to Intelligence Activities (SSC)

NOTE:

The draft report was reviewed by SA J. T. Aldhizer of INTD and SA S. F. Phillips of the Senstudy 75 Project. Phillips furnished the informal list to McCorkle and orally advised Dawson as indicated above.

APPROVED:	Comp. Syst.....	Laboratory.....
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5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

SENATE SELECT COMMITTEE

Addressee: \_\_\_\_\_

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 3/26/76

Caption of Document: U.S. Senate Select Committee (SSC).  
(Re FBI review of SSC draft  
report on Martin Luther King, Jr.)

Originating Office: FBI

Delivered by: D. O. Coughlin Date: 3/31/76

Received by: Sydney Oster

Title: Chief

Return this receipt to the Intelligence Division, FBI

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HEREIN IS UNCLASSIFIED  
DATE 2-26-79 BY 2333 hkf



TO: Intelligence Community Staff  
ATTN: Central IndexFROM:  
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

3/26/76

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

☒ SSC☐ HSC4. 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, other-  
wise state verbal request of (name), initiative, subpoena, etc.)

Not applicable

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

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

Review of SSC draft report entitled "Dr. Martin Luther King, Jr.,  
Case Study."ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 2-26-79 BY 2333 HOD/KD

TREAT AS YELLOW

62-116395

SJM:lhb  
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX  
IN CONNECTION WITH SENSTUDY 75.

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. T. W. Leavitt

FROM : S. F. Phillips

SUBJECT: SENSTUDY 75

- 1 - Mr. D. W. Moore  
(Attn: H. A. Boynton)  
2 - Mr. J. A. Mintz  
(1 - Mr. P. V. Daly)  
1 - Mr. T. W. Leavitt  
DATE: 4/27/76  
1 - Mr. S. F. Phillips  
1 - Mr. J. P. Thomas

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

On 4/27/76, former U. S. Ambassador

JFK Act 6 (4)

JFK Act 6 (4)

now a vice-chairman of the Atlantic Council of the United States (ACUS), contacted Supervisor J. P. Thomas regarding a Bureau investigation of a former ACUS employee. During the conversation, the Ambassador said that, although he did not seek any comment from the Bureau, he felt obliged to express his views to Supervisor Thomas regarding leaks by members of Congressional staffs. He said that he felt that the leaks of security information by Congressional staffs, and particularly the disclosures made by the Church Committee (Senate Select Committee on Intelligence Activities) regarding national security matters and the attacks made by the Church Committee on the CIA and the FBI, were "the most insidious" forms of "sabotage" of our intelligence efforts.

The Ambassador was informed that we appreciated the concern of individuals such as him for national security. He assured Supervisor Thomas that he and his colleagues fully support the efforts of the intelligence community to protect this country.

## ACTION:

None. For record purposes.

62-116395

JPT:1hb/hb  
(7)

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DATE 1-31-00 BY SPAN/MP



84 MAY 1976

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WILLIAM G. MILLER, STAFF DIRECTOR  
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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

April 22, 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 final report of the Senate Select Committee will be issued next week. Therefore I am writing at this time to thank the Department of Justice and the Federal Bureau of Investigation for the excellent cooperation which has been given to the Select Committee. This has been especially important in recent weeks as the Committee's reports have been reviewed.

The Select Committee has welcomed the suggestions of the Department and the Bureau as to modifications in the report in order to assure that classified information is not inadvertently disclosed and that other sensitive information is properly handled so that it will not impair necessary intelligence activities.

In addition, the Committee has been able to make certain changes in statements of fact and interpretation as a result of valuable suggestions made by the Bureau and the Department upon their reading of the reports. This process has greatly assisted the Committee in its attempt to ensure a fair and balanced presentation.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-20-01 BY 4722/MP

84 MAY 3 1976

NW 55172 DocId:32989591 Page 92

Michael E. Shaheen, Jr., Esq.  
Page two  
April 22, 1976

As the Select Committee's work comes to a close, it wishes again to express its deep appreciation to the personnel of the Department and the Bureau who have devoted their time and energies to the successful completion of this enterprise.

Sincerely yours,

*John T. Elliff*

John T. Elliff  
Director

Domestic Intelligence Task Force

*who says  
successful?*

cc: Mr. Douglas Marvin  
Counsel to the Attorney General

✓ Mr. William O. Cregar  
Deputy Assistant Director  
Intelligence Division  
Federal Bureau of Investigation

Mr. John Hotis  
Office of Congressional Affairs  
Federal Bureau of Investigation

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

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Director Sec'y	_____

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6:22PM 04/16/76 NITEL RXG

TO DIRECTOR, FBI

FROM NEWARK

ATTN: INTD (S.F. PHILLIPS)

SENSTUDY 75

5 *[Signature]*  
4063

RE BUREAU TELCALL, 4/16/76.

FORMER SA DANIEL J. BRENNAN, 505 BROOKLYN BLVD.,  
SEA GIRT, NJ, TELEPHONE (201) 449-5046, CONTACTED 4/16/76  
BY ASAC ALFRED E. SMITH PER INSTRUCTIONS IN RETELCALL.  
BRENNAN ADVISED WOULD IMMEDIATELY CONTACT BUREAU LEGAL  
COUNSEL DIVISION IF CONTACTED BY COMMITTEE REPRESENTATIVES.

E N D...

~~SES ACK FOR ONE FBIHQ~~

REC-100

62-116375-1567

6 APR 29 1976

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HEREIN IS UNCLASSIFIED  
DATE 1-30-01 BY SP2ALM/hp  
MDD-16

File  
62-116395

*Records*  
cc 67-428628 (Brennan)

84 MAY 5 1976

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. T. W. Leavitt *WJL*

FROM : J. G. Deegan *JGD/B*

SUBJECT: MARTIN LUTHER KING, JR.

1 - Mr. J. B. Adams  
1 - Mr. J. A. Mintz  
1 - Mr. R. J. Gallagher  
(Attn: J. S. Peelman)  
DATE: 4/16/76

1 - Mr. T. W. Leavitt  
1 - Mr. J. G. Deegan  
1 - Mr. S. F. Phillips

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
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Director Sec'y \_\_\_\_\_

PURPOSE: To advise of request from Department for information as to what we have furnished the Senate Select Committee (SSC) re subject King.

DETAILS: Department letter 4/14/76 related Attorney General (AG) request for list of all documents we have furnished SSC re our investigation of King. AG has been approached by attorneys for King estate re possibility of destroying some of our material. Request immediately discussed by S. F. Phillips, INTD, with Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, to clarify and set parameters of what is desired. Blackhurst at loss to understand what value list of documents would be; asked that we hold request in abeyance so he could inquire within the Department. Blackhurst subsequently advised he had checked with Jack Fuller, Special Assistant to the AG, who apparently is coordinating this matter and that Department desires to appreciably modify request, for which Phillips requested a modifying letter. Department letter 4/15/76 now asks that original request be modified and we furnish: approximation numbers of documents and pages of documents furnished SSC; general description of material furnished and description of material not furnished to SSC. Interestingly most salacious material re King in our files has not been furnished to SSC. We are initiating necessary action to promptly reply with the AG's request.

RECOMMENDATION: None. For information.

APPROVED: \_\_\_\_\_  
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Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
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84 MAY 5 1976



FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

APR 16 1976

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Director Sec'y	_____

TO DIRECTOR, FBI

FROM SAC, LAS VEGAS

ATTENTION: INTD - S. F. PHILLIPS.

SEN STUDY - 75.

RE BUREAU TEL CALL TO LAS VEGAS TODAY.

MR. REX I. SCHRODER HAS BUSINESS ADDRESS OF HARRAH'S CLUB, P. O. BOX 10, RENO, NEVADA 89504, TELEPHONE NUMBER 702-786-3232, EXT. 356, AND HOME ADDRESS OF 3485 SAN JUAN DRIVE, RENO, NEVADA 89509, TELEPHONE 702-329-9874.

MR. SCHRODER WAS CONTACTED THIS DATE AND ADVISED THAT HE HAS NO OBJECTIONS TO TESTIFYING BEFORE SENATE SELECT COMMITTEE. HE STATED THAT HE WAS ALREADY IN POSSESSION OF THE NAME AND TELEPHONE NUMBER OF ASSISTANT DIRECTOR JOHN MINTZ AND WOULD CONTACT MR. MINTZ IF HE WERE CONTACTED FOR TESTIMONY.

*Handwritten:* J. F. Phillips  
4/16/76

*Handwritten:* P. J. Doherty  
mb

*Handwritten:* 62-116395-1566

APR 29 1976

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-20-01 BY SP-16

*Handwritten:* Diamonds  
67-44440 (Schroder)

*Handwritten:* file 62-116395

84 MAY 5 1976

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. J. B. Adams

DATE: 3/22/76

FROM : Legal Counsel *[Signature]*

SUBJECT: SENSTUDY 75

Assoc. Dir. \_\_\_\_\_  
Dep. AD-Adm. \_\_\_\_\_  
Dep. AD-Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
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Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

The purpose of this memorandum is to recommend that the Director meet with Senator Barry Goldwater, schedule permitting, to discuss Soviet penetration on Capitol Hill.

## DETAILS:

Senator Goldwater has made prior comments concerning Soviet presence and penetration on Capitol Hill. His allegations prompted a Senate Select Committee request for information concerning this matter. In response to these requests, we furnished a statement to captioned Committee in both a classified and unclassified form concerning our knowledge of Soviet activities directed against Congress. The non-classified document was publicly released with the approval of the Department and the Bureau.

REC-116

62-116395-1564

At the request of John T. Elliff, Domestic Task Force Head of captioned Committee, SA Paul V. Daly of this Division met with Charles T. Lombard, Senator Goldwater's designee on captioned Committee, at which time Lombard inquired as to the possibility of the Director meeting with Senator Goldwater to discuss Soviet activities against Capitol Hill. Senator Goldwater's concern in this area has been heightened by recent public allegations concerning the activities of an aide to Senator James O. Eastland on behalf of the Soviets and other public disclosures.

Lombard stated that the documents in possession of the Committee were not satisfactory insofar as Senator Goldwater was concerned. Lombard further stated that meeting between the Director and the Senator, he felt, would be mutually beneficial.

- 1 - Mr. Mintz
- 1 - Mr. Leavitt
- 1 - Mr. Phillips
- 1 - Mrs. Metcalf
- 1 - Mr. Daly

CONTINUED - OVER

1 XEROX MADE FOR MR. ADAMS

PVD:lad *[Signature]*

(7)

84 MAY 3 1976

Legal Counsel to Mr. Adams  
RE: SENSTUDY 75

In the event the Director agrees to such a meeting, the Intelligence Division is gathering documents which have been furnished to the Senate Select and House Select Committees concerning this matter for the Director's background information.

RECOMMENDATION:

That the Director, schedule permitting, meet with Senator Goldwater at a mutually agreeable time.

APPROVED: *[Signature]* *OK* *JCF*  
Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. *[Signature]* *Pur* \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_

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Addendum. TUL 4/16/75  
Meeting held 4/11/75 during which situation re Soviet activities were discussed in general terms. Present were Mr. Volley, Mess. Adams, Minsky & heartit as well as Mr. Lombard from the Evaluation staff

UNITED STATES GOVERNMENT

# Memorandum

TO : Mr. Jenkins

FROM : D. W. Moore, Jr.

DATE: 4/20/76

SUBJECT: INFORMATION OBTAINED BY "NEW YORK TIMES"  
FROM SENATE SELECT COMMITTEE

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
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Director Sec'y \_\_\_\_\_

## PURPOSE

This memorandum is being prepared to report information furnished to the External Affairs Division by John Crewdson of the "New York Times." This information relates to the forthcoming Church Committee report.

## SYNOPSIS

The "New York Times" has obtained information purportedly from the Church Committee alleging that 1) House Appropriations Committee from 1958 to 1966 was kept informed of the FBI's COINTEL programs directed against the Communist Party and the Ku Klux Klan; 2) that the "bugs" placed in motels and hotels where Martin Luther King was residing during his travels were for the purpose of determining information concerning his personal life; 3) that the FBI had denied permission for the Church Committee to interview or disclose the names of FBI informants who were employed in the media; 4) that the FBI maintains sources in educational institutions and foundations which assisted in furthering objectives of the FBI; and 5) that the FBI was aware that the wife of Congressman Hale Boggs had him wiretapped by a private detective.

## RECOMMENDATION

That John Crewdson be advised that no comment can be given to him regarding information which the "New York Times" has obtained from the Church Committee and which is set forth in the body of this memorandum.

- 1 - Mr. Adams
- 1 - Mr. Moore
- 1 - Mr. Leavitt
- 1 - Mr. Malmfeldt
- 1 - Mr. Schiappa

HAB:asg  
(6)

### APPROVED:

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
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RESEARCH SECTION

SEE ADDENDUM PAGE 4

*Saw Mr. Levi 4-21-76 - He agreed no comment.*

5 MAY 4 1976

Moore to Jenkins Memorandum  
Re: Information Obtained by "New York Times"

DETAILS

John Crewdson, reporter, "New York Times," contacted a representative of this Division on 4/20/76 to advise that the "New York Times" had obtained information which was to be disclosed in the forthcoming report of the Senate Select Committee (Church Committee). Crewdson advised that the "New York Times" was planning to publish this information within the next several days and desired to inform the FBI of the information that it had in order that the FBI might either respond to this information or provide the "New York Times" with guidance in the event some of the information was not accurate.

The following items were provided by Crewdson, all of which reportedly come from the soon to be released Church Committee report.

1) That during the period 1958 to 1966 Congressman John Rooney of the House Appropriations Committee was continuously informed in detail by the late Director Hoover and other officials regarding COINTEL operations directed against the Communist Party and the Ku Klux Klan. Rooney, as well as other members of the Subcommittee, knew more about the FBI's COINTEL operations than Attorneys General.

2) That the 14 "bugs" that were installed in the hotel and motel rooms of Dr. Martin Luther King during his travels were for the purpose of obtaining information on his personal life and were not installed to ascertain his degree of affiliation with the Communist Party.

3) That the Church Committee was furnished names of FBI informants in the news media. While the identity of these informants was disclosed to the Church Committee the FBI through the Attorney General prevented the Church Committee from interviewing these individuals and also restricted the disclosing of their identities by the Church Committee.

CONTINUED-OVER

Moore to Jenkins Memorandum  
Re: Information Obtained by "New York Times"

Crewdson advised that the identities of the individuals referred to are as follows:

Peter Khiss, New York Times  
Jerry O'Leary, Washington Star  
Edward Montgomery, San Francisco Examiner  
George Putnam, Los Angeles TV news announcer  
Theo Wilson, New York Daily News  
Fulton Lewis, Jr.  
Jimmy Ward, Jackson, Mississippi, newsman  
Shirley Uhl, UPI, Pittsburgh  
Ralph McGill, Atlantic Constitution  
Name unknown - news director, Channel 7, Miami

4) The FBI maintained a network of sources in educational institutions, as well as in nonprofit foundations. Richard Larry of the Mellon Foundation in Pittsburgh was one of these sources who did several favors for the FBI by dismissing individuals in the Foundation that the FBI disliked and withheld funds that the Foundation was providing to organizations that the FBI disliked.

5) That the wiretap which the late Congressman Hale Boggs claimed to be installed on his telephone by the FBI was actually placed on his telephone by his wife (now Congresswoman Lindy Boggs) who believed that Boggs had a girlfriend in Alexandria. This wiretap was placed by a private detective and the details concerning this matter came to the attention of the FBI.

The Church Committee report is scheduled to be released sometime toward the end of April. It is obvious that someone who has knowledge of the contents of that report is disclosing information to the "New York Times." Inasmuch as the report has not been made public it would be most inappropriate for the Bureau to comment on the information obtained by the "New York Times" or authenticate the veracity of the information set forth above.

4/20/76

John Crewdson called late on the afternoon of 4/20/76 to advise that the "New York Times" has decided to proceed with its story in its 4/22/76 editions and, therefore, his deadline for a response from the FBI is 6:45 p.m. on 4/21/76. In addition, he advised that the information concerning Congressman Boggs was not obtained from the Senate Select Committee and was a separate item for which he desired a response from the FBI. The External Affairs Division recommends that a "No Comment" should be furnished concerning the information relating to the late Congressman Boggs.