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File #:

62-116395

Serial Scope:

349 THRU 353

355

357 THRU 364

367

368 THRU 370

372, 373

374

375 THRU 380

Foreign
Government
CIA
Mail

2 - Mr. J. P. Mintz
(1 - Mr. P. Hotis)
1 - Mr. W. A. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. W. Dalseg

The Attorney General

July 10, 1975

Director, FBI

1 - Mr. T. E. Burns

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY SP2AUM/aj
MDE-16

By letter dated May 14, 1974, with attached
appendices, the SSC requested certain information and documents
from the FBI.

Enclosed for your approval and forwarding to the
Committee is the original of a memorandum and a copy of
each of the documents described in such memorandum.

With regard to your approval in this matter, your
attention is invited to the civil suits captioned "Morton H.
Halperin, et al., versus Henry A. Kissinger, et al., United States
District Court, District of Columbia (USDC, DC) Civil Action
File Number 1187-73," and "William A. K. Lake, et al., versus
John D. Ehrlichman, et al., USDC, DC, Civil Action File Number
74-887" and the court order issued in the Halperin suit dated
April 1, 1974, by USDC Judge John Lewis Smith, which sealed
certain documents and other material concerning Halperin
relating to electronic surveillance maintained on that plaintiff.
It is submitted that your decision in the matter of furnishing
the enclosed information to the SSC may require consideration
of the above court order.

REC-88 62-116395-380

A copy of this memorandum with enclosures is being
furnished for your records.

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

Asst. Dir.:

Enclosures (34)

Admin. _____

Comp. Syst. _____

Ext. Affairs _____

Files & Com. _____

Gen. Inv. _____

Ident. _____

Inspection _____

Intell. _____

Laboratory _____

Plan. & Eval. _____

Rec. Mgmt. _____

Tech. Serv. _____

Training _____

Off. Liaison _____

Telephone Rm. _____

Director's Sec'y _____

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

TOP SECRET MATERIAL ATTACHED

ROUTE IN ENVELOPE

GPO

JUL 22 1975

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SECRET

2 - Mr. J. A. Mintz
(1 - Mr. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. W. Dalseg
1 - Mr. T. E. Burns
July 10, 1975

UNITED STATES SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO ELECTRONIC
SURVEILLANCE

11/19/00
CLASSIFIED BY SP2ALM/dj
DECLASSIFY ON: 25X 6

Reference is made to SSC letter dated May 14, 1975,
with attached appendices, requesting certain documents and
other information from the FBI.

Item 6, Appendix D of referenced communication
refers back to Item number 4 of such Appendix and requests,
inter alia, that with respect to each surveillance listed
in response to Item 4:

(a) the address of the premises surveilled, and
the number of the telephone surveilled;

(b) a general description of the surveillance
technique employed;

(c) all memoranda and other materials reflecting
written or oral authorization and reauthorization by the
President, the Attorney General, the Director of the FBI,
White House officials, or National Security Council officials;

(d) a list of all memoranda and other materials
reflecting dissemination outside the FBI of information from
each surveillance, stating author, address(es), and dates,
together with the purpose of such dissemination.

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 _____

Item 4 of Appendix D requested a list of all
electronic surveillances, identified by subject and target, of
the so-called "Kissinger 17," and has been responded to
previously.

The following information, keyed to the above
requests by letter designation, is set forth in response to
such requests:

ENCLOSURE

SECRET MATERIAL ATTACHED

RHH/TEB:rfk/eks (9)

Original and one
copy to Attorney General

SEE NOTE PAGE 3

MAIL ROOM ☐TELETYPE UNIT ☐

ROUTE IN ENVELOPE

SECRET

GPO : 1975 O - 569-920

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

SECRET

United States Senate Select Committee To
Study Governmental Operations With
Respect To Intelligence Activities (SSC)
Re: Request Pertaining To Electronic
Surveillance

(a) The surveillances in question were instituted on the office and/or residence telephone of the individual subjects. In some instances the telephone number and address are listed in the signed authorizations included under Part (c) of this request. No formal record of the addresses or telephone numbers of the subjects was made during the period of the surveillances and with the exception of that information appearing in the authorization noted above, no other information in this regard is available in FBI records.

(b) The surveillances in question were all electronic telephone surveillances which are also known as wiretaps.

(c) Attached are written authorizations by the Attorney General covering these surveillances. In each of the surveillances the authorization was received in writing. In the case of the surveillance on Colonel Robert T. Fursley (later Brigadier General Robert T. Fursley) and Helmut Sonnenfeldt, electronic surveillances were installed, discontinued and then reinstituted at a later date. In these two cases reauthorizations are also enclosed.

(d) Attached is a list containing information responsive to this request.

Enclosures (16)

1 - The Attorney General

TOP SECRET

United States Senate Select Committee To
Study Governmental Operations With
Respect To Intelligence Activities (SSC)
Re: Request Pertaining To Electronic
Surveillance

NOTE:

Two of the 17 subjects of wiretaps have entered suits against the Government seeking damages in connection with the electronic surveillances. The remaining 15 individuals of the surveillances are not plaintiffs; however, the Government has not specifically acknowledged these individuals to have been the subjects of electronic surveillances. Departmental Attorney Edward Christenbury advised on 6/6/75 that the Department as of that time had not made a final determination as to whether the electronic surveillance material requested by the SSC concerning the two plaintiffs (specifically Morton H. Palperin and William Anthony Lake) would be furnished to the Committee. The authorizations on all of the wiretaps, however, are being furnished to the Department of Justice, which will make the legal determination as to whether the information will be turned over to the SSC. The memorandum has "TOP SECRET" material attached.

[The phrases "with British Intelligence," and "that British Intelligence"] were excised on lines 10 and 11 (S) respectively of paragraph three of enclosure dated May 29, 1969, which approved placing the telephone surveillance on Henry Brandon. [The excision was made to protect British Intelligence.] (S)

This matter has been coordinated with Special Agents Robert F. Peterson and Robert F. Olmert of the Legal Counsel Division.

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

Addressee: SENATE SELECT COMMITTEE ¹⁰

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 7/9/75

U. S. Senate Select Committee. Re: Request
Caption of Document: Pertaining to Electronic Surveil-
lance. (Item 6, Appendix D).

Originating Office: FBI

Delivered by: Paul T. Daly Date: 7-15-75

Received by: John F. Elliff

Title: Task Force Reader

Return this receipt to the Intelligence Division, FBI

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DATE 11/15/00 BY SP2 PML/clj

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 12, 1969

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: COLONEL ALEXANDER M. HAIG
TECHNICAL SURVEILLANCE REQUEST

DECLASSIFIED BY SP2ALM/edg
ON 11/15/00
MAR-16

On May 10, 1969, Colonel Alexander M. Haig, who is assigned to Dr. Henry A. Kissinger's staff, came to this Bureau to advise that a request was being made on the highest authority which involves a matter of most grave and serious consequence to our national security. He stressed that it is so sensitive it demands handling on a need-to-know basis, with no record maintained. He requested that telephone surveillance be placed on the following individuals to determine if a serious security problem exists: Daniel Ira Davidson; Morton H. Halperin; Colonel Robert Pursley; and Helmut Sonnenfeldt.

Davidson is aged 32 and is Department of State employee who has been on detail to the National Security Council since December, 1968. He was assigned to the Paris peace conference between May and November, 1968. Applicant-type investigation by this Bureau indicated, while in Paris, he reportedly leaked information to newspaper concerning happenings at the peace conference. This apparently was at the beginning of his assignment, and after being warned he discontinued his reported leaks.

Halperin, aged 30, was detailed from the Department of Defense to the National Security Council as a senior staff member on January 21, 1969. He was the subject of an applicant-type investigation by this Bureau. While admittedly he has had contact with Soviet nationals the investigation did not disclose at that time any pertinent derogatory information.

The files of this Bureau contain no identifiable information concerning Colonel Robert Pursley.

Sonnenfeldt, aged 42, was detailed to the National Security Council on January 21, 1969, from the Department of State, where he had been employed in various administrative capacities since 1947. An applicant-type investigation disclosed that during mid 1950's and early 1960's he was suspected of

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NATIONAL SECURITY INFORMATION

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ENCLOSURE

380

~~TOP SECRET~~

Memorandum for the Attorney General
RE: COLONEL ALEXANDER M. HAIG

leaking classified information to unauthorized sources. Thorough investigations were conducted by Department of State; however, no information was developed indicating he was responsible for leaks.

Colonel Haig is Military Assistant to the Assistant to the President for national security affairs. He was the subject of an applicant-type investigation and no derogatory information was developed concerning him.

This Bureau is in a position to conduct the necessary telephone surveillances requested by Colonel Haig.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

APPROVED

DATE

J. Edgar Hoover →
5/12/69 →

John N. Mitchell

5/12/69

~~TOP SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 20, 1969

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: COLONEL ALEXANDER M. HAIG
TECHNICAL SURVEILLANCE REQUEST

My memorandum of May 12, 1969, reported that Colonel Alexander M. Haig, who is assigned to Dr. Henry A. Kissinger's staff, advised this Bureau that a request for telephone surveillances was being made on the highest authority which involved a matter of most grave and serious consequence to our national security. He stressed that because of its sensitive nature, it should be handled on a need-to-know basis, with no record maintained. In response to his request, you authorized telephone surveillances on Daniel Iva Davidson, Morton H. Halperin, Colonel Robert Pursley, and Helmut Sonnenfeldt.

On May 20, 1969, Colonel Haig presented an additional request advising that it was also being made on the highest authority in connection with the same sensitive matter. He requested that telephone surveillances be placed on Richard M. Moose and Richard Lee Sneider, both of whom are on the staff of the National Security Council.

Mr. Moose is aged 37 and served as a staff member with the National Security Council, Washington, D. C., from August, 1966, to March, 1968. From March, 1968, to January, 1969, he was a member of the research staff of the Institute for Defense Analysis, Arlington, Virginia. Since January, 1969, he has again been serving as a staff member of the National Security Council. Applicant-type investigations by this Bureau in 1966 and in 1969 disclosed no unfavorable information of a security nature concerning him.

~~TOP SECRET~~

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Subject to Criminal Sanctions

~~TOP SECRET~~

Memorandum for the Attorney General
RE: COLONEL ALEXANDER M. HAIG

Mr. Sneider is aged 46 and was employed from 1948 to January, 1969, by the Department of State. He is currently on the staff of the National Security Council. Applicant-type investigations were conducted by this Bureau concerning him in 1951, 1961, and in 1969. The investigations disclosed no pertinent derogatory information of a security nature.

Mr. Moose resides at 2313 Glasgow Road, Alexandria, Virginia, and Mr. Sneider resides at 10701 Weymouth Street, Garrett Park, Maryland.

This Bureau is in a position to conduct the necessary telephone surveillances requested by Colonel Haig.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

APPROVED

John N. Mitchell

John N. Mitchell

DATE

5/20/69

5/20/69

6 P.M. - 5/20

Court Jones, WFO, was

advised Bur desired confi

coverage of Sneider and Moose to

be installed as soon as

possible

JAS

~~TOP SECRET~~

- 2 -

~~SECRET~~ SECRET

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 29, 1969

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: COLONEL ALEXANDER M. HAIG
TECHNICAL SURVEILLANCE REQUEST

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

My memoranda of May 12, 1969, and May 20, 1969, reported that Colonel Alexander M. Haig, who is assigned to Dr. Henry A. Kissinger's staff, advised this Bureau that a request for telephone surveillances was being made on the highest authority which involved a matter of most grave and serious consequence to our national security. He stressed that because of its sensitive nature, it should be handled on a need-to-know basis, with no record maintained. In response to his request, you authorized the requested telephone surveillances.

On May 28, 1969, Colonel Haig presented an additional request in connection with the same sensitive matter. He requested that a telephone surveillance be placed on Henry Brandon.

Brandon resides at 3501 Rodman Street, N. W., Washington, D. C., and is with "The London Sunday Times." Recently he has been telephonically in contact with Morton H. Halperin, on whom you authorized a telephone surveillance in captioned case. Brandon is a naturalized British citizen of Czechoslovakian descent and was stationed in Moscow. He is extremely active in Washington and has developed very sensitive high level contacts. From World War II, when he served in the United States, to the present, he has reportedly been associated WITH A FOREIGN INTELLIGENCE AGENCY. It has been learned by this Bureau THAT THIS FOREIGN INTELLIGENCE AGENCY has been and reportedly still is [penetrated by the Soviets.] (S)

If you approve, a telephone surveillance will be placed by this Bureau on Brandon.

Respectfully,

John Edgar Hoover
Director

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DECLASSIFY ON: 25X

APPROVED

John N. Mitchell

DATE

5/29/69

NATIONAL SECURITY INFORMATION

~~SECRET~~
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~~TOP SECRET~~UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

June 4, 1969

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: COLONEL ALEXANDER M. HAIG
TECHNICAL SURVEILLANCE REQUEST

My memorandum of May 29, 1969, as did two previous memoranda, reported that Colonel Alexander M. Haig, who is assigned to Dr. Henry A. Kissinger's staff, advised this Bureau that a request for telephone surveillances was being made on the highest authority which involved a matter of most grave and serious consequence to our national security. He stressed that because of its sensitive nature, it should be handled on a need-to-know basis, with no record maintained. You authorized the requested telephone surveillances.

On this date Dr. Kissinger has requested that a telephone surveillance be placed on Hedrick L. Smith, who is also known as Rick Smith. He is a correspondent with "The New York Times" and has been in contact with the individuals on whom telephone surveillances have been placed. He resides at 3409 Patterson Street, N. W., Washington, D. C., and has telephone number 363-7530. The files of this Bureau contain no pertinent information of an internal security nature concerning him.

Upon your approval, a telephone surveillance will be placed on Hedrick L. Smith at his residence.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

DECLASSIFIED BY *SP2 KML/ely*
ON *11/15/00* *MOR-168*APPROVED *[Signature]* → John N. MitchellDATE *6/12/69* → 6/4/69~~TOP SECRET~~
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declassification

~~TOP SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

July 23, 1969


MEMORANDUM FOR THE ATTORNEY GENERAL

RE: JOHN PATRICK SEARS
TECHNICAL SURVEILLANCE REQUEST

This will confirm your conversation with Assistant to the Director Cartha D. DeLoach on July 22, 1969, during which you advised that a telephone surveillance was desired on Sears who resides in Apartment 10, 8001 Chanute Place, Falls Church, Virginia.

A survey is being conducted to determine the feasibility of instituting a telephone surveillance on Sears. If you approve, a telephone surveillance will be placed by this Bureau on him.

Respectfully,

DECLASSIFIED BY SP2A/mlely
ON 11/15/00 MDP-16
John Edgar Hoover
DirectorAPPROVED 

John N. Mitchell

DATE 7/23/69 → 7/23/69

*Higher Authority has requested
that this be done immediately
for use prior to Thursday.*

~~TOP SECRET~~~~GROUP 1~~

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Higher authority has requested
that this be done immediately
for use prior to Thursday.

NATIONAL SECURITY INFORMATION
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~~TOP SECRET~~UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 4, 1969

DECLASSIFIED BY 22241M/cj
ON

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: COLONEL ALEXANDER M. HAIG
TECHNICAL SURVEILLANCE REQUEST

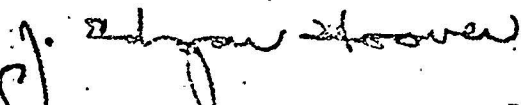
Previous memoranda have requested and you have approved telephone surveillances requested by Colonel Alexander M. Haig, who is assigned to the staff of Dr. Henry A. Kissinger of the White House.

Colonel Haig has now presented an additional request advising that it is being made on the highest authority in connection with the same sensitive matter. He requested that a telephone surveillance be placed on William L. Safire of the White House staff.


Safire resides at 6200 Elmwood Road, Kenwood, Maryland, and has unlisted telephone number 652-7374.

Recently, Safire was in contact with Henry Brandon, correspondent for the "London Sunday Times," on whom you previously authorized a telephone surveillance in this case. Safire agreed to advise Brandon in advance of the contents of a speech to be made in the future by the President.

Respectfully,


John Edgar Hoover
DirectorAPPROVED: 

John N. Mitchell

DATE: ~~TOP SECRET~~
8/4/69GROUP 1
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

SECRET

September 10, 1969

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: MARVIN LEONARD KALB

Pursuant to your request, a telephone surveillance will be placed on captioned individual upon receipt of your written approval.

Kalb is a correspondent in Washington, D. C., for the Columbia Broadcasting System (CBS). He has previously worked abroad for CBS in several countries, including the Soviet Union. [During April, 1967, a Hungarian defector advised that Kalb was a contact for recruitment by Hungarian Intelligence Service; however, contacts with him were discontinued when it was determined that the Soviets had special interest in him and planned to recruit him.] (S)

During interview in October, 1967, by Agents of this Bureau, he readily volunteered information concerning his contacts with Soviet-bloc personnel, but indicated he was not aware that any of them might have had intelligence significance, but if such should occur he would promptly contact the FBI.

Available information indicates that Kalb resides at 3155 Upland Terrace, N. W., Washington, D. C. This Bureau will place a telephone surveillance at his residence upon receipt of your written approval. In view of the sensitive nature of this investigation, no record is being made concerning the coverage and it is requested that this memorandum be returned upon approval.

Respectfully,

SECRET

John Edgar Hoover
John Edgar Hoover
Director

APPROVED

→ John N. Mitchell

DATE

→ 9/11/69

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This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

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DECLASSIFY ON: 25X11

~~TOP SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 4, 1970

DECLASSIFIED BY SP2Kij/dj
ON 11/19/02 102-16

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: AMBASSADOR WILLIAM H. SULLIVAN
BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS
DEPARTMENT OF STATE
TECHNICAL SURVEILLANCE REQUEST

On the evening of May 2, 1970, Brigadier General Alexander M. Haig, of the National Security Council Staff, advised that a serious security leak had occurred concerning United States involvement in Cambodia. He requested that as soon as possible a telephone surveillance be instituted, if feasible, on the residence and office of Ambassador William H. Sullivan.

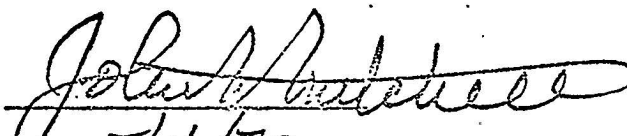
A survey is being conducted to determine if it is feasible to install a telephone surveillance on him. If it is determined to be feasible and you approve, this installation will be placed by this Bureau.

Respectfully,


John Edgar Hoover
Director

Approved:

Date:

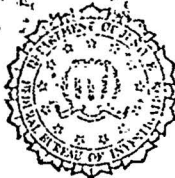

5/4/70

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~~TOP SECRET~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 4, 1970

DECLASSIFIED BY SP3 [signature]
ON 11/14/00 102-16

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: WILLIAM BEECHER
"THE NEW YORK TIMES"
TECHNICAL SURVEILLANCE REQUEST

On the evening of May 2, 1970, Brigadier General Alexander M. Haig, of the National Security Council Staff, advised that a serious security leak had occurred concerning United States involvement in Cambodia. He requested that as soon as possible a telephone surveillance be instituted, if feasible, on the residence and office of Mr. William Beecher.

A survey is being conducted to determine if it is feasible to install a telephone surveillance on him. If it is determined to be feasible and you approve, this installation will be placed by this Bureau.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

Approved: *John A. Mitchell*Date: 5/4/70~~TOP SECRET~~

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~~TOP SECRET~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 4, 1970

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: AMBASSADOR RICHARD F. PEDERSEN
COUNSELOR OF THE DEPARTMENT OF STATE
TECHNICAL SURVEILLANCE REQUEST

On the evening of May 2, 1970, Brigadier General Alexander M. Haig, of the National Security Council Staff, advised that a serious security leak had occurred concerning United States involvement in Cambodia. He requested that as soon as possible a telephone surveillance be instituted, if feasible, on the residence and office of Ambassador Richard F. Pedersen.

A survey is being conducted to determine if it is feasible to install a telephone surveillance on him. If it is determined to be feasible and you approve, this installation will be placed by this Bureau.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

Approved: *John A. Mitchell*Date: 5/4/70DECLASSIFIED BY *SP12/MLJ*
ON 11/15/00 *MDL-16*~~TOP SECRET~~

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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 4, 1970

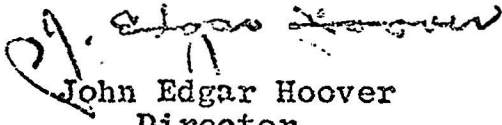
MEMORANDUM FOR THE ATTORNEY GENERAL

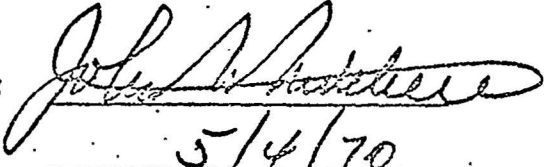
RE: BRIGADIER GENERAL ROBERT E. PURSLEY
MILITARY ASSISTANT TO THE
SECRETARY OF DEFENSE
TECHNICAL SURVEILLANCE REQUEST

On the evening of May 2, 1970, Brigadier General Alexander M. Haig, of the National Security Council Staff, advised that a serious security leak had occurred concerning United States involvement in Cambodia. He requested that as soon as possible a telephone surveillance be instituted, if feasible, on the residence and office of Brigadier General Robert E. Pursley.

A survey is being conducted to determine if it is feasible to install a telephone surveillance on him. If it is determined to be feasible and you approve, this installation will be placed by this Bureau.

Respectfully,


John Edgar Hoover
Director

Approved: Date: 5/4/70~~TOP SECRET~~

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NATIONAL SECURITY INFORMATION
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~~TOP SECRET~~UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 13, 1970

DECLASSIFIED BY SP2AM/ky
ON 11/17/00 MDR-160

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: WINSTON LORD
TECHNICAL SURVEILLANCE REQUEST

On May 12, 1970, Brigadier General Alexander M. Haig of the National Security Council Staff, advised that Dr. Henry A. Kissinger of the White House staff, had requested that as soon as possible a telephone surveillance be instituted on the home of Winston Lord of the National Security Council Staff.

A survey has been conducted and it has determined that the installation of this telephone surveillance is feasible. If you approve, this installation will be placed by this Bureau.

Respectfully,

John Edgar Hoover
Director

APPROVED

DATE 5/13/70~~TOP SECRET~~

Group 1

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NATIONAL SECURITY INFORMATION

Unauthorized Disclosure

Subject to Criminal Sanctions



~~TOP SECRET~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 13, 1970

DECLASSIFIED BY *SP2ALM/ldj*
ON *11/17/00*
MDR-160

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: WILLIAM ANTHONY K. LAKE
TECHNICAL SURVEILLANCE REQUEST

On May 12, 1970, Brigadier General Alexander M. Haig of the National Security Council Staff, advised that Dr. Henry A. Kissinger of the White House staff, had requested that as soon as possible a telephone surveillance be instituted on the home of William Anthony K. Lake of the National Security Council Staff.

A survey has been conducted and it has determined that the installation of this telephone surveillance is feasible. If you approve, this installation will be placed by this Bureau.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

APPROVED *John A. White*DATE *5/13/70*~~TOP SECRET~~

Group 1
Excluded from automatic
downgrading and
declassification

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
Subject to Criminal Sanctions

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

October 16, 1970

MEMORANDUM FOR THE ATTORNEY GENERAL

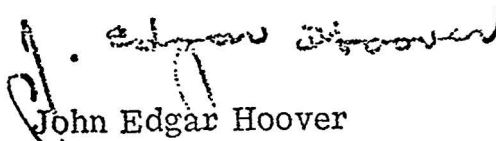
RE: SPECIAL COVERAGE AT THE
REQUEST OF THE WHITE HOUSE

The Honorable H. R. Haldeman, Assistant to the President, has requested that the telephone surveillance on Helmut Sonnenfeldt be reinstituted.

Sonnenfeldt is an employee of the U. S. Department of State. You previously approved a telephone surveillance of him on May 12, 1969, which was discontinued on June 20, 1969.

This Bureau is in a position to conduct the necessary telephone surveillance requested by Mr. Haldeman.

Respectfully,


John Edgar Hoover
DirectorAPPROVED DATE 10/19/70~~TOP SECRET~~

GROUP 1

Excluded from automatic
downgrading and
declassificationNATIONAL SECURITY INFORMATION
Unauthorized Disclosure
Subject to Criminal Sanctions



~~TOP SECRET~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

December 14, 1970

DECLASSIFIED BY *SP2 AML/ky*
ON *11/16/00* *MDR-160*

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: SPECIAL COVERAGE AT THE
REQUEST OF THE WHITE HOUSE

The Honorable H. R. Haldeman, Assistant to the President, has requested that the Bureau institute a telephone surveillance on the home telephone of Jamie W. McLane, 5605 Overlea Road, Sumner, Maryland.

This Bureau is in a position to conduct the necessary telephone surveillance requested by Mr. Haldeman.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

APPROVED *J. Edgar Hoover*DATE *12/14/70*~~NATIONAL SECURITY INFORMATION~~~~TOP SECRET~~~~Unauthorized Disclosure~~~~Subject to Criminal Sanctions~~

Group 1

Excluded from automatic
downgrading and
declassification

Dissemination of Material From the Surveillance
Known as the "Kissinger 17"

Set out below is a listing of letters addressed to persons outside the FBI and intra-Bureau communications recommending such dissemination of the letters outside the FBI. The list also contains the dates of the letter or communication in question as well as the author of the letter or communication.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/10/00 BY SP2014/ky

The purpose of each of the communications to persons outside the FBI was to inform the addressee of information from the electronic surveillance deemed pertinent to the objective of the surveillance.

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
5/28/69	Henry A. Kissinger	Bernard A. Wells (BAW)
5/28/69	Memorandum W. C. Sullivan to Mr. DeLoach	William C. Sullivan (WCS)
5/29/69	Henry A. Kissinger	BAW
5/29/69	Richard M. Nixon	BAW
5/29/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/10/69	Memorandum W. C. Sullivan to Mr. DeLoach	BAW
7/10/69	Richard M. Nixon	BAW
7/10/69	Henry A. Kissinger	BAW
7/14/69	Memorandum W. C. Sullivan to Mr. DeLoach	BAW
7/14/69	Richard M. Nixon	BAW

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
7/14/69	Henry A. Kissinger	BAW
7/15/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/15/69	Richard M. Nixon	WCS
7/15/69	Henry A. Kissinger	WCS
7/15/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/15/69	Richard M. Nixon	WCS
7/15/69	Henry A. Kissinger	WCS
7/18/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/18/69	Richard M. Nixon	WCS
7/18/69	Henry A. Kissinger	WCS
7/25/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/25/69	Henry A. Kissinger	WCS
7/25/69	The Attorney General	Joseph A. Sizoo(JA)
7/25/69	John D. Ehrlichman	JAS
7/25/69	Richard M. Nixon	WCS
7/28/69	John D. Ehrlichman	JAS
7/28/69	The Attorney General	JAS
7/28/69	John D. Ehrlichman	JAS
7/28/69	The Attorney General	JAS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
7/29/69	John D. Ehrlichman	JAS
7/29/69	The Attorney General	JAS
7/31/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
7/31/69	Richard M. Nixon	WCS
7/31/69	Henry A. Kissinger	WCS
7/31/69	John D. Ehrlichman	JAS
7/31/69	The Attorney General	JAS
8/1/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
8/1/69	Henry A. Kissinger	WCS
8/1/69	Richard N. Nixon	WCS
8/1/69	John D. Ehrlichman	JAS
8/1/69	The Attorney General	JAS
8/4/69	John D. Ehrlichman	JAS
8/4/69	The Attorney General	JAS
8/6/69	The Attorney General	JAS
8/6/69	The Attorney General	JAS
8/6/69	John D. Ehrlichman	JAS
8/7/69	John D. Ehrlichman	JAS
8/7/69	The Attorney General	JAS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
8/8/69	John D. Ehrlichman	JAS
8/8/69	The Attorney General	JAS
8/13/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
8/13/69	Richard M. Nixon	WCS
8/13/69	Henry A. Kissinger	WCS
8/14/69	John D. Ehrlichman	JAS
8/14/69	The Attorney General	JAS
8/22/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
8/22/69	Richard M. Nixon	WCS
8/22/69	Henry A. Kissinger	WCS
8/25/69	John D. Ehrlichman	JAS
8/25/69	The Attorney General	JAS
9/3/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
9/3/69	Richard M. Nixon	WCS
9/3/69	Henry A. Kissinger	WCS
9/5/69	John D. Ehrlichman	JAS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
9/5/69	The Attorney General	JAS
9/8/69	The Attorney General	JAS
9/18/69	John D. Ehrlichman ..	JAS
9/18/69	The Attorney General	JAS
9/22/69	John D. Ehrlichman	JAS
9/22/69	The Attorney General	JAS
9/30/69	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
9/30/69	Henry A. Kissinger	JAS
9/30/69	Richard M. Nixon	JAS
10/9/69	Henry A. Kissinger	WCS
10/9/69	Richard M. Nixon	WCS
10/9/69	The Attorney General	JAS
10/10/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
10/10/69	Richard M. Nixon	WCS
10/10/69	Henry A. Kissinger	WCS
10/13/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
10/13/69	Henry A. Kissinger	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
10/13/69	Richard M. Nixon	WCS
10/13/69	The Attorney General	WCS
10/24/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
10/24/69	Richard M. Nixon	WCS
10/24/69	Henry A. Kissinger	WCS
10/28/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
10/28/69	Richard M. Nixon	WCS
10/28/69	Henry A. Kissinger	WCS
11/4/69	The Attorney General	JAS
11/6/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
11/6/69	Richard M. Nixon	WCS
11/6/69	Henry A. Kissinger	WCS
11/7/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
11/7/69	Henry A. Kissinger	WCS
11/7/69	Richard M. Nixon	WCS
11/14/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
11/14/69	Richard M. Nixon	WCS
11/14/69	Henry A. Kissinger	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
11/17/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
11/17/69	Richard M. Nixon	WCS
11/17/69	Henry A. Kissinger	WCS
12/2/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
12/2/69	Henry A. Kissinger	WCS
12/2/69	Richard M. Nixon	WCS
12/2/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
12/3/69	Henry A. Kissinger	WCS
12/3/69	Richard M. Nixon	WCS
12/18/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
12/18/69	Richard M. Nixon	WCS
12/18/69	Henry A. Kissinger	WCS
12/29/69	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
12/29/69	Henry A. Kissinger	JAS
12/29/69	Richard M. Nixon	JAS
12/29/69	The Attorney General	JAS
12/30/69	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
12/31/69	Richard M. Nixon	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
12/31/69	Henry A. Kissinger	WCS
1/15/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
1/15/70	Henry A. Kissinger	WCS
1/15/70	Richard M. Nixon	WCS
1/21/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
1/21/70	Henry A. Kissinger	WCS
1/21/70	Richard M. Nixon	WCS
2/2/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
2/2/70	Richard M. Nixon	WCS
2/2/70	Henry A. Kissinger	WCS
2/17/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
2/17/70	Henry A. Kissinger	WCS
2/17/70	The President	WCS
2/26/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
2/27/70	Henry A. Kissinger	WCS
2/27/70	The President	WCS
5/4/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/4/70	The Attorney General	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
5/4/70	The President	WCS
5/4/70	Henry A. Kissinger	WCS
5/8/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/8/70	The President	WCS
5/8/70	Henry A. Kissinger	WCS
5/11/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/11/70	The President	WCS
5/11/70	Henry A. Kissinger	WCS
5/12/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/12/70	Henry A. Kissinger	WCS
5/12/70	The President	WCS
5/14/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/14/70	H. R. Haldeman	WCS
5/18/70	H. R. Haldeman	WCS
5/18/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/18/70	H. R. Haldeman	John Edgar Hoover
5/18/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/18/70	H. R. Haldeman	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
5/1/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/21/70	H. R. Haldeman	WCS
5/26/70	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
5/26/70	H. R. Haldeman	JAS
5/28/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
5/28/70	H. R. Haldeman	WCS
6/2/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/2/70	H. R. Haldeman	WCS
6/9/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/9/70	H. R. Haldeman	WCS
6/11/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/11/70	H. R. Haldeman	WCS
6/15/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/15/70	H. R. Haldeman	WCS
6/18/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/19/70	H. R. Haldeman	WCS
6/22/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
6/23/70	H. R. Haldeman	WCS
6/25/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/25/70	H. R. Haldeman	WCS
6/25/70	Memorandum W. C. Sullivan to Mr. DeLoach	WCS
6/25/70	H. R. Haldeman	WCS
6/29/70	Memorandum W. C. Sullivan to Mr. DeLoach	C. D. Brennan(CDB)
6/29/70	H. R. Haldeman	CDB
7/2/70	Memorandum W. C. Sullivan to Mr. DeLoach	CDB
7/6/70	H. R. Haldeman	CDB
7/7/70	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
7/7/70	H. R. Haldeman	
7/8/70	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
7/8/70	H. R. Haldeman	JAS
7/10/70	Memorandum W. C. Sullivan to Mr. DeLoach	JAS
7/10/70	H. R. Haldeman	JAS
8/13/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
8/13/70	H. R. Haldeman	WCS
9/3/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
9/4/70	H. R. Haldeman	WCS
9/11/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
9/11/70	H. R. Haldeman	WCS
9/22/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
9/22/70	H. R. Haldeman	WCS
9/25/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
9/28/70	H. R. Haldeman	WCS
10/13/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
10/14/70	H. R. Haldeman	WCS
10/19/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
10/20/70	H. R. Haldeman	WCS
10/23/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
10/23/70	H. R. Haldeman	WCS
10/28/70	Memorandum W. C. Sullivan to Mr. Tolson	WCS
10/29/70	H. R. Haldeman	WCS
11/3/70	Henry A. Kissinger	WCS
11/13/70	H. R. Haldeman	WCS
11/19/70	H. R. Haldeman	WCS

<u>DATE</u>	<u>ADDRESSEE</u>	<u>AUTHOR</u>
11/24/70	H. R. Haldeman	WCS
12/11/70	H. R. Haldeman	WCS
12/15/70	H. R. Haldeman	WCS
12/15/70	H. R. Haldeman	WCS
12/16/70	H. R. Haldeman	WCS
12/17/70	H. R. Haldeman	WCS
12/17/70	H. R. Haldeman	WCS
12/17/70	H. R. Haldeman	WCS
12/18/70	H. R. Haldeman	WCS
12/18/70	H. R. Haldeman	WCS
12/22/70	H. R. Haldeman	WCS
12/28/70	H. R. Haldeman	WCS
12/30/70	H. R. Haldeman	WCS
1/5/71	H. R. Haldeman	WCS
1/7/71	H. R. Haldeman	WCS
1/12/71	H. R. Haldeman	WCS
1/18/71	H. R. Haldeman	WCS
1 /19/71	H. R. Haldeman	WCS
1/22/71	H. R. Haldeman	WCS
1/27/71	H. R. Haldeman	WCS
1/29/71	H. R. Haldeman	WCS
2/10/71	H. R. Haldeman	WCS

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT

☐ BRIEFING

☐ INTERVIEW

☐ TESTIMONY

☐ OTHER

7/10/75

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

☒ SSC

☐ HSC

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

Memorandum and enclosures

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/19/00 BY SP2ALM/ely

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

SSC letter 5/14/75, Appendix D, Item 4 and 6

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

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

Surveillance, electronic

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

Request pertaining to Electronic Surveillance, addresses of the premises surveilled, number of the telephones surveilled, description of surveillance technique employed, all written or oral authorization and reauthorization, all materials reflecting dissemination outside FBI.

62-116395
FMK; fmk
(4)

TREAT AS YELLOW

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.

The Attorney General

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

1 - Mr. W. R. Wannall
2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
July 10, 1975

1 - Mr. W. O. Cregar
1 - Mr. J. W. Dalseg

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY SP2ALM/ely

Reference is made to the SSC letter dated May 14, 1975, with attached appendices, requesting certain documents and other information from the FBI.

With regard to material requested by the SSC in Appendix A, item 5a and Appendix B, items 4a and b, you may wish to approve the forwarding of copies of your letters to Senator Edward M. Kennedy dated May 12, 1975, and June 24, 1975. Copies of these letters are enclosed.

Enclosures (2)

62-116395

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

REC-88

62-116395-379

3 JUL 21 1975

JWD:dmt
(9)

SEE NOTE PAGE TWO

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. _____

5- ENCLOSURE

The Attorney General

NOTE:

The Attorney General's letter dated 6/24/75 traces the legal authority to utilize warrantless electronic surveillances; the Attorney General's 5/12/75 letter traces the legal authority for consensual electronic surveillances. The 6/24/75 letter has been released to the press by the Attorney General. On 7/3/75 Mr. Douglas Marvin, Special Assistant to the Attorney General, told SA John W. Dalseg, INTD, that the Attorney General's 5/12/75 letter was sent to Senator Kennedy "without any restrictions" and that it may well appear in some future transcript of Congressional hearings.

The Committee requested data regarding the legal authority for "all forms of electronic surveillance and consensual electronic surveillance" in Appendix A, item 5a. The enclosed material covers warrantless electronic surveillances and consensual electronic surveillances. It does not appear necessary to point out the legal basis for warranted electronic surveillances in Title III of Public Law 70-351.

Appendix B, items 4a and b requested data indicating the original decision to utilize these techniques and data indicating the policies and procedures of the FBI for the utilization of these techniques. The policies and procedures of the FBI for utilization of these techniques are those required by the Attorney General which are set out in the enclosed material. The fact that the FBI utilizes electronic surveillances, with and without consent, is public knowledge and it does not appear necessary to point this out.

CONG.
4/24/75



Office of the Attorney General
Washington, D. C. 20530

May 12, 1975

The Honorable Edward M. Kennedy
Chairman, Subcommittee on Adminis-
trative Practice & Procedure
Committee on the Judiciary
Washington, D. C. 20510

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/00 BY SP2 AML/ehj

Dear Senator Kennedy:

In response to your letter of April 24, 1975, I am presently able to provide you with most of the information you have requested concerning the electronic surveillance activities of federal departments and agencies. The information contained in this letter and the enclosed material relates mainly to electronic surveillance conducted within the United States pursuant to the criminal law enforcement responsibilities of the federal government. It does not include electronic surveillance that may be conducted either in the interests of national security, or outside the United States by federal departments and agencies other than the Department of Justice. As to these latter areas, the Department is still in the process of assembling and reviewing the materials relevant to your request, and we are thus unable at this time to determine what information we may be able to provide. I should note that in several instances your letter requests information that is either not in the possession of this Department or pertains to areas outside its proper jurisdiction. Since I understand that you have sent similar letters to other federal departments and agencies, I expect that you will receive responses from them. Nevertheless, I believe the information contained in this letter and the enclosed material will answer in substantial part the questions you have raised concerning electronic surveillance.

Apart from the area of national security, electronic surveillance conducted within the United States by federal departments and agencies may be divided into two broad

62-116398-379
ENCLOSURE

Page 2

Hon. Edward M. Kennedy

May 12, 1975

categories: consensual and non-consensual. Consensual electronic surveillance refers to those instances in which one or more parties to the communication is a federal agent, is cooperating with a federal agent, or has consented to the surveillance. The Supreme Court has repeatedly held that the warrant requirement of the Fourth Amendment does not apply to consensual surveillance. See, e.g., United States v. White, 401 U.S. 745 (1971); Lopez v. White, 373 U.S. 427 (1963); Rathbun v. United States, 355 U.S. 107 (1957); On Lee v. United States, 343 U.S. 747 (1952). Congress has also excepted consensual electronic surveillance from the provisions of Title III of the Omnibus Crime Control and Safe Streets Act of 1968, including the requirement of a court order. Thus, sections 2511(a)(c) and (d) of Title 18 of the United States Code provide:

(c) It shall not be unlawful under this chapter for a person acting under color of law to intercept a wire or oral communication, where such person is a party to the communication or one of the parties to the communication has given prior consent to such interception.

(d) It shall not be unlawful under this chapter for a person not acting under color of law to intercept a wire or oral communication where such person is a party to the communication or where one of the parties to the communication has given prior consent to such interception unless such communication is intercepted for the purpose of committing any criminal or tortious act in violation of the Constitution or laws of the United States or of any State or for the purpose of committing any other injurious act.

Although consensual electronic surveillance may thus be conducted without a court order, its use by federal agents has been subject to regulations issued by the Attorney General since 1967. The current regulations are specified in Attorney General Kleindienst's memorandum of October 16, 1972 entitled "Memorandum to the Heads of Executive Departments and Agencies,

Page 3

Hon. Edward M. Kennedy

May 12, 1975

Re: Monitoring Private Conversations with the Consent of a Party," and in a subsequent amending order issued by Attorney General Saxbe. Copies of the memorandum and order are enclosed herein.

In general, all federal agencies and departments are required to obtain advance authorization from either the Assistant Attorney General in charge of the Criminal Division, or Deputy Assistant Attorney General of that Division before any electronic device may be used to overhear, transmit, or record a private conversation, other than a telephone conversation, without the consent of all the parties to that conversation. In exigent circumstances precluding a prior request for authorization -- such as imminent loss of essential evidence or a threat to the immediate safety of an agent or informant -- emergency monitoring may be instituted with the authorization of the head of the responsible department or agency or his designee. The Assistant Attorney General of the Criminal Division, however, must be notified promptly of any such monitoring and of the specific conditions that precluded obtaining prior approval.

The above procedures do not apply to consensual monitoring of telephone conversations. Because they involve the transmission of a participant's voice through a complex and far-reaching network of wires, the common use of party lines and extension telephones, and the possibility of an unseen participant permitting another person to listen on the same extension, telephone conversations have long been thought not to enjoy the same expectation of privacy as face-to-face conversations. For this reason, supervision and control over consensual monitoring of telephone conversations are vested instead in the head of each federal department and agency, who is required to adopt appropriate regulations and procedures on the subject. These regulations usually do not restrict consensual monitoring of telephone conversations in any significant respect. The relevant regulations of the Drug Enforcement Administration are enclosed herein.

Page 4

Hon. Edward M. Kennedy

May 12, 1975

The current regulations issued by the Attorney General also require the head of each federal department and agency to exercise responsibility for the security of all consensual monitoring devices, including the maintenance of current inventories as to amounts, storage, and users of such equipment, and to submit to the Attorney General during July of each year a report containing an inventory of all electronic and mechanical equipment designed for the monitoring of conversations and a brief statement of the results obtained from their use during the prior fiscal year.

All federal departments and agencies having criminal investigative responsibilities are authorized to conduct consensual electronic surveillance. These agencies include, inter-alia, the Bureau of Alcohol, Tobacco and Firearms, the Bureau of Customs, the Department of Agriculture, the Internal Revenue Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, the Postal Service, the Secret Service, the Department of Defense, the Naval Investigative Service, the Immigration and Naturalization Service, and the Department of Interior. The number of consensual uses of electronic surveillance devices authorized by the Department of Justice between 1970 and 1974 is set forth in the attached memoranda. The total annual authorizations were as follows: 1970, 512; 1971, 840; 1972, 1272; 1973, 1484; 1974, 2518. In the first quarter of 1975, the total number of authorizations was 1,125. In March 1975, the total authorized was 461. The above figures, of course, do not include consensual monitoring of telephone conversations. Nor do they include consensual electronic surveillance that may be conducted either outside the United States or in the interests of national security.

Apart from the area of national security and foreign intelligence, non-consensual electronic surveillance within the United States is conducted pursuant to a court order. Under Title III of the Omnibus Crime Control and Safe Streets Act of 1968, the Attorney General may authorize an application to a federal judge of a competent jurisdiction, who may grant an order approving the interception of wire or oral

Page 5

Hon. Edward M. Kennedy

May 12, 1975

communications "by the Federal Bureau of Investigation, or a Federal agency having responsibility for the investigation of the offense as to which the application is made," when such interception may provide or has provided evidence of certain specific offenses enumerated in section 2516 of Title 18 of the United States Code. The agencies having investigative responsibilities under section 2516, and hence authority to conduct non-consensual electronic surveillance, are the Federal Bureau of Investigation, the Bureau of Customs, the Drug Enforcement Administration, the Secret Service, the Internal Revenue Service, the Bureau of Alcohol, Tobacco and Firearms, and the Postal Service.

The administrative procedures and guidelines governing electronic surveillance under Title III are contained in the Manual for Conduct of Electronic Surveillance, a copy of which is enclosed. The procedures specified in the Manual apply to every federal department or agency authorized to conduct electronic surveillance under Title III. All surveillance authorized under Title III is conducted within the United States or Puerto Rico; Title III has no application in foreign countries. See 18 U.S.C. 2516(1).

The extent of electronic surveillance conducted by the federal government pursuant to Title III between 1971 and 1974 is contained in the reports issued by the Administrative Office of The United States Courts, as required by 18 U.S.C. 2519(3). Copies of those reports are enclosed with this letter. The number of electronic surveillances authorized under Title III so far in 1975 is 28. The Federal Bureau of Investigation requested 27 of those surveillances, including 3 extensions. The Drug Enforcement Administration requested the remaining 1.

With respect to electronic surveillance conducted outside the United States, I can provide you with information relating only to the policy and practice of the Depart-

Page 6
Hon. Edward M. Kennedy
May 12, 1975

ment of Justice. With the exception of the Drug Enforcement Administration, no division, bureau, or agency of this Department conducts electronic surveillance outside the United States for any purpose, including national security. The Drug Enforcement Administration does conduct electronic surveillance outside the United States in certain limited circumstances. This surveillance is presently undertaken only on a bilateral basis, that is, with the approval and participation of the foreign country involved. It is my understanding, however, that a predecessor organization of DEA did conduct non-consensual electronic surveillance unilaterally in at least one instance occurring in 1973. The surveillance was initiated in connection with that organization's criminal law enforcement responsibilities and was designed to obtain information concerning international drug traffickers. The subject of the surveillance was a foreign national, and not an American citizen or an alien resident of the United States.

Under its current policy, DEA does not conduct any non-consensual electronic surveillance abroad without the approval and participation of the foreign country. In almost all cases, the surveillance is actually conducted by law enforcement officials of the foreign country, rather than by DEA, and is not initiated as the result of a request by DEA. I am informed that the instances in which DEA has been responsible in any way for electronic surveillance conducted abroad are exceedingly few, and that in none of these was the subject of the surveillance an American citizen or an alien resident of the United States.

Under existing regulations, the approval of the U.S. Chief of Mission in the host country is required before DEA may conduct, or request a foreign country to conduct, non-consensual electronic surveillance outside the United States. In addition, I have ordered that henceforth DEA shall obtain the prior approval of the Attorney General before conducting, or requesting anyone else to conduct, non-consensual electronic surveillance outside the United States where the subject of the surveillance is an American citizen or alien resi-

Page 7

Hon. Edward M. Kennedy
May 12, 1975.

dent of the United States. Although the approval of the Attorney General has not been required previously, as indicated above there have apparently been no instances in which an American citizen or resident has been the subject of non-consensual electronic surveillance conducted abroad by DEA or initiated at its request.

On occasion DEA has also conducted consensual electronic surveillance outside the United States, usually involving the use of a voice transmitter concealed on an informant, a DEA agent, or a law enforcement officer of the host country. Under DEA's current policy, this transmitter device is used with the specific approval and participation of the foreign country. Again, in almost all cases, the surveillance is actually conducted by a law enforcement official of the foreign country, rather than by DEA, and DEA's involvement is in general limited to supplying the equipment necessary to conduct the surveillance. So far as DEA can determine, no American citizen or alien resident of the United States has been the subject of consensual electronic surveillance conducted abroad through use of this device by DEA, or by a foreign country at DEA's request.

I have ordered that whenever practicable DEA shall obtain the advance approval of the Assistant Attorney General in charge of the Criminal Division, or Deputy Assistant Attorney General of that Division, before conducting, or requesting anyone else to conduct, consensual electronic surveillance outside the United States where the subject of the surveillance is an American citizen or alien resident of the United States. Where circumstances preclude a prior request for authorization, DEA may conduct the surveillance, but shall notify promptly the Assistant Attorney General in charge of the Criminal Division of the surveillance and the specific conditions that precluded obtaining prior approval. This procedure parallels that outlined in Attorney General Kleindienst's memorandum of October 16, 1972 governing consensual electronic surveillance within the United States by federal departments and agencies. It applies, of course, only to

Page 8

Hon. Edward M. Kennedy

May 12, 1975

private conversations, other than telephone conversations, that are sought to be monitored without the consent of all the parties to that conversation. For the reasons mentioned earlier, prior approval for consensual monitoring of telephone conversations is not required.

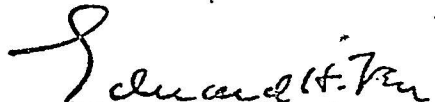
DEA has also used certain electronic devices abroad in order to track the location of drug shipments. These devices do not transmit, overhear, or record private conversations, but rather merely emit signals which indicate the location of the device.

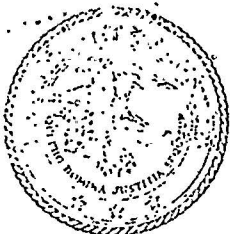
DEA's policy concerning electronic surveillance has also been described in its response to your letter of April 24 to Mr. Bartels. The remaining divisions, bureaus, and agencies within the Department do not conduct electronic surveillance of any kind outside the United States.

I trust that the information I have furnished will assist your subcommittee in its inquiry concerning the practices and procedures of the federal agencies in the area of electronic surveillance.

With best wishes,

Sincerely,


Edward H. Levi
Attorney General



Office of the Attorney General

Washington, D. C. 20530

June 24, 1975

The Honorable Edward M. Kennedy
Chairman, Subcommittee on Administrative
Practice and Procedure
Committee on the Judiciary
Washington, D. C. 20510

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/19/00 BY SP2/MLJ

Dear Senator Kennedy:

In my letter to you of May 12, I stated that the Department was in the process of assembling the materials relevant to your inquiry regarding electronic surveillance conducted within the United States in the interests of national security and foreign intelligence. Pursuant to a review of this matter, I am able to provide you with the following information.

Since 1940 by directives of the President, the Attorney General has been vested with responsibility over electronic surveillance conducted within the United States in the interests of national security and foreign intelligence. This surveillance is authorized pursuant to the personal approval of the Attorney General, rather than by court order. Based on an examination of the relevant precedents, it is the position of the Department of Justice that the Executive may conduct electronic surveillance in the interests of national security and foreign intelligence, and in aid of his conduct of the nation's foreign affairs, without obtaining a judicial warrant. This has been the position of the Department of Justice for more than three decades and is supported by historical practice as well as judicial decision. The only two Courts of Appeals to address the issue, the Third Circuit and the Fifth Circuit, have held that the warrant requirement of the Fourth Amendment does not apply in the area of national security and foreign intelligence and that under the Constitution the President has the authority to conduct electronic surveillance without a court order as part of his diplomatic and military or commander-in-chief functions. See United States v. Butenko (Appeal of Ivanov), 494 F.2d 593 (3rd Cir. 1974) (en banc), cert. denied sub nom.

ENCLOSURE

62-116395-379

Ivanov v. United States 419 U.S. 881 (1974); United States v. Brown, 484 F.2d 418 (5th Cir. 1973), cert. denied, 415 U.S. 960 (1974). In Title III of the Omnibus Crime Control and Safe Streets Act of 1968, Congress also explicitly disclaimed any attempt to place limitations on the President's authority in this area. 18 U.S.C. § 2511(3). The Supreme Court has, of course, expressly left open the question whether the warrant requirement applies to electronic surveillance conducted for national security and foreign intelligence purposes. In United States v. United States District Court, 407 U.S. 297, 308-9 (1973), however, the Court, while holding that the domestic security area was subject to the warrant requirement, was careful to note that "the instant case requires no judgment with respect to the activities of foreign powers, within or without this country. . . . There is no evidence of any involvement, directly or indirectly, of a foreign power." Moreover, in the Butenko case, although the United States prevailed in the Third Circuit, the Department acquiesced in the petition for certiorari. Nevertheless, the Court denied certiorari, thus leaving undisturbed the Third Circuit's decision upholding the authority of the Executive to conduct electronic surveillance without a court order where national security and foreign intelligence is involved.

Under the standards and procedures established by the President, the personal approval of the Attorney General is required before any non-consensual electronic surveillance may be instituted within the United States without a judicial warrant. All requests for surveillance must be made in writing by the Director of the Federal Bureau of Investigation and must set forth the relevant factual circumstances that justify the proposed surveillance. Both the agency and the Presidential appointee initiating the request must be identified. Requests from the Director are examined by a special review group which I have established within the Office of the Attorney General. Authorization will not be granted unless the Attorney General has satisfied himself that the requested electronic surveillance is necessary for national security or foreign intelligence purposes important to national security.

In addition, the Attorney General must be satisfied that the subject of the surveillance is either assisting a foreign

power or foreign-based political group, or plans unlawful activity directed against a foreign power or foreign-based political group. Finally, he must be satisfied that the minimum physical intrusion necessary to obtain the information will be used.

All authorizations are for a period of ninety days or less, and the specific approval of the Attorney General is again required for continuation of the surveillance beyond that period. The Attorney General has also been directed to review all electronic surveillance on a regular basis to ensure that the aforementioned criteria are satisfied. Pursuant to the mandate of United States v. United States District Court, electronic surveillance without a judicial warrant is not conducted where there is no foreign involvement.

All electronic surveillance related to national security and foreign intelligence within the United States is conducted by the Federal Bureau of Investigation. The Bureau has established strict internal review procedures with regard to all electronic surveillance activities.

The extent of telephone and microphone surveillance conducted within the United States in the interests of national security and foreign intelligence was last disclosed in 1973. On a comparable basis, the extent of such surveillance between 1969 and May 1975 is set forth in the attached memoranda. The total number of subjects of telephone surveillance during that period is as follows: 1969, 113; 1970, 90; 1971, 87; 1972, 102; 1973, 116; 1974, 148. These figures do not, of course, indicate the number of persons whose conversations were intercepted, but rather only the number of subjects to whom the surveillance was directed. The total number of subjects of microphone surveillance during that period was as follows: 1969, 14; 1970, 19; 1971, 16; 1972, 31; 1973, 38; 1974, 32. Again, these figures do not indicate the number of persons whose conversations were intercepted, but rather the number of subjects to whom the surveillance was directed. Moreover, I should further note that the above figures are duplicative to an extent since in several cases the same subject was under both telephone and microphone surveillance.

The total installations of telephone and microphone surveillances during the above periods would, of course, exceed

these figures by varying margins. On occasion, the subject under surveillance moved to a new location, thus necessitating a re-installation of the surveillance at the new address. On other occasions, the surveillance was discontinued because the subject left the premises for an extended period, but was later re-instituted when the subject returned. In still other cases, the surveillance was discontinued for a period as part of the Department's continuing review and re-evaluation of all electronic surveillance activities. The subsequent re-institution of the surveillance pursuant to a new approval by the Attorney General would be counted as an additional installation. For the above reasons, the number of installations of telephone and microphone surveillances is greater than the number of subjects of such surveillance, and would thus not provide an accurate basis for evaluating the extent of electronic surveillance. Nevertheless, pursuant to your inquiry, I am including in the attached memoranda the total number of installations of electronic surveillance devices for both telephone and microphones.

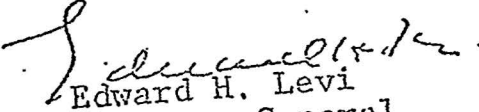
I am also enclosing the maximum and minimum number of telephone and microphone surveillances installed and in operation for each month between November 1972 and April 1975. These figures are based on data compiled on a daily basis and reflect installations and discontinuances of electronic surveillance devices. The records of daily counts were initiated in November 1972. Comparable information is not available for prior periods. As these figures indicate, the maximum number of telephone surveillances in operation at any time during 1973 was 93; the minimum number in operation that year was 65. The maximum number of microphone surveillances in operation during 1973 was 22; the minimum was 10. In 1974, the maximum number of telephone surveillances in operation was 106; the minimum number in operation was 75. Microphone surveillances in operation during that period ranged from a maximum of 21 to a minimum of 10. During the first four and a half months of 1975, the maximum number of telephone surveillances in operation at any time was 91; the minimum was 67. The maximum number of microphone surveillances in operation at any time during that period was 20; the minimum was 9. On April 1, 1975, there were 75 telephone and 15 microphone surveillances in operation.

I trust that the information supplied to date is of assistance to your subcommittee in its inquiry into the prac-

- 5 -

tices of federal agencies in this area. I am also providing the above information to Congressman Rodino, as Chairman of the House Committee on the Judiciary, and to Senator Church, as Chairman of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities.

Sincerely,


Edward H. Levi
Attorney General

Electronic Surveillance Conducted in the Interests
of National Security and Foreign Intelligence

Total Subjects and Installations of
Telephone and Microphone Surveillances ---
1969-1974

	<u>Telephone</u>	<u>Microphone</u>
<u>1969</u>		
Subjects under Surveillance	113	14
Total Installations	123	14
<u>1970</u>		
Subjects under Surveillance	90	19
Total Installations	102	19
<u>1971</u>		
Subjects under Surveillance	87	16
Total Installations	101	16
<u>1972</u>		
Subjects under Surveillance	102	31
Total Installations	108	32
<u>1973</u>		
Subjects under Surveillance	116	38
Total Installations	123	40
<u>1974</u>		
Subjects under Surveillance	148	32
Total Installations	190	42

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DATE 11/15/00 BY 7022AUM/ldj

ENCLOSURE

62-116575-379

Electronic Surveillance Conducted in the
Interests of National Security and Foreign Intelligence

Highest and Lowest Number of
Telephone and Microphone Surveillances
Installed and in Operation Within the
United States per month from November
1972 through April 1975

	<u>Telephone</u>	<u>1972</u>	<u>Microphone</u>
November 1972	HIGH	74	15
	LOW	70	14
December 1972	HIGH	73	17
	LOW	68	15
		<u>1973</u>	
January 1973	HIGH	70	17
	LOW	65	16
February 1973	HIGH	71	19
	LOW	67	17
March 1973	HIGH	73	20
	LOW	70	16
April 1973	HIGH	90	17
	LOW	73	14
May 1973	HIGH	93	16
	LOW	89	13
June 1973	HIGH	91	13
	LOW	82	11
July 1973	HIGH	83	12
	LOW	80	11
August 1973	HIGH	84	14
	LOW	80	10
September 1973	HIGH	86	16
	LOW	83	14

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DATE 11/19/00

BY SP2A/mjg

62-116395-379
ENCLOSURE

	<u>Telephone</u>	<u>Microphone</u>
October 1973	HIGH 92 LOW 87	18 16
November 1973	HIGH 92 LOW 90	21 18
December 1973	HIGH 90 LOW 84	22 21
	<u>1974</u>	
January 1974	HIGH 85 LOW 83	21 19
February 1974	HIGH 87 LOW 84	20 20
March 1974	HIGH 97 LOW 87	20 19
April 1974	HIGH 93 LOW 91	19 16
May 1974	HIGH 94 LOW 91	16 14
June 1974	HIGH 97 LOW 93	15 13
July 1974	HIGH 93 LOW 90	13 12
August 1974	HIGH 98 LOW 91	12 10
September 1974	HIGH 99 LOW 98	15 12
October 1974	HIGH 106 LOW 98	17 15
November 1974	HIGH 100 LOW 78	16 11
December 1974	HIGH 88 LOW 75	13 10

62-116395-379

TelephoneMicrophone

January 1975

HIGH 89
LOW 7815
9

February 1975

HIGH 91
LOW 8518
15

March 1975

HIGH 88
LOW 6718
15

April 1975

HIGH 82
LOW 7516
12

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

7/10/75

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

☒ SSC

☐ HSC

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

Letters, from Attorney General to Sen. Kennedy 5/12/75 and
6/24/75

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

SSC letter 5/14/75, Appendix A, Item 5a; and
Appendix B, Items 4a and b.

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)

Surveillance, Electronic

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DATE 11/15/00 BY SP2AM/CH

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

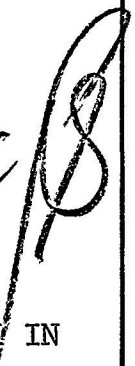
Letters trace the legal authority for consensual electronic surveillances; legal authority to utilize warrantless electronic surveillances; also policies and procedures for utilization of these techniques as required by the Attorney General.

62-116395

TREAT AS YELLOW

FMK:1hb
(4)

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

WOC 

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.



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

JUL 10 1975

TO: John Mintz, Associate Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: Additional Senate Select Committee Request

Attached is the fourth supplemental request from the Senate Select Committee which I have received since yesterday. Like two of those I sent you yesterday, it is dated July 8. Please arrange for compliance with this request by the collection of appropriate documentary materials. While an appropriate documentary response is being prepared, I would appreciate being briefed orally on the contents of any such transmission and on the length of time reasonably required for response.

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REC-88

3 JUL 21 1975

62-116395

5-7A

ref 100-101 + ltr to AC + SSC
7/15/75 RDH/mjg

7/15/75
Paul Daly requested to
advise O'Connor, no problems,
and response will be ready
by 7/24/75. TMM

2 - ENCLOSURE
cc to Daly 7/17/75
TMM



JUL 22 1975

JUL 10 1975

Mr. John T. Elliff, Director
Domestic Intelligence Task Force
United States Senate Select Committee
on Intelligence Activities
Washington, D. C. 20510

Dear Mr. Elliff:

Your letter of July 8, 1975, requesting that the Committee be provided with copies of all communications from the FBI Director and/or other FBI headquarters personnel to more than one FBI field office and/or to all agents in those offices regarding the activities of the Senate Select Committee has been received and transmitted to the FBI for the preparation of appropriate documentary responses. Be assured that you will be promptly advised when the appropriate documents are available for your staff review.

Sincerely,

K. WILLIAM O'CONNOR
Special Counsel for Intelligence Coordination

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DATE 11/15/80 BY SP2 ALM/elj

bcc: John Mintz

12-11-2015 378-
ENCLOSURE

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
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RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWANZ, 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

DEPT. OF JUSTICE
MAIL ROOM
JUL 3 11 43 AM '75

July 8, 1975

ALL FBI INFORMATION CONTAINED
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DATE 11/19/00 BY SP2ALM/clj

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530
4213

Dear Mr. O'Connor:

It has come to the Committee's attention that communications may have been addressed from the Director of the FBI and/or other FBI headquarters personnel to FBI field offices and agents regarding the activities of the Senate Select Committee. It would be helpful if the Committee could be informed of the contents of any such communications. Therefore, I am requesting that the Committee be provided with copies of all communications from the FBI Director and/or other FBI headquarters personnel to more than one FBI field office and/or to all agents in those offices regarding the activities of the Senate Select Committee.

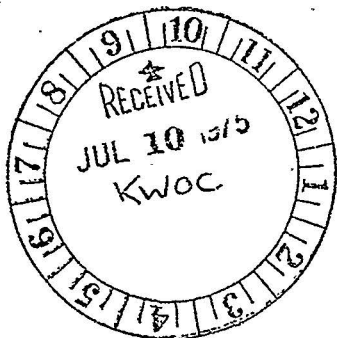
Please let me know immediately if there is any problem with responding to this request and the nature of any such problem.

Sincerely,

John T. Elliff

John T. Elliff
Director

Domestic Intelligence Task Force



62-116395-378

ENCLOSURE

2 - Mr. J. A. Mintz
 1 - Mr. J. B. Hotis)
 1 - Mr. W. V. Cleveland
 1 - Mr. R. E. Gebhardt
 1 - Mr. W. R. Wannall
 1 - Mr. W. O. Cregar
 1 - Mr. R. H. Ross

The Attorney General

June 30, 1975

Director, FBI

REC-88

62-116395-377

UNITED STATES SENATE SELECT
 COMMITTEE ON INTELLIGENCE
 ACTIVITIES (SSC)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/16/02 BY SP2ALM/ky

Enclosed for your approval and forwarding to the Committee is the original of a memorandum which is in response to a request initiated by the SSC to the U. S. Postal Service concerning the identity of all mail covers placed by the FBI since 1960. After subsequent negotiations between the Department, SSC Staff Members and FBI personnel, it was directed by Deputy Attorney General Harold R. Tyler that the FBI respond to the original request without the necessity of a letter to the Attorney General from the Chairman of the SSC.

A copy of this memorandum is being furnished for your records.

Enclosures (2)

62-116395

1 - The Deputy Attorney General
 Attention: K. William O'Connor
 Special Counsel for
 Intelligence Coordination

1-ENCLOSURE

RHR:lps/jmn jmn
 (11)

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

MAIL ROOM ☐ TELETYPE UNIT ☐

SECRET

62-116395

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. V. Cleveland
1 - Mr. R. E. Gebhardt
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. R. H. Ross

June 30, 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

UNITED STATES SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO IDENTITY OF ALL
MAIL COVERS PLACED BY THE FBI SINCE 1960

11/15/80
CLASSIFIED BY SP4/MLJ
DECLASSIFY ON: 25X 1

Reference is made to your request to the U. S. Postal Service concerning the identity of all mail covers placed by the FBI since 1960. Mr. John Elliff, SSC Staff Member, advised that the Postal Service had responded that the request should be made to the FBI. Subsequently Deputy Attorney General Harold R. Tyler directed that a response should be made without receipt by the Federal Bureau of Investigation of a separate formal request.

The following data is furnished in response to this request. Due to privacy considerations, sensitive investigations and those matters the revelation of which could adversely affect the foreign relations of the United States, we are not making known the identities of the individuals, organizations, or establishments upon whom mail covers have been placed.

The record system maintained by the FBI relating to the investigative technique of mail covers does not permit a retrieval of the entire data which was requested without a massive, time-consuming research effort on a file-by-file basis. While each mail cover implemented by the FBI is noted in the subject's case file, only a limited categorical record as to mail covers is maintained for statistical purposes. The data being furnished is derived from this record system. This record system was maintained for in-house use and includes only those mail covers requested by the Intelligence Division, and accounts for all national security mail cover requests emanating from the FBI as well as some fugitive mail cover requests. Beginning May 1, 1975, the system was enlarged to include all mail covers requested by

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Director Sec'y _____

RHR:lps/jmn jmw ORIGINAL AND ONE TO AG
(10)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

SEE NOTE PAGE 5

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

GPO: 1975 O - 569-920

SECRET

**Request Pertaining to Identity of All
Mail Covers Placed by the FBI Since 1960**

the FBI, specifically those handled in the Special Investigative and General Investigative Divisions. These two Divisions utilize fugitive and criminal type mail covers only.

The record system is divided into two parts. One deals with those that are authorized by FBI Headquarters to be requested of the Postal Service as well as mail covers already in place. The second part deals with those that have been terminated. The latter category is maintained for a two-year period following the last termination date. The records are purged quarterly to eliminate those dated beyond two years. Consequently the statistical data furnished denotes only those mail covers from 1973 to present that were authorized and with the exception of those added since May 1, 1975, relate to investigations supervised only by the Intelligence Division.

The number of mail covers is derived based upon the number of addresses covered. Therefore, an individual who is the subject of an investigation who possess two addresses at which he might receive mail could have a mail cover placed at both addresses. This would count as two mail covers. If he moves to a new location and a cover is requested there, this would be a third.

The mail cover statistics are broken down to denote the three categories which the Postal Service Manual prescribes as available to law enforcement agencies. (Published in Federal Register, Vol. 40, Number 49-Wednesday, March 12, 1975.)

The Postal Service Manual allows mail covers to be utilized by law enforcement agencies in the following cases. Criminal mail covers are used to obtain information regarding the commission or attempted commission of a crime. Fugitive mail covers are utilized to assist in locating fugitives. Mail covers are also allowed in situations involving the national security.

SECRET

SECRET

**Request Pertaining to Identity of All
Mail Covers Placed by the FBI Since 1960**

The following reflect the number of mail covers placed since 1973, through June 17, 1975.

Criminal - 1
Fugitive - 156
National Security - 286

A numerical breakdown of the national security category of mail covers is as follows:

Incidental to the investigations of Marxist-Leninist, Maoist or Trotskyist organizations and individuals whose activities are aimed at achieving the overthrow of the United States Government or any of its political subdivisions by whatever means necessary, including force or violence, the following mail covers were used. Seventy-two mail covers were utilized as to organizations, six of which are currently in effect. Thirty-two mail covers were utilized as to individuals who were leaders, members or associates of the above, seven of which are in effect. Sixteen mail covers were placed on publications operated by the above organizations, three of which are in effect.

Incidental to the investigation of organizations which engage in separatist activities aimed at achieving the overthrow of the United States or any of its political subdivision by whatever means necessary, including force or violence, the following mail covers were used. Five mail covers were utilized as to organizations, none of which are currently in effect. Seven mail covers were utilized as to individuals who were leaders, members or associates of the above organization, one of which is currently in effect.

One mail cover was placed incidental to investigation of a domestic organization which engaged in terrorist activity aimed at the overthrow of the United States Government or its political subdivisions. This mail cover is no longer in effect. One mail cover was utilized as to a member of this organization. It is no longer in effect.

SECRET

~~SECRET~~

Request Pertaining to Identity of All
Mail Covers Placed by the FBI Since 1960

Two mail covers were placed incidental to investigation of an organization which through its violent acts has attempted to affect adversely relations between the United States and other foreign powers. These mail covers are no longer in effect.

Incidental to the investigation of organizations which are affiliated with or directly controlled by a foreign political organization and which promote as a matter of policy terroristic acts against persons and property the following mail covers were used. Seven mail covers were utilized as to such organizations, four of which are currently in effect. Fifty-eight mail covers were utilized as to individuals who were leaders, members or associates of the above organizations. Eleven of these are currently in effect.

Sixty-eight mail covers were placed incidental to counterintelligence investigations of individuals who are foreign officials, known or suspected intelligence officers, or known or suspected intelligence agents working at the behest of foreign intelligence services. Twenty-three of these are currently in effect. (S)

Seventeen mail covers were placed on foreign diplomatic establishments incidental to counterintelligence investigations. Fourteen of these are currently in effect. (S)

1 - The Attorney General

~~SECRET~~

SECRET

Request Pertaining to Identity of All
Mail Covers Placed by the FBI Since 1960

NOTE:

Reference is made to Legal Counsel memoranda to Mr. J. B. Adams dated 5/23/75 and 6/12/75 which set out the request upon which this response is predicated. The statistics regarding the categories of mail covers noted in this memorandum were derived by a review of each 3 x 5 card maintained by the Special Records and Related Research (SRRR) Unit on requested mail covers. These cards are maintained alphabetically by each field office. They are not broken down by either type of mail covers or by the categories in which they are presented in this memorandum. To obtain the statistics set out in this memorandum it was necessary to duplicate all the records, categorize by the three types, of mail covers and then subdivide the national security mail covers into general categories. The data contained on each card includes; subject, file number, time period, address, and brief characterization. In some instances supervisors within the INTD who were familiar with the subjects were contacted to obtain information necessary to categorize.

As explained in the memorandum, this record was kept in-house for count purposes only and therefore required time to reassemble the data in the form presented.

It should be noted this record may not contain every mail cover utilized by the FBI within the time period the system is designed to cover. This is because the assembly of this data is dependent upon notification by the substantive case supervisor and it is possible such notification has been inadvertantly omitted on a particular case. This qualification is made to advise as to the limitation of the documents upon which the memorandum is based.

Preparation of this memorandum was coordinated with Mr. John Russell, General Investigative, and John McHale, Special Investigative, as to whether these Division's possess records beyond those maintained within INTD. It was determined that they did not.

NOTE CONTINUED PAGE 6

SECRET

Request Pertaining to Identity of All
Mail Covers Placed by the FBI Since 1960

NOTE CONTINUED:

Page three, paragraph three, refers to communist organizations such as the October League and the Revolutionary Union; paragraph four refers to organizations such as the Black Panther Party - Cleaver Faction and Malcom X Liberation University; paragraph five refers to the Weatherman Organization.

Page four, paragraph one refers to the Jewish Defense League, and paragraph two refers to organizations such as Al Fatah and Palestinian Liberation Organization. (S)

SECRET

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

Addressee: U.S. Senate Select Committee on
Intelligence Activities
☐ LTR ☒ LHM ☐ Memo ☐ Report dated 6-30-75

Caption of Document: RE: REQUEST PERTAINING TO IDENTITY
OF ALL MAIL COVERS PLACED BY THE FBI SINCE 1960

Originating Office: FBI

Delivered by: Richard F. Taylor Date: 7/11/75 ²⁴⁵

Received by: Christy L. Smith

Title: Office Use

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
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DATE 11/15/00 BY 91241/edj

TO: Intelligence Community Staff ATTN: Central Index		FROM: FBI	
SUBJECT: Abstract of Information Provided to Select Committees			
1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)		2. DATE PROVIDED	
<input checked="" type="checkbox"/> DOCUMENT <input type="checkbox"/> BRIEFING <input type="checkbox"/> INTERVIEW <input type="checkbox"/> TESTIMONY <input type="checkbox"/> OTHER		6/30/75	
3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)			
<input checked="" type="checkbox"/> SSC <input type="checkbox"/> HSC			
4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)			
Memorandum		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/15/02 BY SP7ALM/ely	
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)		6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)	
Request to U.S. Postal Service forwarded to the FBI through the Deputy Attorney General		U	
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)			
Intelligence collection			
8. SUMMARY (see reverse side before completing this item)			
<p>SSC requested identity of all mail covers placed by FBI since 1960. Due to privacy considerations, sensitive investigations and those matters the revelation of which could adversely affect the foreign relations of the U.S., we are not making known the identities of the individuals, organizations, or establishments upon whom mail covers have been placed. The record system maintained by the FBI relating to the investigative technique of mail covers does not permit a retrieval of the entire data which was requested without a massive, time-consuming research effort on a file-by-file basis.</p> <p>62-116395</p> <p>FMK:fmk (4)</p> <p>TREAT AS YELLOW</p> <p>ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75.</p> <p>uoc/18</p>			

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: 6-12-75

FROM : Legal Counsel

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED
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DATE 11/15/00 BY SP2ALM/ky

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Director Sec'y _____

By memorandum dated May 23, 1975, you were advised that captioned Committee had directed a letter to the U. S. Postal Service requesting information concerning mail covers initiated by the Federal Bureau of Investigation. The Committee was referred by Postal Service to the Bureau. Mr. John Elliff, Task Force Director, was advised to direct a letter over the Chairman's signature requesting the information.

On May 30, 1975, we recontacted Mr. Elliff again asking that a letter be directed to the Bureau asking for the information. He was instructed that we had been gathering the requested information, however, prior to our responding, we should receive a confirmation from the Committee. Present at this discussion was K. William O'Connor, Special Counsel to the Deputy Attorney General. The same information was conveyed by Special Agent Paul V. Daly to Paul Wallach, Staff Member of the Committee, who had been making the mail cover inquiries. Mr. Wallach indicated that he would correspond to the Bureau in accordance with this request.

K. William O'Connor advised subsequently that the Department had received a letter from Wallach to the Department June 7, 1975, containing the request. Mr. O'Connor stated that this was not in accordance with our discussion with the Committee and he was to convey the fact that the request should be over the Chairman's signature.

- 1-Mr. Wannall
1-Mr. Cregar
1-Mr. Mintz
1-Mr. Hotis
1-Mr. Daly

PVD:lgp

(7) *lgp*

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JUL 21 1975

CONTINUED - OVER



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

Memo to Mr. Adams from Legal Counsel
SENSTUDY 75

On June 11, 1975, Mike Shaheen of the Department, who is working with K. William O'Connor in handling responses to the captioned Committee, informed Special Agent Paul V. Daly at 5:30 p.m. that we should respond to the request concerning mail covers without waiting for a letter from the Committee over the Chairman's signature. He advised that this instruction was received ~~by~~ ^{from} Deputy Attorney General, Harold R. Tyler.

Tyler distinguished this postal request from others by stating that inasmuch as the Committee Chairman had authorized the Committee to inquire concerning mail covers in a letter to U. S. Postal Services, it should not be necessary for them to write a subsequent letter.

The requests to the Department were conveyed to the Section Chief of the Intelligence Division, W. O. Cregar, on June 11, 1975.

RECOMMENDATION:

That the Intelligence Division expeditiously prepare the necessary responses concerning mail covers.

WRW/tm

pvj jia

jam

gjs
pva

jam

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 11 1975
TELETYPE

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Director Sec'y	_____

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DATE 11/15/00 BY SP2A/m/dj

NR 019 LA CODE

831 PM NITEL 7-11-75 LRS

TO DIRECTOR (62-116395)

FROM LOS ANGELES (66-1700)

SENSTUDY 75. BUDED: COB JULY 14, 1975.

RE BUREAU TELETYPE JULY 9, 1975.

PURSUANT TO REQUEST IN RE BUREAU TELETYPE, SET FORTH
BELOW IS INFORMATION CONCERNING THE COUNTERINTELLIGENCE
PROGRAM - BLACK PANTHER PARTY.

(1) IDENTITIES OF POLICE DEPARTMENT PERSONNEL CONTACTED
RELATIVE TO COINTELPRO: NONE.

(2) IDENTITIES OF MEDIA PERSONS CONTACTED: GEORGE
PUTNAM, NEWSCASTER KTTV, CHANNEL 11, LOS ANGELES. SEE
LOS ANGELES AIRL TO BUREAU DAD JULY 30, 1970, CAPTIONED
COUNTERINTELLIGENCE MATTERS, BLACK PANTHER PARTY, RACIAL
MATTERS.

(3) LIST OF FBI PERSONNEL CONNECTED WITH COINTELPRO:
CASE AGENT OCTOBER, 1968 - JUNE, 1969, SA LEROY W.
SHEETS (RETIRED, WHEREABOUTS UNKNOWN).

JUNE, 1969 - SEPTEMBER, 1969, SA WALLACE E. WARD, PRESENTLY
ASSIGNED LOS ANGELES.
SEPTEMBER, 1969 - MAY, 1971 WHEN PROGRAM DISCONTINUED,

84 JUL 22 1975

PAGE TWO LA 66-1700

SA RICHARD W. ~~HELD~~, PRESENTLY ASSIGNED AS SUPERVISOR, FBIHQ. D-

IN ADDITION TO THE ABOVE, SA RICHARD H. ~~ROSS~~, PRESENTLY
ASSIGNED AS A SUPERVISOR AT FBIHQ, WAS CASE AGENT ON THE DC
BLACK PANTHER PARTY ORGANIZATION AND, AS SUCH, PARTICIPATED
IN THE PREPARATION OF COMMUNICATIONS CONCERNING THE COINTELPRO -
BPP.

SA BRENDAN O. ~~CLEARY~~, PRESENTLY ASSIGNED LOS ANGELES, 12/1/66
ALSO ASSISTED IN THIS PROGRAM.

THE SUPERVISOR DURING THE ENTIRE TIME THE PROGRAM WAS
IN EXISTENCE WAS SUPERVISOR RICHARD H. ~~BLOESER~~, PRESENTLY
ASSIGNED TO LOS ANGELES.

END

HOOLD PLS

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 12 1975

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Director Sec'y	_____

NR 02 SD CODED

1:20 AM JULY 12, 1975 NITEL MJZ

TO: DIRECTOR, FBI (62-116395)

FROM: SAN DIEGO (66-1714)

ATTN: INFO - W. O. CREGAR

SENSITIVE 75. BUDED: JULY 14, 1975.

RE BUREAU TELETYPE, JULY 9, 1975.

DURING LATE 1960S AND EARLY 1970, WHEN THE BLACK PANTHER PARTY (BPP) WAS ACTIVE AT SAN DIEGO, CALIFORNIA, THERE WAS CLOSE LIAISON AND EXCHANGE OF INFORMATION REGARDING PANTHER ACTIVITIES BETWEEN THE SAN DIEGO FBI OFFICE, THE SAN DIEGO POLICE DEPARTMENT, THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT AND THE LOCAL OFFICE OF THE CALIFORNIA STATE ATTORNEY GENERAL, THE LATTER REPRESENTED THEN IN SAN DIEGO BY JAMES W. BERRIAN. AMONG THE MANY FBI CONTACTS AT THE POLICE DEPARTMENT WERE CURNELL M. BENNETT, NOW EMPLOYED BY THE CALIFORNIA STATE NARCOTICS BUREAU AT SAN DIEGO, CALIFORNIA, SGT. JACK R. PEARSON, INTELLIGENCE DIVISION, AND CAPTAIN KENNETH JAMES O'BRIEN, VICE DETAIL. LT. PAUL FRANKLIN AND HAROLD TRIMBLE WERE

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3 JUL 21 1975

84 JUL 22 1975

PAGE TWO (SD 66-1714)

AMONG THOSE MOST OFTEN CONTACTED AT THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT. ~~JOYCE~~ WANGER, THEN SPECIAL INVESTIGATOR FOR THE GOVERNOR OF CALIFORNIA, SACRAMENTO, CALIFORNIA, PRESENT EMPLOYMENT UNKNOWN, WAS ALSO CONTACTED OCCASIONALLY WHEN IN SAN DIEGO RE BPP ACTIVITIES. WITH THE EXCEPTION OF BENNETT AND WANGER, THE ABOVE HAVE NOT CHANGED EMPLOYMENT.

THERE IS NO INDICATION THAT THESE COOPERATING INDIVIDUALS OR THEIR AGENCIES WERE AT ANY TIME MADE AWARE OF THE BUREAU COINTELPRO OPERATIONS AS SUCH.

C. J. P.
~~CARL~~ GILMAN, FORMER SECURITY INFORMANT OF THE SAN DIEGO OFFICE AND PRESENTLY A CAMERAMAN FOR THE SAN DIEGO CHANNEL 8 TV STATION, AND FRANK ~~L.~~ PRICE, A FORMER BUREAU SAC NOW RETIRED AND RESIDING AT 1141 VAN NUYS, PACIFIC BEACH, CALIFORNIA, THEN A CONSULTANT WITH THE COPLEY NEWS SERVICE, BOTH FURNISHED CONFIDENTIAL INFORMATION REGARDING THE BPP, BUT THESE SOURCES, LIKEWISE, WERE NOT MADE AWARE OF THE COINTELPRO.

THE COINTELPRO AT SAN DIEGO WAS ASSIGNED TO SA EARL M. PETERSEN FROM MARCH 7, 1968, TO OCTOBER 23, 1968.

C. J. P.

PAGE THREE (SD 66-1714)

FROM OCTOBER 23, 1968, TO AUGUST 13, 1970, IT WAS ASSIGNED
TO SA ROY L. BURNS. IT WAS ASSIGNED TO SA LAWRENCE F.
WIRICK ON AUGUST 13, 1970, WHO REPORTED THE LAST COINTELPRO
ACTION AGAINST THE BPP ON MARCH 8, 1971 (BPP CEASED TO
EXIST AS AN ORGANIZATION IN SAN DIEGO, CALIFORNIA, IN
JANUARY, 1970). *Calif*

SA CURTIS E. JIMERSON CONTRIBUTED TO THE PROGRAM BY
MAKING SOME PRETEXT PHONE CALLS. SA JAMES B. BOLLENBACH
DREW SOME CARTOONS OR CARICATURES, WHICH WERE UTILIZED
IN THE PROGRAM. *Calif*

DURING THE PERTINENT PERIOD, THE COINTELPRO AT SAN
DIEGO WAS SUPERVISED BY SA ROBERT S. BAKER. *Calif*

SAS PETERSEN AND WIRICK ARE STILL ASSIGNED TO THE
SAN DIEGO FBI OFFICE. SA BURNS IS ASSIGNED TO THE BUTTE
OFFICE. SA JIMERSON IS CURRENTLY ASSIGNED TO THE SAN
FRANCISCO OFFICE, AND SA BOLLENBACH IS ASSIGNED TO FBI
HEADQUARTERS, DIVISION 7. SA BAKER IS RETIRED AND RESIDES
AT 4266 MORTENSIA, SAN DIEGO, CALIFORNIA 92103.

END

UNITED STATES GOVERNMENT

Memorandum

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Spec. Inv. _____
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Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 6-25-75

FROM : Legal Counsel

SUBJECT: STATUS OF RESPONSES TO CONGRESSIONAL
COMMITTEE REQUESTS

The purpose of this memorandum is to set forth in summary form the requests we have received from various Committees in Congress and the status of our replies.

Senate Select Committee
on Intelligence Activities (Church's Committee)

Responses to the Senate Select Committee request of 4-30-75, have been completed and delivered to the Committee with the approval of the Department. This request pertained to sections of Manual of Rules and Regulations, Indexing information, classification materials, and Bureau forms.

By letter dated 5-14-75, we received a lengthy request from the Committee which pertains to among other things, information concerning all wiretaps including their location and other requests which would amount to a complete reconstruction of Bureau files, as well as Inspection surveys for ten offices. During a meeting on May 30, 1975, of the Committee, and the Department, this particular request was modified in some areas to alleviate possible problems in preparing the responses. Responses to many of the questions asked have been prepared, approved, and delivered.

- 1 - Mr. Wannall (Attention: Mr. Cregar)
- 1 - Mrs. Metcalf
- 1 - Mr. Mintz
- 1 - Mr. Hotis
- 1 - Mr. Daly

PVD:EEK
(8)

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DATE 6/30/82 BY SP7 MAC/vp/16/8/84 #24081

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EX-108

62-116375-374

17 JUL 3 1975

JUL 17 1975

MB



JUL 23 1975

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

UNRECORDED COPY FILED IN

Legal Counsel to Mr. Adams, Memo

Re: STATUS OF RESPONSES TO CONGRESSIONAL COMMITTEE REQUESTS

There remains however, a substantial amount of work to be done.

Sent thru 6-26
Letter dated May 27, 1975, contained a request that FBI documents in the custody of National Archives concerning the Warren Commission be made available to the Committee for review. We are in the process of reviewing the material requested so that a proper response may be prepared.

By letter dated May 28, 1975, the Committee requested that certain Senators on the Select Committee be given access to any information concerning them in FBI files. This request is being handled using the same guidelines as Freedom of Information Act requests and material is being gathered. The Department has written a letter to the Committee regarding this request asking that a discussion be held.

By letter dated 6-9-75, the Committee requested appendices a through e of the Peterson report on COINTELPRO. After discussion with the Department, we made available by letter dated 6-18-75, copies of appendices a through e which have been excised and have been reviewed by Committee staff members.

By letter dated 6-11-75, we received a request to give the Committee access to a memorandum written by the late Director, J. Edgar Hoover, dated 5-9-62, which relates to a discussion he had with former Attorney General, Robert F. Kennedy. This particular document has been located and is a discussion among other things of the alleged CIA plot to assassinate Castro. A response has been prepared and delivered to the Department.

By letter 6-13-75, we were requested to furnish complete information concerning mail openings and mail covers. Material is being gathered for a response.

By letter dated 6-18-75, we were requested to make available for the Committee's possession, documents concerning the Giancana CIA involvement in a plot to assassinate Castro. These documents were previously reviewed by the Committee in response to their request of 5-12-75. The Committee now wants possession of those documents.

Legal Counsel to Adams, Memo

Re: STATUS OF RESPONSES TO CONGRESSIONAL COMMITTEE REQUESTS

Subcommittee on Government Information and Individual
Rights (Abzug's Committee)

By letter dated June 10 and June 16, 1975, we have been requested to furnish complete information concerning practices and procedures, etc., concerning electronic surveillances. Responses have been prepared and furnished the Department.

By letter dated 6-19-75 which was furnished us by the Department 6-24-75, we were requested to furnish the names and addresses of FBI personnel who served on the Interagency Evaluation Committee between 1970 and 1973.

Hearings

We are scheduled to testify ~~7-9-75~~, before the Senate Subcommittee on Internal Security of the Judiciary on Terrorism. Testimony for this hearing has been prepared by the Intelligence Division.

We are in receipt of a request to arrange testimony before the Subcommittee on Postal Facilities, Mail, and Labor Management of the Post Office and Civil Service Committee concerning mail covers and mail openings. We are to meet with the Post Office Committee to arrange this testimony.

The Director along with Kevin Maroney, Deputy Assistant Attorney General, is scheduled to appear before the Subcommittee on Courts, Civil Liberties, and the Administration of Justice of the Judiciary Committee (Kastenmier) to testify concerning electronic surveillances on 6-26-75.

The following Committees have indicated Bureau testimony in the near future:

The Senate Judiciary Subcommittee on Constitutional Rights (Tunney's Committee): Topic: S. 1427 - S. 1428 (Criminal Justice legislation); Briefing book has been prepared concerning this legislation.

Legal Counsel to Adams, Memo

Re: STATUS OF RESPONSES TO CONGRESSIONAL COMMITTEE REQUESTS

House Judiciary Committee on Civil and Constitutional Rights (Edward's Committee); Topic: H. R. 61 and H. R. 62 (House version of S. 1427 and S. 1428 (Criminal Justice Legislation)).

Senate Select Committee on Intelligence Activities; Topic: Bureau legal authority to conduct domestic and counter-intelligence activities. Tentative testimony is scheduled for late June or early July. We will be furnished additional details by the Committee as to the various topics to be covered during this testimony.

RECOMMENDATION:

For information.

[Handwritten signature]

[Handwritten initials]

PLM

[Handwritten signature]

[Handwritten initials]
[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

Note: No tickler copies designated.

TO : Mr..J. B. Adams

DATE: 6-3-75

FROM : Legal Counsel *JMA*

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DATE 11/15/00 BY SP2ALM/fhj

SUBJECT: SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

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Telephone Rm. _____
Director Sec'y _____

Attached letter was received via liaison from Executive Secretary U. S. Intelligence Board Ad Hoc Coordinating Group, requesting recipients, which include the Federal Bureau of Investigation, to prepare for James Wilderotter, assistant to the Counsel to the President, specific suggestions for administrative or legislative action relative to U. S. Intelligence programs. This letter is marked "EYES ALONE." The proposals according to the request, should be "realistic and doable in the near term." Two copies of all suggestions are to be furnished to James Wilderotter, Room 182, Old Executive Office Building, by June 10, 1975.

RECOMMENDATION:

Legal Counsel Division in concert with the Intelligence Division prepare a communication containing specific suggestions for administrative or legislative action relating to U. S. Intelligence programs.

Enclosure

PVD:EEK *ek*

ENCLOSURE

EX-105 REC-21

62-116375-373

JUL 3 1975

ROUTE IN ENVELOPE

8 JUL 23 1975

EYES ALONE

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

30 MAY 1975

Intelligence Community Staff

DCI/IC-75-0597

MEMORANDUM FOR: Mr. Thomas K. Latimer, Department of Defense
Mr. William G. Hyland, Department of State
Mr. E. H. Knoche, Central Intelligence Agency
Mr. William O. Cregar, Federal Bureau of
Investigation
Mr. William N. Morell, Jr., Department of Treasury
Mr. James G. Poor, Energy Research & Development
Administration
Mr. William Nichols, Office of Management and
Budget
Mr. John B. Hotis, Department of Justice

SUBJECT : Future Legislation Relative to U.S. Intelligence

Following up on the discussion at yesterday's meeting of the Policy Steering Group, addressees are encouraged to provide to the White House specific suggestions for administrative or legislative action relative to U.S. intelligence programs. Such proposals should be realistic and doable in the near term. Please provide two copies of all suggestions to James Wilderotter, Room 182, Old Executive Office Building by 10 June 1975.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/5/12 BY 40224/m/j

Harriett D. Mowitt
Harriett D. Mowitt
Executive Secretary
USIB Ad Hoc Coordinating Group

ENCLOSURE

62 116395-373

ENVELOPE

EMPTY

DCI/IC/Registry
6E-2914
Headquarters

EYES ONLY

Mr. John B. Hotis
Inspector, Legal Counsel
Federal Bureau of Investigation

Rm

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY 902ALM/clj

DCI/IC-75- 2319

8 July 1975

MEMORANDUM FOR: See Distribution

SUBJECT: Records Contained in the Community
Central Index Through 15 June 1975

1. Forwarded with this memorandum is the current record contained in the Community Central Index of material furnished the Senate Select Committee by U.S. Intelligence Agencies. As I noted in my memorandum of 3 July, the number of records in-put to the Index has more than tripled since the 29 May printing. In addition to the document forwarded with this memorandum, a separate codeword listing of responses has been prepared and with appropriate clearances copies are available upon request.

2. Tab A of the Report is formatted to list by Agency alphabetic order the requests received, and immediately following the request is an identification of the response which was provided. When it has been possible, each request is further detailed by question number. The columns at the right are for administrative control only.

3. The format of Tab B is again Key Word, and as before the request and response items will appear under each key word noted on the in-put form.

4. Suggested improvements in format are welcome. JUL 16 1975

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY 302ALM/efj

Harriett Mowitt
Harriett Mowitt
Executive Secretary
USIB Ad Hoc Coordinating Group

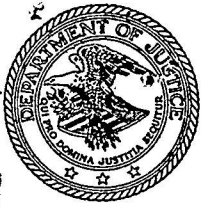
Attachment
Community Index,
1 Jul 75

CLASSIFIED BY 006805
EXEMPT FROM GENERAL DECLASSIFICATION
SCHEDULE OF E. O. 11652, EXEMPTION CATEGORY:
§ 52(1), (2), (3) or (4) (circle one or more)
AUTOMATICALLY DECLASSIFIED ON
Undetermined
(unless impossible, insert date or event)

SECRET

Distribution:

- 1 - Mr. Buchen, The White House
- 1 - Mr. Latimer, Department of Defense
- 1 - Mr. Hyland, Department of State
- 1 - Mr. O'Connor, Department of Justice
- 1 - Mr. Morell, Department of the Treasury
- 1 - Mr. Nichols, Office of Management and Budget
- 1 - Each Member of the USIB Ad Hoc Coordinating Group



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

JUL 15 1975

TO: John Mintz, Associate Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: Additional Senate Select Committee Requests

Attached are five supplemental requests from the Senate Select Committee which I have just received. Please arrange for compliance with this request by the collection of appropriate documentary materials. While appropriate documentary responses are being prepared, I would appreciate being briefed orally on the contents of any such transmission and on the length of time reasonably required for response.

ALL FBI INFORMATION CONTAINED
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DATE 11/19/02 BY 502 ALM/kj

Copy furnished
Interagency Group

REC-107

62-116395-370

3 JUL 17 1975

Records - please
file 62-116395



TO: John Mintz, Associate Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: Additional Senate Select Committee Requests

Attached are five supplemental requests from the Senate Select Committee which I have just received. Please arrange for compliance with this request by the collection of appropriate documentary materials. While appropriate documentary responses are being prepared, I would appreciate being briefed orally on the contents of any such transmission and on the length of time reasonably required for response.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12/00 BY SP2ALM/dj

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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

July 3, 1975

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mr. O'Connor:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/00 BY SP2AM/ldj

Pursuant to Section III(E) of the notification attached to the Committee's letter of June 27, 1975, I hereby request that a complete, unexcised set of the A through E summaries of COINTELPRO cases prepared for the so-called Peterson Committee be delivered to our offices no later than Thursday, July 10, 1975.

As stated in the notification, the Committee's receipt of these summaries will form the basis of further requests for information and documents. It is impossible to use the excised version of the summaries for this purpose.

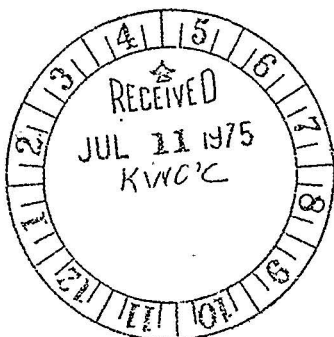
Since a thorough analysis of the summaries requires that the volumes be disassembled, and since they must be available to staff members working evenings and weekends, it is necessary to have the summaries here at our offices.

Thank you for your cooperation in this matter.

Sincerely,

John T. Elliff
Director
Domestic Intelligence Task Force

DEPUTY ATTORNEY GENERAL



62-111-395-370

FRANK CHURCH, IDAHO, CHAIRMAN
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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

July 14, 1975

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

ALL FBI INFORMATION CONTAINED
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DATE 11/19/00 BY SP1A/m/ky

Dear Mr. O'Connor:

The purpose of this letter is to set down in one place the present status of the responses to the Committee's requests regarding notional organizations.

Your letter of June 12, 1975, transmitted only one memorandum in response to Appendix C, Part III, Item 24, of the Committee's May 14, 1975 request. We would appreciate your advice whether any additional materials exist which are responsive to this portion of our request, and, if so, when they will be supplied.

With respect to your July 7, 1975 response to Appendix C, Part III, Items 25 (a) and (b), we will need to examine all of the materials which provided the basis for the preparation of the Bureau's July 2, 1975 summary. In addition, we will need to examine the materials which were summarized in Item 2 under the heading "Types of Activity" in the "Exhibit K" attachment to the so-called Peterson Committee report, which I examined on July 8, 1975.

I would like to assure you that pursuant to your request, we have seriously considered the Bureau's suggestion for an oral briefing on this subject. We have concluded, however, that such a procedure would be helpful only after we have had the opportunity to study the requested materials which bear upon this subject. I might add that in view of the sensitivity of some of this material, we would certainly be willing to review at FBI Headquarters whichever of the

documents pertain to sensitive ongoing Bureau operations.



62-116395-370

ENCLOSURE

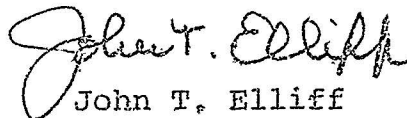
K. William O'Connor
Page 2

July 14, 1975

Finally, I would appreciate your supplying us with whatever materials exist on the general subject of notional, fictitious, and cover organizations (political, commercial or other), insofar as such materials relate to policies, procedures, and legal authority questions regarding the use of this technique in connection with intelligence, counter-intelligence, and internal security operations. Additional specific questions with respect to this technique are contained in Part III, Section G, of the notification which was submitted with the Committee's June 27, 1975 letter to the Attorney General.

Your cooperation is appreciated.

Sincerely,



John T. Elliff

Director

Domestic Intelligence Task Force

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SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

July 14, 1975

11/5/00
FBI INFO.
CLASSIFIED BY SP2AM/clj
DECLASSIFY ON: 25X1

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Dear Mr. O'Connor:

As indicated in the enclosure to the Committee's July 9, 1975 letter to the Attorney General, we are still awaiting several requested items which relate to the relationship between the FBI and the CIA.

Although an FBI file search is presumably underway to locate all items which would be responsive to that section of the Committee's request, we would appreciate receiving as soon as possible, as a partial response, all of the items bearing on this subject which were specifically identified in the attachment to the Committee's May 14, 1975 request, as well as the exchange of correspondence between the FBI and the CIA which occurred on March 11 and 20, 1970, and which related to domestic intelligence collection.

Finally, we would appreciate your advice concerning the nature of [] and [] which are (S) identified in the above-referenced March 20, 1970 letter from Director Helms to Director Hoover.

Your cooperation would be appreciated.

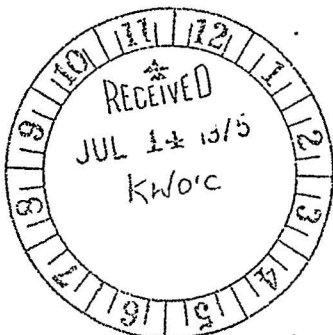
JFK Act 6 (1) (B)

Sincerely,

John T. Elliff

John T. Elliff
Director

Domestic Intelligence Task Force



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62-116395-370

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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

July 14, 1975

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

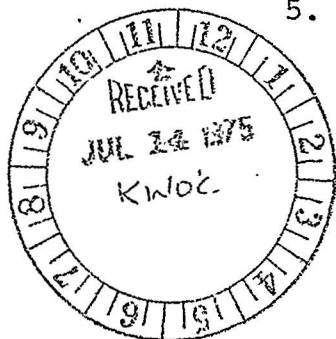
FOI
ALL INFORMATION CONTAINED
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DATE 11/9/02 BY SP2AM/ky

Dear Mr. O'Connor:

Reference is made to your letter of July 8, 1975, transmitting certain materials relating to the Martin Luther King, Jr. monographs.

We would appreciate being supplied the following additional items in response to Appendix D, Item 9, of the Committee's letter of May 14, 1975:

1. All materials reflecting the earlier recommendation and approval which are indicated in the first sentence of Mr. Sullivan's October 15, 1963 memorandum to Mr. Belmont.
2. The identity of the author of the monograph which was attached to Mr. Sullivan's October 15, 1963 memorandum to Mr. Belmont.
3. All materials which reflect or relate to Mr. Sullivan's instructions to subordinates concerning the preparation of the 1963 monograph.
4. All materials which reflect or relate to the transmission of the monograph to Mr. Sullivan from subordinates prior to Mr. Sullivan's October 15, 1963 memorandum to Mr. Belmont.
5. All materials which reflect Mr. Tolson's transmission to the Director of Mr. Belmont's memorandum of October 17, 1963.



62-116395-370
ENCLOSURE

July 14, 1975

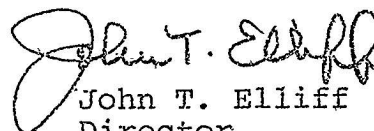
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6. All materials which reflect what transpired between the Director's approval of Mr. Sullivan's October 15, 1963 memorandum, and the transmission of Mr. Sullivan's October 18, 1963 memorandum to Mr. Belmont.
7. A xerox of the original of the Director's November 17, 1963 memorandum to Messrs. Tolson, Belmont, De Loach, Rosen, and Sullivan.
8. A xerox of the original of the director's February 5, 1964 memorandum to Messrs. Tolson, Belmont, Rosen, Sullivan, De Loach, and Evans.
9. Access to the original memoranda from Mr. Sullivan to Mr. Belmont, dated:
 - a. November 22, 1964;
 - b. November 27, 1964.
10. The identity of the author of the 1964 "up-to-date revision" of the 1963 monograph.
11. All materials which reflect or relate to Mr. Sullivan's instructions to subordinates in 1964 to revise the 1963 monograph.
12. All materials which transmitted for approval and/or signature the December 1, 1964 letter from the Director to Mr. Moyers.
13. All materials which reflect the approval of Mr. Belmont, Mr. Tolson, and/or the Director of:
 - a. Recommendations contained in Mr. Sullivan's November 22, 1964 memorandum to Mr. Belmont;
 - b. Recommendations contained in Mr. Sullivan's November 27, 1964 memorandum to Mr. Belmont;
 - c. The December 1, 1964 letter from the Director to Mr. Moyers.
14. Access to the second page (unexcised) of the December 17, 1964 memorandum from Mr. Baumgardner to Mr. Sullivan.

July 14, 1975

15. All materials reflecting the approval of Mr. Sullivan, Mr. Belmont, Mr. Tolson, and/or the Director of the recommendation contained in Mr. Baumgardner's December 17, 1964 memorandum to Mr. Sullivan.
16. All memoranda and any other materials which relate to the preparation of a memorandum captioned "Martin Luther King, Jr.: His Personal Conduct" which is referred to and was apparently enclosed with, the Director's December 21, 1964 letter to Senator Humphrey. (Please do not supply the memorandum.)
17. The identity of the author of the memorandum described in item #16 above and of any other similar memoranda.
18. All memoranda and any other materials which relate to the dissemination to Senator Humphrey of the memorandum described in item #16 and which relate to any other dissemination of the said memorandum or any other similar memorandum.
19. The identity of the author of the 1967 revision of the Martin Luther King, Jr. monograph.
20. All material which reflect or relate to Mr. Sullivan's and/or Mr. C. D. Brennan's instructions to subordinates in 1967 to revise any earlier Martin Luther King, Jr. monograph.
21. Access to an unexcised copy of the August 24, 1967 memorandum from Mr. C. D. Brennan to Mr. Sullivan.
22. All materials reflecting Mr. Tolson's suggestion, and the Director's agreement, that the King monograph be brought up to date in 1968, as indicated in the February 29, 1968 memorandum from Mr. G. C. Moore to Mr. Sullivan.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

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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

July 14, 1975

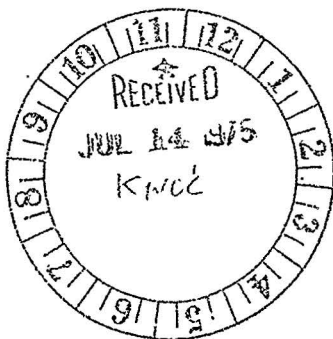
K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

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DATE 11/19/00 BY 92121/clj

Dear Mr. O'Connor:

As indicated in the enclosure to the Committee's July 9, 1975 letter to the Attorney General, we are still awaiting certain items previously requested which pertain to the FBI's intelligence activities with respect to the Ku Klux Klan. In order that we can proceed expeditiously with our inquiry without awaiting whatever length of time it might take for the Bureau to conclude its search, we would appreciate it if you would provide the following specific materials as soon as possible, even though we will understand them to be in only partial response to this area of our request:

1. All memoranda and any other materials prepared in or by the General Investigative Division, the Domestic Intelligence Division, and the Inspection Division, which relate to, are referred to, or alluded to in, or portions of which are summarized or described in, the July 30, 1964, memorandum captioned "Investigation of Ku Klux Klan and Other Hate Groups" from J. H. Gale to Mr. Tolson. (See attachment to your letter of June 17, 1975.)
2. All memoranda and any other materials which contain or reflect studies of "counterintelligence and disruption tactics" and the making of "appropriate recommendations" as mentioned in approved Recommendation #3 on page 5 of the July 30, 1964 memorandum captioned "Investigation of Ku Klux



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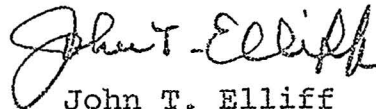
July 14, 1975

"Klan and Other Hate Groups" from J. H. Gale
to Mr. Tolson.

3. All memoranda and any other materials which relate to or reflect discussions about the Ku Klux Klan at the Executive Conference held on October 1, 1958, and all memoranda and any other materials which relate to or reflect recommendations, proposals, and decisions made either prior to or following said conference.

Your cooperation would be appreciated.

Sincerely,



John T. Elliff
Director

Domestic Intelligence Task Force

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7/10/75

FROM : Legal Counsel *JAM*

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

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DATE 11/15/00 BY SP2A/M/lyj

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 _____

At 2:50 p.m. on July 10, 1975, K. William O'Connor called me and advised that Douglas Marvin, Special Assistant to the Attorney General, has requested a briefing for the Attorney General regarding the status of responses to inquiries by the Senate Select Committee. He said that the briefing would be scheduled for the afternoon of Tuesday, July 15, 1975, if possible. The briefing will prepare the Attorney General for his appearance before the Senate Select Committee during the latter part of that week to discuss the status of responses. It is noted that we have received a written request from the Committee for the Director and the Attorney General to appear to discuss this matter in Executive Session.

In anticipation of such a request from the Attorney General, we have caused a review to be undertaken and a status report prepared as to all Bureau responses to Senate Select Committee inquiries plus a report as to items actually delivered to the Committee. The distinction is that some materials prepared by the Bureau were delivered to the Department and have not been forwarded to the Committee.

RECOMMENDATIONS:

1. That the Intelligence Division expedite preparation of the status report for information of the Director and to prepare for briefing the Attorney General in the afternoon of July 15, 1975.

- 1- Mr. Wannall
- 1 - Mr. Daly
- 1 - Mr. Mintz

JAM:mfd
(5)

REC-107

62-116375-369 *4/15/75*

3 JUL 17 1975

5-B

CONTINUED - OVER

84 JUL 21 1975

Memorandum to Mr. Adams
Re: Senate Select Committee

RECOMMENDATIONS (CONT'D)

2. That the Legal Counsel Division make final arrangements for the briefing of the Attorney General.

[Handwritten signatures and initials]

[Signature]
[Signature]
[Signature]
[Signature]

NR014 SE CODE

1111 PM NITEL JULY 8, 1975 FEE

TO DIRECTOR --ATTN: SA W. CREGAR, INTD

FROM SEATTLE (66-2894) 1P

SENSTUDY 1975.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 09 1975

TELETYPE

ALL INFORMATION CONTAINED
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DATE 11/14/00 BY 71111/11/00

RE BUREAU PHONE CALL, JULY 7, 1975.

FOR INFORMATION OF BUREAU ON JULY 7, 1975, USA STAN PITKIN, WESTERN DISTRICT OF WASHINGTON, SEATTLE, ADVISED ABOUT TWO WEEKS AGO A FEMALE LAWYER IN MID-20'S, WHOSE NAME HE DOES NOT RECALL, PERSONALLY CONTACTED HIM IN SEATTLE STATING SHE WAS FROM CHURCH COMMITTEE AND WAS IN NORTHWEST ON A PRELIMINARY INQUIRY AND DESIRED TO DISCUSS IN GENERAL THE FOLLOWING NUMBERED MATTERS. HE TOLD HER WHAT HE RECALLED ABOUT EACH MATTER BUT TOLD HER THE CASES WERE IN THE ARCHIVES OF THE DEPARTMENT OF JUSTICE AND HE WOULD HAVE TO REVIEW THEM TO OBTAIN DETAILED FACTS. SHE SAID SHE WOULD WRITE HIM A LETTER AT A LATER DATE AND POINT OUT SPECIFICALLY WHAT SHE WANTED ANSWERED.

1. DID FBI HAVE SOURCE IN THE DEFENSE COMMUNE OF THE SEATTLE 7 CASE? THIS REFERS TO "MICHAEL VICTOR ABELES, ET AL, DGP - CONSPIRACY; ARL - CONSPIRACY," BUFILE 176-2125, SEFILE 176-66.

2. ASKED ABOUT SANNES CASE BUT DID NOT APPEAR TOO INTERESTED IN THIS MATTER. REFERS TO "PROPOSED BROADCAST ON NATIONAL EDUCATIONAL TELEVISION OF ALLEGATIONS AGAINST FBI BY DAVID SANNES,

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

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REC-107

3 JUL 17 1975

XEROX

JUL 17 1975

JFH

CHARLES GRIMM AND JEFF PAUL DESMOND," BUFILE 94-52524, SEFILE 100-31336. ALSO SEE BUFILE 100-468240 CAPTIONED "DAVID RICHARD SANNES, SM - REVACT," SEFILE 100-31205.

3. INTERESTED IN VAN VEENENDAAL CASE. THIS REFERS TO "JEFFREY PAUL DESMOND, AKA; MICHAEL STEVEN REED; JAN DAVID TISSOT; JOHN EDWARD VAN VEENENDAAL, AKA, BM," SEE SEATTLE AIRTEL TO BUREAU, MARCH 4, 1970, REGARDING THIS CAPTION, SEFILE 174-325, ALSO SEE SEATTLE AIRTEL TO BUREAU, AUGUST 18, 1970, CAPTIONED "JEFFREY PAUL DESMOND - BM" AND SEATTLE AIRTEL TO BUREAU, JANUARY 21, 1972, CAPTIONED "JEFFREY PAUL DESMOND, AKA, INFORMATION CONCERNING."

4. ILLEGAL UTILIZATION OF GRAND JURIES BY GOVERNMENT IN GENERAL TO OBTAIN INTELLIGENCE INFORMATION. IN THIS DISCUSSED LESLIE BACON. INDICATED COMMITTEE PLANNED TO SUBPOENA DEPARTMENTAL ATTORNEY GUY GOODWIN REGARDING THESE MATTERS. THIS REFERS TO CASE "CAPBOM," BUFILE 174-1891, AND "LESLIE ANN BACON, SM - ANA (EXTREMIST)," BUFILE 100-464151.

5. INTERESTED IN LARRY WARD CASE. THIS REFERS TO SEATTLE CASE "JOHN HANNAH; LARRY WARD - VICTIM, CR," SEFILE 44-446, BUFILE UNKNOWN.

USA PITKIN STATED HE PROBABLY WILL BE SUBPOENAED TO TESTIFY ABOUT THESE MATTERS, HOWEVER, WHEN THE WOMAN LAWYER LEFT HE FELT SHE HAD PROBABLY BEEN TALKING WITH SOMEONE IN THE RADICAL COMMUNITY WHERE THESE MATTERS WERE BROUGHT UP AND AFTER TALKING TO PITKIN DID NOT APPEAR TO BE TOO INTERESTED IN THE NORTHWEST AREA. PITKIN WILL MAKE AVAILABLE INFORMATION DESIRED IN FUTURE BY THIS INDIVIDUAL.
END

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7-2-75

FROM : Legal Counsel *[Signature]*

SUBJECT: STATUS OF RESPONSES TO CONGRESSIONAL
COMMITTEE REQUESTS

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 _____

The purpose of this memorandum is to set forth in summary form the requests we have received from various Committees in Congress and the status of our replies.

Senate Select Committee On Intelligence Activities (Church's Committee)

By letter dated 5-14-75, we received a lengthy request from the Committee which pertains to among other things, information concerning all wiretaps including their reconstruction of Bureau files, as well as Inspection surveys for ten offices. During a meeting on May 30, 1975, of the Committee, and the Department, this particular request was modified in some areas to alleviate possible problems in preparing the responses. Responses to many of the questions asked have been prepared, approved, and delivered. There remains, however, a substantial amount of work to be done.

Letter dated May 27, 1975, contained a request that FBI documents in the custody of National Archives concerning the Warren Commission be made available to the Committee for review. We have furnished a response to this request.

By letter dated May 28, 1975, the Committee requested that certain Senators on the Select Committee be given access to any information concerning them in FBI files. This request is being handled using the same guidelines as Freedom of Information Act requests and material is being gathered. The Department has written a letter to the Committee regarding this request, asking that a discussion be held.

- 1 - Mr. Wannall
Attn: Mr. Cregar
- 1 - Mrs. Metcalf
- 1 - Mr. Mintz
- 1 - Mr. Hotis
- 1 - Mr. Daly

REC-107

XEROX

16 JUL 11 1975

JUL 16 1975

PVD:EEK
(8)

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(CONTINUED - OVER)

DATE 1/30/84 BY S. J. [Signature]

APR 11 1984 6/8/84 #240,087

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



UNRECORDED COPY FILED IN 62-116395-367

Legal Counsel to Mr. Adams, Memo
Re: STATUS OF RESPONSES TO CONGRESSIONAL COMMITTEE REQUESTS

By letter 6-13-75, we were requested to furnish complete information concerning mail openings and mail covers. Material is being gathered for a response.

By letter dated 6-18-75, we were requested to make available for the Committee's possession, documents concerning the Giancana CIA involvement in a plot to assassinate Castro. These documents were previously reviewed by the Committee in response to their request of 5-12-75. The Committee was furnished these documents by the Department.

By letter dated 6-27-75, we received a lengthy request for information concerning alleged abuses.

Subcommittee on Government Information and Individual Rights (Abzug's Committee)

By letter dated 6-19-75 which was furnished us by the Department 6-24-75, we were requested to furnish the names and addresses of FBI personnel who served on the Interagency Evaluation Committee between 1970 and 1973. A response has been prepared and is awaiting Bureau approval.

Hearings

We are scheduled to testify 7-9 -75 before the Senate Subcommittee on Internal Security of the Judiciary on Terrorism. Testimony for this hearing has been prepared by the Intelligence Division. *(Postponed) Jma*

We are in receipt of a request to arrange testimony before the Subcommittee on Postal Fees, Mail and Label Management of the Post Office and Civil Service Committee concerning mail covers and mail openings. Testimony is scheduled for 7-15-75.

The Senate Judiciary Subcommittee on Constitutional Rights (Tunney's Committee): Topic: S. 1427 - S. 1428 (Criminal Justice legislation); Briefing book has been prepared concerning this legislation. Testimony tentatively scheduled for between July 14, and July 17, 1975.

House Judiciary Committee on Civil and Constitutional Rights (Edwards Committee); Topic: H. R. 61 and H. R. 62 (House version of S. 1427) and S. 1428 (Criminal Justice Legislation). Testimony tentatively scheduled for between July 14, and July 17, 1975.

Legal Counsel to Mr. Adams, Memo
Re: STATUS OF RESPONSES TO CONGRESSIONAL COMMITTEE REQUESTS

The following Committee has indicated Bureau testimony in the near future.

Senate Select Committee on Intelligence Activities;
Topic: Bureau legal authority to conduct domestic and counter-intelligence activities. Tentative testimony is scheduled for early July. We will be furnished additional details by the Committee as to the various topics to be covered during this testimony.

RECOMMENDATION:

For information.

pu D

IBH/pud

PM



14

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

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

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

WILLIAM G. MILLER, STAFF DIRECTOR

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

June 20, 1975

Mr. and Mrs. Harry Schaffer
P.O. Box 638
Stafford, Texas 77477

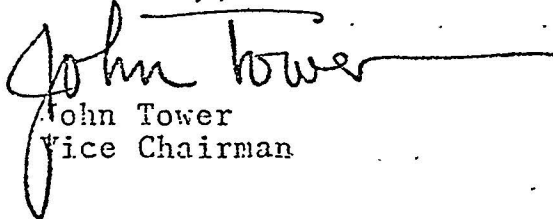
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DATE 11/14/00 BY SP2AM/clj

Dear Mr. and Mrs. Schaffer:

It has been brought to my attention that the Committee desires to have certain testimony relating to your relationship to the FBI for purposes of its investigation currently underway.

This letter is to assure that Mr. Charles Kirbow, my official designee on the Committee Minority Staff, has been appointed to conduct this part of the inquiry and any interview or questioning before the Committee in connection with this matter. The conduct of the interview, testimony, and any other matters will be handled by Mr. Kirbow in accordance with the Rules which he has furnished you. Mr. Kirbow has my complete confidence in this matter.

Sincerely,


John Tower
Vice Chairman

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

PHILIP A. HART, MICH. HOWARD H. BAKER, JR., TENN.
WALTER F. MONDALE, MINN. BARRY GOLDWATER, ARIZ.
WALTER D. HUDDLESTON, KY. CHARLES MCC. MATHIAS, JR., MD.
ROBERT MORGAN, N.C. RICHARD S. SCHWEIKER, PA.
GARY HART, COLO.

WILLIAM G. MILLER, STAFF DIRECTOR

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

June 20, 1975

Mr. Harry Schaffer
P.O. Box 638
Stafford, Texas 77477

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DATE 11/14/60 BY SP2ALM/ely

Dear Mr. Schaffer:

I enjoyed our phone conversation of last week in connection with the Committee's interest in your former relationship with the FBI. I am enclosing certain documents that I discussed with you at the time. Additionally, the letter from Senator Tower to you is enclosed.

The Committee would like you and Mrs. Schaffer to (return for the purpose of giving a sworn statement) in connection with your former association with the FBI. If either Saturday, June 28, 1975, or Saturday, July 12, 1975, is convenient to you, I would appreciate your calling me at my office to confirm the date, time, and place.

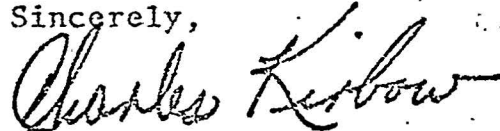
I believe that your presence will be required for approximately two hours. However, I would appreciate your appearing 30-45 minutes before in order to allow us to discuss preliminary information that the Committee desires.

I understand the problems that such an appearance may create for you or your wife in relation with your present employment and in accordance with the Rules of the Committee, (your appearance will not be made known to anyone without your permission nor will any publicity in connection with your appearance be allowed.) As you will also note from the (Rules you may not, without your permission, be photographed or in any way interviewed by the press in connection with your appearance before the Committee.)

In this instance, it is expected that the Rules allowing for sworn testimony before one or more Senators will be the procedure adopted and your testimony will not be required before the full Committee.

Please feel free to call me if you have any questions concerning this matter or anything else in connection with your appearance before the Committee.

Sincerely,

A handwritten signature in cursive script that reads "Charles Kirbow". The signature is written in dark ink and is positioned above the printed name.

Charles Kirbow

Enclosures

F B I

Date: July 1, 1975

NRW
JTATransmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Priority)TO: DIRECTOR, FBI
FROM: SAC, NEW ORLEANSFORMER NO 1850-S
BUFILE: 134-19380
NO file: 134-1050 (C)FORMER NO 1868-S
BUFILE: 134-19699
NO file: 134-1073 (C)ALL INFORMATION CONTAINED
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DATE 11/14/80 BY 214M/CH/PAK

Sensitive 75

Re New Orleans teletype to Bureau dated 6/11/75.

Attached are one copy each of two letters to
captioned sources from Senator JOHN G. TOWER and CHARLES
KIRBOW, both dated 6/20/75.The documents enclosed in KIRBOW's letter were
copies of JOHN CREWDSON's original "New York Times" article
of 2/16/75 and the 3/6/75 article of "WIN" magazine. The
Bureau is in possession of both of these articles.Both SCHAFERS felt reassured by the expressions and
tone of the attached letters, enough to be willing to again
travel to Washington, D.C. on 6/28/75.②-Bureau
(1 - 134-19380)
(1 - 134-19699)
4-New Orleans
(1 - 134-1050)
(1 - 134-1073)
(1 - 134-1274)
(1 - 66-2832)CHA:pd/prb
(6)

NOT RECORDED

JUL 5 1975
46 JUL 16 1975Approved: _____
Special Agent in Charge

Sent _____ M Per _____

84 JUL 21 1975

ORIGINAL FILED IN 136

NO 134-1050
CHA/pd/prb

On 7/1/75, the SCHAFERS advised that they had traveled to Washington, D.C., on Saturday, 6/28/75, and were interviewed in private by KIRBOW and MICHAEL EPSTEIN, both staff members of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities. It was a short interview wherein KIRBOW solicited the general unsworn statements of the SCHAFERS regarding the allegations against the FBI of JOE BURTON. KIRBOW stated that he believed BURTON was a fool and was probably motivated by self interest in his allegations. After hearing the SCHAFERS' general statements contradictory to BURTON's allegations, KIRBOW said that they confirm his impression of BURTON. The SCHAFERS were important to the Committee's inquiries in characterizing BURTON, according to KIRBOW. The SCHAFERS did not go into detail regarding their radical activities or relationship with the FBI.

KIRBOW said the SCHAFERS' statements would remain confidential and would not be leaked to the press. KIRBOW said he did not expect the SCHAFERS to be asked or subpoenaed to testify openly before the full Committee.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7/1/75

FROM : Legal Counsel

SUBJECT: SENSTUDY-COMMITTEE;
HARRY EUGENE SCHAFER
(FORMER NO 1850-S)
JILL D. SCHAFER
(FORMER NO 1868-S)

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DATE 11/14/00 BY SP2A/mjg

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

By memorandum dated 6/10/75, I advised that on 6/7/75, captioned individuals, former New Left informants who were developed and directed by SA Gary M. Laturno of this Division while assigned to the New Orleans Office, contacted SA Laturno to advise they were in Washington, D. C., to confer with staff members of the Senate Select Committee (SENSTUDY).

On 6/28/75, captioned individuals again contacted SA Laturno. They advised that on 6/7/75, they met SENSTUDY staff members but declined to confer with them regarding their service with the FBI. They explained they were apprehensive regarding the appearance and behavior of the staff members, for they looked and acted like a group of "movement" radicals. On 6/28/75, they met with one Charles Kirbow, an aide to Senator John G. Tower (R-Texas) who is Vice Chairman of SENSTUDY, (Congressional Services Office advises Charles Bruce Kirbow is a staff member in Senator Tower's Office.). Kirbow, [REDACTED] appeared sympathetic to the problems of the intelligence community

134-19380

134-19699

JFK Act 6 (1)(B)

- 1 - Mr. Wannall
- 1 - Mr. D. Ryan
- 2 - Mr. Mintz
- 1 - Mr. P. Daly
- 1 - Mr. Laturno

GML:lsh

(7)

CONTINUED - OVER

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JUL 16 1975
46 JUL 22 1975

ORIGINAL FILED IN

84 JUL 22 1975

NW 55034-10 DocId:32989614 Page 113

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

Memorandum to Mr. J. B. Adams
Re: Senstudy Committee
Harry Eugene Schafer
(Former No. 1850-S)
Jill D. Schafer
(Former No. 1868-S)

but on occasion reflected a CIA bias. Many of his questions seemed designed, however, to refute allegations made against the FBI by former Tampa informant Joe Burton. Kirbow also questioned the Schafers regarding the Bureau's administrative procedures relative to the handling of New Left informants.

As a matter of courtesy, the Schafers desire to furnish to the Bureau the details of their contact with Kirbow. They will mail a detailed letter to the Director, FBI Headquarters.

RECOMMENDATION:

None. For information.

[Handwritten signature]

JBA
PLM

urw

JH
R70

[Handwritten signature]

K

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Adams

DATE: May 29, 1975

FROM : Legal Counsel *lgp*

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 _____

The purpose of this memorandum is to request the attached basic statement of the Rights and Obligations of current and former employees be approved and be furnished to both current and former employees prior to interview and/or testimony before captioned Committee.

The intelligence agencies under review by this Committee are attempting to establish guidelines with captioned Committee allowing agency representatives to be present during certain interviews. These guidelines have not as yet been approved. Our current procedure has been to brief current and former employees concerning their rights and obligations prior to interview if they so desire. We have also made available a Bureau representative to accompany these individuals to an interview if requested. We feel that, in addition to the general briefing of current and former employees, they should be furnished a copy of the attached basic statement of the employees Rights and Obligations, which may be taken with them during interview or giving of testimony. This attachment will allow the employees to have a document to which they might refer if a matter arises wherein they have some question as to whether they should respond to a particular question.

RECOMMENDATION:

That the attached basic statement of Rights and Obligations be approved and furnished to all current and former employees prior to interview or giving of testimony.

Enclosure

- 1-Mr. Wannall - Enclosure
- 1-Mr. Creger - Enclosure
- 1-Mr. Mintz - Enclosure
- 1-Mr. Hotis - Enclosure
- 1-Mr. Daly - Enclosure

PVD:lgp

(7)

ENCLOSURE
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JUN 3 1975

LEGAL COUNSEL

PERM. REC. UNIT

Right to Counsel

- (1) You have the right to counsel during interview and/or testimony.
- (2) The FBI cannot provide you with private counsel.
- (3) If you are unable to secure private counsel, you may so state and request assistance in securing counsel.

Secrecy Agreements

- (1) You must request a waiver by the Director, FBI of any applicable employment or secrecy agreement prior to interview or testimony in order that you may be authorized to furnish the information requested.
- (2) If your testimony is pursuant to a subpoena, order, or other demand, you must obtain the approval of the Department of Justice prior to furnishing testimony.

Representative from FBI

- (1) A representative from the FBI will be available during interview and/or testimony for consultation.
- (2) The FBI is concerned with possible impairment of FBI's current and future efforts to discharge its responsibilities.
- (3) You are not to discuss the following matters without prior authorization from the FBI"
 - A. Information provided by sources (or any other

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62-116395-364
ENCLOSURE

information) which might tend to identify a confidential source.

- B. Information concerning sensitive investigative techniques.
- C. Information derived from other Government agencies, including information from foreign intelligence sources.
- D. Any information the disclosure of which could adversely affect ongoing investigations.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 28, 1975

MEMORANDUM TO ALL EMPLOYEES

RE: INTERVIEWS OF FBI EMPLOYEES

All employees are advised that Congress is conducting an inquiry into activities of the Federal Bureau of Investigation. Congressional staff members are conducting interviews of former and current FBI employees. This Bureau has pledged its cooperation with the Congress.

You are reminded of the FBI Employment Agreement (copy attached) with which you agreed to comply during your employment in the FBI and following termination of such employment.

Also, you are reminded of Title 28, Code of Federal Regulations, Section 16.22 (copy attached), which reads as follows:

"No employee or former employee of the Department of Justice shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department or disclose any information relating to material contained in the files of the Department, or disclose any information or produce any material acquired as part of the performance of his official duties or because of his official status without prior approval of the appropriate Department official or the Attorney General in accordance with Section 16.24."

Also, you are reminded of Department of Justice Order Number 116-56, dated May 15, 1956, (copy attached) which, among other things, requires an employee upon the completion of his testimony to prepare a memorandum outlining his testimony.

Our cooperative efforts, of course, must be consistent with the above cited authority. Therefore, if you are contacted for purpose of interview or testimony you are to request approval as required by the Employment Agreement and await authorization before furnishing information, testimony, or record material.

Enclosures (3)

Clarence M. Kelley
Clarence M. Kelley
Director

ENCLOSURE

62-116575-364

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DATE 11/14/00 BY SP2AAM/dj



EMPLOYMENT AGREEMENT

As consideration for employment in the Federal Bureau of Investigation (FBI), United States Department of Justice, and as a condition for continued employment, I hereby declare that I intend to be governed by and I will comply with the following provisions:

(1) That I am hereby advised and I understand that Federal law such as Title 18, United States Code, Sections 793, 794, and 798; Order of the President of the United States (Executive Order 11652); and regulations issued by the Attorney General of the United States (28 Code of Federal Regulations, Sections 16.21 through 16.26) prohibit loss, misuse, or unauthorized disclosure or production of national security information, other classified information and other nonclassified information in the files of the FBI;

(2) I understand that unauthorized disclosure of information in the files of the FBI or information I may acquire as an employee of the FBI could result in impairment of national security, place human life in jeopardy, or result in the denial of due process to a person or persons who are subjects of an FBI investigation, or prevent the FBI from effectively discharging its responsibilities. I understand the need for this secrecy agreement; therefore, as consideration for employment I agree that I will never divulge, publish, or reveal either by word or conduct, or by other means disclose to any unauthorized recipient without official written authorization by the Director of the FBI or his delegate, any information from the investigatory files of the FBI or any information relating to material contained in the files, or disclose any information or produce any material acquired as a part of the performance of my official duties or because of my official status. The burden is on me to determine, prior to disclosure, whether information may be disclosed and in this regard I agree to request approval of the Director of the FBI in each such instance by presenting the full text of my proposed disclosure in writing to the Director of the FBI at least thirty (30) days prior to disclosure. I understand that this agreement is not intended to apply to information which has been placed in the public domain or to prevent me from writing or speaking about the FBI but it is intended to prevent disclosure of information where disclosure would be contrary to law, regulation or public policy. I agree the Director of the FBI is in a better position than I to make that determination;

(3) I agree that all information acquired by me in connection with my official duties with the FBI and all official material to which I have access remains the property of the United States of America, and I will surrender upon demand by the Director of the FBI or his delegate, or upon separation from the FBI, any material relating to such information or property in my possession;

(4) That I understand unauthorized disclosure may be a violation of Federal law and prosecuted as a criminal offense and in addition to this agreement may be enforced by means of an injunction or other civil remedy.

I accept the above provisions as conditions for my employment and continued employment in the FBI. I agree to comply with these provisions both during my employment in the FBI and following termination of such employment.

(Signature)

(Type or print name)

Witnessed and accepted in behalf of the Director, FBI, on

_____, 19____, by _____

(Signature)



Office of the Attorney General

Washington, D. C. 20530

January 18, 1973

ORDER NO. 501-73

RULES AND REGULATIONS

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Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 501-73]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Subpart B—Production or Disclosure in Response to Subpenas or Demands of Courts or Other Authorities

This order delegates to certain Department of Justice officials the authority to approve the production or disclosure of material or information contained in Department files, or information or material acquired by a person while employed by the Department. It applies where a subpoena, order or other demand of a court or other authority, such as an administrative agency, is issued for the production or disclosure of such information.

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, Subpart B of Part 16 of Chapter I of Title 28, Code of Federal Regulations, is revised, and its provisions renumbered, to read as follows:

Subpart B—Production or Disclosure in Response to Subpenas or Demands of Courts or Other Authorities

- Sec.
- 16.21 Purpose and scope.
- 16.22 Production or disclosure prohibited unless approved by appropriate Department official.
- 16.23 Procedure in the event of a demand for production or disclosure.
- 16.24 Final action by the appropriate Department official or the Attorney General.
- 16.25 Procedure where a Department decision concerning a demand is not made prior to the time a response to the demand is required.
- 16.26 Procedure in the event of an adverse ruling.

AUTHORITY: 28 U.S.C. 509, 510 and 5 U.S.C. 301.

Subpart B—Production or Disclosure in Response to Subpenas or Demands of Courts or Other Authorities

§ 16.21 Purpose and scope.

(a) This subpart sets forth the procedures to be followed when a subpoena, order, or other demand (hereinafter referred to as a "demand") of a court or

other authority is issued for the production or disclosure of (1) any material contained in the files of the Department, (2) any information relating to material contained in the files of the Department, or (3) any information or material acquired by any person while such person was an employee of the Department as a part of the performance of his official duties or because of his official status.

(b) For purposes of this subpart, the term "employee of the Department" includes all officers and employees of the United States appointed by, or subject to the supervision, jurisdiction, or control of, the Attorney General of the United States, including U.S. attorneys, U.S. marshals, and members of the staffs of those officials.

§ 16.22 Production or disclosure prohibited unless approved by appropriate Department official.

No employee or former employee of the Department of Justice shall, in response to a demand of a court or other authority, produce any material contained in the files of the Department or disclose any information relating to material contained in the files of the Department, or disclose any information or produce any material acquired as part of the performance of his official duties or because of his official status without prior approval of the appropriate Department official or the Attorney General in accordance with § 16.24.

§ 16.23 Procedure in the event of a demand for production or disclosure.

(a) Whenever a demand is made upon an employee or former employee of the Department for the production of material or the disclosure of information described in § 16.21(a), he shall immediately notify the U.S. attorney for the district where the issuing authority is located. The U.S. attorney shall immediately request instructions from the appropriate Department official, as designated in paragraph (b) of this section.

(b) The Department officials authorized to approve production or disclosure under this subpart are:

(1) In the event that the case or other matter which gave rise to the demanded material or information is or, if closed, was within the cognizance of a division of the Department, the Assistant Attorney General in charge of that division. This authority may be redelegated to Deputy Assistant Attorneys General.

(2) In instances of demands that are not covered by paragraph (b) (1) of this section:

ENCLOSURE

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(i) The Director of the Federal Bureau of Investigation, if the demand is one made on an employee or former employee of that Bureau for information or if the demand calls for the production of material from the files of that Bureau, and

(ii) The Director of the Bureau of Prisons, if the demand is one made on an employee or former employee of that Bureau for information or if the demand calls for the production of material from the files of that Bureau.

(3) In instances of demands that are not covered by paragraph (b) (1) or (2) of this section, the Deputy Attorney General.

(c) If oral testimony is sought by the demand, an affidavit, or, if that is not feasible, a statement by the party seeking the testimony or his attorney, setting forth a summary of the testimony desired, must be furnished for submission by the U.S. attorney to the appropriate Department official.

§ 16.24 Final action by the appropriate Department official or the Attorney General.

(a) If the appropriate Department official, as designated in § 16.23(b), approves a demand for the production of material or disclosure of information, he shall so notify the U.S. attorney and such other persons as circumstances may warrant.

(b) If the appropriate Department official, as designated in § 16.23(b), decides not to approve a demand for the production of material or disclosure of information, he shall immediately refer the demand to the Attorney General for decision. Upon such referral, the Attorney General shall make the final decision and give notice thereof to the U.S. attorney and such other persons as circumstances may warrant.

§ 16.25 Procedure where a Department decision concerning a demand is not made prior to the time a response to the demand is required.

If response to the demand is required before the instructions from the appropriate Department official or the Attorney General are received, the U.S. attorney or other Department attorney designated for the purpose shall appear with the employee or former employee of the Department upon whom the demand has been made, and shall furnish the court or other authority with a copy of the regulations contained in this subpart and inform the court or other authority that the demand has been, or is being, as the case may be, referred for the prompt consideration of the appropriate Department official and shall respectfully request the court or authority to stay the demand pending receipt of the requested instructions.

§ 16.26 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with § 16.25 pending receipt of instructions, or if the court or other authority rules that the demand must be complied with irrespective of instructions not to produce the material or disclose the information sought, in accordance with § 16.24, the employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand. "United States ex rel Touhy v. Ragen," 340 U.S. 462.

Dated: January 11, 1973.

RICHARD G. KLEINDIENST,
Attorney General.

[FR Doc. 73-1071 Filed 1-17-73; 8:45 am]

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

May 15, 1956

ORDER NO. 116-56

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/00 BY SP4LAW/104j

It is the policy of the Department of Justice to extend the fullest possible cooperation to congressional committees requesting information from departmental files, interviews with department employees, testimony of department personnel, or testimony of Federal prisoners. The following procedures are prescribed in order to effectuate this policy on a basis which will be mutually satisfactory to the congressional committees and to the Department. [This order supersedes the Deputy Attorney General's Memorandum No. 5, dated March 23, 1953, and his Memorandum No. 97, dated August 5, 1954. It formalizes the Attorney General's press release of November 5, 1953, establishing procedures to permit committees of the Congress and their authorized representatives to interview and to take sworn testimony from Federal prisoners. It supplements Order No. 3229 (Revised) dated January 13, 1953, and Order No. 3464, Supplement No. 4 (Revised) dated January 13, 1953 (with Memorandum of "Authorization Under Order No. 3464 Supplement No. 4 (Revised)" dated January 13, 1953), insofar as said orders have reference to procedures to be followed in the Department's relations with congressional committees. In support of this order, reference should be had to the President's letter dated May 17, 1954, addressed to the Secretary of Defense, and to the Attorney General's Memorandum which accompanied it.]

A. REQUESTS FOR INFORMATION FROM DEPARTMENT FILES

1. Congressional committee requests for the examination of files or other confidential information should be reduced to writing, signed by the chairman of the committee, and addressed to the Deputy Attorney General, who is responsible for the coordination of our liaison with Congress and congressional committees. The request shall state the specific information sought as well as the specific objective for which it is sought. The Deputy Attorney General will forward the request to the appropriate division where a reply will be prepared and returned for the Deputy Attorney General's signature and dispatch to the chairman of the committee.

2. If the request concerns a closed case, i. e., one in which there is no litigation or administrative action pending or contemplated, the file may be made available for review in the Department, in the presence of the official or employee having custody thereof. The following procedure shall be followed in such cases:

a. The reply letter will advise the committee that the file is available for examination and set forth the name, telephone extension number, and room number of the person who will have custody of the file to be reviewed;

b. Before making the file available to the committee representative all reports and memoranda from the FBI as well as investigative reports from any other agency, will be removed from the file and not be made available for examination; provided however that if the committee representative states that it is essential that information from the FBI reports and memoranda be made available, he will be advised that the request will be considered by the Department. Thereafter a summary of the contents of the FBI reports and memoranda involved will be prepared which will not disclose investigative techniques, the identity of confidential informants, or other matters which might jeopardize the investigative operations of the FBI. This summary will be forwarded by the division to the FBI with a request for advice as to whether the FBI has any objection to examination of such summary by the committee representative. The file will not be physically relinquished from the custody of the Department. If the committee representative desires to examine investigative reports from other government agencies, contained in the files of the Department, he will be advised to direct his request to the agency whose reports are concerned.

3. If the request concerns an open case, i. e., one which litigation or administrative action is pending or contemplated, the file may not be made available for examination by the committee's representative. The following procedure shall be followed:

a. The reply letter should advise the committee that its request concerns a case in which litigation or administrative action is pending or contemplated, and state that the file cannot be made available until the case is completed; and

b. Should briefly set forth the status of the case in as much detail as is practicable and prudent without jeopardizing the pending contemplated litigation or administrative action.

B. REQUESTS FOR INTERVIEWS WITH DEPARTMENTAL PERSONNEL

1. Requests for interviews with departmental personnel regarding any official matters within the Department should be reduced to writing, signed by the chairman of the committee, and addressed to the Deputy Attorney General. When the approval of the Deputy Attorney General is given, the employee is expected to discuss such matters freely and cooperatively with the representative, subject to the limitations prescribed in A respecting open cases and data in investigative reports;

2. Upon the completion of the interview with the committee representative the employee will prepare a summary of it for the file, with a copy routed to his division head and a copy routed to the Deputy Attorney General.

C. EMPLOYEES TESTIFYING BEFORE CONGRESSIONAL COMMITTEES

1. When an employee is requested to testify before a congressional committee regarding official matters within the Department the Deputy Attorney General shall be promptly informed. When the Deputy Attorney General's approval is given the employee is expected to testify freely subject to limitations prescribed in A respecting open cases and data in investigative reports;

2. An employee subpoenaed to testify before a congressional committee on official matters within the Department shall promptly notify the Deputy Attorney General. In general he shall be guided in testifying by Order 3229 (Revised) and the President's letter of May 17, 1954, cited at the beginning of this Order.

3. Upon the completion of his testimony the employee will prepare a memorandum outlining his testimony with a copy routed to his division head and a copy routed to the Deputy Attorney General.

D. REQUESTS OF CONGRESSIONAL COMMITTEES FOR THE TESTIMONY OF FEDERAL PRISONERS

Because of the custodial hazards involved and the extent to which their public testimony may affect the discipline and well-being of the institution, it is the policy of the Department not to deliver Federal prisoners outside the penal institution in which they are incarcerated for the purpose of being interviewed or examined under oath by congressional committees. However, when it appears that no pending investigation or legal proceeding will be adversely affected thereby and that the public interest will not be otherwise adversely affected, Federal prisoners may be interviewed or examined under oath by congressional committees in the institution in which they are incarcerated under the following procedures, and with the specific advance approval of the Deputy Attorney General.

1. Arrangements for interviewing and taking of sworn testimony from a Federal prisoner by a committee of the Congress or the authorized representatives of such a committee shall be made in the form of a written request by the chairman of the committee to the Deputy Attorney General.

2. Such written request shall be made at least ten (10) days prior to the requested date for the interview and the taking of testimony and shall be accompanied by written evidence that authorization for the interview or the taking of sworn testimony was approved by vote of the committee. Such request shall contain a statement of the purpose and the subjects upon which the prisoner will be interrogated as well as the names of all persons other than the representatives of the Department of Justice who will be present.

3. A member of the interested committee of the Congress shall be present during the entire time of the interrogation.

4. The warden of the penal institution in which the Federal prisoner is incarcerated shall, at least forty-eight (48) hours prior to the time at which the interview takes place, advise the Federal prisoner concerned of the proposed interview or taking of sworn testimony; and shall further advise that he is under the same, but no greater obligation to answer than any other witness who is not a prisoner.

5. The warden of the penal institution shall have complete authority in conformity with the requirements of security and the maintenance of discipline to limit the number of persons who will be present at the interview and taking of testimony.

6. The warden or his authorized representative shall be present at the interview and at the taking of testimony and the Department of Justice shall have the right to have one of its representatives present throughout the interview and taking of testimony.

7. The committee shall arrange to have a stenographic transcript made of the entire proceedings at committee expense and shall furnish a copy of the transcript to the Department of Justice.

E. OBSERVERS IN ATTENDANCE AT COMMITTEE HEARINGS

In order that the Department may be kept currently advised in matters within its responsibility, and in order that the Deputy Attorney General may properly coordinate the Department's liaison with Congress and its committees, each division that has an observer in attendance at a congressional hearing, will have the observer prepare a written summary of the proceeding which should be sent to the division head and a copy routed to the Deputy Attorney General.

/s/ Herbert Brownell, Jr.

Attorney General

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

CODE

TELETYPE

NITEL

TO SAC ATLANTA

FROM DIRECTOR FBI (62-116395)

1 - Mr. W. O. Cregar
JULY 11, 1975

1 - Mr. S. F. Phillips

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 28, 1975.

ALL INFORMATION CONTAINED
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DATE 11/14/02 BY SP2 ALM/CLJ

SENATE SELECT COMMITTEE STAFF HAS INDICATED INTENTION TO
INTERVIEW FORMER BUREAU EMPLOYEE JERRY D. ROSEBERRY, REPORTEDLY
NOW EMPLOYED SOUTHERN BELL TELEPHONE COMPANY, ATLANTA. LAST
KNOWN ADDRESS (1970) 483 CANTERBURY CIRCLE, FOREST PARK,
GEORGIA 30050.

FOLLOW INSTRUCTIONS IN REFERENCED TELETYPE RELATING TO
FORMER EMPLOYEES AND SUTEL IN ABOVE CAPTION.

1 - 67-564783 (Personnel File Former SA Jerry D. Roseberry)

SFP:dmt
(8)

NOTE:

On 7/10/75 Michael Epstein, Senate Select Committee Staff
Member advised Supervisor S. F. Phillips of intention to
interview Roseberry. Referenced teletype contains instructions
previously submitted concerning alerting former employees and
procedures to follow in having such employees contact
Legal Counsel Division for assistance, making Bureau representative
available at time of interview, etc.

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COMMUNICATIONS SECTION

JUL 13 1975

TELETYPE

REC-107

62-116395-363

15
19 JUL 14 1975

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NR 007 CI CODE

7 05 PM NITEL 7/11/75

TO DIRECTOR (62-116395)
FROM CINCINNATI (62-3429)

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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SENSTUDY 75.

JUL 11 1975
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REBUTEL JULY 10, 1975.

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FORMER SAC HARRY J. MORGAN CONTACTED JULY 11, 1975,
BY ASAC C. EDWIN ENRIGHT AND SUPERVISORY SPECIAL AGENT VICTOR
CARRELLI. MORGAN ADVISED HE WAS CONTACTED EARLY MAY TELEPHONICALLY
BY LES SIEDEL (PHONETIC), COUNSELLOR TO THE SENATE SELECT
COMMITTEE. SIEDEL QUESTIONED HIM REGARDING BLACK PANTHER PARTY
MATTERS WHILE HE WAS SAC IN SAN FRANCISCO. MORGAN STATED HE
TOLD SIEDEL HE HAD NO KNOWLEDGE OF SUCH ACTIVITIES AND SUGGESTED
INDIVIDUALS WHO WOULD BE COGNIZANT WOULD BE SUPERVISORS
HANDLING SUCH MATTERS. SIEDEL REPLIED THAT POSSIBLY IF THE
FBI FILES WERE MADE AVAILABLE TO HIM IT WOULD REFRESH HIS
MEMORY. MORGAN STATED HE TOLD SIEDEL POSITIVELY THIS WOULD NOT

BE THE CASE. MORGAN FURNISHED SIEDEL IDENTITIES OF HIS
PREDECESSOR AND SUCCESSOR. MORGAN HAS HAD NO FURTHER CONTACT
WITH ANY REPRESENTATIVES OF THE SENATE SELECT COMMITTEE. HE WAS
ALERTED ALONG THE LINES SET FORTH IN REBUTEL AND ADVISED THAT
SHOULD HE BE CONTACTED, HE WOULD NOTIFY CINCINNATI DIVISION.

END

AFTER ACK PL HOLD FOR 2

MEB FBIHQ

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REC-107

62-116395-362

JUL 16 1975

67-44874 (Morgan)

[Signature]

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 11 1975
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11:33 PM NITEL JULY 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BU TEL TO ATLANTA JULY 11, 1975.

FORMER SA JERRY D. ROSEBERRY 5441 WINLEY DRIVE, ATLANTA, GEORGIA
CONTACTED BY SAC EVENING JULY 11, 1975, AND ADVISED HIM CONCERNING
CAPTIONED MATTER IN ACCORDANCE WITH BUTEL TO ATLANTA MAY 28, 1975.

E N D

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DATE 11/14/00 BY SP2A/mfj

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PERSONNEL RECORDS UNIT

ec 67-564783 (Roseberry)
REG-107 62-116395-361
51 *Philips*

3 JUL 14 1975

PTM FBIHQ ACK FOR ONE TEL

PERS. REC. UNIT

1 - Mr. J. B. Adams

CODE

TELETYPE

NITEL

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Adams)
JULY 10, 1973

TO SAC CINCINNATI
TAMPA

FROM DIRECTOR FBI (62-116395)

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

PERSONAL ATTENTION

SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/00 BY SP2ALM/dj

REC. 3. REC. UNIT

REBUTEL MAY 2, 1975.

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC) CONCERNING BELOW-LISTED FORMER FBI EMPLOYEES SUGGESTS THEY MAY BE INTERVIEWED BY SSC STAFF. INTERVIEW OF MORGAN WILL PROBABLY CONCERN COINTELPRO-BLACK PANTHER PARTY MATTERS IN SAN FRANCISCO OFFICE WHEN HE WAS SAC THERE. INTERVIEW OF MATTER WILL PROBABLY CONCERN INVESTIGATION OF MARTIN LUTHER KING, JR. SET OUT BELOW ARE LAST KNOWN ADDRESSES OF THESE FORMER BUREAU EMPLOYEES.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC STAFF. THEY SHOULD BE TOLD THAT IN THE EVENT THEY ARE INTERVIEWED AND DURING THE COURSE OF SAME, QUESTIONS ARE ASKED WHICH

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SFP:dmt
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COMMUNICATIONS SECTION

JUL 10 1975
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SEE NOTE PAGE 3

JUL 16 1975

WOC

RECORDS
cc-67-48874 (MORGAN)
67-12607 (HINTER)

MAIL ROOM ☐

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PAGE 2 62-116395

RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS, TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), THEY MAY REQUEST AN FBI AGENT BE PRESENT. BUREAU WILL PROVIDE AGENT ON REQUEST OF INTERVIEWEE. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY TELETYPE IN ABOVE CAPTION. IF A FORMER EMPLOYEE NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBI HEADQUARTERS.

CINCINNATI: HARRY J. MORGAN, 5314 ELMCREST LANE,
CINCINNATI, OHIO-45242.

TAMPA: JOHN M. MATTER, 6777 WINKLER ROAD, APARTMENT I-208,
FT. MYERS, FLORIDA-33901.

PAGE 3 62-116395

NOTE:

6/30/75 SSC letter to Department indicated Morgan being considered for interview. SSC Staff interview of former Assistant Director Ivan Conrad, 7/9/75, indicated strong likelihood Matter will be interviewed. Procedure for alerting former employees as is being done is in accordance with what we have been doing re many other former employees.

1 - Mr. A. Mintz
(Attn: P. V. Daly)
1 - Mr. W. R. Wannall

CODE

TELETYPE

NITEL

TO SACS LOS ANGELES
SAN DIEGO
SAN FRANCISCO

1 - Mr. W. O. Cregar
JULY 9, 1975

FROM DIRECTOR FBI (62-116395)

1 - Mr. J. G. Deegan
1 - Mr. G. T. Tunstall

SENSTUDY 75

BUDED COB JULY 14, 1975

UNITED STATES SELECT COMMITTEE TO STUDY GOVERNMENTAL
OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES IS
EXAMINING "MEASURES DIRECTED AGAINST THE BLACK PANTHER PARTY
(BPP) IN THE LATE 1960s AND EARLY 1970s IN SAN FRANCISCO -
OAKLAND, LOS ANGELES AND SAN DIEGO, CALIFORNIA, BY THE FIELD
OFFICES OF THE FBI." AS A PART OF THIS REQUEST FBIHQ HAS BEEN
REQUESTED TO FURNISH "A LIST OF ALL LOCAL POLICE DEPARTMENTS
AND PERSONNEL CONTACTED RELATIVE TO THIS COINTELPRO; A LIST OF
ALL MEDIA PERSONS CONTACTED IN RELATION TO THIS COINTELPRO AND
THE MEDIA AFFILIATION; AND A LIST OF ALL FBI PERSONNEL
CONNECTED WITH THIS COINTELPRO, THEIR SPECIFIC CONNECTION, AND

GTT:eks
(7)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/5/83 BY SP-2 TAP/RBG/GTT

REC-107

62-116395-359

3 JUL 16 1975

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 09 1975

TELETYPE

SEE NOTE PAGES 2 & 3

MAIL ROOM ☐

TELETYPE UNIT ☒

PAGE 2

THEIR PRESENT LOCATION." IN ADDITION TO ABOVE, THE COMMITTEE REQUESTS INFORMATION AS TO THE WHEREABOUTS AND CURRENT RELATIONSHIP TO THE FBI OF "PRIMARY CASE AGENTS RESPONSIBLE FOR THIS COINTELPRO IN THE FIELD."

IT IS FELT BY FBIHQ THAT THE ABOVE INFORMATION SHOULD BE EXCLUDED FROM DATA BEING FURNISHED COMMITTEE; HOWEVER, SHOULD NEGOTIATIONS FAIL IN OBTAINING AN EXEMPTION, THIS DATA IS BEING COMPILED AT FBIHQ. IT IS REALIZED THAT A PARTIAL ANSWER TO THESE QUESTIONS MAY BE AVAILABLE IN BUREAU FILES; HOWEVER, COMPLETE DATA NECESSARY IS NOT AVAILABLE AT FBIHQ. ALL OFFICES SHOULD FURNISH BY TELETYPE NO LATER THAN CLOSE OF BUSINESS JULY 14, 1975, ATTENTION INTELLIGENCE DIVISION - MR. W. O. CREGAR, DATA REQUESTED BY THE COMMITTEE SET OUT ABOVE.

NOTE: The Senate Select Committee in their examination of COINTELPRO - BPP are limiting their inquiries to the three offices to which this communication is directed. The Committee has requested all material such as status letters and reports,

NOTE CONTINUED PAGE 3

PAGE 3

NOTE CONTINUED:

letters and documentary requests for particular COINTELPRO techniques, along with a list of all criminal investigations directly and indirectly related to this COINTELPRO. Additionally, the Committee has requested the three categories being requested of recipient offices.

The Intelligence Division feels that this information should be excluded from that being furnished the Committee as it violates the privacy of individuals involved, discloses sources of the Bureau and will, in all likelihood, greatly limit the Bureau's investigative capacities if the information is disclosed, which is highly likely if furnished to this Committee. In spite of this, this information is being requested in order to have available should the argument for exemption be overruled by the Attorney General.

7/9/75: Cramer advised that no reply taken to present arguments
- A. G. S. Jm

OFFICE OF THE
DEPUTY ATTORNEY GENERAL



July 8, 1975

TO: John Mintz

FROM: ^{WBC} Bill O'Connor

Pursuant to the DAG's action on the attached memo (Xerox), Mr. Elliff of SSC staff is authorized personal access to Exhibits K, L, and P of the "COINTELPRO" (Petersen) report. Mr. Daly has been advised of the above.

Seriously - 75

REG-107

62-116395-358

3 JUL 16 1975

ENCLOSURE

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/14/02* BY *SP1A/CJ*

LEGAL *[Signature]*

84 JUL 21 1975



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

JUL 3 1975

TO: Harold R. Tyler, Jr.
Deputy Attorney General

*Noted & agreed
Tut*

Bel
FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: Access to Exhibits K, L, and P of "Petersen Report"
(COINTELPRO) for SSC Staff

After review of A-E as excised, Mr. Elliff has asked if he may now have an opportunity to see and read Items K and L (summary reports on foreign espionage). This request was identified in my memo of June 5, 1975; and I believe it will be followed by a request for personal access to Item P (the overall FBI recommendation). In view of the AG's disclosures to SSC (made in classified letters) regarding certain foreign-oriented Cointelpro activity, I see no reason to deny Mr. Elliff's request for personal access to K and L; and in view of the recent access granted to the T. J. Smith Memorandum on Intelligence Activity (Item 1 of May 14, request) I see no reason to withhold access to Item P.

Accordingly, I recommend that Mr. Elliff be granted personal access to Exhibits K, L, and P, at the offices of the Intelligence Division. I am sending a contemporaneous copy of this memo to Mr. Mintz of the FBI.

cc: John Mintz

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HEREIN IS UNCLASSIFIED
DATE 11/14/00 BY SP2A/mfj

11 fth DALY

7-3-9

*Records
Please file 62-116395-358*



- 1 - Mr. J. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar

July 8, 1975

- 1 - Mr. S. F. Phillips

The Attorney General

Director, FBI

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

ALL INFORMATION CONTAINED
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DATE 11/14/00 BY SP2ALM/ky

Enclosed for your information is the original of a memorandum concerning an interview by Staff Members of captioned Committee of retired FBI Special Agent Wilfred L. Bergeron. A copy of the memorandum is also enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures - 2

62-116395

- 1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

- 1 - 100-106670 (Martin Luther King, Jr.)
- 1 - 67-149224 (Personnel File Former SA Wilfred L. Bergeron)

SFP:lhb/hb
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JUL 16 1975

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GPO 954-546

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips

62-116395

July 8, 1975

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/02 BY SP2/KLM/ldj

RE: INTERVIEW OF RETIRED FBI
SPECIAL AGENT (SA) WILFRED L.
BERGERON BY SSC STAFF MEMBERS

Set out below is information voluntarily
furnished by Mr. Bergeron to the FBI on June 27, 1975.
Bergeron served as an FBI SA from August 2, 1943, until
his retirement on September 24, 1965.

Bergeron was contacted by SSC Staff Member
Michael Epstein, who asked to interview Bergeron at
10:00 a.m. June 27, 1975, at the SSC offices. Bergeron
contacted the FBI for the purposes of inquiring as to
release from a secrecy agreement with the FBI and to secure
consultation assistance at the time of the interview in
the event the interview led into privileged areas such as
relating to possible identification of FBI sources and
possibly affecting ongoing investigations. On June 27, 1975,
Bergeron was informed by the FBI that he was being released
from any applicable employment agreement for the purposes
of the SSC interview concerning the FBI investigations of
Martin Luther King, Jr., Stanley David Levison and the
Southern Christian Leadership Conference. It was explained
to Bergeron that he had a right to counsel; however, the
FBI was unable to provide private counsel. (It is noted
that Epstein had independently advised the FBI that the
above three subject matters would be explored during the
interview.) Bergeron was accompanied to the SSC offices

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Telephone Rm. _____
Director Sec'y _____

1 - 100-106670 (Martin Luther King, Jr.)
1 - 67-149224 (Personnel File Former SA Wilfred L. Bergeron)

SFP:1hb 1hb ORIGINAL AND ONE COPY TO AG
(10)

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE PAGE 7

62-116395-357

GPO : 1975 O - 569-920

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

by an FBI representative who made himself available for possible consultation purposes but this representative was never called upon during the interview.

Bergeron was interviewed in SSC quarters for the approximate period of 10:20 a.m. to 11:20 a.m. June 27, 1975. The interview was to have commenced at 10:00 a.m., but Epstein devoted approximately 20 minutes arranging for adequate space for the interview. In addition to Epstein, another Staff Member, Mary DeOreo, was present. She took notes in longhand throughout the interview and also participated in some of the questioning to a small degree. At the outset, Bergeron was advised of his right to counsel and other rights and told that if he gave any information indicating a possible violation of Federal law, his information would be turned over to the Department of Justice. The interview was not under oath and was not pursuant to a subpoena. The details of the interview are set out below, not necessarily in chronological order.

Bergeron was asked for biographic data insofar as his FBI career was concerned and he advised that he had entered the FBI in a clerical capacity in 1940 and was assigned to the Washington Field Office (WFO) of the FBI from October, 1942, until his retirement in September, 1965, almost the entire period as an SA.

Bergeron was questioned and furnished information about the organization of WFO, principally relating to the squads engaged in security work. He was asked to identify supervisory and other personnel attached to the various security squads when he worked in WFO and in most instances his replies were that due to time lapse he was unable to

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

furnish specific names. He pointed out that if there was made available to him the various personnel directories of WFO down through the years he might better be able to respond to such inquiries.

Questioning turned to the FBI investigation of Martin Luther King, Jr., and specifically to electronic coverage of King at the Willard Hotel in Washington, D. C., in the mid-1960's. He was asked how this coverage came about and responded that he was called into the office of the Security Coordinator in WFO, Ludwig W. R. Oberndorf (deceased). Present were an FBI Assistant Director, William C. Sullivan, SA William Welch (deceased) and two to four other WFO SAs, names not now recalled. This conference was led by Sullivan, who explained that King and some of his associates were coming to Washington, D. C., and that the Bureau desired to effect technical coverage on King. It was Sullivan's information that King had spent time in New York City and had been discovered to have a number of communist contacts there. Because of these contacts, the FBI interest in King was a national security matter, according to Sullivan.

Bergeron was asked whether Sullivan mentioned the specific types of coverage desired and Bergeron could not recall beyond the generic description of technical. Bergeron explained that SA Welch was present because he was the hotel contact man for WFO. It was assumed that because King was coming to Washington, D. C., with several other individuals, they would probably stay at a hotel rather than in someone's home. It was therefore believed desirable to utilize the help of an SA who had contacts with the various hotels.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

After it was determined that King and his party were to stay at the Willard Hotel, Bergeron was taken there by Welch and introduced to one of the Willard's staff, name not recalled. Bergeron was then shown rooms similar to the ones which had been reserved for King and his party. This was part of the feasibility survey which Bergeron performed to determine whether it would be feasible to make a technical installation, Bergeron being a trained "sound man."

Bergeron was queried as to who made the decision as to the exact types of coverage to be put in effect and Bergeron replied that he himself made that decision. He was asked if there was office correspondence authorizing an installation and Bergeron responded that there was--that he always insisted that there be when he made an installation. Bergeron explained that the authorization could have been either of two types. The Bureau letter might have authorized only a feasibility survey; or it might have authorized both feasibility survey and installation. Bergeron said that he had seen whatever paper there was containing the authorization even though such correspondence would be addressed to the Special Agent in Charge (SAC). He explained the routing of such mail whereby the SAC would route it to the appropriate supervisor and then to the SA who was to make the installation.

In response to general questioning, Bergeron advised that electronic surveillances might start in two different ways. One would be when a field office would originate the correspondence and the other would be when FBI Headquarters would originate the correspondence.

In response to questions concerning the type and nature of the installation, Bergeron made at the Willard Hotel, he advised that he had placed a transmitter in each of two

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

lamps and then through the hotel contact, it was arranged to have the housekeeper change the lamps in two rooms which had been set aside for King and his party. This was handled in this matter in order to afford maximum security to the operation and avoid, if possible, any suspicion among employees of the hotel which might have been then transmitted to the King party.

Bergeron was asked whether any telephone surveillance was installed and he replied that none had been made in the Willard Hotel. Bergeron could not recall whether or not the Bureau had asked for such a surveillance. In any event, Bergeron explained that such a surveillance would have been too complicated because of the presence of a switchboard at the hotel. Bergeron was asked whether he could have used switchboard operators to assist in such a surveillance and his response was "no." Bergeron was next asked if he had ever put a telephone surveillance in any hotel room and he responded, "Do you mean in the King case?" Epstein then asked if Bergeron had made such an installation in any case and Bergeron advised Epstein that he was cleared to discuss only the King case.

Questioning then turned to the matter of the monitoring of the microphone surveillance which he had installed. Bergeron explained that they required two rooms for such monitoring and that there were utilized in these rooms radio receivers and tape recorders. Upon request, Bergeron gave the name of Bill Campbell as one of the SAs doing the monitoring and said there was another SA, name unrecalled. Bergeron indicated that he himself listened to very little of the transmissions; only enough to test the efficiency of the transmissions. Bergeron was asked if he had seen any of the logs which were made and he replied

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

that he probably had but did not recall any of the contents. Bergeron advised that he probably saw transcripts of the monitoring but again could not recall any of the contents. He was questioned as to what happened to the logs and transcripts and replied that he assumed that they had been sent to FBI Headquarters. As to the tapes themselves, Bergeron indicated he had no idea of what disposition was made of them.

Bergeron was asked if WFO had a file on King prior to the situation described above and he advised he had no knowledge on that matter.

He was asked if he knew of any other similar coverage on King in other places and his response was that any affirmative answer he might give would be mere hearsay.

Epstein inquired of Bergeron as to who he had talked to after Epstein first called him to arrange the interview. Bergeron told Epstein that he had talked to another FBI SA, Ernest Belter (previously interviewed by SSC Staff). Epstein inquired as to why Bergeron had contacted Belter and Bergeron told Epstein that he did it for the purpose of thanking Belter for "small favors" because Belter had supplied Bergeron's name to Epstein. Bergeron also explained that he called Belter, who he had learned had already been interviewed by the SSC, to find out who he, Bergeron, should talk to in the Bureau about any forthcoming interview.

In response to questioning, Bergeron told Epstein that earlier that morning he had seen FBI Assistant Director John Mintz and SA William O. Cregar in connection with obtaining the necessary clearance prior to being interviewed.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF RETIRED FBI SA BY SSC

He was asked if they had discussed the King case with him and he responded that they had not. He was asked if he had reviewed any FBI files prior to the interview and he responded that he had not. He was asked if any files were offered to him and he responded that none had been offered him. He was asked whether he had requested an opportunity to review FBI files and he replied that he had not made any such request. Miss DeOreo then asked Bergeron if it was his decision to not look at FBI files to refresh his memory prior to the interview. He responded by advising that he no longer worked for the FBI and therefore believed he had no right to review FBI files.

Questioning then turned to the matter of photographic coverage of King at the Willard Hotel and in response to a direct question, Bergeron advised there was no such coverage. He was asked whether any "surreptitious coverage" was utilized and his response was that none had been used. He was questioned concerning possible use of TV coverage and responded that none was used. Bergeron explained that they were talking about a period over 10 years ago when such equipment was not nearly as well developed as it is today.

When it appeared that the interview was concluded, Bergeron inquired as to whether the interviewers were "finished" with him. Epstein indicated that they were not and that they would probably call him back again because of Bergeron's "broad general knowledge of intelligence activities." Bergeron disclaimed such knowledge.

NOTE:

Bergeron was accompanied to the interview by SA S. F. Phillips of the Senstudy 75 Project, who also debriefed Bergeron as reported herein. The advice given to Bergeron prior to the interview concerning being released from employment agreement was by Assistant Director Mintz.

TO: Intelligence Community Staff ATTN: Central Index				FROM: FBI			
SUBJECT: Abstract of Information Provided to Select Committees							
1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)						2. DATE PROVIDED 7/8/75	
DOCUMENT	BRIEFING	<input checked="" type="checkbox"/> X	INTERVIEW	TESTIMONY	OTHER		
3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)							
SSC	The Attorney General with a copy for forwarding to the White House						
HSC							
4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)							
Memorandum				ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/4/02 BY SP2XLM/ldj			
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)						6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)	
NA						U	
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)							
Organization and staffing Surveillance, electronic Intelligence activities, domestic							
8. SUMMARY (see reverse side before completing this item)							
Memorandum reports results of interview by SSC Staff Members of former FBI SA Wilfred L. Bergeron.							
<div style="float: right; text-align: right; font-family: cursive; font-size: 2em;">woe/ S.B.</div> <div style="clear: both;"></div>							
62-116395		TREAT AS YELLOW					
SFP:1hb (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.

3 July 1975

Wob

Secret Study - 75

MEMORANDUM FOR: Members of the USIB Ad Hoc Coordinating Group

SUBJECTS:

- a. Request to Secret Service
- b. Second Print-out of Community Central Index Data
- c. Additional Key Words

Phil B...

1. Attached for your information is a copy of the first Senate Select Committee request to the Secret Service.

2. Early next week the second report of information furnished to the Central Index on requests of the Congressional Select Committees and agencies' responses will be available. It will be provided to you as well as to those individuals who participate in the Policy Steering discussions. The content of this report represents information furnished to the Central Index through the middle of June and contains approximately three times the number of records reported on 29 May. You will also note that the format of the report has changed to relate responses to requests directly. The key word section will remain the same.

3. Two additional key words have been suggested for your consideration in future submissions to the Central Index:

- a. ATF Involvement (Bureau of Alcohol, Tobacco and Fire Arms, Department of the Treasury)
- b. Secret Service

62-116395

NOT RECORDED

3 JUL 16 1975

Phil B...

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *11/14/00* BY *SP2ALM/ely*

Harriett Mowitt
Harriett Mowitt
Executive Secretary

USIB Ad Hoc Coordinating Group

Attachment
as stated

Please file 5-D
62-116395



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

July 2, 1975

TO: John Mintz
Legal Counsel Division
Federal Bureau of Investigation

FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: See Below

of Secretary - '75

The enclosed self-explanatory memorandum from Mr. Keeney to me, with attachments, is referred to you for appropriate Bureau review as suggested by Mr. Keeney. Please note that expedited review, toward a delivery of an appropriate summary to SSC on 7/8, is desirable and consistent with the DAG's letter of June 25, 1975, and the SSC response of June 27, 1975, copies of which have already been furnished to you.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/72 BY SP7 ALM/clj

REC-107

62-116395-355

3 JUL 16 1975

EX-108

LEGAL COUNSEL

~~TOP SECRET~~

MATERIAL ATTACHED

REVOLUTION JUL 25 1975

July 2, 1975

TO: John Mintz
Legal Counsel Division
Federal Bureau of Investigation

FROM: K. William O'Connor
Special Counsel for Intelligence
Coordination

SUBJECT: See Below

The enclosed self-explanatory memorandum from Mr. Keeney to me, with attachments, is referred to you for appropriate Bureau review as suggested by Mr. Keeney. Please note that expedited review, toward a delivery of an appropriate summary to SSC on 7/8, is desirable and consistent with the DAG's letter of June 25, 1975, and the SSC response of June 27, 1975, copies of which have already been furnished to you.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/02 BY SP2/ML/CLJ

~~TOP SECRET~~
MATERIAL ATTACHED

UNITED STATES GOVERNMENT

Memorandum

TO : ✓ Mr. J. B. Adams

DATE: 7/8/75

FROM : Legal Counsel *[Signature]*

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/00 BY SP2ACU/dj

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 _____

Former Assistant Director Ivan Conrad telephonically advised me on July 8, 1975, that he had been contacted by representatives of the above committee and requested to appear for an interview in their offices at 10:00 a.m. on July 9, 1975. He requested a meeting with me and with other appropriate Bureau representatives in my office at 9:00 a.m. on July 9, 1975, in order to be advised concerning the status of any secrecy obligation he has to the Bureau and to make arrangements for a Bureau representative to accompany him to the interview. *5-000*

RECOMMENDATION:

That the Intelligence Division designate a representative to meet in my office at 9:00 a.m. July 9, 1975, with Mr. Conrad and to accompany him to the interview. *Handled 1/1/75*

- 1 - Mr. Wannall
 - 1 - Mr. Cregar
 - 1 - Mr. Daly
 - 1 - Mr. Mintz
- [Signatures]*

JAM:mfd
(5) *[Signature]*

3 JUL 16 1975

REC-107

62-116395-353

LEGAL COUNSEL *[Signature]*



84 JUL 21 1975



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

JUL 8 1975

Sensitivity - 75

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

Bill
FROM: K. William O'Connor
Special Counsel for
Intelligence Coordination

SUBJECT: SSC Notification of June 27; COINTELPRO

ALL FBI INFORMATION CONTAINED
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DATE 11/14/00 BY 92244/ELJ

Attached is a request for further detailed information from Senate Select Committee, regarding COINTELPRO, from Mr. Elliff dated July 1, 1975.

Please note that this matter is considered and characterized as an "abuse" (see page 21 of enclosures to SSC letter of June 27, previously forwarded); accordingly, any Agent interview would be an "abuse interview" subject to the strictures set forth in the "Outline for Inquiry Procedures" referenced in the SSC letter of June 27. Because of this, I feel we should discuss the procedures for interview which may be sought under page 2, paragraph "Interviews" of Mr. Elliff's attached letter. It may be that the matter should be discussed with the Deputy Attorney General as well, after Mr. Levi has responded to the SSC letter of June 27. A significant legal problem may be presented by the compulsion of Agents' appearance. Please also note the attached Departmental decision on the interpretation of "demand" in 28 C.F.R., 16.21 et. seq. This decision will bear on our resolution of the pending legal problem.

REC-107 62-116395-352

In the meantime, please arrange for the preparation of an appropriate reply enclosing a collection of appropriate documentary material responsive to this letter; I have acknowledged Mr. Elliff's letter today (a copy of my letter is attached).

3 JUL 16 1975

2 - ENCLOSURE

*Please file
62-116395 5-8*

84 JUL 18 1975

Mr. John T. Elliff, Director
Domestic Intelligence Task Force
United States Senate Select Committee
on Intelligence Activities
Washington, D. C. 20510

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/14/02 BY SP12/AM/clj

Subject: COINTELPRO (June 27, Notification Letter)

Dear Mr. Elliff:

Your letter dated July 1, 1975, was delivered to the Office of the Deputy Attorney General on July 8, 1975, and reached me at 10 a.m., that day. I have forwarded your letter to the Federal Bureau of Investigation with a request that an appropriate response be prepared.

We will, of course, attempt to cooperate respectively with the Senate Select Committee's continuing requests for data and for interviews. You should be aware, however, that the characterization of an area of Senate Select Committee inquiry as an abuse may significantly alter arrangements for access to witnesses who are present employees of this Department. We are studying the legal problem presented, and will, in due course, advise you of our conclusions in this regard.

Sincerely,

K. WILLIAM O'CONNOR
Special Counsel for Intelligence Coordination

bcc: John Mintz

62-116395-352
ENCLOSURE



OFFICE OF THE DEPUTY ATTORNEY GENERAL

WASHINGTON, D.C. 20530

JUN 23 1975

TO: Harold R. Tyler, Jr.
Deputy Attorney General

FROM: K. William O'Connor
Special Counsel for
Intelligence Coordination

SUBJECT: Interpretation of "Demand",
28 C.F.R., § 16.21, et. seq. - Action Memorandum

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DATE 11/14/00 BY 1045M/efj

The meaning of "demand" is not indicated, beyond subpoena, in the C.F.R. sections indicated. This omission creates a need for an interpretation, for purposes of uniform Department of Justice reaction.

Outlines for inquiry proceedings were agreed upon between the White House and the Senate Select Committee on June 13, 1975, and a copy of those procedures was furnished to the Department on June 16, 1975. Under those guidelines, there is a general undertaking by the Committee to identify witnesses to the Agency a reasonable time before the interviews occur. This general rule includes current and former employees; certain exceptions (not clearly defined) are indicated in the guidelines. The Committee is required to provide the witness with a copy of the procedures, and "relevant waivers of secrecy oaths or agreements for the purpose of this inquiry". The Committee is required to give prior notice of an interview, generally, specifying: (a) subject area; (b) periods of employment; (c) the date set for the interview.

Since these structured procedures, taken with the rules of the Subcommittee, may create a requirement of testimony upon witnesses, it seems to me clear that the paragraphs of 28 C.F.R., § 16.21, et. seq., which refer to "demand" should be interpreted to include any request by any Committee staff member to interview any employee, former employee or other person connected with the Department of Justice.

This interpretation requires certain action: (1) that the witness be authorized to speak under § 16.23 by an appropriate Department Official; and, (2) that an appropriate Department Official be designated. I would think that the appropriate Department Official for the FBI should be the Director of the FBI or the FBI General Counsel, in coordination with this office.

62-116395-352
ENCLOSURE

As a matter of current practice, the FBI and other components of the Department are presently coordinating with me on agreements for disclosure under § 16:23, as a system for ensuring that they are receiving treatment consistent with the outlines of inquiry procedure and the agreements between the Committee and the Department.

If you approve, I will advise the involved components of the Department of Justice that the word "demand" will be interpreted as indicated for each witness.

X ☒ Approve

☐ Disapprove

☐ Let's Discuss

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

62-116395

July 2, 1975

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

RE: REQUEST PERTAINING TO
 WHEREABOUTS OF PRESENT AND
 FORMER FBI SPECIAL AGENTS (SA)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/13/87 BY SP2ALM/efj

Reference is made to letter dated June 24, 1975, from Mr. John T. Elliff, Director, Domestic Intelligence Task Force, SSC, to Mr. K. William O'Connor, Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, which furnished a list of 21 names of current and former FBI SAs and which requested information as to their current whereabouts.

It is noted that two of the names listed, Richard Hamilton and Charles Haynes, were duplicated in the listing. Thus, 19 different individuals appear to be the subject of the SSC interest.

A number of the names were believed to be misspelled in the listing and we reconstructed the names in what appear to be the correct spellings based upon the information in referenced letter that, with two exceptions, all the individuals were believed to have served for the FBI at either Atlanta or Albany, Georgia. Set out below, in the same order as in referenced letter, is the desired information. Where the name of an FBI field office is indicated, the SA is an incumbent. For all others, the addresses listed are the last ones known to the FBI for the former SAs.

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 _____

SFP:1hb
 (8)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 3

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO WHEREABOUTS OF PRESENT AND FORMER
FBI SPECIAL AGENTS (SAs)

<u>NAME</u> (As Supplied by SSC)	<u>CORRECT NAME</u>	<u>WHEREABOUTS</u>
Donald Burgess	Donald P. Burgess	Atlanta
Robert T. Thompson	Robert W. Thomson	Atlanta
Richard Hamilton	O. Richard Hamilton	Atlanta
Charles Haynes	Charles T. Haynes	Atlanta
John Benton	W. John Benton	Knoxville
James Kellogg	James M. Kellogg	Los Angeles
James McCann	James D. McMahon	3110 Cocos Road Tampa, Florida 33618
Henry Rouse	Henry G. Rowse, Jr.	c/o P.O. Box 65 Sheldon, Vermont 05483 Telephone 802-848-7418
Charles Harding	Charles T. Harding	2243 Pinecliff Dr., N.E. Atlanta, Georgia 30345
Timothy Gorch	Timothy Dorch	FBI Headquarters
Richard Fuggett	Richard E. Fugatt	Atlanta
Larry Gurley	Lawrence T. Gurley	1340 Westminister Place Birmingham, Alabama 35235
John Bassett	John Bassett	Chicago

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO WHEREABOUTS OF PRESENT AND FORMER
FBI SPECIAL AGENTS (SA)

<u>NAME</u> (As Supplied by SSC)	<u>CORRECT NAME</u>	<u>WHEREABOUTS</u>
Marion Cheek	Marion E. Cheek	1613 Gail Avenue Albany, Georgia 31705
Ed Hagerty	Edmund F. Haggerty	Atlanta
William Sitesis	Wilbur W. Seitzer	Atlanta
Joseph O'Rorick	Joseph H. O'Rourke	FBI Headquarters
William Bolliard	William Lee Bolyard	Jacksonville
William D. Campbell	William D. Campbell	FBI Headquarters.

1 - The Attorney General

NOTE:

The 6/24/75 SSC letter made reference to prior SSC request pertaining to the FBI investigation of Martin Luther King, Jr., and indicated that of the persons listed in the letter, with only two exceptions (Larry Gurley and William D. Campbell), all were believed to have served at either Atlanta or Albany, Georgia, with the FBI. Gurley and Campbell were understood to have been assigned to FBIHQ. In attempting to identify correctly the individuals listed because of misspellings of names, we ran down the fact that with the exception of Gurley and Campbell, all had at one time served in the Atlanta Field Office except for a John Bassett. The only current or former Agent by this name is assigned to Chicago and has never

NOTE CONTINUED PAGE 4

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: REQUEST PERTAINING TO WHEREABOUTS OF PRESENT AND FORMER
FBI SPECIAL AGENTS (SA)

NOTE CONTINUED:

been assigned to Atlanta. P. V. Daly of Legal Counsel Division rechecked with Mike Epstein of the SSC Staff who advised that the John Bassett in Chicago is the correct one. S. F. Phillips of the Senstudy 75 Project telephonically contacted Bassett 6/26/75 and determined Bassett not only has never been assigned to Atlanta but he has no recollection of having ever worked on the King case. Notwithstanding, we are including Bassett's current office of assignment as requested, even though we currently do not know specifically why the SSC is considering interviewing him.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/02 BY SP2ALM/dj

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

Addressee: U.S. Senate Select Committee on
Intelligence Activities
☐ LTR ☒ LHM ☐ Memo ☐ Report dated 7-2-75

Caption of Document: In response to letter dated
6-24-75, request pertaining to whereabouts of
present and former FBI Special Agents (SA).

Originating Office: FBI
Delivered by: Paul V. Daly Date: 7/2/75
Received by: Michael Rupp
Title: Counsel

Return this receipt to the Intelligence Division, FBI

File
5-714

62-116395-

OFFICE OF THE
DEPUTY ATTORNEY GENERAL



June 26, 1975

TO: Paul Daly
FROM: Bill O'Connor

Please obtain the requested
addresses and return to me in a form
to be provided to the SSC.

Serstudy '75

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12/00 BY SP2AM/ldj

REC-107

5-18
62-11638-351

3 JUL 10 1975

1 - ENCLOSURE *P*

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

PHILIP HART, MICH.

WALTER P. MONDLE, MINN.

WALTER D. DOLESTON, KY.

ROBERT MORGAN, N.C.

GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.

BARRY GOLDWATER, ARIZ.

CHARLES MCC. MATHIAS, JR., MD.

RICHARD S. SCHWEIKER, PA.

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

RECEIVED

JUN 26 1975

June 24, 1975

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12/00 BY SP2A/M/lyj

K. William O'Connor, Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. O'Connor:

Pursuant to our telephone conversation of this date, I am making the following request which relates to matters originally covered in Appendix D, items 5, 6, 9, 13, and 20.

Please provide the present offices of assignment or last known addresses of the following agents or former agents of the Federal Bureau of Investigation:

Donald Burgess
Robert T. Thompson
Richard Hamilton
Charles Haynes
John Benton
James Kellogg
James McCann
Henry Rouse
Charles Harding
Charles Haynes
Richard Hamilton
Timothy Gorch
Richard Fuggett
Larry Gurley
John Bassett
Marion Cheek
Ed Hagerty
William Sitesis
Joseph O'Rorick
William Bolliard
William D. Campbell

OFFICE OF LEGISLATIVE AFFAIRS

DEPUTY ATTORNEY GENERAL

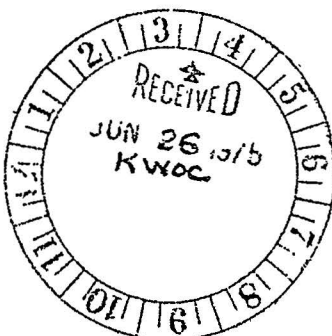
DEPARTMENT OF JUSTICE

JUN 25 1975

240

OFFICE OF LEGISLATIVE AFFAIRS

DEPUTY ATTORNEY GENERAL



ENCLOSURE

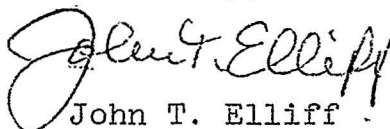
K. William O'Connor, Esq.
Page Two

June 24, 1975

All of these individuals are believed to possess information relevant to the Martin Luther King matter. With the exception of Mr. Gurley and Mr. Campbell, all of these persons are believed to have served at either the Atlanta or Albany, Georgia, office of the FBI. We understand that Mr. Gurley and Mr. Campbell were at one time assigned to headquarters.

It would be most helpful if this information could be provided telephonically to Mr. Michael T. Epstein of our staff.

Sincerely,

A handwritten signature in dark ink, appearing to read "John T. Elliff". The signature is stylized with a large, looping initial "J" and a trailing flourish.

John T. Elliff

Director

Domestic Intelligence Task Force

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

Addressee: Senate Select Committee

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 7/2/75
U.S. Senate Select Committee. Re: Documents Per-
Caption of Document: taining to the "Huston Plan," Coin-
telpro, and other Practices and Programs; Other
Specific FBI Practices and Programs. Appendix C,
III, 25a, and 25b.

Originating Office: FBI

Delivered by: Richard J. Taylor, Jr. Date: 7/8/75 1:30 PM

Received by: [Signature]

Title: Office Memorandum

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/80 BY SP2ALM/dj

File
5-7114

62-116391-

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
Federal Bureau of Investigation

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

7/2/75

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

☒ SSC

Charity Benz, Office Manager

☐ HSC

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

Documents Pertaining to the "Huston Plan," Cointelpro, and Other Practices and Programs

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

SSC letter 5/14/75; Appendix C, Part III, Items 25a, b.

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

"S"

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

Covert Activities

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/3/00 BY SP2AMK/j

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

SSC was furnished, in summarized form, information relating to the establishment and operation by this Bureau of notional Marxist-Leninist organizations within the United States.

62-116395

TREAT AS YELLOW

TJM:1hb
(4)

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

5-TJM

INSTRUCTIONS

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

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

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

The Attorney General

July 2, 1975

Director, FBI

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

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

By letter dated June 24, 1975, the SSC requested information as to the whereabouts of certain listed present and former Special Agents of the FBI.

Attached for your approval and forwarding to the SSC is a memorandum containing a response to this request. A copy of the memorandum is enclosed for your records.

Enclosures - 2

62-116395

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

SFP:lhb
(9)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/00 BY SP2PAM/fhj

ENCLOSURE

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

MAIL ROOM ☒ TELETYPE UNIT ☐

Hand delivered to, not checked for signature 11/2/75

2 - Mr. A. A. Hintz
 (1 - Mr. J. B. Notis)
 1 - Mr. W. E. Wannall
 1 - Mr. W. O. Cregar
 1 - Mr. R. L. Shuckelford
 1 - Mr. J. P. Thomas
 1 - Mr. H. W. Dore, Jr.
 July 2, 1975

The Attorney General

Director, FBI

**UNITED STATES SENATE SELECT
 COMMITTEE ON INTELLIGENCE ACTIVITIES**

Reference is made to memorandum from Senate Select Committee, dated May 14, 1975, and appendices thereto, requesting certain documents and other information from the FBI.

Attached for your approval and forwarding to the Committee is the original of a memorandum which concerns information requested by captioned Committee regarding notional Marxist-Leninist organizations within the United States.

A copy of this memorandum is being provided for your records.

Enclosures (2)

62-116895

1 - The Deputy Attorney General
 Attention: E. William O'Connor
 Special Counsel for
 Intelligence Coordination

HWD:prd
 (11) prd

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/13/00 BY SP2ALM/af

- 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. _____

1 - ENCLOSURE

Hand delivered to Dept
 U. Navy 7-3-75
 WED

REC-107

3 JUL 16 1975

SECRET MATERIAL ATTACHED

1975 Delivered to Chief of Base 1/7 PRT

350

1000

SECRET

2 - Mr. J. A. Mintz
 (1 - Mr. J. B. Hotis)
 1 - Mr. W. E. Wannall
 1 - Mr. W. C. Cregar
 1 - Mr. E. L. Shackelford
 1 - Mr. J. P. Thomas
 1 - Mr. H. W. Hays Jr.
 July 2, 1975

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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

RE: DOCUMENTS PERTAINING TO THE "HUSTON PLAN,"
COINTELPRO, AND OTHER PRACTICES AND PROGRAMS

OTHER SPECIFIC FBI PRACTICES AND PROGRAMS

Reference is made to memorandum from captioned
Committee dated May 14, 1975, and the appendices thereto,
which contained a request for all memoranda and other
material reflecting activities of any Agents, employees,
or informants of the FBI in connection with the establish-
ment, creation or financing of national Marxist-Leninist
organizations within the United States (Appendix C, III, 25a)
and of the [Red Star Cadre or Red Star Swap Shop, and The
Red Collective] (Appendix C, III, 25b). (S)

Due to the extremely sensitive nature of the
information requested and potential damage to sensitive
sources and methods, this Bureau's participation in such
activities is being set forth in a summarized form which
is believed to be responsive to the Committee's inquiry.

Appendix C, III, 25a

A national Marxist-Leninist organization was
established by an informant under the direction of this
Bureau during November, 1970, as a technique to expand
the informant's coverage of subversive and extremist groups,
domestic and international, and to enable the informant to
collect extremist literature of international organizations
which had selected domestic groups for possible penetration.

ORIGINAL AND COPY SENT THE ATTORNEY GENERAL

HWD:prc
(10) prc

Classified by 2121 JFM
Exempt from GDS, Category Number 2
Date of Declassification Indefinite

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure

Subject to Criminal Sanctions

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

MAIL ROOM ☐ DocId: 32989614

TELETYPE UNIT ☐ Page 168

ENCLOSURE

GPO 954-540

11/13/75
CLASSIFIED BY 5022 ALM/jdg
DECLASSIFY ON: 25X

62-116395-350

SECRET

Appendix C, III, 25b (1)

[The Red Star Cadre or Red Star Swap Shop] (S)

In October, 1972, the Tampa Office of the FBI began utilizing [The Red Star Cadre (RSC)] title as a cover for Joseph (S) Alfred Burton, a self-proclaimed former informant of the FBI.

Burton has publicly advised of his association with the FBI, having cooperated with this Bureau from May, 1972, until July, 1974. He voluntarily severed his relationship with this Bureau since he desired to provide security for his family and because he was no longer willing to be associated with the communist revolutionary movement.

The Red Star Cadre, national in nature, was subsequently projected as a small Marxist-Leninist pro-Chinese communist revolutionary group using a post office box for a mailing address. The objectives of The Red Star Cadre were the identification of pro-Chinese communists as well as the People's Republic of China intelligence and political activities in the United States, including the influence of the People's Republic of China on the domestic revolutionary movement. Secondary objectives were to develop information relating to domestic Marxist-Leninist-Maoist activities. During the period of the existence of The Red Star Cadre (until July, 1974) numerous informants were utilized in an effort to carry out the above-mentioned objectives. During early discussions with Burton, he advised this Bureau that he intended to operate a "swap shop" in Tampa. Subsequently, in June, 1972, he opened the Red Star Swap Shop (RSSS) and operated it until December, 1972. The RSSS served as a store serving radical interests. (S)

The Red Star Cadre was financed by this Bureau through regular payments to informants for services and expenses. (S)

[The Red Star Swap Shop] (S)

Appendix C, III, 25b (2)

[The Red Collective] (S)

The Red Collective (RC) was established during February, 1972, by a former confidential informant of the FBI. It was national in nature in that it only served as a basis for informants, as alleged members of a revolutionary collective, to maintain contact with individuals and organizations of intelligence interest. It was anticipated the RC would eventually be utilized to place informants in contact with political or intelligence officers of the People's Republic of China (PRC). (S)

- 3 -
SECRET

SECRET

Although one of the AC did not result in contact with FIC officers, it did serve as a means for informants to establish contacts with a number of pro-Chinese Marxist-Leninist groups and other subversive or extremist elements. This operation was financed by the FBI through regular payments to informants for their services and expenses. During September, 1973, instructions were set forth by this Bureau that it was not desired that new informants be developed to operate within the AC or that the EC be expanded further as a national organization. The informants utilized in this operation have been discontinued and the EC exists in title only. (S)

[100-471704 The Red Collective] (S)

Other than those national Marxist-Leninist organizations mentioned above, this Bureau is not aware of any additional Bureau-sponsored national Marxist-Leninist organizations within the United States. Should the decision be made that additional information concerning above matters is necessary, it is suggested an oral briefing be requested.

This Bureau does not maintain any specific records which identify national organizations, as such. Identities of specific national organizations were developed through review of logical files and through contacts with knowledgeable personnel.

It should be recognized also that, on occasion, as an investigative technique, the name of a non-existent, completely fictitious organization may have been used as a temporary cover in an investigation. [An example would be the use of an organizational letterhead of the "Temporary Committee for the Protection of Serbian Nationalism" to support mailing to Serbian emigre leaders of a pamphlet denouncing terrorism and violence. Such an organization would not be used on a continuing basis; no headquarters address or post office box would be claimed; no informants or other resources would be used in any attempt to validate such an organization.] In short, this would be a (S) "fictitious" rather than a "national" organization.

1 - The Attorney General

- 4 -
SECRET

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

July 2, 1975

The Attorney General

Director, FBI

1 - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to a letter from the SSC dated May 14, 1975, with attached appendices, requesting certain documents and other information from the FBI.

Attached for your approval and forwarding to the SSC is an original of a memorandum, with enclosure, which responds, in part, to two of the requests contained in above SSC letter.

A copy of the memorandum is being furnished for your records.

Enclosures - 4

62-116395

1 - The Deputy Attorney General
Attention: K. William O'Connor
Special Counsel for
Intelligence Coordination

KAM:sdjs sdjs
(9)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/12/02 BY SP2A Wldj
MDR-16

ENCLOSURE ATTACHED
2 - ENCLOSURE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
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Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____

REG-107

62-116395-349
3 JUL 16 1975

MAILED ROOM ☒

TELETYPE UNIT ☐

Mendenhall

GPO : 1975 O-569-920

Re: Documents Pertaining to the Committee's
Prior Requests; and Further Documents Pertaining to the
FBI and Department of Justice

Physical and Photographic Surveillance

NOTE:

Original memorandum to the House Subcommittee was forwarded to that Committee by cover memorandum to the Assistant Attorney General, Office of Legislative Affairs, dated 5/1/75. There are no third agency considerations in this matter.

Letter dated 4/10/75 to the Attorney General from the House Subcommittee is not being furnished the SSC inasmuch as a majority of the letter requested additional information from the FBI which pertained to the Director's testimony before the Subcommittee on 2/27/75.

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 7/2/75

Senate Select Committee: Re: Documnts Pertain-
Caption of Document: ing to Committee's Prior Requests;
& Frthr Documnts Pertaining to FBI & Dept. of
Justice: Physical & Photographic Surveillance.
(Appendix A, Item 5d; Appendix B, Item 4).

Originating Office: FBI

Delivered by: Richard T. Taylor Jr. Date: 7/8/75 ³⁶ _{1 PM}

Received by: [Signature]

Title: Office Manager

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/00 BY SP2ALM/dj
MDR-16

File
5-AM

62-116372

May 1, 1975

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS
OF THE HOUSE COMMITTEE ON THE JUDICIARY

RE: DEMONSTRATION AT FEDERAL BUILDING,
AKRON, OHIO, JANUARY 27, 1975

Reference is made to letter dated April 10, 1975, to the Attorney General from the Chairman of captioned subcommittee. Item two on page two of this letter refers to an attachment setting forth questions to which Congressman John F. Seiberling requested responses concerning FBI participation in the demonstration referenced above.

Prior to the actual questions, a description of events surrounding this demonstration was set forth, which had been provided by Congressman Seiberling during questions asked of FBI Director Clarence M. Kelley during the hearing on the oversight of the FBI held on February 27, 1975. Congressman Seiberling's summary as set forth is considered accurate, with the following exceptions:

In connection with the statement, "At some point during January, 1975, there was a bomb threat against the new Federal Office Building in Akron," the Cleveland Office of the FBI, which is the headquarters office of the FBI Resident Agency at Akron, Ohio, has advised a review of its records fails to indicate that any information concerning a bomb threat against the Federal Building in Akron was received during January, 1975, and no action taken by the FBI regarding this demonstration was related to any bomb threat.

Concerning the statement, "On January 27, a group of six to eight people demonstrated outside the building against continued U. S. assistance to South Vietnam," it is noted that FBI records indicate approximately 15 persons participated in the demonstration.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/00 BY [signature]
MDR-16

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

**Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary**

Responses to the aforementioned questions are set forth below and appear in the same order as posed.

1. The FBI conducts surveillances of demonstrations occurring on or near Federal property; at other locations when facts indicate a violation of Federal statutes over which the FBI has investigative jurisdiction may occur; or at a site where individuals of investigative interest to the FBI are present or the demonstration is sponsored by an organization of investigative interest. In this instance, the FBI had received information from a source, who has provided reliable information in the past, that an organization of investigative interest to the FBI would be attempting to gain publicity by entering the Federal Building in Akron, creating disturbances and defacing Federal property. This organization has been determined to be influenced by a separate organization which espouses a basic Marxist-Leninist-Maoist revolutionary ideology. Investigation of both of these organizations is based on information which indicates they may be engaged in activities which could involve violations of Title 18, United States Code, Sections 2383 (Rebellion or Insurrection), 2384 (Seditious Conspiracy), 2385 (Advocating Overthrow of Government), and 2387 (Sedition). In addition, inasmuch as the possibility existed individuals present at the demonstration would attempt to deface Federal property, there was reason to believe a violation of Title 18, United States Code, Section 1361 (Destruction of Government Property) could occur. At a later date, additional information was received from a second source, who has provided reliable information in the past, that the demonstration at the Federal Building in Akron would be to protest United States involvement in Southeast Asia, and leaflets urging support of this demonstration were being distributed in the Akron-Kent, Ohio, area. In keeping with existing FBI policy, the Akron Police Department and the General Services Administration Building Manager in charge of the Akron Federal Building were notified of the impending demonstration and of information received indicating a possibility that disruptive activity would occur during the demonstration.

Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary

Surveillance in this case was not related to any bomb threat; however, based on the information stated above, there was reason for the FBI to suspect that there might be violations of Federal statutes over which the FBI has investigative jurisdiction. In the event such violations did occur, it would be necessary that Agents be present to gather the necessary evidence.

The FBI did have an interest relating to the identities of the particular individuals who were involved in organizing the demonstration. One such individual, who played a key role in plans to cause disruptive activity and in organizing the demonstration, has been arrested and convicted for abuse to a police officer, resisting arrest, disorderly conduct, trespassing, and disrupting lawful assembly in the past and has been described by a source, who has provided reliable information in the past, to have indicated in the past a desire to "get something going with the police." This same individual is also considered by the source to be unstable and violence-prone. In addition, the individuals planning the demonstration, as previously mentioned, were affiliated with an organization which follows a revolutionary ideology.

2. There were no known violations of Federal or local statutes during the demonstration; there was no violence; and there were no arrests as a result of the demonstration. Both visual and photographic surveillances were conducted by the FBI during the demonstration. Current FBI instructions state that photographic surveillances should be considered on a selective basis when circumstances indicate they may be productive. The decision-making authority in such a matter is vested in the Special Agent in Charge of the particular headquarters field office of the FBI, his assistant in his absence, or the Agent supervisor acting on their behalf in the absence of both. In the event unusual circumstances exist, the Special Agent in Charge of a particular field office would request authority from FBI Headquarters in Washington, D. C., to conduct a photographic surveillance. Photographs were taken for the possible evidentiary purpose of recording anticipated events leading to the perpetration of an act by one or more demonstrators in violation of the Federal statute concerning destruction of Government property, as well as recording on film any overt act. FBI Agents observed the demonstration for the same reason and for the additional purpose of effecting, if necessary, the arrests of individuals violating Federal statutes.

Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary

Both prints and negatives of photographs taken by the FBI have been maintained, from the time processed, as exhibits in records of the FBI's Cleveland Office. The film was developed because, among the approximately 15 demonstrators present outside the Akron Federal Building, Agents recognized five individuals known to be affiliated with the organization in which the FBI had investigative interest. In the event photographs depicting these individuals were of better quality than existing photographs, the improved ones would be, in accordance with FBI policy and in line with an agreement between the FBI and the Secret Service concerning Presidential protection, forwarded to the Secret Service for possible future use by that agency in connection with its responsibilities. The photographs obtained, however, were not suitable for this purpose.

Prints of these photographs were not made available to the Akron Police Department, were not forwarded to FBI Headquarters in Washington, D. C., and were not made available to anyone else. These prints were not retained at the Akron FBI Resident Agency, but were sent to the Cleveland FBI Office and are maintained in the files of that office.

3. The Akron FBI Resident Agency did make an attempt to identify the unknown participants in the demonstration from the photographs taken during the demonstration. Information concerning the identities of some of the demonstrators was provided by the Akron Resident Agency to the Intelligence Division, Akron Police Department, for the purpose of bringing to their attention the identities of those individual participants who have been involved in disruptive activities in the past and who may become so involved again in the future. One of the individuals so identified to the Akron Police Department has reportedly urged "spontaneous violence" at a demonstration in the past.

Files of the FBI are not maintained at the Resident Agency level; therefore, information concerning the identities of some of the demonstrators has been placed and is being maintained in the files of the Cleveland FBI Office.

Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary

4. It is believed the FBI should retain photographs and information gathered concerning the identities of demonstrators following a demonstration in which the presence of the FBI is justified, even though such demonstration ends peacefully with no arrests and no violations of either Federal or local statutes. In the few selective instances in which demonstrations have been photographed, a substantive reason has existed justifying the use of photography. In this instance, photography was utilized in anticipation of commission of a Federal offense and in connection with the investigation of an organization, and individuals affiliated therewith, on whom the FBI was conducting investigation under the statutes mentioned herein.

Additionally, information of this nature is maintained in accordance with the records retention plan furnished the FBI by the National Archives and Records Service during 1969. This plan identified categories of records which were considered to have a permanent value and which should be retained indefinitely by the FBI. Included were those records involving crimes of treason, insurrection or rebellion, sedition, subversion, sabotage, espionage, counterintelligence and related internal security functions.

TO: Intelligence Community Staff
ATTN: Central IndexFROM:
Federal Bureau of Investigation

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

7/2/75

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

☒ SSC

Charity Benz, Office Manager

☐ HSC4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)

Documents Pertaining to the Committee's Prior Requests; and
Further Documents Pertaining to the FBI and Department of
Justice.

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.)

SSC 5/14/75 letter; Appendix A, Item 5d, and
Appendix B, Item 4.

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)Surveillance

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

SSC was furnished documents responding to inquiry concerning
the Bureau's legal authority, policy, and procedures relating to
the conduct of all forms of physical surveillances.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/00 BY SP2ALM/ky
MDR-16

62-116395

TREAT AS YELLOWTJM:1hb
(4)ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN
CONNECTION WITH SENSTUDY 75.

5-TJM

INSTRUCTIONS

- Type or print clearly in ink.
- - Indicate classification of the abstract top and bottom.
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2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall

The Attorney General

July 2, 1975

Director, FBI

(1) - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)



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Enclosures - 4

62-116396

1 - The Deputy Attorney General
Attention: E. William O'Connor
Special Counsel for
Intelligence Coordination

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/00 BY SP2ALM/djg
MDR-16

KAM:sdjs
(9)

delivered to Dept 7/3/75

PVD

delivered to Benz, SSC, 1st 7/8/75

RTT

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

(1) - Mr. W. O. Cregar
1 - Mr. K. A. Mendenhall

62-116395

July 2, 1975

UNITED STATES SENATE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

RE: DOCUMENTS PERTAINING TO THE
COMMITTEE'S PRIOR REQUESTS; AND
FURTHER DOCUMENTS PERTAINING TO THE
FBI AND DEPARTMENT OF JUSTICE

PHYSICAL AND PHOTOGRAPHIC SURVEILLANCE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/00 BY 72264/MLJ
MDR-16

Reference is made to SSC letter, with attached
appendices, dated May 14, 1975, to the Attorney General,
requesting certain documents and other information from the FBI.

Appendix A, Item number 5d and Appendix B, Item 4,
which matters are interrelated and refer to all forms of FBI
physical surveillances, request information and documents
pertaining to: (1) legal authority for utilization of such
techniques, and (2) policies and procedures affecting
implementation of such techniques.

During a conference on June 12, 1975, between
representatives of the SSC, the FBI, and Department of Justice,
Messrs. John T. Elliff and Mark H. Gitenstein, SSC Staff Members,
advised a copy of FBI memorandum to the Subcommittee on Civil
and Constitutional Rights of the House Committee on the
Judiciary regarding a demonstration at the Federal Building in
Akron, Ohio, on January 27, 1975, would be acceptable as a
response to the above requests.

Enclosed is a copy of the memorandum requested.

Additional information relating to policy of the FBI
regarding physical and photographic surveillances may be found
in this Bureau's Manual of Rules and Regulations, Manual of
Instructions, and Special Agent in Charge (SAC) Memoranda, which
items are being made available for review to SSC personnel at
FBIHQ, in response to a specific request of the Committee.

Enclosure

1 - The Attorney General

KAM:sdjs
(3)

ORIGINAL AND ONE COPY TO ATTORNEY GENERAL

SEE NOTE PAGE TWO

Re: Documents Pertaining to the Committee's
Prior Requests; and Further Documents Pertaining to the
FBI and Department of Justice

Physical and Photographic Surveillance

NOTE:

Original memorandum to the House Subcommittee was forwarded to that Committee by cover memorandum to the Assistant Attorney General, Office of Legislative Affairs, dated 5/1/75. There are no third agency considerations in this matter.

Letter dated 4/10/75 to the Attorney General from the House Subcommittee is not being furnished the SSC inasmuch as a majority of the letter requested additional information from the FBI which pertained to the Director's testimony before the Subcommittee on 2/27/75.

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
Federal Bureau of Investigation

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

7/2/75

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

☒ SSC

Charity Benz, Office Manager

☐ HSC

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

Documents Pertaining to the Committee's Prior Requests; and .
Further Documents Pertaining to the FBI and Department of
Justice.

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

SSC 5/14/75 letter; Appendix A, Item 5d, and
Appendix B, Item 4.

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)

Surveillance

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

SSC was furnished documents responding to inquiry concerning the Bureau's legal authority, policy, and procedures relating to the conduct of all forms of physical surveillances.

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MOD-16

62-116395

TJM:1hb
(4)

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

May 1, 1975

SUBCOMMITTEE ON CIVIL AND CONSTITUTIONAL RIGHTS
OF THE HOUSE COMMITTEE ON THE JUDICIARY

RE: DEMONSTRATION AT FEDERAL BUILDING,
AKRON, OHIO, JANUARY 27, 1975

Reference is made to letter dated April 10, 1975, to the Attorney General from the Chairman of captioned subcommittee. Item two on page two of this letter refers to an attachment setting forth questions to which Congressman John F. Seiberling requested responses concerning FBI participation in the demonstration referenced above.

Prior to the actual questions, a description of events surrounding this demonstration was set forth, which had been provided by Congressman Seiberling during questions asked of FBI Director Clarence M. Kelley during the hearing on the oversight of the FBI held on February 27, 1975. Congressman Seiberling's summary as set forth is considered accurate, with the following exceptions:

In connection with the statement, "At some point during January, 1975, there was a bomb threat against the new Federal Office Building in Akron," the Cleveland Office of the FBI, which is the headquarters office of the FBI Resident Agency at Akron, Ohio, has advised a review of its records fails to indicate that any information concerning a bomb threat against the Federal Building in Akron was received during January, 1975, and no action taken by the FBI regarding this demonstration was related to any bomb threat.

Concerning the statement, "On January 27, a group of six to eight people demonstrated outside the building against continued U. S. assistance to South Vietnam," it is noted that FBI records indicate approximately 15 persons participated in the demonstration.

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W02-16

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary

Responses to the aforementioned questions are set forth below and appear in the same order as posed.

1. The FBI conducts surveillances of demonstrations occurring on or near Federal property; at other locations when facts indicate a violation of Federal statutes over which the FBI has investigative jurisdiction may occur; or at a site where individuals of investigative interest to the FBI are present or the demonstration is sponsored by an organization of investigative interest. In this instance, the FBI had received information from a source, who has provided reliable information in the past, that an organization of investigative interest to the FBI would be attempting to gain publicity by entering the Federal Building in Akron, creating disturbances and defacing Federal property. This organization has been determined to be influenced by a separate organization which espouses a basic Marxist-Leninist-Maoist revolutionary ideology. Investigation of both of these organizations is based on information which indicates they may be engaged in activities which could involve violations of Title 18, United States Code, Sections 2383 (Rebellion or Insurrection), 2384 (Seditious Conspiracy), 2385 (Advocating Overthrow of Government), and 2387 (Sedition). In addition, inasmuch as the possibility existed individuals present at the demonstration would attempt to deface Federal property, there was reason to believe a violation of Title 18, United States Code, Section 1361 (Destruction of Government Property) could occur. At a later date, additional information was received from a second source, who has provided reliable information in the past, that the demonstration at the Federal Building in Akron would be to protest United States involvement in Southeast Asia, and leaflets urging support of this demonstration were being distributed in the Akron-Kent, Ohio, area. In keeping with existing FBI policy, the Akron Police Department and the General Services Administration Building Manager in charge of the Akron Federal Building were notified of the impending demonstration and of information received indicating a possibility that disruptive activity would occur during the demonstration.

Subcommittee on Civil and Constitutional Rights
of the House Committee on the Judiciary

Surveillance in this case was not related to any bomb threat; however, based on the information stated above, there was reason for the FBI to suspect that there might be violations of Federal statutes over which the FBI has investigative jurisdiction. In the event such violations did occur, it would be necessary that Agents be present to gather the necessary evidence.

The FBI did have an interest relating to the identities of the particular individuals who were involved in organizing the demonstration. One such individual, who played a key role in plans to cause disruptive activity and in organizing the demonstration, has been arrested and convicted for abuse to a police officer, resisting arrest, disorderly conduct, trespassing, and disrupting lawful assembly in the past and has been described by a source, who has provided reliable information in the past, to have indicated in the past a desire to "get something going with the police." This same individual is also considered by the source to be unstable and violence-prone. In addition, the individuals planning the demonstration, as previously mentioned, were affiliated with an organization which follows a revolutionary ideology.

2. There were no known violations of Federal or local statutes during the demonstration; there was no violence; and there were no arrests as a result of the demonstration. Both visual and photographic surveillances were conducted by the FBI during the demonstration. Current FBI instructions state that photographic surveillances should be considered on a selective basis when circumstances indicate they may be productive. The decision-making authority in such a matter is vested in the Special Agent in Charge of the particular headquarters field office of the FBI, his assistant in his absence, or the Agent supervisor acting on their behalf in the absence of both. In the event unusual circumstances exist, the Special Agent in Charge of a particular field office would request authority from FBI Headquarters in Washington, D. C., to conduct a photographic surveillance. Photographs were taken for the possible evidentiary purpose of recording anticipated events leading to the perpetration of an act by one or more demonstrators in violation of the Federal statute concerning destruction of Government property, as well as recording on film any overt act. FBI Agents observed the demonstration for the same reason and for the additional purpose of effecting, if necessary, the arrests of individuals violating Federal statutes.

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Both prints and negatives of photographs taken by the FBI have been maintained, from the time processed, as exhibits in records of the FBI's Cleveland Office. The film was developed because, among the approximately 15 demonstrators present outside the Akron Federal Building, Agents recognized five individuals known to be affiliated with the organization in which the FBI had investigative interest. In the event photographs depicting these individuals were of better quality than existing photographs, the improved ones would be, in accordance with FBI policy and in line with an agreement between the FBI and the Secret Service concerning Presidential protection, forwarded to the Secret Service for possible future use by that agency in connection with its responsibilities. The photographs obtained, however, were not suitable for this purpose.

Prints of these photographs were not made available to the Akron Police Department, were not forwarded to FBI Headquarters in Washington, D. C., and were not made available to anyone else. These prints were not retained at the Akron FBI Resident Agency, but were sent to the Cleveland FBI Office and are maintained in the files of that office.

3. The Akron FBI Resident Agency did make an attempt to identify the unknown participants in the demonstration from the photographs taken during the demonstration. Information concerning the identities of some of the demonstrators was provided by the Akron Resident Agency to the Intelligence Division, Akron Police Department, for the purpose of bringing to their attention the identities of those individual participants who have been involved in disruptive activities in the past and who may become so involved again in the future. One of the individuals so identified to the Akron Police Department has reportedly urged "spontaneous violence" at a demonstration in the past.

Files of the FBI are not maintained at the Resident Agency level; therefore, information concerning the identities of some of the demonstrators has been placed and is being maintained in the files of the Cleveland FBI Office.

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of the House Committee on the Judiciary

4. It is believed the FBI should retain photographs and information gathered concerning the identities of demonstrators following a demonstration in which the presence of the FBI is justified, even though such demonstration ends peacefully with no arrests and no violations of either Federal or local statutes. In the few selective instances in which demonstrations have been photographed, a substantive reason has existed justifying the use of photography. In this instance, photography was utilized in anticipation of commission of a Federal offense and in connection with the investigation of an organization, and individuals affiliated therewith, on whom the FBI was conducting investigation under the statutes mentioned herein.

Additionally, information of this nature is maintained in accordance with the records retention plan furnished the FBI by the National Archives and Records Service during 1969. This plan identified categories of records which were considered to have a permanent value and which should be retained indefinitely by the FBI. Included were those records involving crimes of treason, insurrection or rebellion, sedition, subversion, sabotage, espionage, counterintelligence and related internal security functions.

RE SURVEILLANCES

Set forth below are the locations where Bureau policy regarding surveillances may be found in the Manual of Rules and Regulations and the Manual of Instructions.

Manual of Rules and Regulations

- Section I-4-24 OK
- Section I-6-7 OK
- ✓ Section II-4-12a, 18, 18a OK
- ~~Section II-4-12b, 19~~
- II-4-63 OK

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Manual of Instructions

Volume I

- ✓ Section 4-1 through 6 OK
- ✓ Section 8-30b, 30c, 40 OK

Volume II

- Section 20-7. atomic energy act - '54; Criminal violations
- Section 21-12, 12a bank robbery -
- Section 36-7, 8 espionage; OK

Volume III

- ✓ Section 87-8, 11 OK

Volume IV

- Section 94-10, FFIS ✓
- ✓ Section 105-25, 28, 29, 30, 40, 48, 49 OK
- Section 113-6 IOC ✓

The following SAC Letters also pertain to matters regarding surveillances:

- ✓ 1. 62-32 (H) 6/5/62 attached.
2. 62-39 (I) 7/17/62 attached.
- ✓ 3. 64-56 (D) 11/17/64 attached.
4. 65-37 (D) 7/6/65 -
5. 65-C 7/30/65 -
- ✓ 6. 65-43 (D) 8/10/65 attached.
7. 66-41 (D) 7/5/66 -
8. 69-16 (E) 3/11/69
9. 69-22 (D) 4/8/69
- ✓ 10. 11-72 (B) 7/11/72 attached.

Of the above SAC Letters, items 4, 5, 7, 8, and 9 have already been requested by and are being made available for review at FBIHQ by SSC Staff members.

62-116375-34 Material reviewed by Jim Dink SSC Staff 7/25/75
Jm

CLOSURE

At the present time the type of equipment to be used in photographing civil rights demonstrations and similar activity is left to the discretion of the Special Agent in Charge who should make the necessary evaluation as to the type of equipment most suitable in view of existing circumstances and available equipment. The question of whether such pictures will be taken openly or by the use of concealed photographic equipment will continue to be the responsibility of the Special Agent in Charge who will be held accountable for exercising sound judgment in each instance.

8-10-65

SAC LETTER NO. 65-43

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WDR-16

(D) PHOTOGRAPHING CIVIL RIGHTS DEMONSTRATIONS AND SIMILAR ACTIVITY - TECHNICAL EQUIPMENT -- Reference is made to no number SAC Letter 65-43, July 30, 1965, which placed limitations on the use of concealed cameras. The referenced SAC Letter does not apply to the photographing of civil rights demonstrations and similar activity which are to be handled as follows.

8-10-65

SAC LETTER NO. 65-43

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(D) ATTACHE PHOTOCOPY UNITS - PHOTOGRAPHIC EQUIPMENT --
The Attache Photocopy Units are portable document copy equipment. These units are now available for field use. The enclosure shows one of these units in various stages of assembly. Units will be furnished to each office having available a Special Agent who has received the Laboratory's specialized training in surveillance photography. The equipment will be sent by FBI Laboratory invoice, and on receipt of the equipment appropriate inventory additions should be made, recording the serial number of the unit along with the serial number of the camera and of the lens. Panatomic X film for use in this equipment can be requisitioned from Bureau supply.

This document copy equipment is completely self-contained, requires no outside power source and, therefore, can be used to copy documents in an automobile or at any location without regard to the availability of electric power of any kind. These units are contained in regular attache cases measuring 18 inches by 12 inches by 4 3/4 inches and the gross weight of each unit is 16 pounds. The units are assembled by raising the supporting sides into upright positions and placing the camera-light assembly in position on top of these sides. The lights are then swung to the sides to complete the assembly. An assembled copy unit may be used, either standing in the attache case, or removed from it. Documents

11/17/64

SAC LETTER NO. 64-56

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up to legal size may be copied in a single exposure but large documents may be copied in sections by multiple exposures if the units are removed from the attache cases. Complete operating instructions are included with each unit.

The lights in the Attache Photocopy Units are electron photoflash lights and are powered by a 90-volt battery which is good for a minimum of 1000 exposures. The camera used in the equipment is a standard 35 mm Minolta SR-1 camera with a 35mm f4 Rokkor lens. These cameras take standard 36 exposure loads of film, have rapid wind levers and may be reloaded without detaching from the units. Kodak Panatomic X or equivalent ASA 50 film requires an exposure of 1/15 second at f11 or 1/8 second at f16 in these units.

Attache Photocopy Units have already been furnished to New York, Washington Field, Jackson, Miami, and Atlanta. In the near future units will be forwarded to Albany, Albuquerque, Baltimore, Birmingham, Boston, Buffalo, Charlotte, Chicago, Cincinnati, Cleveland, Dallas, Detroit, Honolulu, Houston, Indianapolis, Jacksonville, Kansas City, Knoxville, Las Vegas, Little Rock, Los Angeles, Louisville, Milwaukee, Minneapolis, Mobile, Newark, New Haven, New Orleans, Norfolk, Oklahoma City, Omaha, Philadelphia, Phoenix, Pittsburgh, Portland, Richmond, St. Louis, San Antonio, San Diego, San Francisco, San Juan, Seattle, and Springfield. Request for additional Attache Photocopy Units or request from offices not receiving units at this time should be made by letter marked for the attention of the FBI Laboratory.

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SAC LETTER NO. 64-56

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(B) AUTOMOTIVE EQUIPMENT USED IN SURVEILLANCES -- You are reminded of the necessity that automotive equipment used in surveillances be sufficiently varied as to minimize the danger that persons under surveillances will recognize it as "policemen's equipment." A limited amount of special surveillance equipment is located in the various offices. Efforts will be made in the future to augment this equipment. Until procurement of sufficiently varied automotive equipment can be obtained, you are authorized to make appropriate use of rental equipment where necessary; however, it is your responsibility to see that such rental equipment is completely justified. Whenever such use will be extensive and the cost is estimated to exceed \$100, prior Bureau authority must be obtained and may be obtained on an expedite basis. You are reminded of the importance of maintaining special surveillance vehicles and equipment in a secure manner to insure none of our surveillances are in any way jeopardized. Existing regulations require that all radio-equipped surveillance trucks be provided separate garage and storage treatment. The desirability of maintaining other surveillance automotive equipment separately from our normal equipment should be carefully evaluated. Where circumstances dictate, such equipment should be provided the same separate facilities as is now required of radio-equipped surveillance trucks. Appropriate manual changes concerning the rental of surveillance equipment will be forthcoming.

(Security page attached)

7-11-72

MEMORANDUM 11-72

(I) COVERAGE OF "SECURITY" SUBJECTS "FREE ON BOND" -- Henceforth, in every security case involving a subject who has been apprehended for a Federal violation within our investigative jurisdiction it will be incumbent upon the office of origin to make recommendations to the Bureau concerning the necessity for physical surveillance coverage of the subject who is free on bond while awaiting trial or pending appeal following conviction. It will be incumbent upon the office of origin to closely follow the appeal proceedings of security subjects, making arrangements with the Washington Field Office or other offices, where necessary, in order that the office of origin can be assured that it is instantaneously notified of any court decision affecting the merits of the appeal. It will be incumbent upon the office of origin to promptly notify the Bureau in such instances, making recommendations for any changes in the coverage of the subject and whether physical surveillance should be utilized until he is committed to custody.

Very truly yours,

John Edgar Hoover

Director

7/17/62

SAC LETTER NO. 62-39

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(H) ~~ESPIONAGE~~ AND FOREIGN INTELLIGENCE INVESTIGATIONS ^b SURVEILLANCES OF SOVIET-BLOC PERSONNEL -- For years Soviet officials in the United States have made numerous and repeated trips throughout this country aimed at obtaining valuable data regarding our air bases, missile sites and other important defense installations. In recent years they have coordinated their activities in this regard with the satellite countries and in this way are getting coverage of areas in the United States closed to Soviet travel.

In connection with our responsibility in regard to coverage of Soviet-bloc activities, these Soviet-bloc officials have been placed under surveillance. Many offices have participated in these surveillances, and it appears that this activity on the part of the Soviet bloc will continue.

On May 16, 1962, a number of newspapers in the United States carried an Associated Press article, date line Moscow, May 15, 1962, reporting that a correspondent for "Izvestia," the official Soviet Government newspaper, alleged that during a recent tour of the United States he was constantly shadowed by the "American secret service." He also alleged newspaper reporters and television men had "close business connections with the FBI" because reporters met him at the railroad station in Portland, Oregon, when he arrived there. He alleged he was under heavy surveillance in Seattle, Washington, and furnished license numbers of two automobiles he alleged were conducting surveillance of him in Los Angeles, California.

The Bureau determined that the allegations of the Soviet correspondent were completely false and undoubtedly were an attempt by the Soviets to embarrass this Bureau and to curtail our counter-intelligence operations. There is a definite possibility other Soviet-bloc personnel may make similar charges in the future and in this connection may attempt to obtain proof of their allegations, such as obtaining photographs of Bureau cars or surveillance agents. It is known that bloc personnel have made numerous attempts to do this in the past.

We do not intend to allow a false allegation by the Soviet bloc to alter coverage of their activities. Our surveillances undoubtedly have hampered the Soviets in collection of intelligence data in the United States, and we can expect them to create or utilize any incident they can as a basis for protest against our coverage.

6/5/62
SAC LETTER NO. 62-32

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It is desired, therefore, that the above facts be called to the attention of all agents. It should be pointed out that while the Bureau desires our coverage of Soviet-bloc officials to be as complete as possible, the surveillance must be discreet and every precaution must be taken to avoid giving the Soviets a basis for protest.

You should impress upon agents handling surveillances of Soviet-bloc personnel in the United States that they must constantly exercise keen alertness, careful planning and good judgment in handling all facets of our surveillance operations.

Very truly yours,

John Edgar Hoover

Director

6/5/62
SAC LETTER NO. 62-32

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