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File #:

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FOIPA# N/A

102-HQ-1116395

Serial Scope:

972-976, 979-988, 990, 991, 993-997,

999-1007, 1008-1010

The Attorney General

October 17, 1975

Director, FBI

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

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

Reference is made to the SSC request dated September 12, 1975, for material concerning Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC).

Enclosed for your approval and forwarding to the SSC is the original of a memorandum in response to the September 12, 1975, request.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a set of the materials which is being delivered to the SSC.

Enclosures (2)

62-116395

EX-115

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

15 NOV 5 1975

PEN:adn
(10)

SECRET MATERIAL ATTACHED

NOTE:

A copy of the 9/12/75 SSC request is attached to the file copy of the enclosed LHM. Exact copies of the materials being furnished are maintained in the office of the SENSTUDY 75 Project. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the materials being provided the SSC.

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

84 NOV 6 1975

62-116395

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
October 17, 1975

1 - Mr. P. E. Nugent

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

RE: REQUEST FOR MATERIAL RELATING
TO MARTIN LUTHER KING, JR., AND THE
SOUTHERN CHRISTIAN LEADERSHIP
CONFERENCE

AMDRIG
10/17/00 SP2 AM/18

Reference is made to the SSC request dated September 12, 1975, for material pertaining to Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC).

The purpose of this memorandum is to effect delivery to the SSC of material in response to Items 1 through 3 of the aforementioned request. As indicated in conference with SSC Staff member Michael T. Epstein on September 17, 1975, Item number 4 is being handled by the Department of Justice.

Item 1 A of the SSC request asked for delivery of both sides of all pages (including Administrative and Notes) of the "originals," "yellow" copies, and "tickler" copies of memoranda from the Director of the FBI to the Attorney General dated May 17, October 19 and December 1, 1965, respectively, relating to micro-phone surveillances of Martin Luther King, Jr.

What appears to be illegible typewriting on the reverse side of these memoranda is a reproduction of the text appearing on the front of these documents in reverse order. Reverse sides of pages in question are not included in the enclosures in those instances where no writings or other markings appear on the file copies.

The only "tickler" copy located of the above memoranda is a copy of the December 1, 1965, request which copy was designated for Special Agent Seymour F. Phillips.

SEE NOTE PAGE 3

ORIGINAL AND ONE COPY TO AG

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

PEN: adn/eks
(9)

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

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 and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

Item 1 B requests any materials reflecting or establishing the aforementioned memoranda were delivered to and/or returned by the Attorney General. The "yellow" copies of these memoranda, in the lower left hand corner, contain a stamp indicating the time and the date the originals were sent to the Attorney General from the Office of the Director. The original memoranda of May 17, 1965, and December 1, 1965, bear what appear to be the initials of the then Attorney General Nicholas de B. Katzenbach, in the upper right hand corner. On the December 1, 1965, original memorandum the date December 10, 1965, also appears indicating that memorandum was received by the Attorney General on that date. The original of the October 19, 1965, memorandum contains the initial of an unidentified individual apparently assigned in the office of the Attorney General at that time.

The date and time stamps appearing on the reverse side of the original May 17, 1965, memorandum indicate that document was returned to the FBI by the Attorney General on May 19, 1965. The reverse sides of the original memoranda dated October 19, 1965, and December 1, 1965, bear no such date and time stamp.

Item 1 C requested a copy of the reverse side of the "transmittal slip" containing the December 10, 1965, note from the then Attorney General to the Director. For purpose of easy identification, both sides of that document, the front of which was previously furnished the SSC, are being made available.

Item 2 of the SSC's request pertains to the delivery of pertinent materials obtained from logical files and serials in determining whether various meetings and/or telephone conversations involving the President, the Director, The Attorney General and other Bureau officials, in whole or in part, pertained to the electronic surveillances of Martin Luther King, Jr., the Southern Christian Leadership Conference (SCLC) or the President's June 30, 1965, memorandum captioned "Memorandum for the Heads of Executive Departments and Agencies," concerning electronic surveillances.

An exhaustive search of logical files and serials, including abstracts of the Director and former Assistant to the Director Cartha DeLoach, failed to locate information pertaining to conversations and/or meetings of these individuals with the President or representatives of the Department of Justice on dates set forth in the SSC's request. This search resulted in the

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES

location of a memorandum involving contact with the Attorney General by former Assistant Director James Gale on May 20, 1965, a date specified in referenced SSC request. A review of that memorandum reveals their conversation did not relate in any way to the electronic surveillance of Martin Luther King, Jr., the SCLC or the above-mentioned President's memorandum.

This search similarly failed to locate memoranda involving any meetings or telephone conversations with representatives of the Department of Justice and the FBI concerning the May 17, October 19 and December 1, 1965, memoranda relating to microphone surveillances of Martin Luther King, Jr.

In the event the SSC is in possession of additional identifying data concerning such meetings or telephone conversations between Bureau officials and representatives of the Department of Justice concerning requests for microphone surveillances of King, additional review of appropriate files in attempt to retrieve this information will be made upon its receipt by FBIHQ.

1 - The Attorney General

NOTE: Item 3 of referenced SSC request called for delivery of copies of documents reflecting denials by the Attorney General or the Acting Attorney General of FBI requests to authorize or re-authorize electronic surveillance of King or the SCLC. Appropriate documents excised in accordance with existing policy have been retrieved and will be made available per this request.

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.
BART HART, COLO.

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

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

September 12, 1975

Nagels

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

*Added to
yellow
0.9.75
JLM*

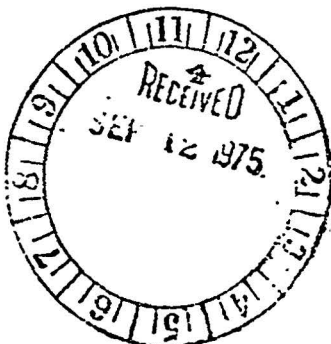
Dear Mike:

Attached are requests for FBI and
Justice Department materials.

Sincerely,

John T. Elliff

John T. Elliff
Director
Domestic Intelligence Task Force



#MDR16
SEP 16 12:00
SP-2 ALM/1716

S. 11.15

62-110395-972
ENCLOSURE

REQUEST FOR MARTIN LUTHER KING, JR. MATERIALS

(Priority to be determined in consultation with Mr. Epstein)

1. To be provided for the Committee on an expedited basis:
 - A. Unexcised copies of both sides of all pages (including Administrative and Notes) of the "originals", "yellow" copies, and "tickler" copies, of the three memoranda from the Director to the Attorney General, dated May 17, October 19, and December 1, 1965, respectively, relating to microphone surveillance of Martin Luther King, Jr.:
 - B. Any materials which reflect or establish that such memoranda were in fact delivered to, and/or returned by the Attorney General;
 - C. A copy of the reverse side of the "transmittal slip" containing the December 10, 1965 note from the Attorney General to the Director (serial #100-106670-2183).
2. A search should be conducted of logical files and serials to determine whether any of the following meetings or telephone calls in whole or in part pertained to electronic surveillance of Martin Luther King, Jr., or the SCLC; or to the President's June 30, 1965 "Memorandum for the Heads of Executive Departments and Agencies" concerning electronic surveillance. If so, please provide pertinent materials.
 - A. A meeting on May 14, 1965, between the President, the Director, and the Attorney General.
 - B. A telephone conversation on May 14, 1965 between the Director and the Attorney General.
 - C. A meeting on May 17, 1965, attended by the Attorney General, the Director, and others.
 - D. A meeting or telephone conversation on May 20, 1965 between the Attorney General and Special Agent James Gale.
 - E. A meeting on October 18, 1965 between the Attorney General, Special Agent Cartha DeLoach, and Mr. Jack Rosenthal.
 - F. A telephone conversation on October 18, 1965, between the Attorney General and Special Agent DeLoach.
 - G. A telephone conversation on October 19, 1975 between the Attorney General and Special Agent DeLoach.

#MD 16
10/17/00 SR-2-41M1716

H. A meeting on December 2, 1965, between the Attorney General and Special Agent DeLoach.

I. Any other meetings or telephone conversations between representatives of the Department of Justice and the FBI concerning the three memoranda identified in Item 1.a. above or concerning the substance of such memoranda.

3. Copies of documents reflecting Attorney General or Acting Attorney General denials of any FBI requests to authorize or re-authorize electronic surveillance of Martin Luther King, Jr. or the SCLC.

4. Committee staff access is hereby requested for those materials contained in Department of Justice files which reflect or pertain to reviews undertaken by the Department, and correspondence between the Department and the FBI, in connection with the preparation of the May 24 and July 13, 1966 memoranda which were submitted to the U. S. Supreme Court in the case of Fred B. Black, Jr. v. United States, No. 1029, October Term, 1965.

7
Register made
to Dept only per
conference w/ Michael
Epstein. SSC 9/17/70
PEN

PRIORITY REQUEST FOR FBI AND JUSTICE DEPARTMENT
MATERIALS

1. Delivery of the following materials from the Justice Department pertaining to NSA monitoring:
 - a. The list of names enclosed in the letter from the Director, FBI, to the Assistant Attorney General, Criminal Division, dated February 1, 1974, and captioned "NSA Watch List System."
 - b. All other lists of names submitted for inclusion by the FBI on the NSA Watch List which are in the possession of the Justice Department.
 - c. All other materials pertaining to the NSA Watch List which are in the possession of the Justice Department. This includes, but is not limited to, internal policy and deliberative memoranda and communications with White House officials and officials of other executive agencies.
2. Delivery of all materials pertaining to instances of mail opening by FBI employees other than instances relating to programs conducted by the FBI Intelligence Division.
3. Delivery of the materials pertaining to the Security Index and other matters made available pursuant to the request of May 14, Part III, Item 17.

(properly unexcised)
4. Delivery of the following materials pertaining to FBI indexes and lists not made available pursuant to the request of May 14, Part III, Item 17:
 - a. Materials relating to plans for action regarding the Reserve Index in times of national emergency.
 - b. Materials indicating Justice Department policy with regard to review of the Security Index in the years 1946-1970.
 - c. Materials relating to the decision to expand the criteria for the Rabble Rouser Index to include security subjects.

d. Statistics as to the percentage of Agitator or Rabble Rouser Index subjects of Key Activists who were also COINTELPRO targets.

e. Materials relating to the establishment of the Key Activist Program, including any cover memorandum or note accompanying the airtel establishing the Key Activist list.

-Shadysford?
-Jacked for

5. Delivery of the following materials pertaining to FBI and Justice Department emergency plans:

a. The Attorney General's Portfolio, "Program for Apprehension and Detention of Persons Considered Potentially Dangerous to the National Defense of the United States," provided to the Bureau on August 3, 1948, and any subsequent versions.

b. Sealed instructions to U.S. Attorneys and U.S. Marshals from the Department of Justice, retained in FBI field offices for use in a national emergency.

c. All Presidential Emergency Action Documents.

6. The following materials for delivery pertaining to FBI intelligence files:

a. The annual number of Bureau (headquarters) case files opened under categories 100- and 157- for the years 1960 through 1974.

b. Lists of the characters used to caption files under the categories 100- and 157- during each year from 1960 through 1975.

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/17/75

U.S. SENATE SELECT COMMITTEE.
Caption of Document: 9/12/75 request, Items 1 thru 3

Originating Office: FBI

Delivered by: Paul Volz Date: 10/18/75

Received by: James Dick

Title: Counsel

Return this receipt to the Intelligence Division, FBI

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/276

62-116375-972
ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

10/17/75

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

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 9/12/75, items 1 thru 3

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)

Surveillance, electronic

MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2ALM/216

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

Materials pertaining to Martin Luther King, Jr. and Southern Christian Leadership Conference; reverse side of previously furnished documents that have time stamps, dates and notations on them.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-972

ENCL BEHIND FILE

NOTE: THIS IS A PERMANENT CHARGE OUT FOR A XEROX COPY/COPIES OF "JUNE" MAIL THAT WAS INCLUDED IN COPIES OF FBI DOCUMENTS FURNISHED TO THE ATTORNEY GENERAL BY MEMO/LETTER DATED 10-17-75 IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U. S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. THE COPY/COPIES OF THE "JUNE" MAIL DATED AS INDICATED BELOW HAS/HAVE BEEN REMOVED FROM THIS ENCLOSURE MATERIAL TO BE FILED IN THE APPROPRIATE HOUSTUDY OR SENSTUDY "JUNE" FILE INDICATED ABOVE, LOCATED IN THE SPECIAL FILE ROOM OF THE RECORDS SECTION.

DATE(S) OF MAIL: 9-12-75REMOVED BY: Wardlaw DATE REMOVED: 8-5-76

#MDR16 ON THIS FORM
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM



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

NOV 3 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a request from the Senate Select Committee dated October 28, 1975. Please prepare an appropriate response.

cc: Paul Daly

EX-110

REC 17

62-116395-973

15 NOV 5 1975

ENCLOSURE

62-116395

LEGAL COUNSEL

5-WOC



84 MAY 13 1976

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

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

SUBJECT: Senate Select Committee Request

Attached is a request from the Senate Select Committee dated October 28, 1975. Please prepare an appropriate response.

cc: Paul Daly

MDR/6
SP-2 ALM/HYG

10/27/00

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

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

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

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

October 28, 1975

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

FMDR 16

SP-2 cum 176

Dear Mike:

The Select Committee requests the following materials for delivery/access:

1. access to the Security Index cards recently discovered at FBI HQ under the same conditions as the access previously granted to the ADEX.
2. delivery of the following materials pertaining to certain individuals on the Security Index (the names to be supplied following access to the Security Index cards):
 - a. materials reflecting the reasons why the individual was placed on the Security Index;
 - b. materials reflecting any dissemination of information about the individual outside the United States government.
3. access to any other versions of the Security Index or the Reserve Index which may be in the possession of the FBI, including versions compiled by the New York City field office.



62-11635-973
ENCLOSURE

October 28, 1975

4. delivery of materials reflecting the reason why an FBI HQ file was opened and material indicating whether there was subversive or extremist activity with respect to the following organizations whose names and FBI HQ file numbers were provided to the Select Committee on October 9, 1975:

- | | |
|--|------------|
| a. Communist Infiltration
Council of Jewish Women | 100-432543 |
| b. East Bay Community Forum | 100-432848 |
| c. Knoxville Area Human
Relations Council | 100-433348 |
| d. George Orwell Forum
Yale University | 100-434048 |
| e. Emma Lazarus Federation
of Jewish Women's Clubs | 100-434168 |
| f. Saugus Unitarian-
Universalist Church Forum | 100-440365 |
| g. San Diego Peace Action | 100-440530 |
| h. Universities Committee
on the Problems of War and
Peace | 100-440833 |
| i. Communist Infiltration
of the National Association
for the Advancement of
Colored People | 100-441132 |
| j. The Free University at
Ann Arbor | 100-445323 |
| k. Champaign-Urbana Council
for Discussion on Vietnam | 100-446029 |

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

October 28, 1975

l. Wellsprings Ecumenical Renewal Association	100-453618
m. Northern Virginia Coalition of Citizens Concerned About the ABM-Sponsored Town Meeting at Alexandria, Virginia, June 3, 1969	100-454103
n. Reservists Against the War	100-469726
o. Bald Hill Farm Commune	100-472039
p. Anti-Crosstown Coalition	100-472814
q. Washington Area Committee for Soviet Jewry	100-480590
r. Committee for Chilean Democracy	100-481206
s. National Conference on Amnesty Information Con- cerning	100-481516
t. National Conference on Amnesty Information Con- cerning	100-481899
u. Council for United Civil Rights Leadership	157-972
v. Canadian Youth Corps	157-1074
w. Ormondsville Fellowship Club, Inc.	157-5281
x. Black Student Union, Brevard Junior College, Cocoa, Florida	157-13416

October 28, 1975

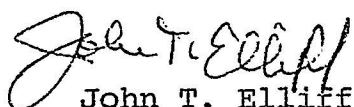
- y. Martin Luther King, Jr.,
Memorial Center, Inc. 157-13791
 - z. Black Student Union 157-13994
University of Nevada
Las Vegas, Nevada
 - aa. Greensboro Association of 157-15692
Poor People (GAPP)
 - bb. American Christian 157-24293
Action Council
 - cc. National Tenants Organization 157-26335
 - dd. South Carolina Council of 157-27014
Human Relations
 - ee. California Rehabilitation 157-32882
Center, Norco, California
5. delivery of the following materials pertaining to
COINTELPRO:
- a. copies of "draft" statements prepared for
Mr. Hoover's "off record" report before the House
Subcommittee on Appropriations for the years 1955
through 1972, concerning the Bureau's counterintel-
ligence program. (This is not to be confused with
copies of the actual "off record" statement, given
by Mr. Hoover, before the House Appropriations Com-
mittee, which the Select Committee has already re-
ceived.)
 - b. copies of Mr. Hoover's prepared testimony before
the House Subcommittee on Appropriations for the
years 1955 through 1972.
 - c. copies of any and all discussion papers, press
releases, memos, correspondence, or any other mate-
rial which discusses the FBI's liability with
respect to COINTELPRO.

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

October 28, 1975

- d. copies of all briefing books prepared for Mr. Hoover with respect to White House conferences; presentation of testimony to Congress or briefings to Members of Congress re COINTELPRO.
- e. "squibs" or briefing papers (talking papers) prepared for Mr. Hoover's meetings with visiting dignitaries re COINTELPRO.
- f. examples of incentive awards presented to agents concerning their participation in the COINTEL program.
- g. copy of buck slip attached to the 10/11/69 teletype to the Director from New York captioned "COINTELPRO, Black Nationalists", file 100-448006-1377.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

OCT 30 1975

TELETYPE

NR 313 CG PLAIN

623PM NITEL 10-30-75 TG

TO DIRECTOR

FROM CHICAGO

ATTN: INTD, W.O. CREGAR

SENSTUDY '75

Asst. 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	_____

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP2ALM/206

PERUOAL OCTOBER 23, 1975, RE CONTACT WITH FORMER

SAC MARLIN JOHNSON.

JOHNSON CONTACTED AT PLACE OF EMPLOYMENT, CANTEN
CORPORATION, AND ADVISED SENATE SELECT COMMITTEE HAD INQUIRED
TO HIS WHEREABOUTS AND MIGHT POSSIBLY CONTACT HIM REGARDING
KNOWLEDGE OF ACTIVITIES DURING 1968 DEMOCRATIC CONVENTION
CHICAGO. ALSO ADVISED THAT HE COULD CALL BUREAU LEGAL
COUNSEL OFFICE COLLECT IN EVENT HE IS CONTACTED. THEY
WOULD ASSIST HIM.

JOHNSON STATED HE WOULD CONTACT THE BUREAU IF THIS
HAPPENED AND THAT HE INTENDED TO POINT OUT TO THE COMMITTEE
THAT BECAUSE OF THE LAPSE OF TIME HIS RECOLLECTION OF
HAPPENINGS AT THAT TIME ARE VERY HAZY. ALSO DOES NOT WANT TO
DO OR SAY ANYTHING THAT MIGHT COMPROMISE HIS POSITION
IN ONGOING "BLACK PANTHER" MATTER.

TMD

15 NOV 5 1975

84 NOV 7 1975

REAINED IN
PERSONNEL RECORDS UNIT

Records
cc 67-216987 (Johnson)

REC-17
6-2 116-375-974

② [Signature]

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
October 17, 1975

The Attorney General

Director, FBI

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

Enclosed for your information is the original of a memorandum concerning an interview by an SSC Staff Member of former FBI Assistant to the Director Alan H. Belmont. 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: Michael E. Shaheen, Jr.
Special Council for
Intelligence Coordination

1 - 67- (Personnel file Former Assistant to the Director
Alan H. Belmont)

SFP:dmt
(10)

ENCLOSURE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
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Training _____
Legal Coun. _____
Telephone Rm. _____

Director Sec'y _____ MAIL ROOM ☐ TELETYPE UNIT ☐
NOV 22 1975 DocId:39896777 Page 23

15 NOV 5 1975

GPO 954-545

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

October 17, 1975

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

**RE: INTERVIEW OF FORMER FBI ASSISTANT
TO THE DIRECTOR ALAN H. BELMONT BY
SSC STAFF MEMBER**

#MDR16

10-17-00 SP2 Alm/216

Set out below is information concerning an interview of former FBI Assistant to the Director Alan H. Belmont by an SSC Staff Member. Also included below is pertinent additional information leading up to the interview.

The Special Agent in Charge (SAC) of the FBI Field Office at San Francisco, California, advised that on September 2, 1975, Mr. Belmont called him and furnished the SAC the following information. Early during the previous week, Mr. Michael Epstein from the Staff of the Church Committee called Belmont and said he wanted to come to California and talk with Belmont on Saturday, August 30, 1975. Belmont said that Epstein appeared and talked to him for about 30 minutes.

Epstein's main topic of discussion was the Martin Luther King case. Epstein told Belmont that he, Epstein, was attempting to tie the FBI investigation of King into the "March on Washington." Belmont told Epstein that the FBI's investigation had nothing to do with the "March on Washington." Belmont further told Epstein that the King case was opened because of information of definite efforts by the Communist Party to influence King.

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Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Epstein referred to some monograph and then to some memorandum concerning the King case which memorandum contained Belmont's initials. Belmont told Epstein that he had no personal knowledge of the monograph and memorandum.

1 - 67-

(Personnel file Former Assistant to the Director
Alan H. Belmont)

SFP:dmt
(9)

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 4

MAIL ROOM ☐

TELETYPE UNIT ☐

NW 55285

DocId:32989677

Page 24

ENCLOSURE

GPO 954-546

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

RE: INTERVIEW OF FORMER FBI ASSISTANT
TO THE DIRECTOR ALAN H. BELMONT BY
SSC STAFF MEMBER

In closing, Belmont advised the SAC that he wanted the FBI to know of the contact made of him by Epstein and what had transpired during the interview.

The SAC additionally has advised that Belmont's physical condition has deteriorated in the past few months and it is most difficult to understand his speech as the illness which he has has affected the control of most of his muscles.

The following additional pertinent information relates to the consideration by the SSC of interview of Belmont:

On May 20, 1975, Mr. Lester B. Seidel, SSC Staff Member, advised a representative of the FBI's Legal Counsel Division that in accordance with the guidelines existing between the SSC and the various intelligence agencies under review, he was giving notice that he, as a representative of the SSC, was going to San Francisco, California, in approximately two to three weeks with the intention of interviewing some current and former FBI personnel, including former Assistant to the Director Alan H. Belmont. Seidel asked that the FBI take the necessary steps to release the personnel from any existing employment or secrecy agreements. Seidel indicated he would inquire of each of the prospective interviewees as to their knowledge and participation in counterintelligence activities directed against the Black Panther Party. Seidel was asked as to whether he could define more precisely the areas to be covered in the interviews and Seidel stated he could not inasmuch as he did not know the various aspects of the counterintelligence program against the Black Panther Party in the San Francisco area. Seidel further described the prospective interviews as being of the "abuse" type which, according to the SSC's understanding, precludes the presence of an agency representative during interview.

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

RE: INTERVIEW OF FORMER FBI ASSISTANT
TO THE DIRECTOR ALAN H. BELMONT BY
SSC STAFF MEMBERS

Seidel was advised by the representative of the Legal Counsel Division that former Assistant to the Director Belmont was in poor health and that before attempting interview of Belmont, Seidel ought to ascertain Belmont's current physical condition. Seidel then requested that the FBI representative determine Belmont's physical condition. Inquiry of a current FBI Assistant Director who is personally acquainted with and knowledgeable of Belmont's condition determined on May 20, 1975, that Belmont was very seriously ill and was suffering from the Sby Drager Syndrome. This information was immediately brought to the attention of Mr. John T. Elliff, Director, Domestic Intelligence Task Force of the SSC. Elliff expressed dismay that Seidel had made an inquiry concerning the interview of Belmont and Elliff requested that the FBI not take any action concerning Seidel's request as to Belmont "at this time."

During the period August 4-5, 1975, FBI Special Agent Seymour Fred Phillips was interviewed by two SSC Staff Members, one being the aforementioned Michael Epstein. During the interview, Phillips was asked for and supplied the names of his work associates in the then Domestic Intelligence Division (now Intelligence Division) during the period 1963-65. These included individuals at various levels within the Division as well as FBI officials of a still higher level. One of those named by Phillips was Assistant to the Director Alan H. Belmont. Phillips pointed out in respect to Belmont that it was his, Phillips', understanding that Belmont is in an extremely ill condition and it was suggested that if the SSC had any intention to interview Belmont, it would be wise to first check with his physician.

It should be noted that between the discussion between Mr. Elliff of the SSC and a representative of the FBI's Legal Counsel Division and the actual interview of Belmont on August 30, 1975, no contact was had by the SSC with the FBI concerning the former's intention to interview Belmont.

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

RE: INTERVIEW OF FORMER FBI ASSISTANT
TO THE DIRECTOR ALAN H. BELMONT BY
SSC STAFF MEMBER

NOTE:

Information concerning the interview of Belmont taken from San Francisco airtel 9/3/75, "U. S. Senate Select Committee on Intelligence Activities (SSC) Interview of Former Assistant Director Al Belmont." Pursuant to instruction of Mr. J. B. Adams, Elliff was advised by Supervisor P. V. Daly of the Legal Counsel Division that the interview of Belmont was contrary to agreement between the Bureau and the SSC. The information concerning contacts with Seidel and Elliff when the interview of Belmont was first broached is included in memorandum from Legal Counsel to Mr. J. B. Adams, 6/2/75, "Senstudy 75." All contacts with Seidel and Elliff were by Supervisor Daly of the Legal Counsel Division.

It is believed that the Department and the White House should be apprised of the full facts as known to us concerning the interview of Belmont.

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

10/17/75

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

SSC

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

HSC

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

Memorandum reporting results of an interview by
SSC Staff Member of former FBI Assistant to the Director Alan
H. Belmont.

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

NA

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

U

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

Information handling
Intelligence collection

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2ALM/1216

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

Interviewed regarding Martin L. King, Jr. SSC attempting to tie the
FBI investigation of King into the "March on Washington".

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

1 - Mr. W. R. Wannall
1 - Mr. R. L. Shackelford
1 - Mr. J. P. Thomas
1 - Mr. W. N. Preusso
10/23/75

Mr. W. R. Wannall

R. L. Shackelford

WEATHFUG

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP2 HEM/JKS

Bureau letter 4/16/73 directed to Director, National Security Agency (NSA), Fort Meade, Maryland, captioned "Weatherman Fugitives" enclosed 29 memoranda concerning 30 Weatherfugs and requested NSA to provide FBI with any pertinent information coming to its attention concerning these individuals.

On 10/22/75, Dr. Nelson Iredoll was contacted concerning Watch List aspects of the current Sonstudy Project. During this contact, Dr. Iredoll informed Supervisor J. P. Thomas that NSA had never placed the names of any of the 30 Weatherman fugitives on its Watch List. He said that NSA files contained internal correspondence indicating that they were not placed on the Watch List because it seemed that the primary purpose for FBI's request to include them was for law enforcement purposes. He said that he did not find any record that the FBI had been notified that NSA had decided not to place these names on the Watch List.

ACTION:

None. For information.

176-1594

(1) - 62-116395 (Senstudy 75)

WNP:lm
(6)

62-116375--

NOT RECORDED

46 NOV 5 1975

ORIGINAL FILED IN 176-1594

84 NOV 7 1975

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

The Attorney General

October 16, 1975

Director, FBI

1 - Mr. J. G. Deegan
 1 - Mr. E. F. Glenn

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

Reference is made to the September 29, 1975, SSC request forwarded to the Department of Justice by letter dated September 29, 1975, listing certain documents and other information desired from the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum in response to some of the requests.

Also enclosed for your records is a copy of the memorandum.

Enclosures (2) ENCLOSURE

62-116395

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

DELIVERED TO SHANEEN 10-16-75
 U.S. SENATE SELECT COMMITTEE

EFG:eks (10)

Assoc. Dir. _____
 Dep. AD Adm. _____
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 Director's Sec'y _____

EX-110

REC 17

15 NOV 5 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

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

62-116395

October 16, 1975

1 - Mr. E. F. Glenn
 U. S. SENATE SELECT COMMITTEE TO
 STUDY GOVERNMENTAL OPERATIONS WITH
 RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to the letter from the Director of the Domestic Intelligence Task Force, SSC, to the Deputy Attorney General's Office dated September 29, 1975, requesting delivery of FBI materials pertaining to Martin Luther King, Jr., and/or the Southern Christian Leadership Conference.

The purpose of this memorandum is to respond to Items 19, 20 and 21 of the SSC request of September 29, 1975.

Item 19 requested all materials reflecting correspondence, contacts or communications, or proposed correspondence, contacts or communications between FBI personnel and Samuel Riley Pierce, Jr., and Dr. Frank R. Barnett as described in W. C. Sullivan's memorandum to A. H. Belmont dated January 8, 1964, captioned "Samuel Riley Pierce, Jr., 280 Park Avenue, New York 17, New York."

With the exception of memorandum of Mr. Sullivan cited above, nothing was found in FBI Headquarters files responsive to Item 19.

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 Director Sec'y _____

EFG:eks (9) *eds*

EFG/GTT

WRC/TL

[Signature]

[Signature]

WRC/K

[Signature]

ORIGINAL AND ONE COPY TO AG

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

62-116395-9776 GPO: 1975 O 569-920

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

Item 20 requested all materials reflecting correspondence between any FBI Headquarters personnel and former Chief of Police Jenkins, Atlanta, Georgia, concerning or pertaining to Martin Luther King, Jr., and/or the Southern Christian Leadership Conference from January 1, 1960, through April, 1968.

No materials could be located in FBI Headquarters' files reflecting correspondence between FBI Headquarters personnel and former Chief of Police Jenkins concerning Martin Luther King, Jr., and/or the Southern Christian Leadership Conference from January 1, 1960, through April, 1968.

Item 21 requested all materials pertaining to (a) the nomination and (b) the selection of Martin Luther King, Jr., for the Nobel Prize.

This Item has been responded to under Item 6 of SSC request dated July 8, 1975, by FBI memorandum dated 9/18/75.

1 - The Attorney General

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/16/75

U.S. SENATE SELECT COMMITTEE
Caption of Document: 9/29/75 request, Items 19, 20 and 21

Originating Office: FBI

Delivered by: Dennis Miller Date: 10/20/75

Received by: Ben Marshall

Title: _____

Return this receipt to the Intelligence Division, FBI

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/776

62-116395-976
ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

10/16/75

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

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 9/29/75, items 19,20, and 21

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

U

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

**Information handling
Intelligence collection**

#m DE 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/1/16

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

Materials pertaining to Martin Luther King, Jr and/or Southern Christian Leadership Conference; no materials relative to the request could be located in FDINQ files, and materials relating to nomination and selection of Martin Luther King, Jr. for Nobel Prize has been furnished previously.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

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

October 29, 1975

The Attorney General

- 1 - Mr. S. F. Phillips

Director, FBI

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

#MOR16
10-17-00 SP2 ALM/HG

Enclosed is the original of a memorandum concerning SSC Staff interviews of FBI Special Agents in Charge (SAC) Theodore P. Rosack and Ralph J. Rampton. Attached to the memorandum are individual memoranda, each with an attachment, concerning each of the two interviews. A set of the communications is also enclosed for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (10)

62-116395

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

- 1 - 67- (Personnel file SAC Theodore P. Rosack)
- 1 - 67- (Personnel file SAC Ralph J. Rampton)

SFP:mjg
(11)

REC-42

3-ENCLOSURE

62-116395-979

15 NOV 6 1975

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- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

MAIL ROOM ☐ TELETYPE UNIT ☐

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

October 29, 1975

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

RE: SSC STAFF INTERVIEWS OF FBI
SPECIAL AGENTS IN CHARGE (SAC)
THEODORE P. ROSACK AND RALPH J. RAMPTON

This memorandum and attachments concern SSC Staff interviews of FBI SACs Theodore P. Rosack and Ralph J. Rampton.

SSC Staff Member Michael Epstein requested of the FBI Legal Counsel Division that Rosack and Rampton be made available in Washington, D. C., for Staff interviews on September 23, 1975. Epstein advised that the interviews would involve their knowledge of the FBI's investigations of Martin Luther King, Jr., the Southern Christian Leadership Conference, Stanley David Levison, and communist influence in the racial movement.

Based on the foregoing request, Rosack and Rampton were released from their confidentiality agreement for the purpose of the interviews provided the interviews were within the parameters stated by Epstein. Rosack and Rampton were also advised prior to the interviews that there were four privileged areas concerning which they were not required to answer questions. These concerned (1) information which might divulge the identity of confidential sources, (2) information concerning ongoing investigations, (3) information from third agencies, including foreign intelligence agencies, and (4) information concerning sensitive methods and techniques.

Attached herewith are separate memoranda reporting the results of the two interviews. Attached to each of these memoranda is an "Advice of Rights" statement referred to in each of the memoranda.

Enclosures (4)

ORIGINAL AND ONE COPY TO AG

1 - 67-
1 - 67-

(Personnel file SAC Theodore P. Rosack)
(Personnel file SAC Ralph J. Rampton)

SFP:mjg
(10)

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE PAGE TWO

GPO : 1975 O - 569-920

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

Re: SSC Staff Interviews of FBI Special Agents in Charge
(SAC) Theodore P. Rosack and Ralph J. Rampton

NOTE:

Legal Counsel Division contact with Epstein was by Supervisor P. V. Daly. Briefing of Rosack and Rampton prior to interviews was by Supervisor S. F. Phillips of the Senstudy 75 Project. The memoranda of these SACs were furnished the Bureau by Los Angeles airtel 9/25/75 and Denver airtel 9/30/75, "Senstudy 75."



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Denver, Colorado
September 30, 1975

MOR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/17/00 BY SP-2 ALM/jtg

Re: Interview of FBI Special Agent in Charge
Theodore P. Rosack by
U. S. Senate Select Committee Staff Member

On September 23, 1975, Special Agent in Charge (SAC) Theodore P. Rosack appeared at the Dirksen Office Building, Washington, D. C., Room 6308, at 3:25 p.m. SAC Rosack was ushered to an interview room where an interview was conducted by Committee Counsel Mike Epstein. Mary DeOreo, who was not introduced, sat in on the interview and maintained notes in longhand through the interview.

The interview commenced with Mr. Epstein asking SAC Rosack if he desired to sign an "Advice of Rights" form which was done. A copy of this form is attached. Mr. Epstein then requested SAC Rosack to outline his history of assignments in the Bureau.

He was advised that SAC Rosack arrived at FBI Headquarters on assignment in August, 1960, at which time he was assigned to the Internal Security Section performing duties in the Communist Party Front Unit. He assisted in handling some matters relating to counterintelligence matters and thereafter served with the Training Division and Inspection Division after which he returned to the Internal Security Section on assignment in the Sabotage Unit.

At this point SAC Rosack requested that Mr. Epstein comment concerning the true role of the Committee since it appeared to SAC Rosack that the actual purpose of the Committee

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

62-116 395-979
ENCLOSURE



Interview of SAC Rosack by
U. S. Senate Select Committee

was not to improve the operations of the Federal investigative agencies since inquiries conducted by the Committee appeared to have resulted in a disruption of investigative activity much to the detriment of this country. Mr. Epstein assured SAC Rosack that the primary purpose of the Committee was to enact legislation aimed at providing guidelines for intelligence operations and that the inquiries were not to disrupt the activities of the investigative agencies. It was pointed out to Mr. Epstein that there was considerable public opinion against the activities of the Committee in this country and that a number of individuals were quite disturbed since it appeared that the investigative agencies, such as FBI, CIA and Military Intelligence agencies were being hurt by inquiries conducted.

Mr. Epstein began asking questions relating to the Southern Christian Leadership Conference (SCLC) and the connections that SAC Rosack had with the Communist infiltration investigation of the SCLC during his assignment at FBI Headquarters. It was observed that Mr. Epstein had three looseleaf binders which obviously had the copies of FBI memoranda relating to this matter and Mr. Epstein was requested to explain for SAC Rosack's benefit why it was necessary for SAC Rosack to travel to Washington from Denver for an interview when the Committee already possessed considerable documented material relating to the investigation. Mr. Epstein expressed the opinion that they might not have the entire story and therefore the interview was necessary.

Mr. Epstein asked SAC Rosack whether the discussions relating to the opening of the investigation on the SCLC were participated in by SAC Rosack. Mr. Epstein was advised that SAC Rosack at the time was merely a supervisor in a unit at the Bureau and did not engage in policy-making decisions. Mr. Epstein produced several copies of letters to the field relating to counterintelligence program operations wherein Hunter Pitts O'Dell's Communist affiliations were to be made known to the news media through anonymous communications. One of these pertained to a denial by the New York Office about information available to the "Amsterdam News." The second document approved dissemination of such information to newspapers in the South. Mr. Epstein requested information as to why one was denied and a similar request was approved, both involving the same information. He was advised that these details relating to the specific documents could not be recalled but that it appeared obvious that the geographical locations must have had some bearing on the decisions.

Interview of SAC Rosack by
U. S. Senate Select Committee

Mr. Epstein also produced a memorandum believed to be dated November 21, 1964, wherein dissemination of a document was approved relating to the activities and moral conduct of Martin Luther King. This document was disseminated to the White House, the Vice President Elect, Military Intelligence agencies, etc. The memorandum and the dissemination letter contained the initials of SAC Rosack indicating that he had dictated these documents. Mr. Epstein requested to know whether SAC Rosack had written the document which was designated as an enclosure to these documents. He was advised that since SAC Rosack did not have a copy of the document available he could not say whether or not and, in fact, could not recall who had prepared the information for dissemination. Mr. Epstein was advised that if he could produce a copy of the document he could be advised one way or another but SAC Rosack's memory was not that good after such a lapse of time.

Mr. Epstein on several occasions returned to questioning as to whether SAC Rosack during the early sixties participated in policy-making decisions relating to the SCLC. He was repeatedly advised that SAC Rosack was at that time in no position to make such decisions and that most of the decisions were made as a result of conferences, consultations and recommendations.

SAC Rosack was also asked if he was acquainted with a Mr. Harrington. He advised this may refer to John T. Harrington, who had been assigned to the Communist Party Front Unit and who was deceased. He was also asked if he was acquainted with Bill Forsyth. The answer was again in the affirmative with a statement that it was believed that former SA Forsyth was also deceased.

A discussion then took place regarding the relationship in the Bureau between former Section Chiefs Fred Baumgardner and Jim Bland. Mr. Epstein had some difficulty in understanding the structure of the Bureau and appeared to believe that Mr. Bland had been a Unit Chief under Mr. Baumgardner in the Internal Security Section. He was advised that was not so and that Mr. Bland served as Section Chief in the Subversive Control Section which had responsibility for investigations of individuals and that Mr. Baumgardner as head of the Internal Security Section had primary responsibility of investigating organizations.

Interview of SAC Rosack by
U. S. Senate Select Committee

Mr. Epstein asked who had been the head of the Counterintelligence Unit and SAC Rosack replied that it had been Herman O. Bly who was succeeded by Arthur W. Ware. He requested the whereabouts of these two individuals and was advised that this was not known by SAC Rosack.

A discussion took place again regarding the investigations being conducted by the Committee and Mr. Epstein was advised that the best manner in which this inquiry could be conducted would be to re-establish the same conditions and the climate in existence during the sixties. He was advised that any decisions made were in the best interest of the entire country and that it was extremely easy to "Monday morning quarterback" activities which took place years ago. He was advised that under the same conditions and with the same situation in existence SAC Rosack would more than likely conduct himself in the same manner as he had in the past. Mr. Epstein was advised SAC Rosack was extremely proud of his actions as an FBI Agent and that activities of the Bureau were not conducted primarily for the greater glory of any one man or any one Bureau but were actually conducted for the good of the country.

Mr. Epstein then desired to know why copies of a document pertaining to the moral activities of Martin Luther King had been disseminated to then Vice President Elect Hubert Humphrey. It was pointed out to Mr. Epstein according to the copy viewed it was not only disseminated to Mr. Humphrey but also disseminated to the White House and officials within the Department of Justice and to the knowledge of SAC Rosack no one, including the Department, had instructed that dissemination be discontinued. It was pointed out to Mr. Epstein that a portion of the FBI responsibilities is to keep the Executive Branch of the Government advised of matters relating to the Internal Security of the country.

The questioning of SAC Rosack terminated for all practical purposes at approximately 4:20 p.m. at which time it was suggested to Mr. Epstein that a portion of his efforts should be directed toward attempting to obtain some civil rights for law enforcement officers, since they have none.

Enclosure

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
CLIP A. HART, MICH.
ALTER F. MONDALE, MINN.
ALTER D. HUDDLESTON, KY.
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RY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., PA.
RICHARD S. SCHWEIKER, PA.

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

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

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: Shirley P. Roach

Date: 9/23/75

Witness: Mary O'Rea

Witness: [Signature]



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

September 25, 1975

In Reply, Please Refer to
File No.

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

RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

On September 23, 1975, Senate Select Committee (SSC) Staff Member Michael T. Epstein interviewed Special Agent in Charge Ralph J. Rampton in the building located across C Street from the Dirksen Senate Office Building, Washington, D.C., in the presence of Staff Member Mary De Oreo, who took notes for Mr. Epstein. The interview began at 1:37 pm, and concluded at 3:07 pm. At the outset of the interview Mr. Rampton was presented an Advice of Rights Form which Mr. Rampton was requested to sign. A copy of this form containing the signatures of Mr. Rampton, Miss De Oreo and Mr. Epstein is attached.

Following the signing of the Advice of Rights Form the interview began with Mr. Epstein requesting Mr. Rampton to briefly review his assignments in the Bureau, beginning with his assignment to the Communist Front Unit at Bureau Headquarters in 1960.

After Mr. Rampton gave this background information Mr. Epstein asked Mr. Rampton to read an FBI memorandum dated October 22, 1962, relating to the Southern Christian Leadership

M2816
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HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP2 ALM/276

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62-116395-979
ENCLOSURE

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

Conference (SCLC). This memo in essence recommended approval of a Communist infiltration investigation of the SCLC and proposed sending a letter to the New York and Atlanta Offices, believed dated October 23, 1962, instructing those offices to begin investigation. Mr. Epstein was interested in the reasons and the background which prompted the recommendation for this investigation. He asked Mr. Rampton if those initials (RJR) on the two documents represented Mr. Rampton as the dictator. Mr. Rampton replied they were his initials and that he recalled writing these documents.

Mr. Epstein asked Mr. Rampton how he obtained information to compose these documents which indicate Stanley David Levison, a secret member of the Communist Party (CP) and Hunter Pitts O'Leary, a member of the National Committee of the CP were associated with Dr. Martin Luther King, head of the SCLC. Mr. Rampton replied he could not specifically recall how the information came to his attention, but that it would be normal for him to receive reports from various sources, such as field offices and other units at the Bureau which may have referred to the association of Dr. King with CP members. Mr. Epstein asked Mr. Rampton whether the Bureau required field offices to report on racial incidents, such as sit-ins, and Mr. Rampton replied field offices were normally required to report any incidents of civil strife which would be disseminated to appropriate agencies of the Executive Branch such as the Department of Justice and the White House. The context of this question was whether reporting on racial incidents might influence Mr. Rampton or other Bureau officials to focus attention on the SCLC and Dr. Martin Luther King. Mr. Rampton told Mr. Epstein such matters would not normally come to his attention and the thing that focused Mr. Rampton's attention on the SCLC and Dr. Martin Luther King was information which indicated CP attempts to dominate or influence Dr. King and the SCLC.

Mr. Rampton told Mr. Epstein he was not in sympathy with this inquiry by the SSC and that while he would cooperate, he desired to point out the inquiry was reducing

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

the effectiveness of the FBI. Mr. Rampton pointed out the FBI does not need additional legislation or rules to circumscribe its efforts in that the policy of the Bureau has always been to protect the rights of citizens and Communist infiltration investigations are very carefully supervised, stringently circumscribed and limited in scope to determine the degree of infiltration or influence subversive organizations have on legitimate organizations.

Mr. Epstein asked Mr. Rampton whether Mr. Rampton was aware of such matters as sit-ins, racial incidents and so forth. Mr. Rampton replied that he read the newspapers and may have seen memoranda which incidentally referred to such information, but that it was not the area of Mr. Rampton's specific interest in the Communist Front Unit and that Mr. Rampton, as a member of that Unit, was required to review all reports that might indicate CP or other subversive organizational activities wherever they might occur.

Mr. Epstein asked Mr. Rampton the purpose of Communist infiltration investigations whereupon he showed Mr. Rampton copies of pages containing specific references from Section 87E of the FBI Manual of Instructions which contain FBI policy concerning Communist infiltration investigations. Mr. Rampton explained to Mr. Epstein that the purpose of the Communist infiltration investigation was to determine whether or not the CP was dominating or influencing a legitimate organization, such as the SCLC. Mr. Rampton explained these investigations had to be authorized by the Bureau, that the field did not have the prerogative to begin these investigations, and that such investigations were strictly limited in scope. Mr. Rampton explained that it is not now and was not then permissible to develop informants and sources in the legitimate organization, but that sources were developed in the subversive organization, which was infiltrating the legitimate organization. Mr. Epstein asked if it was permissible to direct these sources to join the legitimate organization and Mr. Rampton replied that it was not permissible to do so; however, if the sources were invited to join, the handling Agent had to avoid any direction of the source's activities in the legitimate organization, which would influence the normal activities of the legitimate organization.

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

Mr. Epstein asked if the ultimate objective of the Communist infiltration investigation would be to make the organization a Communist front so that an all out investigation could be conducted. Mr. Rampton replied this was not the objective, but if, in effect, the CP or other subversive organization reached the point where it controlled and directed the activities of the legitimate organization, it was conceivable the organization would then be considered a Communist front and become of wider investigative interest to the FBI. Mr. Epstein asked Mr. Rampton if he could recall any legitimate organizations becoming front organizations through infiltration. Mr. Rampton replied he could not recall specifically, but did not rule out this had occurred in some instances.

Mr. Epstein directed attention to a memorandum written in June 1962 by deceased Agent William Forsyth, which memorandum instructed Atlanta and New York to remain alert to Communist attempts to influence the SCLC. Mr. Epstein asked if Mr. Rampton knew Mr. Forsyth and was aware of that memorandum which also mentioned and was possibly captioned Stanley David Levison and Hunter Pitts O'Dell. Mr. Rampton advised he could not remember Mr. Forsyth, but the name seemed vaguely familiar and could not remember the memorandum itself but could not rule out the possibility of having read it. Mr. Epstein asked Mr. Rampton whether this memorandum might have contained the basis for Mr. Rampton preparing the memorandum of October 22, 1962, to recommend the Communist infiltration investigation of the SCLC. Mr. Rampton replied he could not be sure since he could not remember the memorandum specifically.

There was a reference in Mr. Rampton's memorandum of October 22, 1962, to the effect information had been received the CP may be exerting an influence on the SCLC and then later in the same paragraph a reference to the CP connection of Levison and O'Dell who were associated with Dr. King. Mr. Epstein asked Mr. Rampton whether the first reference was roughly equivalent to the second reference. Mr. Rampton

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

advised he could not be sure since he could not recall what was available to him in 1962 which led to the phraseology mentioned above.

A reference was made in one of the documents which apparently was a letter to Atlanta and New York written in 1962 requesting these offices to review files and make recommendations to the Bureau concerning a Communist infiltration investigation of the SCLC. Mr. Epstein asked Mr. Rampton whether this amounted to an instruction to the field to make a positive recommendation to investigate the SCLC. Mr. Rampton replied it was not an instruction to the field to make a positive recommendation; that what Mr. Rampton obviously had in mind was to determine the facts from the field reports; and to analyze the facts then decide whether to recommend an investigation be instituted. Mr. Epstein indicated he believed such terminology was tantamount to an instruction to the field to come back with a positive recommendation and it would be unlikely the field would come back with a negative set of facts. Mr. Rampton said this was an unjustifiable conclusion and if Mr. Epstein understood Bureau terminology he would realize the field would have recommended action according to the facts at hand. Mr. Epstein asked whether conferences were held by Mr. Rampton and other Bureau officials which resulted in focusing attention on the SCLC and Dr. King. Mr. Rampton replied he could not recall any conferences which would have resulted in a decision to focus attention on the SCLC or Dr. King, but that it was possible reports received from the field which indicate CP influence with Dr. King would have been discussed with members of the Communist Front Unit. In any event Mr. Rampton said the review of reports from various sources was a continuing assignment and when Mr. Rampton became aware of CP influence on the SCLC it was his job to analyze this and present a recommendation which had to be approved at a higher level for a Communist infiltration investigation of the SCLC.

Mr. Epstein asked Mr. Rampton whether he had ordered disruptive techniques to be used against the SCLC. Mr. Rampton replied that he had not and wouldn't have done so since the SCLC was a legitimate organization. Mr. Epstein asked if Mr. Rampton had engaged in COINTELPRO activities

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J. RAMPTON
BY SSC STAFF MEMBERS

in regard to this or other investigations and Mr. Rampton replied that he was not cleared to discuss COINTELPRO with Mr. Epstein. Mr. Epstein referred to a wiretap on Dr. King and asked Mr. Rampton whether he could have authorized such an unusual technique when he first made the recommendation for the Communist infiltration investigation of the SCLC. Mr. Rampton told Mr. Epstein he had no personal information concerning the "so-called" wiretap on Dr. King (Mr. Epstein advised Mr. Rampton such a wiretap was authorized in connection with the Communist infiltration investigation of the SCLC in October 1963.), but in any event wiretaps had to be approved by the Attorney General and sufficient information would have to be available to justify asking the Attorney General for such authorization. The facts which existed in October 1962 were not supportive of such a request; Mr. Rampton pointed out.

Mr. Epstein asked Mr. Rampton whether or not Dr. King was on the Reserve Index or Security Index when the Communist infiltration investigation was ordered. Mr. Rampton replied that he was not aware of any such designation for Dr. King.

Mr. Epstein asked whether COINTELPRO operations were considered concerning the SCLC and then he added he would not get into this area, after looking at the memoranda before him, because it was "after Mr. Rampton's time." This was a reference to the fact that Mr. Rampton was transferred from the Communist Front Unit in late 1962.

Enclosure

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United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 11, 94TH CONGRESS)

WASHINGTON, D.C. 20510

#MDR16
12/17/00 SP-2 ALM 1216

ADVICE OF RIGHTS

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I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: APL J. L. [Signature]

Date: 9/23/75 1:37 PM

Witness: Mary [Signature]

Witness: [Signature]

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

10/29/75

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

SSC

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

HSC

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

Memorandum reporting results of SSC Staff interviews
of SAC's Theodore P. Rosac and Ralph J. Rampton.

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

NA

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

U

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

Intelligence collection
Information handling

m DR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/216

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

Interviewed regarding the FBI's investigation of Martin Luther
King, Jr. and Southern Christian Leadership Conference, Stanley
Levison and communist influence in the racial movement.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

5-17-75

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.

F B I

Date: 9/30/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, DENVER

SENSTUDY 75

#MDR16
ALL INFORMATION CONTAINED
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DATE 10/17/00 BY SP2ALM/TJS

Re Bureau teletype 9/18/75 captioned as above instructing that Special Agents in Charge RALPH J. RAMPTON and THEODORE P. ROSACK be in Washington, D. C., for interview by U. S. Senate Select Committee on 9/23/75.

Attached hereto are the original and seven (7) copies of a letterhead memorandum relating to this interview. Also attached to the letterhead memorandum is a copy of the "Advice of Rights" form signed by SAC Rosack during this interview.

REC-42

15 NOV 6 1975

2-Bureau ((Encl. 8)(RM))
1-Denver
TPR/skc
(3)

ENCLOSURE

~~LEGAL COUNSEL~~

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

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



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Denver, Colorado
September 30, 1975

#MDR16

10/17/00 SP2ALM/176

Re: Interview of FBI Special Agent in Charge
Theodore P. Rosack by
U. S. Senate Select Committee Staff Member

On September 23, 1975, Special Agent in Charge (SAC) Theodore P. Rosack appeared at the Dirksen Office Building, Washington, D. C., Room 6308, at 3:25 p.m. SAC Rosack was ushered to an interview room where an interview was conducted by Committee Counsel Mike Epstein. Mary DeOreo, who was not introduced, sat in on the interview and maintained notes in longhand through the interview.

The interview commenced with Mr. Epstein asking SAC Rosack if he desired to sign an "Advice of Rights" form which was done. A copy of this form is attached. Mr. Epstein then requested SAC Rosack to outline his history of assignments in the Bureau.

He was advised that SAC Rosack arrived at FBI Headquarters on assignment in August, 1960, at which time he was assigned to the Internal Security Section performing duties in the Communist Party Front Unit. He assisted in handling some matters relating to counterintelligence matters and thereafter served with the Training Division and Inspection Division after which he returned to the Internal Security Section on assignment in the Sabotage Unit.

At this point SAC Rosack requested that Mr. Epstein comment concerning the true role of the Committee since it appeared to SAC Rosack that the actual purpose of the Committee

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Interview of SAC Rosack by
U. S. Senate Select Committee

was not to improve the operations of the Federal investigative agencies since inquiries conducted by the committee appeared to have resulted in a disruption of investigative activity much to the detriment of this country. Mr. Epstein assured SAC Rosack that the primary purpose of the Committee was to enact legislation aimed at providing guidelines for intelligence operations and that the inquiries were not to disrupt the activities of the investigative agencies. It was pointed out to Mr. Epstein that there was considerable public opinion against the activities of the Committee in this country and that a number of individuals were quite disturbed since it appeared that the investigative agencies, such as FBI, CIA and Military Intelligence agencies were being hurt by inquiries conducted.

Mr. Epstein began asking questions relating to the Southern Christian Leadership Conference (SCLC) and the connections that SAC Rosack had with the Communist infiltration investigation of the SCLC during his assignment at FBI Headquarters. It was observed that Mr. Epstein had three looseleaf binders which obviously had the copies of FBI memoranda relating to this matter and Mr. Epstein was requested to explain for SAC Rosack's benefit why it was necessary for SAC Rosack to travel to Washington from Denver for an interview when the committee already possessed considerable documented material relating to the investigation. Mr. Epstein expressed the opinion that they might not have the entire story and therefore the interview was necessary.

Mr. Epstein asked SAC Rosack whether the discussions relating to the opening of the investigation on the SCLC were participated in by SAC Rosack. Mr. Epstein was advised that SAC Rosack at the time was merely a supervisor in a unit at the Bureau and did not engage in policy-making decisions. Mr. Epstein produced several copies of letters to the field relating to counterintelligence program operations wherein Hunter Pitts O'Dell's Communist affiliations were to be made known to the news media through anonymous communications. One of these pertained to a denial by the New York Office about information available to the "Amsterdam News." The second document approved dissemination of such information to newspapers in the South. Mr. Epstein requested information as to why one was denied and a similar request was approved, both involving the same information. He was advised that these details relating to the specific documents could not be recalled but that it appeared obvious that the geographical locations must have had some bearing on the decisions.

Interview of SAC Rosack by
U. S. Senate Select Committee

Mr. Epstein also produced a memorandum believed to be dated November 21, 1964, wherein dissemination of a document was approved relating to the activities and moral conduct of Martin Luther King. This document was disseminated to the White House, the Vice President Elect, Military Intelligence agencies, etc. The memorandum and the dissemination letter contained the initials of SAC Rosack indicating that he had dictated these documents. Mr. Epstein requested to know whether SAC Rosack had written the document which was designated as an enclosure to these documents. He was advised that since SAC Rosack did not have a copy of the document available he could not say whether or not and, in fact, could not recall who had prepared the information for dissemination. Mr. Epstein was advised that if he could produce a copy of the document he could be advised one way or another but SAC Rosack's memory was not that good after such a lapse of time.

Mr. Epstein on several occasions returned to questioning as to whether SAC Rosack during the early sixties participated in policy-making decisions relating to the SCLC. He was repeatedly advised that SAC Rosack was at that time in no position to make such decisions and that most of the decisions were made as a result of conferences, consultations and recommendations.

SAC Rosack was also asked if he was acquainted with a Mr. Harrington. He advised this may refer to John T. Harrington, who had been assigned to the Communist Party Front Unit and who was deceased. He was also asked if he was acquainted with Bill Forsyth. The answer was again in the affirmative with a statement that it was believed that former SA Forsyth was also deceased.

A discussion then took place regarding the relationship in the Bureau between former Section Chiefs Fred Baumgardner and Jim Bland. Mr. Epstein had some difficulty in understanding the structure of the Bureau and appeared to believe that Mr. Bland had been a Unit Chief under Mr. Baumgardner in the Internal Security Section. He was advised that was not so and that Mr. Bland served as Section Chief in the Subversive Control Section which had responsibility for investigations of individuals and that Mr. Baumgardner as head of the Internal Security Section had primary responsibility of investigating organizations.

Interview of SAC Rosack by
U. S. Senate Select Committee

Mr. Epstein asked who had been the head of the Counterintelligence Unit and SAC Rosack replied that it had been Herman O. Bly who was succeeded by Arthur W. Ware. He requested the whereabouts of these two individuals and was advised that this was not known by SAC Rosack.

A discussion took place again regarding the investigations being conducted by the Committee and Mr. Epstein was advised that the best manner in which this inquiry could be conducted would be to re-establish the same conditions and the climate in existence during the sixties. He was advised that any decisions made were in the best interest of the entire country and that it was extremely easy to "Monday morning quarterback" activities which took place years ago. He was advised that under the same conditions and with the same situation in existence SAC Rosack would more than likely conduct himself in the same manner as he had in the past. Mr. Epstein was advised SAC Rosack was extremely proud of his actions as an FBI Agent and that activities of the Bureau were not conducted primarily for the greater glory of any one man or any one Bureau but were actually conducted for the good of the country. *Vice President*

Mr. Epstein then desired to know why copies of a document pertaining to the moral activities of Martin Luther King had been disseminated to then President Elect Hubert Humphrey. It was pointed out to Mr. Epstein according to the copy viewed it was not only disseminated to Mr. Humphrey but also disseminated to the White House and officials within the Department of Justice and to the knowledge of SAC Rosack no one, including the Department, had instructed that dissemination be discontinued. It was pointed out to Mr. Epstein that a portion of the FBI responsibilities is to keep the Executive Branch of the Government advised of matters relating to the Internal Security of the country.

The questioning of SAC Rosack terminated for all practical purposes at approximately 4:20 p.m. at which time it was suggested to Mr. Epstein that a portion of his efforts should be directed toward attempting to obtain some civil rights for law enforcement officers, since they have none.

Enclosure

-4*-

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
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WALTER D. HUDDLESTON, KY.
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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

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/JTG

ADVICE OF RIGHTS

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I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: Shirley P. Rosack

Date: 9/23/75

Witness: Maury O'Brien

Witness: [Signature]

Handwritten: # MD 216
10-1700 SP-2 ALM HMG

OCT 28 1975

Handwritten: Given To
Don Williams
FOIA
10/29/75
EWJ

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

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

SUBJECT: Senate Select Committee Request

Attached is a letter from the Senate Select Committee which requests "delivery of any files and documents that are in the possession, custody or control of the Department of Justice, including the Federal Bureau of Investigation" concerning Senator Schweiker. This is to advise you that I telephonically contacted John Elliff of the Committee staff today to inform him that "delivery" of Bureau files was a departure from the procedures followed with the other Senators who had made the same request and that the Bureau would prefer to assemble the Senator's file and make it available for review by Mr. Schweiker at the Hoover Building consistent with procedures followed in earlier requests and as outlined in a memorandum from former Special Counsel K. William O'Connor to the Attorney General dated July 24, 1975, with copies distributed to the Deputy Attorney General and Mr. Jim Adams of the Bureau.

Mr. Elliff advised that we should construe "delivery of" to mean "access to" Senator Schweiker's file and that he, Elliff, would see that Senator Schweiker's office was informed of this. Please advise this Office when the Schweiker files are assembled and ready for his review at the Hoover Building.

ENCLOSURE

cc: Paul Daly

Handwritten: 1-Ad Hoc
10-28-75

Handwritten: File 62-116395

62-116395-
NOT RECORDED

46 JAN 8 1976

Handwritten signature: J. G. [unclear]

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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

OCT 20 9 53 AM '75

DEPT. OF JUSTICE
 M. L. EASON

October 16, 1975

RECEIVED

OCT 21 1975

O.L.A.

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

Dear Mr. Attorney General:

On July 16, 1975, in response to our request, your office sent to the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, files and documents concerning five of its members.

We now request delivery of any files and documents that are in the possession, custody or control of the Department of Justice, including the Federal Bureau of Investigation, concerning another member of this Committee: Senator Richard S. Schweiker.

As noted in our prior request, this request is made pursuant to the Committee's mandate and not under the Freedom of Information Act. The material received will be handled in a secure manner, consistent with the Rules of Procedure of the Committee and other arrangements for the special handling of particularly sensitive material.

It will be appreciated if you would arrange to have the material responsive to this request delivered to this Committee as promptly as possible.

Sincerely,

Frank Church

OFFICE OF LEGISLATIVE AFFAIRS

Frank Church
 Chairman

FED. BU. OF INV.

John Tower
 John Tower
 Vice Chairman

P.A.F.

OFFICE OF LEGISLATIVE AFFAIRS

FED. BU. OF INV.



ENCLOSURE

62-116395-

FBI

Date: 9/25/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (62-116395)
ATTN: INTD W. O. CREGAR

FROM: ACTING ADIC, LOS ANGELES (66-6243)

RE: SENSTUDY 75

Attached is the original and seven copies of a letterhead memorandum containing the results of interview of SAC RALPH J. RAMPTON by U. S. Senate Select Committee on Intelligence Activities Staff Member Michael T. Epstein. This interview took place on 9/23/75, in a building adjacent to the Dirksen Building on C Street, Washington, D. C. SAC RAMPTON reported to Room G308, Dirksen Building, and was requested to accompany Mr. Epstein to the building across C Street opposite the Dirksen Building.

3 - Bureau (Attachments 8)
1 - Los Angeles

RJR:sas
(4)

REC-42

~~SEP 29 1975~~

Approved: 12/19/75
 DocId: 32989677 Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

September 25, 1975

In Reply, Please Refer to
File No.

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

RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

MDE/16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP2ALM/816

On September 23, 1975, Senate Select Committee (SSC) Staff Member Michael T. Epstein interviewed Special Agent in Charge Ralph J. Rampton in the building located across C Street from the Dirksen Senate Office Building, Washington, D.C., in the presence of Staff Member Mary De Oreo, who took notes for Mr. Epstein. The interview began at 1:37 pm, and concluded at 3:07 pm. At the outset of the interview Mr. Rampton was presented an Advice of Rights Form which Mr. Rampton was requested to sign. A copy of this form containing the signatures of Mr. Rampton, Miss De Oreo and Mr. Epstein is attached.

Following the signing of the Advice of Rights Form the interview began with Mr. Epstein requesting Mr. Rampton to briefly review his assignments in the Bureau, beginning with his assignment to the Communist Front Unit at Bureau Headquarters in 1960.

After Mr. Rampton gave this background information Mr. Epstein asked Mr. Rampton to read an FBI memorandum dated October 22, 1962, relating to the Southern Christian Leadership

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



ENCLOSURE

62-116575-981

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

Conference (SCLC). This memo in essence recommended approval of a Communist infiltration investigation of the SCLC and proposed sending a letter to the New York and Atlanta Offices, believed dated October 23, 1962, instructing those offices to begin investigation. Mr. Epstein was interested in the reasons and the background which prompted the recommendation for this investigation. He asked Mr. Rampton if those initials (RJR) on the two documents represented Mr. Rampton as the dictator. Mr. Rampton replied they were his initials and that he recalled writing these documents.

Mr. Epstein asked Mr. Rampton how he obtained information to compose ~~these~~ documents which indicate Stanley David Levison, a secret member of the Communist Party (CP) and Hunter Pitts O'Dell, a member of the National Committee of the CP were associated with Dr. Martin Luther King, head of the SCLC. Mr. Rampton replied he could not specifically recall how the information came to his attention, but that it would be normal for him to receive reports from various sources, such as field offices and other units at the Bureau which may have referred to the association of Dr. King with CP members. Mr. Epstein asked Mr. Rampton whether the Bureau required field offices to report on racial incidents, such as sit-ins, and Mr. Rampton replied field offices were normally required to report any incidents of civil strife which would be disseminated to appropriate agencies of the Executive Branch such as the Department of Justice and the White House. The context of this question was whether reporting on racial incidents might influence Mr. Rampton or other Bureau officials to focus attention on the SCLC and Dr. Martin Luther King. Mr. Rampton told Mr. Epstein such matters would not normally come to his attention and the thing that focused Mr. Rampton's attention on the SCLC and Dr. Martin Luther King was information which indicated CP attempts to dominate or influence Dr. King and the SCLC.

Mr. Rampton told Mr. Epstein he was not in sympathy with this inquiry by the SSC and that while he would cooperate, he desired to point out the inquiry was reducing

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

the effectiveness of the FBI. Mr. Rampton pointed out the FBI does not need additional legislation or rules to circumscribe its efforts in that the policy of the Bureau has always been to protect the rights of citizens and Communist infiltration investigations are very carefully supervised, stringently circumscribed and limited in scope to determine the degree of infiltration or influence subversive organizations have on legitimate organizations.

Mr. Epstein asked Mr. Rampton whether Mr. Rampton was aware of such matters as sit-ins, racial incidents and so forth. Mr. Rampton replied that he read the newspapers and may have seen memoranda which incidentally referred to such information, but that it was not the area of Mr. Rampton's specific interest in the Communist Front Unit and that Mr. Rampton, as a member of that Unit, was required to review all reports that might indicate CP or other subversive organizational activities wherever they might occur.

Mr. Epstein asked Mr. Rampton the purpose of Communist infiltration investigations whereupon he showed Mr. Rampton copies of pages containing specific references from Section 87E of the FBI Manual of Instructions which contain FBI policy concerning Communist infiltration investigations. Mr. Rampton explained to Mr. Epstein that the purpose of the Communist infiltration investigation was to determine whether or not the CP was dominating or influencing a legitimate organization, such as the SCLC. Mr. Rampton explained these investigations had to be authorized by the Bureau, that the field did not have the prerogative to begin these investigations, and that such investigations were strictly limited in scope. Mr. Rampton explained that it is not now and was not then permissible to develop informants and sources in the legitimate organization, but that sources were developed in the subversive organization, which was infiltrating the legitimate organization. Mr. Epstein asked if it was permissible to direct these sources to join the legitimate organization and Mr. Rampton replied that it was not permissible to do so; however, if the sources were invited to join, the handling Agent had to avoid any direction of the source's activities in the legitimate organization, which would influence the normal activities of the legitimate organization.

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

Mr. Epstein asked if the ultimate objective of the Communist infiltration investigation would be to make the organization a Communist front so that an all out investigation could be conducted. Mr. Rampton replied this was not the objective, but if, in effect, the CP or other subversive organization reached the point where it controlled and directed the activities of the legitimate organization, it was conceivable the organization would then be considered a Communist front and become of wider investigative interest to the FBI. Mr. Epstein asked Mr. Rampton if he could recall any legitimate organizations becoming front organizations through infiltration. Mr. Rampton replied he could not recall specifically, but did not rule out this had occurred in some instances.

Mr. Epstein directed attention to a memorandum written in June 1962 by deceased Agent William Forsyth, which memorandum instructed Atlanta and New York to remain alert to Communist attempts to influence the SCLC. Mr. Epstein asked if Mr. Rampton knew Mr. Forsyth and was aware of that memorandum which also mentioned and was possibly captioned Stanley David Levison and Hunter Pitts O'Dell. Mr. Rampton advised he could not remember Mr. Forsyth, but the name seemed vaguely familiar and could not remember the memorandum itself but could not rule out the possibility of having read it. Mr. Epstein asked Mr. Rampton whether this memorandum might have contained the basis for Mr. Rampton preparing the memorandum of October 22, 1962, to recommend the Communist infiltration investigation of the SCLC. Mr. Rampton replied he could not be sure since he could not remember the memorandum specifically.

There was a reference in Mr. Rampton's memorandum of October 22, 1962, to the effect information had been received the CP may be exerting an influence on the SCLC and then later in the same paragraph a reference to the CP connection of Levison and O'Dell who were associated with Dr. King. Mr. Epstein asked Mr. Rampton whether the first reference was roughly equivalent to the second reference. Mr. Rampton

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J.
RAMPTON BY SSC STAFF MEMBERS

advised he could not be sure since he could not recall what was available to him in 1962 which led to the phraseology mentioned above.

A reference was made in one of the documents which apparently was a letter to Atlanta and New York written in 1962 requesting these offices to review files and make recommendations to the Bureau concerning a Communist infiltration investigation of the SCLC. Mr. Epstein asked Mr. Rampton whether this amounted to an instruction to the field to make a positive recommendation to investigate the SCLC. Mr. Rampton replied it was not an instruction to the field to make a positive recommendation; that what Mr. Rampton obviously had in mind was to determine the facts from the field reports; and to analyze the facts then decide whether to recommend an investigation be instituted. Mr. Epstein indicated he believed such terminology was tantamount to an instruction to the field to come back with a positive recommendation and it would be unlikely the field would come back with a negative set of facts. Mr. Rampton said this was an unjustifiable conclusion and if Mr. Epstein understood Bureau terminology he would realize the field would have recommended action according to the facts at hand. Mr. Epstein asked whether conferences were held by Mr. Rampton and other Bureau officials which resulted in focusing attention on the SCLC and Dr. King. Mr. Rampton replied he could not recall any conferences which would have resulted in a decision to focus attention on the SCLC or Dr. King, but that it was possible reports received from the field which indicate CP influence with Dr. King would have been discussed with members of the Communist Front Unit. In any event Mr. Rampton said the review of reports from various sources was a continuing assignment and when Mr. Rampton became aware of CP influence on the SCLC it was his job to analyze this and present a recommendation which had to be approved at a higher level for a Communist infiltration investigation of the SCLC.

Mr. Epstein asked Mr. Rampton whether he had ordered disruptive techniques to be used against the SCLC. Mr. Rampton replied that he had not and wouldn't have done so since the SCLC was a legitimate organization. Mr. Epstein asked if Mr. Rampton had engaged in COINTELPRO activities

U. S. SENATE SELECT COMMITTEE
(SSC) ON INTELLIGENCE ACTIVITIES
RE: INTERVIEW OF SAC RALPH J. RAMPTON
BY SSC STAFF MEMBERS

in regard to this or other investigations and Mr. Rampton replied that he was not cleared to discuss COINTELPRO with Mr. Epstein. Mr. Epstein referred to a wiretap on Dr. King and asked Mr. Rampton whether he could have authorized such an unusual technique when he first made the recommendation for the Communist infiltration investigation of the SCLC. Mr. Rampton told Mr. Epstein he had no personal information concerning the "so-called" wiretap on Dr. King (Mr. Epstein advised Mr. Rampton such a wiretap was authorized in connection with the Communist infiltration investigation of the SCLC in October 1963.), but in any event wiretaps had to be approved by the Attorney General and sufficient information would have to be available to justify asking the Attorney General for such authorization. The facts which existed in October 1962 were not supportive of such a request, Mr. Rampton pointed out.

Mr. Epstein asked Mr. Rampton whether or not Dr. King was on the Reserve Index or Security Index when the Communist infiltration investigation was ordered. Mr. Rampton replied that he was not aware of any such designation for Dr. King.

Mr. Epstein asked whether COINTELPRO operations were considered concerning the SCLC and then he added he would not get into this area, after looking at the memoranda before him, because it was "after Mr. Rampton's time." This was a reference to the fact that Mr. Rampton was transferred from the Communist Front Unit in late 1962.

Enclosure

FRANK CHURCH, IDAHO, CHAIRMAN
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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

#MDR16

10/17/00 SP2 ALM/716

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: ALP

Date: 9/23/75 1:37 pm

Witness: Macey DeFoe

Witness: [Signature]

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

The Attorney General

October 30, 1975

Director, FBI

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

#M DR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP2 ALM/715

Enclosed is the original of a memorandum concerning the interview of former FBI Special Agent Leon F. Schwartz by an SSC Staff Member. Also enclosed is a copy of the memorandum for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (2)

62-116395

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

1 - 67- (Personnel File Former SA Leon F. Schwartz)

SFP:1hb
(10)

REC-42 62-116395-982

5 NOV 6 1975

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

ENCLOSURE

JAN 7 1976

WPM

woc/8

Director Sec. _____ MAIL ROOM ☐ TELETYPE UNIT ☐

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

62-116395

October 30, 1975

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

**RE: INTERVIEW OF FORMER FBI
SPECIAL AGENT (SA) LEON F.
SCHWARTZ BY AN SSC STAFF MEMBER**

#mDR/6

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP-2 ALM/JTG

The following concerns an interview conducted by an SSC Staff Member of former FBI SA Leon F. Schwartz.

Prior to the interview, Schwartz was given a release by the FBI from his confidentiality agreement with the FBI for the purpose of the interview, the subject of which was to be FBI procedures in obtaining income tax records from the Internal Revenue Service (IRS).

The following is a statement of Schwartz which he voluntarily furnished and which reports the results of the interview.

On September 26, 1975, former FBI SA Leon F. Schwartz was interviewed by SSC Staff Member James DeMarco. Mr. Schwartz was not advised of his rights nor was he placed under oath. Prior to the interview, Mr. Schwartz was in contact with the FBI's Legal Counsel Division and was advised that he was being released from his confidentiality agreement for the purpose of an interview by the SSC with regard to FBI procedures in obtaining income tax records from IRS and specifically any information he could provide concerning the obtaining of such records concerning one Philip Agee.

1 - 67- (Personnel File Former SA Leon F. Schwartz) Wac/B
SFP:1hb/hb
(9) 62-116395-98 SEE NOTE PAGE 3
ORIGINAL AND ONE COPY TO AG

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
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Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE ☐

GPO : 1975 O - 569-920

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FORMER FBI SPECIAL AGENT (SA) BY SSC

Mr. DeMarco advised that he had been conducting inquiries concerning procedures whereby the FBI requested copies of income tax records from the IRS in connection with FBI investigations. In connection with his inquiries, Mr. DeMarco reviewed a number of IRS files relative to requests IRS had received from the FBI. One of these IRS files pertained to a request received from the FBI concerning Philip Agee, a former CIA employee who had been of interest to CIA in connection with the unauthorized disclosure of classified CIA information.

Mr. DeMarco inquired as to whether or not Mr. Schwartz recalled making a request of IRS for Agee's income tax returns. Mr. Schwartz replied that he did not specifically recall making such a request, which apparently occurred in about June, 1972, but advised that at that time part of his responsibility was the delivering of requests for income tax records which had been approved by the Attorney General to the IRS and that it was likely, therefore, that he had delivered such a request to IRS concerning Agee.

Mr. DeMarco advised that he was interested in determining why such a request would have been made by the FBI rather than CIA making the request itself of IRS. Mr. Schwartz advised DeMarco that he was aware of CIA's investigative interest in Agee and of the fact that CIA had made a number of requests of the Bureau for domestic investigation of Agee's activities. Inasmuch as Agee was suspected of possibly revealing classified information to hostile intelligence services, Mr. DeMarco inquired as to whether or not any of the CIA requests concerning Agee included a request that his income tax returns be obtained. Mr. Schwartz replied that he could not recall such a specific request having been made by CIA but that it was possible that it had occurred.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FORMER FBI SPECIAL AGENT (SA) BY SSC

He also noted that it was possible that the request for income tax records could have been originated by the Bureau based upon a CIA request for the Bureau to develop information concerning Agee's domestic activities.

Mr. DeMarco advised Mr. Schwartz that he was generally aware of the procedures whereby the FBI requested income tax returns from IRS. Mr. Schwartz confirmed to Mr. DeMarco that such requests were first approved by the appropriate Bureau officials and then by the Office of the Attorney General, and thereafter a letter from the Department of Justice was directed to the IRS requesting that the returns be made available.

NOTE:

Per Supervisor P. V. Daly of the Legal Counsel Division, Assistant Director Mintz orally waived the confidentiality agreement. This was done for expediency as the SSC made known its desire to interview Schwartz immediately preceding the actual interview. Schwartz's statement is as dictated at the Bureau.

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

10/30/75

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

SSC

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

HSC

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

Memorandum reporting the results of an interview
by SSC Staff Member of former Special Agent
Leon F. Schwartz

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

IIA

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)

Treasury Department-Internal Revenue Service

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

Interviewed regarding procedures used in obtaining income tax
records from the IRS.

62-116395

FMK:fmk
(4)

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

TREAT AS YELLOW

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/HKB

INSTRUCTIONS

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

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

F B I

Date: 9/26/75

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

TO : DIRECTOR, FBI (62-116395)
ATT: W. O. CREGAR

FROM : SAC, NEW YORK (62-15065)

SUBJECT: SENSTUDY - 75;
U.S. SENATE SELECT COMMITTEE
RE: INTERVIEW OF SA JOHN C. SULLIVAN
AT WASHINGTON, D. C. 9/24/75

#mdr16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP-2 AUM/MSG

Enclosed herewith are 8 copies of an LHM re interview
of SA JOHN C. SULLIVAN by members of the U.S. Senate Select
Committee on 9/24/75 at Washington, D. C.

2-Bureau (Encls. 8) (RM)
1-New York

JCS:mfw (48)
(4)

REC-30
ST 100

62-116395-983
SEP 29 1975

FILE

Approved: _____

Sent _____ M Per _____

84 NOV 10 1975 Special Agent in Charge

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

Let 4 LHM to AG, cc DAG
10/20/75 EFP/mss
10/20/75 EFP/mss
10/20/75 EFP/mss

Encls destroyed
fml



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
September 26, 1975

#MDP16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP2 ALM/STB

~~SENSITIVE~~ 75;

U.S. Senate Select Committee (SSC)
Re Interview of Special Agent JOHN C. SULLIVAN
September 24, 1975
Washington, D. C.

On September 24, 1975, Special Agent (SA) JOHN C. SULLIVAN was interviewed by Mr. MICHAEL EPSTEIN and MARY DeOREO, members of the U.S. Senate Select Committee (SSC) at the New Senate Office Building, Washington, D. C. *→ Staff Members*

Mr. EPSTEIN presented SA SULLIVAN with an "Advice of Rights" form requesting that it be read and signed. SA SULLIVAN signed the form, a copy of which is attached.

Mr. EPSTEIN then presented SA SULLIVAN with a Xerox copy of a New York Office (NYO) airtel dated April 16, 1964, captioned, "Communist Party-USA Negro Question; Communist Influence in Racial Matters; IS-C"; "CP-USA, COINTEL; IS-C", and asked if he had written this airtel. After reading this document, SA SULLIVAN advised Mr. EPSTEIN that he did not write the document. Mr. EPSTEIN asked if the initials, "JCS", on the lower left hand corner of the first page were his initials. SA SULLIVAN stated that his initials are "JCS", but that he did not write the document. Mr. EPSTEIN then asked SA SULLIVAN if he knew who could have written the document with the same initials. SA SULLIVAN stated that the document could have been written by SA JOHN SEATON. Mr. EPSTEIN asked where SA SEATON was assigned. He was told that SA SEATON was last known to be assigned to the Philadelphia Office.

Mr. EPSTEIN then asked SA SULLIVAN what cases were assigned to him in 1964 in the NYO. SA SULLIVAN stated that most of his investigations dealt with Racial Matters. Mr. EPSTEIN said, like the Black Panther Party, and SA SULLIVAN said yes.

Attachment

ENCLOSURE

62-111-375-983

Re: SENSTUDY-75;
U.S. Senate Select Committee (SSC)
Re Interview of Special Agent JOHN C. SULLIVAN
September 24, 1975
Washington, D. C.

Mr. EPSTEIN then asked that if SA SULLIVAN investigated Racial Matters, why he was not investigating CP-USA Negro Matters. He was told that one squad usually handled all matters dealing with the CP, and that CP-Negro Matters and Racial Matters investigations were not the same, and were handled by different squads.

Mr. EPSTEIN then asked how the NYO was set up, such as divisions, etc. He was told that the NYO had divisions that were then broken down into squads. Each squad was responsible for investigating specific classifications.

Mr. EPSTEIN then produced other documents as follows: Xerox copy of a document captioned, "CP-USA Negro Question-Communist Infiltration; Racial Matter; IS-C", dated May 21, 1964, NY file number 100-151649; Xerox copy of Bureau airtel to New York dated April 13, 1964, captioned, "CP-USA; COINTELPRO; IS-C; NEGRO QUESTION", Bureau file number 100-3-104-34; Xerox copy of Bureau letter to NY captioned, "CP-USA; NEGRO QUESTION", Bureau file number 100-3-110.

Mr. EPSTEIN asked SA SULLIVAN if he was familiar with any of the above-mentioned documents. SA SULLIVAN stated that he was not familiar with the above documents. Mr. EPSTEIN then asked if SA SULLIVAN conducted any investigation pertaining to the CP and Mr. STANLEY LEVISON. SA SULLIVAN stated that the only investigation he can recall is when he received some documents and was told to read the documents and disseminate the information from these documents into the specific file having an interest in the subject matter, and did not participate in any active investigation of the CP in New York.

Mr. EPSTEIN asked who was the supervisor of the squad investigating CP matters in 1964, and who was SA SULLIVAN's supervisor in 1964. SA SULLIVAN stated that JOHN KEARNEY was the supervisor of the squad handling the investigation of the CP, and RAYMOND RUCKEL was his supervisor in 1964.

Mr. EPSTEIN asked what agents handled the investigation of the CP-USA; COINTELPRO-CP; and CP-Negro Question. SA SULLIVAN stated that he did not know, and would only be guessing if he began to name persons.

Re: SENSTUDY-75;
U.S. Senate Select Committee (SSC)
Re Interview of Special Agent JOHN C. SULLIVAN
September 24, 1975
Washington, D. C.

Mr. EPSTEIN then asked who had the initials, "JJK" and "JMK". SA SULLIVAN said that "JJK" is probably JOHN KEARNEY, but did not know who was "JMK". Mr. EPSTEIN said, could it be JAMES KIRBY. SA SULLIVAN said it could be, but he did not know KIRBY's middle initial. Mr. EPSTEIN asked who was "JFO", and SA SULLIVAN said he could not recall who had the initials, "JFO".

Mr. EPSTEIN asked what stenographers had the initials, "RMV" and "TNS". SA SULLIVAN said he did not know since the documents on which these initials appear were typed in 1964.

Mr. EPSTEIN asked if SA SULLIVAN knew ALEXANDER BURLINSON and where he is at the present time. SA SULLIVAN stated that he knew Mr. BURLINSON and was last known to be living in Scarsdale, NY.

Miss DeOREO mentioned Civil Rights violations. SA SULLIVAN stated that Civil Rights is a separate matter and has nothing to do with the topics being discussed.

Mr. EPSTEIN then wanted to know if SA SULLIVAN conducted his investigation under Section 87 or Section 122 (of the Manual of Instructions). He was advised that cases were handled under Section 122. He also expressed an interest as to whether or not the FBI investigated persons, such as 10 persons conducting a peaceful picket demonstration. SA SULLIVAN stated that the FBI does not investigate peaceful picketing demonstrations, stating that New York City averages about one strike a day and sometimes there may be 5 to 10 demonstrations going on at once.

The interview began at 10:20 a.m. and ended at 11:04 a.m.

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

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

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

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 11, 94TH CONGRESS)

WASHINGTON, D.C. 20510

#MDP16

10/27/00 SP-2 ALM 1716

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: _____

Date: _____

Witness: _____

F B I

Date: 10/10/75

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

TO: DIRECTOR, FBI (62-116395)
ATTN.: INTELLIGENCE DIVISION
SECTION CHIEF W. O. CREGAR

FROM: SAC, NEW YORK (105-146601)

SUBJECT: SENSTUDY 1975

Enclosed are the original and 7 copies of LHM containing results of appearance of SAC R. C. DENZ before Committee members, Washington, D. C., on 9/24/75.

In addition, there is attached a Xerox copy captioned "Advice of Rights", presented to, and signed by SAC DENZ.

On 10/23/75 teleph. discussion had w/ SAC Denz, NY, & he agreed LHM did not meet info classification - that it is being declassified.

REC-30

- 2 - Bureau (Encs. 8) (62-116395)
1 - New York (105-146601)

RCD:enc
(4)

OCT 13 1975

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

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

84 NOV 10 1975

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
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, 91TH CONGRESS)

WASHINGTON, D.C. 20510

#MDR16

16-17-60 SP-2ALM/716

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: E. C. Dwyer

Date: 9/24/75

Witness: Harvey K. R. 62-116395-984



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

October 10, 1975

In Reply, Please Refer to
File No.

UNITED STATES SENATE
SELECT COMMITTEE ON INTELLIGENCE

~~SECRET~~

INTERVIEW OF
SPECIAL AGENT IN CHARGE ROBERT C. DENZ
NEW YORK OFFICE, SEPTEMBER 24, 1975,
BY MICHAEL EPSTEIN AND MARY DE ORO

The interview took place in Room G-308, Everett M. Dirksen Senate Office Building, Washington, D. C., from approximately 11:10 a.m. to 11:45 a.m. on September 24, 1975. Mr. Epstein presented a one-page typewritten form, pertaining to "Advice of Rights" and "Waiver of Rights", stating that he hoped Mr. Denz would sign it. It was read, signed and dated. A copy was obtained by SAC Denz *and is attached.*

In response to career-type questions, SAC Denz advised the interviewers of his current position in the New York Office, which he assumed February, 1975, his position as Assistant Special Agent in Charge, Portland, Oregon, Office from April, 1974, to January, 1975, and his position of Assistant Special Agent in Charge in the New York Office from March, 1973 to April, 1974. Mr. Denz noted that prior to this he was assigned to Headquarters. It was mentioned by Mr. Denz that the New York Office has five Special Agents in Charge and one Assistant Director in Charge. Mr. Epstein stated that he is primarily interested in that point of Mr. Denz's career which took place at Headquarters. Mr. Denz advised that he was transferred from the Detroit Office to Headquarters in approximately March of 1963 and was assigned to a unit which had some of the supervisory responsibilities pertaining to the Communist Party, USA. After serving several months, possibly six to eight, Mr. Denz was assigned to a unit handling extremist matters, such as the Ku Klux Klan. As to the first unit mentioned, it was explained that there were various

Classified by *SP6*
Exempt from GDS, Category *2X3*
Date of Declassification Indefinite

*Declassified-2047-
101231758*

~~SECRET~~

ENCLOSURE

62-116395-984

~~SECRET~~

Re: INTERVIEW OF SPECIAL AGENT IN CHARGE ROBERT C. DENZ,
NEW YORK OFFICE, SEPTEMBER 24, 1975

investigations and various subfiles concerning the Communist Party, such as Communist Party membership, and Communist Party youth. Mr. Epstein asked the identities of the other individuals serving in that specific unit. Mr. Denz replied that he recalls Special Agents Larry Gurley, Seymor Phillips, and William Shaw.

In response to Mr. Epstein's question, Mr. Denz advised that, in view of the lapse of time and the fact that his service in that particular unit was only a matter of months, all of his assignments could not be recalled. To the best of memory, Mr. Denz advised that he coordinated Communist Party membership figures as furnished by certain field offices and believed that at one time he had assigned the subfile on negro matters. Mr. Epstein inquired whether this meant "Cominfil", or Communist Party infiltration of negro groups. Mr. Denz advised that he could not recall specifically the lineup in Division 5, Headquarters, of Communist infiltration cases, but the Communist Party, USA, negro matters would probably touch on Communist infiltration as well as negro members in the Communist Party itself. Mr. Epstein inquired as to the "March on Washington" of 1963 and specifically, the identity of the Special Agent handling same, and who would an official of the Division, as example, an Assistant Director, refer to if he had a question regarding the March. Mr. Denz advised that the official would, no doubt, go down the line of command to the Section Chief, and then to the Unit Chief, and then to the Special Agent handling subject matter. Mr. Epstein was aware that a Mr. Baumgardner was the Section Chief at that time. As to whether the Assistant Director would go directly to the Special Agent handling the matter, Mr. Denz advised that he doubted such would be the normal procedure, but indicated that an official could well have done so on occasion.

Mr. Epstein furnished for review Xerox copies of a July and an August, 1963, memorandum, which indicated originated with Special Agent in Charge Denz, along with communications directed to the Attorney General, pertaining to Communist influence in racial matters and the March on Washington. A review of same indicated to Mr. Denz that such memoranda went up the chain of command to Mr. Hoover. Mr. Denz advised

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Re: INTERVIEW OF SPECIAL AGENT IN CHARGE ROBERT C. DENZ,
NEW YORK OFFICE, SEPTEMBER 24, 1975

that the memoranda indicate that Mr. Denz had the responsibility of coordinating field information regarding the March on Washington and the responsibility of keeping Bureau officials currently advised. Both memoranda were of an informative nature. In reply to Mr. Epstein's questions regarding a review of files at Headquarters, Mr. Denz explained that probably the memoranda were based on information furnished by several field offices, but no doubt files at Headquarters could also have been reviewed. Mr. Epstein inquired as to Mr. Denz's opinion of the extent of Communist Party influence on the March on Washington. Mr. Denz noted that Mr. Hoover had commented on one of the memoranda to the effect that it was an infinitesimal amount. Mr. Denz stated that he, himself, might not put it in exactly that manner but agreed, while it was no doubt a logical target for the Communist Party, there was not that much influence. At least one of the memoranda supported this comment. As to Mr. Epstein's question concerning Special Agent Forsythe's assignments, he was advised by Mr. Denz that to the best of memory Special Agent Forsythe handled assignments pertaining to individual subjects but no specifics were known. Mr. Epstein inquired as to Mr. Denz's knowledge of "taps" on Martin Luther King. Mr. Denz replied that he recalls hearing of same while at Headquarters but cannot recall as to exact time, place, or any other specific details.

Mr. Epstein concluded the interview, stating his appreciation for the appearance.

Enclosure

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 024 SF CODE

OCT 16 1975

9:15PM NITEL OCTOBER 15, 1975

TELETYPE

TO: DIRECTOR (62-116395)

FROM: SAN FRANCISCO (62-6887)

SECRET

SENSTUDY 75.

RE BUTEL, OCTOBER 9, 1975.

REFERENCE IS MADE TO SAN FRANCISCO LETTER DATED MARCH 11, 1960, CAPTIONED "CSSF 2279-S, CONFIDENTIAL SOURCE - CHINESE," SAN FRANCISCO FILE 134-1132.

FOR INFORMATION OF BUREAU, SAN FRANCISCO FILE 134-1132 (ADMINISTRATIVE) WAS LOCATED AFTER A THOROUGH SEARCH OF SAN FRANCISCO FILES AT 4:45 PM PST, OCTOBER 15, 1975. REVIEW OF THIS FILE DISCLOSED NO "WATCH LISTS" UTILIZED UNTIL JUNE 26, 1963 WHEN CSSF 2279-S WAS REPLACED BY CSSF 2641-S AND SF FILE 134-1132 WAS CLOSED.

SAN FRANCISCO HAS INTERVIEWED AGENT PERSONNEL WHO PARTICIPATED IN THE CHICLET AND CHIPROP SURVEYS IN ORDER TO RECONSTRUCT CRITERIA USED FOR THESE PROGRAMS.

ST 104

AGENT PERSONNEL INTERVIEWED HAVE ADVISED THAT NO "WATCHLIST" WAS MAINTAINED FOR THESE PROGRAMS PREVIOUS TO 1964. LIMITATIONS IN

REVIEWING OVER 13,000 LETTERS A DAY (IN LESS THAN A MAXIMUM OF TWO HOURS) DID NOT ALLOW SUFFICIENT TIME TO COMPARE THESE LETTERS

WITH A LIST OF NAMES. IN PLACE OF A LIST, AGENT PERSONNEL REVIEWING THIS BULK OF LETTERS, USED GENERAL CATEGORIES OF REFERENCE. THESE AGENTS ALSO HAD THEIR OWN "MENTAL LIST" OF NAMES OF INDIVIDUALS

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's Sec'y _____

W. J. G. [Signature]
[Signature]

6-

REC-30

62-116395-985

15 NOV 7 1975

84 NOV 10 1975

[Handwritten signature]

WHO WERE OF INTEREST TO THE BUREAU. THIS "MENTAL LIST" INCLUDED INDIVIDUALS WHO IN THE PAST HAD QUALIFIED UNDER GENERAL CATEGORIES AS PERSONS OF INTEREST TO THE BUREAU.

THE GENERAL CATEGORIES OR CRITERION USED BY AGENT PERSONNEL REVIEWING LETTERS UNDER THE CHICLET AND CHIPROP SURVEYS INCLUDED: (1) LETTERS WITH A RETURN ADDRESS OF INDIVIDUALS WHO WERE BEING HELD AS PRISONERS OF WAR AND WHO WERE KNOWN TO BE "TURNCOATS" FROM THE KOREAN CONFLICT. (2) LETTERS WITH A RETURN ADDRESS OF A DOCTOR OR UNIVERSITY ON THE MAINLAND. (3) ANY MAIL EMANATING FROM CHICOM INTELLIGENCE SERVICES OR COVERS THAT WE WERE AWARE OF. (4) MAIL ADDRESSED IN ENGLISH WITH INFORMATION THAT IDENTIFIED IT WITH A SOURCE OF A SCIENTIFIC OR TECHNICAL NATURE. (5) MAIL WITH A RETURN ADDRESS OF A PARTICULAR PROVINCE IN CHINA WHERE THE ATOMIC BOMB WAS BELIEVED TO HAVE BEEN MANUFACTURED. (6) MAIL ADDRESSED TO WELL KNOWN SECURITY SUBJECTS OF THE BUREAU RESIDING WITHIN THE UNITED STATES. (7) MAIL THAT INDICATED ILLEGAL TRAVEL OF AMERICAN CITIZENS TO MAINLAND CHINA.

WITH SPECIFIC REFERENCE TO REFERENCED BUREAU TELETYPE OF OCTOBER 9, 1975, WHEREIN THE SENATE SELECT COMMITTEE (SSC) HAD

PAGE THREE SF 62-6887 S E C R E T

REQUESTED ACCESS TO "LISTS OF GOVERNMENT EMPLOYEES AND SAN FRANCISCO SECURITY AND SECURITY INDEX SUBJECTS WHOSE NAMES WERE ON WATCH LISTS", SAN FRANCISCO REPEATS THAT NO LISTS WERE MAINTAINED AND/OR UTILIZED PRIOR TO THE MARCH 11, 1960 SAN FRANCISCO LETTER REFERRED TO ABOVE.

WITH REGARD TO THE 140 CLASSIFICATION, SGE CASES, OPENED AS A RESULT OF THE SURVEYS REFERRED TO IN REFERENCED SAN FRANCISCO LETTER, NO LIST OF GOVERNMENT EMPLOYEES WAS MAINTAINED. THESE CASES WERE OPENED AS A RESULT OF AN INDICES SEARCH OF THE DIVISION WHERE AN INDIVIDUAL RESIDED OR AN INDICES SEARCH AT THE BUREAU WHICH WAS INITIATED BECAUSE THAT INDIVIDUAL CAME TO OUR ATTENTION AS A RESULT OF THE SURVEYS. FOR EXAMPLE, IF A PARTICULAR LETTER WAS OPENED BECAUSE IT WAS ADDRESSED TO A SCIENTIST, AND THIS LETTER CONTAINED INFORMATION THAT WARRANTED OPENING A CASE BECAUSE IT CONTAINED INFORMATION OF INTELLIGENCE VALUE, AN INDICES SEARCH IN THE DIVISION WHERE THAT PERSON RESIDED WAS CONDUCTED. IF THE INDICES SEARCH REVEALED THAT

PAGE FOUR SF 62-6887 S E C R E T

THIS PERSON WAS A GOVERNMENT EMPLOYEE, A NEW SGE CASE WAS OPENED. SOMETIMES WHEN AN INDICES SEARCH DID NOT REVEAL GOVERNMENT EMPLOYMENT, SUBSEQUENT BACKGROUND INVESTIGATION DID, AND A NEW SGE CASE WAS OPENED.

WITH REGARD TO SAN FRANCISCO SECURITY AND SECURITY INDEX SUBJECTS, NO WATCHLISTS WERE UTILIZED PRIOR TO MARCH 11, 1960 IN THE CHIPROP/CHICLET SURVEYS. AGENT PERSONNEL WHO WERE ENGAGED IN REVIEWING LETTERS IN THESE SURVEYS WERE EXPERIENCED INVESTIGATORS IN SECURITY MATTERS IN THE SAN FRANCISCO BAY AREA. THESE AGENTS WERE WELL ACQUAINTED WITH THE NAMES OF SAN FRANCISCO AREA SECURITY AND SECURITY INDEX SUBJECTS AND HAD THEIR OWN PERSONAL "MENTAL LIST" OF NAMES OF THESE INDIVIDUALS TO DRAW ON WHILE REVIEWING LETTERS. ON OCCASION, MAIL THAT WAS ADDRESSED TO SECURITY SUBJECTS WAS OPENED BASED ON OTHER CRITERIA AND AN INDICES SEARCH REVEALED THAT THAT INDIVIDUAL WAS, IN FACT, OF INTEREST TO THE BUREAU FOR REASONS UNRELATED TO THE MAIL SURVEYS. IN SUCH INSTANCES

PAGE FIVE SF 62-6887 S E C R E T

THE MAIL SURVEY HELPED CORROBORATE CURRENT INFORMATION REGARDING THESE SUBJECTS.

IT IS RECALLED BY SF SGENTS WORKING THE CHIPROP CHICLET SURVEYS SUBSEQUENT TO 1964 THAT CERTAIN "WATCHLISTS" WERE UTILIZED IN THESE SURVEYS DUE TO THE NUMBER AND TURNOVER OF AGENTS INVOLVED, HOWEVER, THESE LISTS WERE A "WITHIN HOUSE" LIST WHICH IN ALL PROBABILITY DID NOT BECOME AN INTEGRAL PART OF THE ADMINISTRATIVE FILE IN QUESTION. SAN FRANCISCO IS CONTINUING TO LOOK FOR THE 134 FILE COVERING CSSF 2641-S AND WILL SUTEL RESULTS IMMEDIATELY UPON LOCATION AND REVIEW.

CLASSIFIED BY 7356. XGDS, CATEGORY 2. INDEFINITE.

END

HOLD PLS

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

The Attorney General

October 20, 1975

Director, FBI

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

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

#mOR16

10/17/00 SP-2 Alm JTG

Enclosed for your information is a memorandum, with attachment, concerning an interview by SSC Staff Members of former FBI Special Agent in Charge Joseph L. Schmit. A copy of the memorandum, with its attachment, is being furnished for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (4)

62-116395

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

- 1 - 67- (Personnel File Former SAC Joseph L. Schmit)

SFP:dmt
(11)

ST 104

REC-30

15 NOV 7 1975

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. _____

84 NOV 10 1975

MAIL ROOM ☐

TELETYPE UNIT ☐

62-116395

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips
October 20, 1975

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

RE: INTERVIEW OF FORMER SPECIAL AGENT
IN CHARGE (SAC) JOSEPH L. SCHMIT
BY SSC STAFF MEMBERS

#MDR/6

SP-2 ALM/175

10/17/00

Set out below is information concerning an interview
of former FBI SAC Joseph L. Schmit by SSC Staff Members.

Prior to the interview, Schmit was advised by the
Legal Counsel Division of the FBI that he had a right to counsel
during the interview but that the FBI could not provide him with
private counsel. He was advised that he was released from his
employment agreement relating to confidentiality for the purpose
of answering questions concerning mail openings. He was also
advised that Department of Justice was in the process of
determining whether there may have been criminal conduct by
FBI personnel who were involved in mail openings. It was
pointed out to Schmit that any statement he gives to the SSC
could be used against him if the Department of Justice initiates
prosecution. He was advised that his appearance before the SSC
is voluntary and whether to appear and respond to particular
questions was a decision he alone must make. He was finally
advised that the SSC must issue a subpoena before it could
demand he answer questions and that, absent such a subpoena,
he was not compelled to submit to an interview.

Attached is a memorandum voluntarily furnished by
Schmit which recites his report of the interview.

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

The fact that Schmit was placed under oath by other
than a senator, as revealed in the attachment, was brought to
the attention of Mr. John T. Elliff, SSC Domestic Intelligence

Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____

(Personnel File Former SAC Joseph L. Schmit)

Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

1 - 67-

SFP: dmt
(10)

ORIGINAL AND ONE COPY TO AG

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

SEE NOTE PAGE 2

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

RE: INTERVIEW OF FORMER SPECIAL AGENT
IN CHARGE (SAC) JOSEPH L. SCHMIT
BY SSC STAFF ELLIFF

Task Force Director, by the FBI's Legal Counsel Division. It was pointed out to Elliff that there did not appear to be provisions in the SSC rules for a Staff Member to place an interviewee under oath. Elliff initially indicated that a Staff Member may have such authority but stated he would look into the matter. Elliff subsequently advised that this was improper and that he would insure that this did not occur again. (It will be noted in the attachment that Schmit was sworn in by a stenographer, not a Staff Member. The reason Elliff was contacted concerning the apparent abridgment of the SSC rules is that originally Schmit had informally indicated to the FBI he had been sworn in by a Staff Member. However, when his statement was received it was found that he had been sworn in by a stenographer rather than a Staff Member.)

Enclosure

NOTE:

Schmit's statement was mailed under personal cover to W. O. Cregar of the Senstudy 75 Project. The Legal Counsel Division contacts with Schmit were by Supervisor P. V. Daly who also had the contacts with Elliff as reported herein.

MEMO COVERING TESTIMONY OF JOSEPH L. SCHMIT BEFORE STAFF
COUNSEL OF SENATE SELECT COMMITTEE ON INTELLIGENCE
ACTIVITIES - Tuesday, September 16, 1975

I am setting forth, to the best of my recollection, a summation covering the key points of my testimony in the above captioned matter.

My testimony was taken between 10:05 A.M. and 12:15 P.M. on September 16, 1975, after I had been sworn in by a female stenographer, who recorded my testimony. Also present were James Dick and Tom Dawson, who introduced themselves as Counsel on the Staff of the Committee. While I was rather surprised that I was placed under oath (as it was my understanding that some of the prior witnesses had not been sworn in), I did not have any problem with this since I had intended that my testimony be entirely truthful, to the best of my recollection, and it made no difference whether I was under oath or not.

After Mr. Dick, who was the principal interrogator, indicated that the purpose of my testimony was to solicit information from me as to the history of the use of mail intercepts by the Bureau during my assignment as an ASAC, and later as SAC of the Espionage & Foreign Intelligence Division of the New York Office, he informed me of my right to counsel and reminded me of the fact that I was present voluntarily, and not under subpoena. I was not asked to sign any document.

At this point, I responded that I wanted the record to reflect that I was there voluntarily, that I had no problem relaying, to the best of my recollection, my knowledge of the mail intercept programs, and that I felt that I had no need for counsel. I stated that I was hopeful that

ENCLOSURE

62-116395-487

by appearing before the Committee's Counsel I could be helpful in some way to the Government in its deliberation of a matter of serious import in the Soviet counterintelligence espionage field.

At this point, I stated that I wanted the record to reflect that I had taken an oath while I was in the F.B.I. to restrict the confidentiality of the information which came to my attention, and not to reveal it without proper approval from the Bureau and Department of Justice. I told them that I had talked to Mr. Paul Daley of the office of the Legal Counsel of the F.B.I., and to Bill Greger, who I understood was maintaining liaison with the Committee, but that I had not refreshed my recollection in any way prior to my appearance. I also informed the Counsel that since nearly 10 years had elapsed since I retired from the F.B.I., and even more time since I had been exposed to the mail intercept program, that there would be some details concerning which I would undoubtedly be very hazy. I also said that I had been instructed by the Bureau that I was released from my confidentiality only to the extent of discussing the mail intercept programs and that I was not permitted in my testimony to reveal any information touching on the following four points:

1. Information provided by sources (or any other information) which might tend to identify confidential source.
2. Information concerning sensitive investigative techniques.
3. Information derived from other government agencies, including information from foreign intelligence source.
4. Any information disclosure which could adversely affect on-going investigation.

In response to specific questions by the Staff, the following is a summary of my testimony on the various points indicated, it being noted that I did not volunteer any information:

Personal Data

My residence address of 656 Hunt Lane, Manhasset, New York, and my business occupation as Vice President of American Airlines, with headquarters in New York City, were furnished.

Bureau History

My offices of assignment and areas of responsibility were outlined as follows:

January 1941 - March 1941: F.B.I. Training School, Washington, D.C.

March 1941 - September 1941: Special Agent, Dallas, Texas, general investigative assignment.

September 1941 - March 1943: Special Agent, New York City, general criminal work.

March 1943 - July 1947: Resident Agent, Tulsa, Oklahoma, general investigative assignments.

July 1947 - April 1953: Bureau Supervisor and No. 1 man, Internal Security Section, F.B.I. Headquarters.

April 1953 - December 1954: ASAC - Denver, Colorado office.

December 1954 - September 1958: ASAC of Chicago office, in charge of Internal Security and espionage matters.

September 1958 - May 6, 1966: ASAC and later SAC of Espionage & Foreign Intelligence Division of New York Office, having retired from the F.B.I. on May 6, 1966.

New York Office Organization

Considerable testimony was given outlining the complete organization of the New York office upon my arrival, including the four main divisions, who was in charge of each division, supervisory organization, section and squad break-down in Division 3, together with the identities of the supervisors in charge of each section and the various responsibilities of each section. This was furnished in considerable detail, as well as the general organization structure during my remaining assignment to the New York office.

Mail Intercept Programs

Upon being asked to outline my knowledge of the mail intercept programs, I recalled that there were several programs in existence in my division, but that I could only recall the names of two - namely, SAM Survey and GUS Survey. A considerable amount of my testimony was given to SAM Survey, what it consisted of, where it operated, under whose supervision, how approved, etc. I stated that my recollection of details was extremely sketchy, but I furnished the following as my general recollection.

Upon my assignment as ASAC of Espionage & Foreign Intelligence work in New York, I soon became aware that there was undoubtedly an illegal Soviet network operating in this country, which had not been successfully penetrated. The basis for this conclusion was generally Abel Case and other information coming to my attention. As a result of various investigations and information developed, it became obvious that one of the main methods of communication by illegal agents to their Soviet superiors was through the use of the U. S. Mail. Based upon this conclusion, information was relayed to F.B.I. Headquarters that the only way to penetrate this illegal Soviet network was to have access to the network the Soviets were using. As a result, Government approval was obtained to set up SAM Survey. I could not recall the details as to the manner in which it was set up, but the thrust of the

interrogation pressed as to obtaining details in this area. I stated generally that Bureau approval had to be obtained, that I did not know who in Washington had been consulted, but that certainly the Officials in the U. S. Post Office would have to give approval for us to implement the plan in New York. I said I could not say that Mr. Hoover had personally approved this, but in response to a question, I said that the importance of the program was such that I felt that his personal approval would have been necessary. As to any oral conversations I may have had with Bureau Officials in Washington, I said that it would be my recollection that they would have been limited to either A. H. Belmont or D. E. Moore, and possibly Bill Branigan.

Considerable emphasis was placed on whether the Attorney General had approved the program, or whether any Attorney General was aware of the mail intercept program. I responded that the answer to these questions could best be secured from the Bureau Headquarters in Washington, since I did not know the answers.

I was specifically asked whether there was any possibility that former Attorney General Robert Kennedy was aware of the program. I then related that sometime during 1962 or 1963, the then Attorney General Robert Kennedy came to the New York office to attend a criminal intelligence conference, at which time he desired to be briefed on highlights of our counterintelligence efforts against Soviet espionage and, as I recall, I handled the briefing of Mr. Kennedy. I said I could not recall any specifics of the briefing, whether mail intercepts had been mentioned or not, and it would be unfair for me to say either way.

Mail Intercept Programs (Cont'd.)

Staff Counsel spent some time inquiring as to who else was present at this conference, and I related the identities of a number of people I recalled, including former Assistant Directors John Malone and Courtney Evans, as well as a Public Relations man from the Department of Justice who accompanied Mr. Kennedy. I indicated that there also were a number of other Bureau Officials assigned to the New York office, as well as New York Supervisors present.

Again, in response to detailed questioning, I indicated that I could not recall the identities of any Agents who personally worked on the SAM Survey, with the exception of Jim Kehoe and George Quinn, except that Quinn may have been a Supervisor at the time. The instructions were to select only certain letters which had certain designated indicators, and they would be brought to the New York office for further screening. If a letter was believed suspect, it would be photographed and the mail immediately returned to the mail facility so that there would be no delay in the mail. I stated that the program was completely justified and furnished very valuable information. I could not recall exactly how many illegal Agents were identified as a result of this program, and that I probably was not permitted to reveal this data even if I could recall. I could not recall why this program, or the related programs, was discontinued, but estimated that it was discontinued in approximately 1963 or 1964. I was certain they were discontinued prior to my retirement from the F.B.I. Upon being unable to recall the specific purpose of GUS Survey, the Counsel exhibited to me a copy of an AIRTEL to the Bureau, reflecting that Special Agent Homer Boynton and myself, pursuant to Bureau instructions, had contacted a Postal Inspector

in New York to set up GUS Survey. The Counsel revealed to me that there were two other surveys - namely, SUN and "Z" coverage, and I said I recalled generally that these were two other programs set up to assist in penetrating Soviet espionage, but I honestly could not recall the details as to the function of these surveys. I stated that I did recall that they were in operation in my division while I was in charge of the division.

Considerable time was spent in attempting to elicit the types of communications which might be intercepted. That is, whether the program was used solely for the detection of illegal agents, or whether there might have been some "side benefits" which would assist the Bureau in further criminal or internal security matters. I told them that this could not have happened because of the parameters and instructions set up by the Bureau and the New York office to the Agents who were handling the program. I said that while I did not become involved in the details, and could not certify absolutely, that I was confident that the program was only used for the purposes for which it was instituted.

In summation, while many of my answers reflected a truly hazy recollection, the members of the Staff Counsel accepted this fact and did not press me for more detailed responses.

Legality of the Mail Intercept Programs

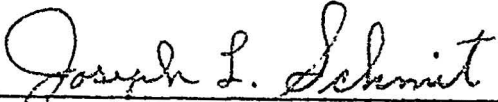
It was interesting to observe that Mr. Dick approached this question by making the following statement: "I assume that there was no question in your mind as to the legality of the mail intercept program". My response follows: There was no question in my mind but that the Bureau and its personnel acted properly in this matter. There were volumes of information

and intelligence data revealing that the Soviet espionage system, on a world-wide basis, and its illegal network, posed a serious threat to the internal security of the country. The Government, by Presidential directive, had placed the responsibility on the F.B.I. to uncover these illegal networks, not only to protect the internal security, but the American people. In discharging this responsibility, Mr. Hoover assigned me to New York to supervise the Bureau's efforts in the New York area. Upon determining what investigative techniques were necessary, Bureau Headquarters, in my opinion, sought the proper Government approval to be placed in a position to discharge its responsibilities. The mail intercept program was devised for this purpose. The results reflected a major achievement in penetration of the illegal Soviet network never previously attained by the United States Government. Just as the Government, in its wisdom, had made available to the agency responsible for this important phase of National security, it made a serious error in taking this capability away from its agents. I was hopeful that one of the main thrusts of the Committee was not to cripple the Intelligence community by taking away from it its capability to penetrate and control Soviet espionage in the United States. I said that failure to do so would be a disservice to the American people and increase our threat to our country. I commented that requiring the F.B.I., or any Government Agency, who the Government - in its wisdom - chose to discharge this responsibility, to do so without the appropriate investigative techniques, would be like asking the Pentagon to send the Armed Forces overseas to fight a war, but to refuse to furnish them any weapons.

I concluded my comments by expressing the hope that my appearance before the Committee was helpful and that I would be happy to cooperate in any future

manner in which I could be of assistance to either the Committee or the Government in any way. At the conclusion, I was thanked for my cooperation and upon being informed that I would be permitted to read a transcript of my testimony if I so desired, I indicated that I would probably avail myself of this opportunity.

:paf-9/18/75



Joseph L. Schmit

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT

BRIEFING

X

INTERVIEW

TESTIMONY

OTHER

10/20/75

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

SSC

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

HSC

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

Memorandum reporting the results of an interview by SSC Staff
Members of former Special Agent Joseph L. Schmit

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

HA

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

U

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

Intelligence collection
Information handling

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-7-00 BY SP-2ALM/AB

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

Interviewed relating to the FBI's mail intercept program.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

Date of Mail 10/17/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

Subject JUNE MAIL SENSTUDY

Removed By 79 NOV 10 1975

File Number 62-116395-986

#MDR16 ON THIS
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/276

Permanent Serial Charge Out

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

The Attorney General

October 20, 1975

Director, FBI

- 1 - Mr. J. G. Deegan
 1 - Mr. J. D. Maurice
 1 - Mr. J. D. Powell

UNITED STATES SENATE SELECT COMMITTEE
 ON INTELLIGENCE ACTIVITIES (SSC)

#moe 16
 10/17/00 SP-2 ALM/HIG

Reference is made to the September 8, 1975, SSC request forwarded to the Department of Justice by letter dated September 9, 1975, listing certain documents and other information desired from the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum in response to one of the requests.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a set of the materials which is being delivered to the SSC.

Enclosures (2)

62-116395

~~REC-104~~

REC-30

1 - The Deputy Attorney General
 Attention: Michael R. Shaheen, Jr.

Special Counsel for
 Intelligence Coordination

15 NOV 7 1975

JDP:lek (11)

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. _____
 Director Sec'y _____

5- ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

The Attorney General

NOTE:

Single copies of the 9/8 and 9/9/75, SSC communications are attached to the file copy of the enclosed LHM. Exact copies of the materials being furnished are maintained in the office of the SENSTUDY 75 Project and a detailed record has been maintained of the materials furnished. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the materials being provided to the SSC. A copy of the Baumgardner to Sullivan 5/20/65 memorandum referred to in the SSC request is attached to the file copy of the enclosed LHM.

62-116395

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

October 20, 1975

1 - Mr. J. D. Maurice
1 - Mr. J. D. Powell

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

Reference is made to the letter from the Director of the Domestic Intelligence Task Force, SSC, to the Deputy Attorney General's Office dated September 9, 1975, requesting delivery of FBI materials pertaining to Martin Luther King, Jr., and/or the Southern Christian Leadership Conference.

The purpose of this memorandum is to effect delivery to the SSC of materials relating to the September 8, 1975, SSC request and specifically to Item 15.

1 - The Attorney General

JDP:lek/lek

(10) ORIGINAL AND ONE TO ATTORNEY GENERAL

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 ☐

ENCLOSURE

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 FREDERICK A. O. SCHWARTZ, 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

September 9, 1975

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

MPR 16
 10-17-00 SP-2 ALM 1376

Dear Mike:

Attached is a list of FBI materials, delivery of which is requested by September 15, 1975.

According to agreed priorities, etc.

I would also appreciate your making available for Committee staff access, all Department of Justice files pertaining to Martin Luther King, Jr. and/or the Southern Christian Leadership Conference for the year 1963. Upon examination of these files, delivery thereafter will be orally requested for specific items in accordance with the provisions of the procedural agreement between the Committee and the Department which governs Committee requests for materials.

Sincerely,

John T. Elliff

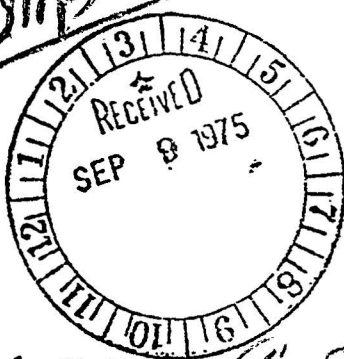
John T. Elliff

Director

Domestic Intelligence Task Force

Let to A6
 cc DA6
 10/20/75 JDP/LEK

Receipt of material
 Covered by Fonda case
 Subpoena hereby acknowledged.



ENCLOSURE

62-116395-908

September 8, 1975

DOCUMENT REQUEST

1. An unexcised copy (except for the identity of the informant) ^{NP} of the 2/12/62 airtel from the SAC, New York, to the Director, FBI, subject "Dr. Martin Luther King, Jr., SM-C (00: Atlanta)."
2. All materials reflecting the steps taken by the FBI which "prevent(ed) the CPUSA from seizing control of the National Association for the Advancement of Colored People," as stated in the last paragraph of page 4 of the enclosure captioned "Communist Party USA" which was attached to Director Hoover's January 10, 1961 letter to Robert Kennedy.
Check? NOT WRS
3. Reports which were submitted by the Atlanta and New York field offices pursuant to the following instructions which were contained in the second paragraph of page 1 of the February 27, 1962 letter from the FBI Director to the SAC, Atlanta, captioned "Martin Luther King, Jr., Security Matter - C, Office of Origin: Atlanta," (a copy of which was disseminated to the New York field office:
August NP
4. New York and Atlanta are instructed to review their files and prepare a report suitable for dissemination which will include all information of a security nature plus complete background data.
5. The "Bureau letters to Atlanta, 7/20/62, to Mobile, 7/20/62, and to Savannah, 9/17/62" which are referenced in the first paragraph of the 10/11/62 memorandum from the SAC, Atlanta, to the FBI Director, captioned "Communist Infiltration of the Southern Christian Leadership Conference, IS-C, (00:Atlanta)."
NP
6. The "Correspondence received from the Atlanta and New York Offices" as indicated in the first sentence of Mr. Baumgardner's October 22, 1962 memorandum to Mr. Sullivan, subject "Communist Infiltration of the Southern Christian Leadership Conference, Internal Security-C".
NP
7. All materials reflecting instructions issued to the New York and Atlanta field offices "to furnish the Bureau recommendations concerning a communist infiltration investigation of (SCLC) and the recommendations received from those two field offices for a "communist infiltration investigation of SCLC", as indicated in the second paragraph of Mr. Baumgardner's October 22, 1962 memorandum to Mr. Sullivan, subject "Communist Infiltration of the Southern Christian Leadership Conference, Internal Security-C".
P SPECIFY TIME FRAME

NP 7. The "necessary Manual changes" which were "attached for approval" to Mr. Baumgardner's September 16, 1963 memorandum to Mr. Sullivan, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security-Communist."

P
MORE SPECIFIC
8. All materials which support the following statement of Director Hoover which was noted on Mr. Baumgardner's September 16, 1963 memorandum to Mr. Sullivan, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security-Communist":

Just a few weeks ago you contended that the Communist influence in the racial movement was ineffective and infinitesimal.

NP 9. The September 5, 1963 letterhead memorandum to the Attorney General and "the related prior memoranda" which are referred to in the first paragraph of Assistant Attorney General Burke Marshall's September 20, 1963 memorandum to the Director captioned "Hunter Pitts O'Dell."

NP 10. The July 3, 1963 letter from Martin Luther King, Jr. to Hunter Pitts O'Dell which was attached to Assistant Attorney General Burke Marshall's September 20, 1963 memorandum to the Director captioned "Hunter Pitts O'Dell".

7 NP 11. All materials reflecting or pertaining to conversations between Courtney Evans and Assistant Attorney General Burke Marshall, and/or between Mr. Evans and the Attorney General, as described in Assistant Attorney General Marshall's September 20, 1963 memorandum to the Director captioned "Hunter Pitts O'Dell".

O.K.
BUT NEED TO
DISECT
SUBSEQUENT
MEMORANDA
12. The "Brief on the above-captioned matter and subsequent memoranda on the same subject matter" which are referred to in the first sentence of the second paragraph of Mr. Sullivan's September 25, 1963 memorandum, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security-C."

1963 13. The "detailed document prepared on Communist Party and the Negro in 1953" and the "analysis in this same field prepared by the Bureau in 1956" which are referred to in the penultimate paragraph of page 2 of Mr. Sullivan's September 25, 1963 memorandum to Mr. Belmont, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security-C."

NP 14. All materials reflecting or pertaining to Director Hoover's "off the record" discussion before "the Rooney Committee", as referred to in his February 5, 1964 memorandum concerning a 9:51 a.m. telephone call from the Attorney General, as well as an unexcised copy of the February 5 memorandum.

15. All materials which reflect the basis for the following statements which are contained in Mr. Baumgardner's May 20, 1964 memorandum to Mr. Sullivan, subject "Internal Security Section, Domestic Intelligence Division, Administrative Matter":

- a. "About three months prior to the March on Washington (8/28/63), we intensified our investigation concerning communist influence into the racial movement. . . .";
- b. "Martin Luther King, head of SCLC, has challenged the Bureau on this point."

16. All materials reflecting the "previous arrangements" referred to in the November 18, 1964 memorandum from Mr. DeLoach to Mr. Mohr, subject "Sarah McClendon, Background Briefing Sessions Group, Appointment with the Director, 10:00 a.m., 11/18/64 (10:05 a.m. - 12:50 p.m.)"

17. All materials reflecting, concerning, or pertaining to:

- a. "(S)tatements made by Martin Luther King concerning the situation in Albany, Georgia, at the time he highly criticized the FBI. His statements were made on 11/18/62 during an interview in the Robing Room of the Riverside Church in New York City where King had just preached a sermon." (This quotation is taken from the penultimate paragraph of page 2 of the 11/19/64 memorandum from M. A. Jones to Mr. DeLoach captioned "Director's Briefing of Women Reporters on 11/18/64")
- b. Comments, responses, and recommendations made, inspections conducted, and/or any other actions taken as a result of the statements of Dr. King which are described in Item 17.a. above.

18. Identification of the author of the notation "Being Handled, 11/20/64, D" which appears at the bottom of page 4 of Mr. Rosen's November 20, 1964 memorandum to Mr. Belmont, subject "Telegram from Martin Luther King, Jr., dated November 19, 1964, Civil Rights Matters."

19. All materials reflecting the manner in which Director Hoover's notation was "(b)eing handled" as noted on the bottom of page 4 of Mr. Rosen's November 20, 1964 memorandum to Mr. Belmont, Subject "Telegram from Martin Luther King, Jr., dated November 19, 1964, Civil Rights Matters," together with all materials reflecting what steps were taken and by whom.
20. The response to John Doar's August 19, 1964 letter to Mr. James R. Malley which requested a name check with respect to persons who were delegates of the Mississippi Freedom Democratic Party.
21. The division and section assignment of James R. Malley as of August 19, 1964.
22. All materials which reflect approval of Mr. Sullivan's recommendations which were contained in the latter's November 22 and 27, 1964 memoranda to Mr. Belmont, subject "Communism and the Negro Movement--A Current Analysis."
23. All materials reflecting contacts or communications between Mr. Sullivan and Mr. Mohr, and between Mr. Sullivan and Mr. DeLoach, as described in the second paragraph of Mr. Sullivan's November 27, 1964 memorandum to Mr. Belmont, subject "Communism and the Negro Movement--A Current Analysis."
24. The table of contents page(s) and/or chapter or section headings of:
- a. The article captioned "Communism and the Negro Movement--A Current Analysis" which was attached to Mr. Sullivan's 10/15/63 memorandum to Mr. Belmont under the same caption.
 - b. The paper which was the up-to-date revision of the article described in Item 24 (a) above and which paper was attached to Mr. Sullivan's November 22, 1964 memorandum to Mr. Belmont, subject "Communism and the Negro Movement--A Current Analysis."
 - c. The memorandum captioned "Martin Luther King, Jr.: His Personal Conduct" which was transmitted with the December 21, 1964 letter from Director Hoover to Senator Hubert H. Humphrey.

*Conrad
by
Adm Div*

*PREV. HANDLED
7/14*

P HANDLED

NP

d. The document which was the "current revision of the previous analysis captioned 'Communism and the Negro Movement - A Current Analysis'" and which document was enclosed with Mr. Brennan's April 10, 1967 memorandum to Mr. Sullivan captioned "Communist Influence in Racial Matters - A Current Analysis."

e. The "current study" entitled "Martin Luther King, Jr. - A Current Analysis" which was enclosed with Director Hoover's March 14, 1968 letter to Mrs. Mildred Stegall.

25. All materials reflecting the printing of any of the documents identified in Item 24. a. - e. above. (Do not supply the documents themselves.)

26. An identification of any materials (e.g. transcripts) which were attached to any of the documents identified in Item 24 a. - e. above. (Do not supply the attachments themselves.)

27. All materials reflecting that:

a. "Mr. Tolson has suggested," and

b. "the Director agreed,"

that "the monograph on Martin Luther King, Jr. be brought up to date as reflected in the first paragraph of Mr. Moore's 2/29/68 memorandum to Mr. Sullivan, subject "Martin Luther King, Jr., Security Matter - C."

28. All materials which reflect any recommendations for, and/or decisions relating to, the sending of Director Hoover's August 25, 1967 letter to specified field offices captioned "Counterintelligence Program, Black Nationalist - Hate Groups, Internal Security."

29. All materials reflecting the approval of proposals contained in Mr. G. C. Moore's February 29, 1968 memorandum to Mr. W. C. Sullivan, captioned "Counterintelligence Program, Black Nationalist - Hate Groups, Racial Intelligence."

30. All materials reflecting that "(w) ith Bureau approval, (William C. Sullivan) had previously given (Ralph) McGill some of the basic facts concerning King's connections with, communism and his (deleted)," as indicated in Mr. Sullivan's January 21, 1965 memorandum to Mr. A. H. Belmont, subject "Martin Luther King, Jr., Security Matter - C."
31. All materials reflecting contact by Special Agent Alden F. Miller or by any FBI Headquarters officials with Eugene Patterson concerning Martin Luther King, Jr., as proposed by Special Agent Miller in a telephone conversation with Mr. Sullivan on January 15, 1964. (See Mr. Sullivan's 1/16/64 memorandum to Mr. Belmont, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - C.")
32. All materials reflecting the "further recommendation as to whether we are in a position at that time (the end of a 90-day period, or sooner if conditions permit) to take further action against King and the SCLC without embarrassment to the Bureau," as promised in Mr. Sullivan's December 24, 1963 memorandum to Mr. Belmont, subject "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - Communist."
33. All materials reflecting "the suggestion recently made by (the Atlanta field office) that another conference be held at the Seat of Government with representatives of (the Atlanta) office and the New York Office," as indicated in the second paragraph of the Director's April 1, 1964 letter to the SAC, Atlanta, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - C."
34. All materials reflecting recommendations for, and approval of, the sending of the Director's April 1, 1964 letter to the SAC, Atlanta, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - C."
35. All materials comprising the "separate correspondence" between FBI Headquarters and the Atlanta field office concerning the "specific matters dealt with in Atlanta's letter (of 4/14/64)" as indicated in the Director's 4/24/64 letter to the SAC, Atlanta, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - C."

*Seabank
to end*

36. The communication from the Atlanta field office to FBI Headquarters by which "this publication has previously been furnished to the Bureau on 6/26/64," as stated in the second paragraph of page 3 of the 7/7/64 letter from the SAC, Atlanta, to the FBI Director, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, IS-C."

*Deegan's
Office*

37. The "separate correspondence" by which the Atlanta field office was "directed to furnish the Bureau available information concerning the alleged escapades of (the Reverend Ralph) Abernathy, including the obtaining of official court records," as referred to in the Director's July 23, 1964 letter to the SAC, Atlanta, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - C."

38. The letter from the Director to Mr. Moyers which was originally attached to Mr. Sullivan's 11/27/64 memorandum to Mr. Belmont, subject "Communism and the Negro Movement -- A Current Analysis." (See note on 11/27/64 memorandum indicating that the letter was "revised.")

39. "The letter" which is the subject of the first and second paragraphs of Director Hoover's February 5, 1964 memorandum concerning his 9:51 a.m. telephone call from the Attorney General, and which letter the Director told the Attorney General, he would "check on" and any other materials relating to "the letter".

P

40. All materials concerning or pertaining to Martin Luther King, Jr. being named "Man of the Year" by Time Magazine in December 1963 - January 1964.

P

41. All materials concerning or pertaining to Dr. King's Papal audience in Rome in September 1964.

P

42. Speech delivered by Director Hoover at Loyola College in November 1964, and all materials pertaining thereto.

NP

43. All Forms FD-185 and attachments (including forms entitled "Performance Rating Guide for Investigative Personnel") from 1963 until 1968 for:

- a. William D. Campbell, and
- b. John Matter.

ATLANTA
45. All materials reflecting, concerning or pertaining to electronic surveillance, feasibility studies or surveys, physical surveillance, or photographic surveillances, and/or any proposals, recommendations or discussions of any of the foregoing surveillances, studies or surveys, with respect to Dr. King's "hideaway", or Fred Bennett's apartment, or premises located at 3006 Delmar Lane, N.W., Atlanta, Georgia, or with respect to any other premises, apartment, or "hideaway", used, owned, or leased by Dr. King or Fred Bennett.

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46. The following materials which are referred to in the October 9, 1962 letter from the Director to the SAC, New York, captioned "Communist Party, USA, Counterintelligence Program, Internal Security - C":

- a. "NYlet 9/26/62";
- b. "further steps to carry out this counterintelligence plan will be handled at the Bureau";
- c. "memorandum Baumgardner to Sullivan, same caption dated October 8, 1962, ARW:cdb."

47. The "ATairtel and letterhead memorandum (LHM) dated 4/1/64 captioned "CPUSA, Negro Question, Communist Influence in Racial Matters, Internal Security-C" and "Communist Infiltration of the Southern Christian Leadership Conference, IS-C", which are referenced in the 4/13/64 Airtel from the Director to the SAC, New York and Atlanta, captioned "Communist Party, USA, Counterintelligence Program, Internal Security - C (Negro Question)." .

48. An unexcised copy (except for the identity of informants) of the 8/15/66 airtel from the SAC, New York, to the Director, subject "Communist Party, USA, Counterintelligence Program, Internal Security - C (Stanley David Levison.)"

49. The Memorandum which "the Director had noted" as referred to in the NOTE at the bottom of the 4/13/65 letter from the Director to the SAC, New York, subject "Communist Party, USA Counterintelligence Program, Internal Security - C (Nicholas A. Kourambis) (Negro Question)."

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50. All materials reflecting "comments" and "specific recommendations" submitted by the Atlanta, Chicago, and New York field offices as the result of the instructions contained in the last paragraph of the May 18, 1967 letter from the Director the SAC, New York, captioned "Communist Party, USA, Counterintelligence Program, Internal Security - C (Martin Luther King)."

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51. All materials reflecting the product of the "comprehensive review of Levison's Bureau case file" as indicated in the NOTE on the 7/18/66 airtel from the Director to the SAC, New York, captioned "Communist Party, USA, Counterintelligence Program, Internal Security - C (Stanley David Levison)."

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: May 20, 1964

FROM : Mr. F. J. Baumgardner

SUBJECT: INTERNAL SECURITY SECTION
DOMESTIC INTELLIGENCE DIVISION
ADMINISTRATIVE MATTER

1-Mr. Belmont
1-Mr. Mohr
1-Mr. Callahan
1-Mr. Sullivan
1-Mr. Baumgardner

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Mohr _____
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Tele. Room _____
Holmes _____
Gandy _____

I propose, in view of the heavy workload caused by our investigation of the communist influence into the racial movement and the importance of this problem to the Bureau, to assign two supervisors exclusively to the handling of our investigations into these matters. To accomplish this, it will be necessary to realign some of our other work and for a temporary period to have one additional Special Agent supervisor assigned to the Internal Security Section.

BACKGROUND:

About three months prior to the March on Washington (8-28-63), we intensified our investigation concerning the communist influence into the racial movement in order to develop as completely as possible all information concerning communist exploitation and penetration into the racial picture. The coverage we are affording this matter today concerns not only the specific activity of the Communist Party, USA (CPUSA), but also the collateral efforts of the Party to penetrate noncommunist racial groups such as the Southern Christian Leadership Conference (SCLC), Congress of Racial Equality (CORE), Student Nonviolent Coordinating Committee (SNICK) and the National Association for the Advancement of Colored People (NAACP), to name a few.

The concentrated effort of the field has produced a heavy volume of mail. When this mail reaches the Bureau, it is essential that it be carefully analyzed in order that the over-all picture of what the Party is doing in the racial movement can be accurately projected. This is a time-consuming task which requires the close attention of experienced and knowledgeable personnel.

Every indicator points to the fact that racial disturbances will probably reach their peak during the coming summer. The Party's activity in its efforts to gain control of the racial movement will also reach a corresponding high peak this summer. Party leaders see a golden opportunity and have emphasized that

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ENCLOSURE

Memorandum to W. C. Sullivan
RE: INTERNAL SECURITY SECTION
DOMESTIC INTELLIGENCE DIVISION
66-1885-S

Party members must take an active part in what they call this "revolutionary movement." This means more work in the field and a greater volume of information coming into the Internal Security Section. It would be a bad mistake not to have adequate manpower assigned to analyze, evaluate, correlate and disseminate this information at the Seat of Government.

IMPORTANCE OF THE CASE:

The Bureau is on record to the effect there is communist penetration into the racial movement. Martin Luther King, head of the SCLC, has challenged the Bureau on this point. Both sides in the controversy over the current Civil Rights Bill which is pending in the Senate may yell at the Bureau before the summer is over for information concerning communist penetration into the racial movement. It may become necessary for the Bureau to make some response. If this does occur, it will be absolutely essential for us not only to have all the information available but to have it in such form that a proper presentation of the facts can be readily made. This is fundamental inasmuch as the whole subject of civil rights is the primary domestic issue on the political front today.

EXCLUSIVE ASSIGNMENT OF SUPERVISORS:

If you agree, two supervisors will be assigned exclusively to the over-all problem of communist penetration into the racial movement. Supervisor Seymour F. Phillips will be detached from the CPUSA Unit and Supervisor Theodore P. Rosack will be detached from the Communist Front Unit and assigned as a team to these important investigations. Supervisor Phillips has handled almost from its inception the case entitled "CPUSA, Negro Question, Communist Influence in Racial Matters, Internal Security - C." Supervisor Rosack has been supervising the investigations of communist penetration into racial groups, some of the more important of which are SCLC, CORE, SNICK and NAACP. Rosack will take with him a total of 91 cases involving communist penetration into the racial groups.

It is believed that these two experienced men can handle the supervision of our investigations of communist activity in racial groups. They cannot do it alone at such times as we may be called upon to prepare special studies, working papers and briefs. During such periods, I will give these two men such assistance as they may need.

Memorandum to W. C. Sullivan
RE: INTERNAL SECURITY SECTION
DOMESTIC INTELLIGENCE DIVISION
66-1885-S

NEED FOR ADDITIONAL SUPERVISOR:

Supervisor Phillips will leave 69 cases which he is currently supervising in the CPUSA Unit. The three remaining men in this Unit cannot absorb these 69 cases. This Unit is already heavily assigned and a number of the investigations being supervised by this Unit, such as the Solo case, the communist youth groups and the appearance of communist leaders on college campuses, require exacting and time-consuming attention. Supervisor Rosack will leave 84 cases in the Communist Front Unit, and that Unit with its two remaining supervisors will not be able to assimilate these 84 cases. There will be a total of 153 cases left unassigned. Although one supervisor cannot handle all 153 cases, we will be able to assimilate these 153 cases, with some adjustments, with the addition of one supervisor to the Section.

It is not possible to absorb these cases in other Units of the Section with our current complement. In support of this statement, I would like to point out that in January, 1963, we had 22 supervisors assigned to the Section and were carrying a load of 2,928 cases. We currently have 19 supervisors assigned to the Section and are carrying a load of 3,293 cases. This is an increase of 365 cases and a decrease of three supervisors. We have had a delinquency in the Section since January, 1964. We have not been able to erase this delinquency although we have made a determined effort to do so and our voluntary overtime has been considerably in excess of two hours per man per day.

We cannot foresee at this time for how long a period of time it will be necessary for us to have two supervisors assigned exclusively to the communist penetration into the racial movement cases; therefore, I suggest we have an additional supervisor assigned to the Section on a temporary basis. It might be possible to get a man from the Washington Field Office who has had previous experience as a supervisor in security work at the Seat of Government. It is contemplated that as soon as we can safely do so Supervisors Phillips and Rosack will be sent back to their respective Units and at that time the supervisor from Washington Field Office will be sent back to his office.

Memorandum to W. C. Sullivan
RE: INTERNAL SECURITY SECTION
DOMESTIC INTELLIGENCE DIVISION
66-1885-S

ACTION:

(1) If you approve, we will remove Supervisors Phillips and Rosack from their present Units and assign them exclusively to supervision of communist penetration into the racial movement cases.

(2) If you agree, one additional supervisor should be assigned to the Internal Security Section on a temporary basis. It is recommended this memorandum be forwarded to the Administrative Division for appropriate attention.

ADDENDUM (5/21/64) WCS:CSH -

A check has been made of this Division to determine whether the manpower necessary to accomplish what has been recommended is available here. The check revealed it is not available. During the past seven months this Division has been carrying a tremendous workload, and we are not in a position to do what is suggested here without getting a man from the outside.

W.C. Sullivan

↓ The Internal Security Section, Domestic Intelligence Division (DID), requested one additional supervisor to be assigned to that Section on a temporary basis to handle case assignments vacated by two experienced supervisors whom DID desires to devote full time to directing field efforts, correlating results, and preparing for dissemination investigative information obtained resulting from strongly implied Communist Party (CP) efforts to infiltrate and dominate noncommunist racial groups' efforts in the Summer of 1964 to whip the racial situation to a peak period of disturbances. Urgency for the FBI to "stay ahead" of the situation is tied to pending civil rights legislation and foreseeable ramifications arising out of the complex political situations in an election year where civil rights and social disturbances will play a key role in campaign efforts and possibly election results.

The assigning of full-time personnel to the proposed correlation assignments is considered to be established by recent occurrences not set out by DID in its request and which tend to validate observations that the CP is eager to capitalize on, and control if it can, the efforts of racial groups. (1) Demonstration at World's Fair opening, April, 1964, resulted in a number of arrests and there was a definite indication of communist participation as well as direction of demonstrations. (2) On 5/18/64 New York State was the scene of state-wide demonstrations against school segregation. Communists participated and in other ways were involved. (3) Plans are underway for some form of small size march on Washington 6/15/64 relative to civil rights legislation presently being debated in the Senate. Communists are involved in this planned activity. (4) During the last two weeks St. Augustine, Florida, has been the scene of a number of racial demonstrations. Martin Luther King, Jr., an individual of extreme importance to the Bureau from an investigative standpoint has rented a cottage in this area for three months where it is anticipated he will become involved in long-range plans to demonstrate in that area. (5) Cambridge, Maryland, for some time the seat of numerous demonstrations, is of interest because of the influence in these demonstrations of one of the party's national committee members. (6) There is some indication of a large civil rights rally to be held in Chicago some time in June, 1964, where communist influence and participation are expected. (7) Martin Luther King and others have been recruiting college students from various parts of the country to participate in a mass voter registration project in the State of Mississippi. The usual communist elements are expected to be involved. (8) Plans are already underway for some racial activity to take place in commemoration of the 8/28/63 march on Washington and information has been received indicating a nationwide work stoppage will be made. The above are a sampling of the CP's interest in the race movement.

The above are among the considerations which the two agents assigned to the special program would have to follow, correlate and disseminate, if necessary. In addition to following and analyzing the flow of information already coming from the field, in anticipation of the need to more clearly define the extent of CP influence in the racial movement, DID recently issued instructions to the field to direct the field's attention to this area of thinking and contemplates additional follow-up instructions in the near future.

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DATE 11-8-00 BY SP2 ALM/116

The two Agents designated to handle the special assignment have substantial case loads at this time and would continue to handle some of the same cases they are now supervising because of their performance to the proposed assignment; however, as of 6/2/64, 78 cases of one supervisor and 69 (total 147) of the other would have to be reassigned to other supervisors in the Internal Security Section for handling if the two Agents were assigned full time to the proposed project. Recent figures (5/20/64) indicate the Internal Security Section had 19 Special Agents assigned to supervise 3293 cases. As of January, 1964, this section had 2928 cases and 22 supervisors or an increase of 365 cases and a decrease of 3 supervisors. The overtime of the Internal Security Section has been consistent with the Division's overtime for two months and above the Division's overtime three of the last five months for which figures are available. In all instances, the overtime has been substantially above two hours. In addition, since 1/2/64, the Internal Security Section has had a total of 279 items or an average of 12.6 items per week delinquent which it estimates would take approximately 19 additional hours per week to clear, implying that the present staff is not excessive.

CONCLUSIONS

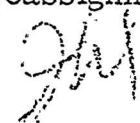
The Internal Security Section of DID in recognition of the need for concentrated attention being given to the strongly implied CP interest in the racial situation has proposed assigning on a temporary basis two of its experienced supervisors to the direction and correlation of a program designed to give closer scrutiny to developments arising out of communist interest in racial groups. To accomplish this, that Section has requested the assignment of one Agent supervisor who will handle a portion of approximately 147 cases now supervised by two Agents and would be left unassigned after the assignments of the two men to the special project. Surplus assignments over and above those which one Agent could handle would be parcelled out among other supervisors in the Section. The implied necessity for the next few months of special attention being given to CP interests in and ambitions to control the race picture is recognizable to the Inspection Division and other data obtained in surveying the DID request for one man on a temporary basis appears to be supported by case load, overtime, delinquency, and the nature of the cases supervised. The placement of a Washington Field Office Agent in this assignment as suggested by DID would, of course, involve staffing considerations not pertinent to this write-up. The Inspection Div. agrees that this need cannot be filled from elsewhere in DID at the present time.

RECOMMENDATIONS

1. That one Special Agent be assigned to the Internal Security Section, Domestic Intelligence Division, on temporary basis. If approved, should be handled by Mr. Mohr's Office.



2. That this situation be re-evaluated 10/1/64 in view of the request for temporary assistance. The above date is compatible with Domestic Intelligence Division and should allow sufficient time for an accurate assessment of the validity of the program involved. If approved, Domestic Intelligence Division should submit memorandum 10/1/64 evaluating program and making appropriate recommendations regarding assignment or reassignment of temporary supervisor.



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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/20/75

U.S. SENATE SELECT COMMITTEE.
Caption of Document:

9/8/75 request, Item 15

Originating Office: FBI

Delivered by: Richard J. Taylor Jr. Date: 10/22/75

Received by: A N Hally

Title: Clerk

Return this receipt to the Intelligence Division, FBI

#MDR 16
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DATE 10/17/00 BY SP2 ALM/ATB

ENCLOSURE

62-116375-988

TO: Intelligence Community Staff ATTN: Central Index				FROM: FAT			
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"/>	<input type="checkbox"/> BRIEFING	<input type="checkbox"/>	<input type="checkbox"/> INTERVIEW	<input type="checkbox"/>	<input type="checkbox"/> TESTIMONY	<input type="checkbox"/> OTHER
						10/20/75	
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 and enclosures							
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)						6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)	
SSC letter 9/8/75, item 15						U	
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)							
<div style="display: flex; justify-content: space-between;"> <div> <p style="margin: 0;">Information handling</p> <p style="margin: 0;">Intelligence collection</p> </div> <div style="text-align: right;"> <p style="margin: 0; font-size: small;">#mdel6</p> <p style="margin: 0; font-size: small;">ALL INFORMATION CONTAINED</p> <p style="margin: 0; font-size: small;">HEREIN IS UNCLASSIFIED</p> <p style="margin: 0; font-size: small;">DATE 10/12/00 BY SP2 ALM/418</p> </div> </div>							
8. SUMMARY (see reverse side before completing this item)							
<p>Materials pertaining to Martin Luther King, Jr. and/or Southern Christian Leadership Conference; basis for statements in 5/20/64 memorandum.</p> <p>62-116395</p> <p>FMK: fmk</p> <p>(4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75</p> <p style="text-align: center; font-size: 2em; margin-top: 20px;">TREAT AS YELLOW</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.

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DATE 11/8/00 BY SP-2 ALM/16

62-116395-988

ENCLOSURE

SSC Request 9/8/75
Item 15 a.

RETAIN

#MDR 16
10/17/00 SP2ALM/746

Per 988

July 18, 1963

Airtel

1 - Mr. Baumgardner
1 - Mr. McGowan
1 - Mr. Kleinkauf
1 - Mr. Depz

To: SACs Atlanta	Jacksonville	New York
Baltimore	Knoxville	Norfolk
Birmingham	Little Rock	Philadelphia
Butte	Los Angeles	Richmond
Charlotte	Memphis	San Antonio
Chicago	Miami	San Francisco
Dallas	Mobile	Savannah
Detroit	Newark	Tampa
Houston	New Orleans	Washington Field

From: Director, FBI (100-3-116)

COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
INTERNAL SECURITY - C
BUDED 7/25/63

#m0216
ALL INFORMATION CONTAINED
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DATE 10/17/00 BY SP-2 ALM/ATG

In recent weeks functionaries of the Communist Party, USA (CPUSA), have made statements which indicate their concern over the lack of Party participation in the current Negro movement. Benjamin J. Davis, Jr., remarked on 6/19/63 while attending a meeting of leading CPUSA functionaries, "We are witnessing a revolutionary movement in our country, but we are just not in it...." Irving Potash, on this same date, remarked that "we" are not coming forward, not writing and not giving leadership. The leadership of the Party, according to Potash, should explore all ways and means for the purpose of playing a bigger role in this struggle.

In addition, recent statements made by Party functionaries give every indication of their desire for a more active Party role. James E. Jackson commented on 6/19/63 that "the Party must register its presence on the street." Davis stated on 6/20/63 "we" must bring millions of Negroes and whites in the South into the peace, labor, Negro and political action struggles and the Party should start preparing for this now. At a meeting of functionaries of the CPUSA, on 7/11/63, during a discussion pertaining to the

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RECEIVED
JUL 20 1963
COMM-FBI

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Airtel to Atlanta	Jacksonville	New York
Baltimore	Knoxville	Norfolk
Birmingham	Little Rock	Philadelphia
Butte	Los Angeles	Richmond
Charlotte	Memphis	San Antonio
Chicago	Miami	San Francisco
Dallas	Mobile	Savannah
Detroit	Newark	Tampa
Houston	New Orleans	Washington Field

RE: COMMUNIST PARTY, USA
 NEGRO QUESTION
 COMMUNIST INFLUENCE IN RACIAL MATTERS
 100-3-116

Negro movement, comment was made to the effect that the Party should finance people to go to the scheduled 8/28/63 march on Washington, D. C. Jacob Stachel suggested that contact be made with nationality groups and clubs in order to get people for this demonstration.

In view of the above, it is reasonable to assume that the future will witness a strong effort on the part of the CPUSA to inject itself into and to exploit the struggle for equal rights for Negroes. Therefore, during the investigation of the CPUSA, each recipient office should be extremely alert to data indicating interest, plans or actual involvement of the Party in the current Negro movement. This matter should be given close attention and the Bureau kept currently advised.

In order for the Bureau to correlate all the information presently available, a separate new Bureau file is being opened under the above caption and each receiving office should do likewise. Each of these offices should furnish the Bureau by 7/25/63 a summary of information as contained in its files and appropriately documented concerning this matter, even though previously submitted. This summary should be submitted under the above caption. Future communications should be expeditiously furnished under appropriate caption in a form suitable for dissemination, with copies designated for pertinent files, including 100-3-116.

UNITED STATES GOVERNMENT

Memorandum

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Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
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Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. W. C. Sullivan *WCS*

DATE: May 20, 1963

FROM : Mr. F. J. Baumgardner *FJB*

1- Mr. Belmont
 1- Mr. Sullivan
 1- Mr. Baumgardner
 1- Mr. Denz

SUBJECT: COMMUNIST PARTY, USA
 NEGRO QUESTION
 INTERNAL SECURITY - C

*Baumgardner**Sensitive foreign intelligence*

By letter dated 5-9-63 Chicago furnished information as received from CG 5824-S pertaining to comments made by Gus Hall, General Secretary, Communist Party, USA (CPUSA), on 5-4-63. Hall instructed that Claude Lightfoot, functionary, Communist Party of Illinois, be told to look for some individual who could be sent to the South to work full time as an organizer or in a similar capacity in a current integration group. Such a person whose full-time salary will be handled by the Party would not work under the Party label according to Hall.

ACTION:

All offices comprising the CPUSA Southern Region were advised by Bureau letter 5-17-63 of Hall's comments and were instructed to be extremely alert to any attempts by the Party to place an individual in an integration type group. The Bureau will continue to take any necessary action to remain on top of this situation.

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EX-114

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5 MAY 29 1963

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.

5-20-63

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 DATE 11/19/00 BY SP-2 HMT/STL

1 - Mr. Denz

SAC, Baltimore (100-12485)

May 17, 1963

REC-125

Director, FBI (100-3-75) - 1892

COMMUNIST PARTY, USA
NEGRO QUESTION
INTERNAL SECURITY - C

ALL INFORMATION CONTAINED
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DATE 11/8/00 BY SP2 ALM/16

Re Chicago letter 5/9/63, copy to New York.
Extreme care must be utilized in connection with the handling of the information set forth herein in order to protect the identity of this highly placed source. Since this information was confidentially received and because by its very nature it tends to identify this source, you are instructed that unless this information is corroborated through another source, it is not to be disseminated outside the Bureau at this time.

Sensitive foreign intelligence operation
Relet set out information received 5/4/63 from CG-5824-S* indicating that Gus Hall is looking for someone to work as an organizer or in a similar capacity, not under Party label, in a current active integration group in the South. It is Hall's belief that the leaders of southern integration groups would offer no objections because of their need for field organizers. Hall indicated that Claude Lightfoot should be told to seek out a logical individual who could be given this assignment and sent to the South. Such a person would be paid full time by the Party.

While recipient offices should not initiate any action which might tend to reveal the identity of this source, these offices should be extremely alert to any attempts by the Party to place an individual in an integration type of group. Any pertinent data received should be promptly furnished the Bureau and interested offices.

2 - Atlanta	2 - Miami
2 - Birmingham	2 - Mobile
2 - Charlotte	2 - New Orleans
2 - Chicago	2 - New York
2 - Dallas	2 - Norfolk
2 - Houston	2 - Richmond
2 - Jacksonville	2 - San Antonio
2 - Knoxville	2 - Savannah
2 - Memphis	2 - Tampa

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MAIL ROOM TELETYPE UNIT

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UNITED STATES GOVERNMENT

MEMORANDUM

TO: DIRECTOR, FBI (100-3-75)
FROM: SAC, CHICAGO (100-33731)
SUBJECT: CP, USA - NEGRO QUESTION
IS - C

DATE: 5-9-63

#MOR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-8-00 BY SP2 AEM/ALB

EXTREME CARE MUST BE UTILIZED IN CONNECTION WITH THE HANDLING OF THE INFORMATION SET FORTH HEREIN IN ORDER TO PROTECT THE IDENTITY OF THIS HIGHLY PLACED SOURCE. SINCE THIS INFORMATION WAS CONFIDENTIALLY RECEIVED AND BECAUSE BY ITS VERY NATURE IT TENDS TO IDENTIFY THIS SOURCE, IT IS RECOMMENDED THAT UNLESS THIS INFORMATION IS CORROBORATED THROUGH ANOTHER SOURCE, THAT IT NOT BE DISSEMINATED OUTSIDE THE BUREAU AT THIS TIME.

Enclosed herewith for the Bureau are two copies of an informant's statement dated May 4, 1963, containing information orally furnished on May 4, 1963, by [CG 5824-S*] who has furnished reliable information in the past, to SA RICHARD W. HANSEN. This information was reduced to writing on May 7, 1963, and the original report is maintained in Chicago file (A) 134-46-8042.

- 2 - Bureau (Encls. 2) (RM)
- 4 - New York (RM)
 - (1 - 100-84994 GUS HALL)
 - (1 - 100-91330 HUNTER PITTS O'DELL)
 - (1 - 100-80640 CP, USA - NEGRO QUESTION)
 - (1 - 100-80641 CP, USA - ORGANIZATION)
- 4 - Chicago
 - (1 - A) 134-46-8042)
 - (1 - 61-867 CLAUDE LIGHTFOOT)
 - (1 - 100-18956 CP, ILLINOIS DISTRICT - NEGRO QUESTION)

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(10)

4 MAY 13 1963

2 - Atlanta 2 - Jacksonville
2 - Birmingham 2 - Knoxville 2 - Norfolk
2 - Charlotte 2 - Memphis 2 - Richmond
2 - Chicago 2 - Miami 2 - Savannah
2 - Dallas 2 - Mobile 2 - Tampa
2 - Houston 2 - New Orleans 2 - Tampa
2 - New York

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 persons without the express approval of the FBI.

May 4, 1963

GUS HALL, General Secretary, Communist Party, USA (CP, USA) on May 4, 1963, advised that the CP, USA is seriously looking for a full-time person who could be sent into the South. Such a person would not work under the Party label but would work as an organizer or in a similar capacity in some integration group already active in the South. HALL stated he did not feel that there would be any opposition from the leaders of such integration groups in the South since they seriously need field organizers and, therefore, will not ask questions of anyone who is willing to do full-time work for them.

In discussing the above, HALL instructed that CLAUDE LIGHTFOOT, leading functionary of the CP of Illinois, be given this information and told to begin to look around for some person who might be fitted in and sent to the South. LIGHTFOOT was to be told that such a person would be paid full-time and that this would be no problem and the Party would take care of such salary. The need for such a person to go into the South, according to HALL, had arisen because HUNTER PITTS O'DELL, who at one time had been active in the South for the Party and is now in New York City, had been exposed, red-baited, and had to get out.

100-3-75-1892
ENCLOSURE

- 1 -

SSC Request 9/8/75
Item 15 b.

RETAIN

#m DR16
10/17/00 SP-2 Alm JTG

Lu 988

KING LABELS FBI'S

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

RED CHARGES

'SMEAR'

Hoover aids extremists, Dixiecrats

SAN FRANCISCO, (UPI) — Dr. Martin Luther King Jr. Thursday accused J. Edgar Hoover of helping Southern racists and right-wing extremists "smear" the civil rights movement with Communist charges.

Dr. King was referring to testimony by the FBI director before a House Appropriations Subcommittee that Communists are exercising influence in the movement and seeking to exploit its leaders.

The rights leader told a news conference Friday that Communist charges, and has led into the civil rights movement "here and there," but that they do not make policy decisions.

His own group, the Southern Christian Leadership Conference, investigates any leaders about whom it hears communist charges, and has caused the resignation of one, Dr. King told a news conference.

HE SAID that "Hoover" "has allowed himself to aid and abet the fallacious claims of Southern racists and extreme right-wing elements."

"But he said the more significant truth is, 'The amazing lack of success' that Communism has had in winning colored, considering their desperate plight."

"Why is this issue being used now to smear the civil rights movement and the SCLC?" he asked.

Dr. King went on to say that it is "difficult to accept the word of the FBI on Communist infiltration in the civil rights movement when it has been so completely ineffectual" in protecting the colored from brutality in the deep South.

He said it would be "encouraging" if Hoover and the FBI were as diligent in apprehending those "responsible for bombing churches and killing little children, as they are in seeking out alleged Communist infiltration in the civil rights movement."

King was scheduled to meet with Gov. Edmund G. Brown in Sacramento Saturday morning and then return to Los Angeles to open a West Coast Bureau of his Southern Christian Leadership Conference.

[Handwritten signatures and initials]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/2016

The Washington
Afro-American
April 28, 1964

100-106670-A

NOT RECORDED

45 MAY 11 1964

File

100-3-11
cc-100-106670

MAY 11 1964

244

ORIGINAL FILED IN

Mr. W. C. Sullivan

May 11, 1964

Mr. F. J. Baumgardner

COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
INTERNAL SECURITY - COMMUNIST

1-Mr. Belmont
1-Mr. Rosen
1-Mr. Mohr
1-Mr. McGowan
1-Mr. DeLoach
1-Mr. Evans
1-Mr. Sullivan
1-Mr. Bland
1-Mr. Baumgardner
1-Mr. Phillips

Martin Luther King, Jr., appeared as the guest on the 5-10-64 Columbia Broadcasting System (CBS) television program "Face the Nation." Paul Niven was moderator; panelists were Benjamin Bradley of "Newsweek" and Dan Raror. We had prior information that this program was arranged with King by Marquis Childs of CBS. Only about the last five minutes of this 1-hour program were devoted to the subject of communist influence in the racial movement. The following comments were made by King in response to questions put to him.

Niven opened this phase of the program by stating that it had been alleged that King has been slow to sever ties with the communists even after warnings to do so by the Government. King responded by stating he was glad the question was asked. He then went on to state that communism is based on things that he could never accept and that there is a provision in the constitution of the Southern Christian Leadership Conference (SCLC) which says that no communist can be a member. King claimed that he was very vigilant in enforcing this provision of the constitution of his organization. King claimed that there has only been one case (he did not mention the name) and in that instance asked for the resignation of the man. King acknowledged that one or two communists might "drift" into his organization but there is definitely no infiltration. When King was asked as to possible infiltration in the civil rights movement in general, he gave the same reply as he did for the SCLC by stating that a communist may drift into the movement but there is definitely no infiltration. By infiltration he explained he meant having people at a policy-making level. When one of the panelists stated that King's position is in opposition to the head of the FBI, King replied that it was unfortunate that such a great man as Mr. Hoover has let himself to make such an allegation as was done regarding communist influence in the Negro movement. He said that he had hoped the FBI would come out and say that it is amazing that so few Negroes have become communists. King was asked if the Justice Department had told him of anyone to remove from his organization that he has not followed through on. He remarked that there was only one and he removed that individual.

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.

100-3-116

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

SFP:pwd

MAY 22 1964

NOT RECORDED

170 MAY 19 1964

Memorandum to Mr. W. C. Sullivan
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
100-3-116

Comment:

King's obvious reference was to the "removal" of Hunter Piles O'Dell from the SCLC. As expected, King lied about being warned of anyone else because he had been warned about Stanley Levison and has nevertheless maintained a close association with Levison.

Most of the program was devoted to the general subject of civil rights and the civil rights bill pending in the Senate. The following information was developed during the questioning of King.

There will continue to be demonstrations whether or not the bill passes as its passage is only one step; there must be demonstrations to test compliance. King has not discussed the matter of demonstrations with the White House. He said he was appalled at efforts by the Government to emasculate the bill; refused to name Government officials but said they included those of the Justice Department. King has talked with Senate leaders regarding the bill but not during the past few weeks; he plans to talk to these leaders in the next few days. King claimed that he and the other principal Negro leaders have conferred and want the bill as passed by the House. They will not compromise on important sections of the bill; he feels it would be better to have no bill at all than have the important sections deleted.

King said he plans to attend both national party conventions this summer and will be active in connection with the seating of delegates. His movement may lead a march at these conventions. King believes that if the Presidential elections were held today, President Johnson would carry the South overwhelmingly. He does not intend to campaign for any candidate and does not know yet whether or not he will publicly endorse anyone. He never has in the past. He believes that the vast majority of the people are in favor of the civil rights bill. He said that there is a danger that the Republican Party may become the "white man's party" in this country. He would definitely not endorse Senator Goldwater. He plans on some "direct" action in the event the bill is watered down but has made no final decision as to the type of action. He has no plans for another march on Washington this year and stated he is not at liberty to say what type of action is to take place. He emphasized, however, that he is not saying there will be drastic civil disobedience; it will be of a nonviolent nature.

RECOMMENDATION:

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 5-11-64

FROM : M. A. Jones

SUBJECT: REVEREND MARTIN LUTHER KING, JR.
 APPEARANCE ON "FACE THE NATION"
 SUNDAY, MAY 10, 1964,
 12:30 P.M.; CHANNEL 9, WTOP-TV

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

Captioned individual is President of the Southern Christian Leadership Conference and was interviewed by a panel of reporters on captioned program.

REFERENCES TO THE DIRECTOR:

King was asked about communist infiltration of the Negro civil rights movement. He said that to him infiltration implied that a large number of communists would be found in leadership positions or on a policy-making level. This is not the case in the civil rights movement.

He went on to say that communism is not freedom but rather is totalitarian in nature. Consequently, communism is incompatible with the civil rights movement. He said that if there were communists in the movement, he would like to know so he could get rid of them. He admitted that there may be one or two individuals who drift into Negro organizations but they are certainly not holding down jobs of leadership.

He was asked about the Director's recently released statement to the effect that some communists were participating in the movement. He said again that this was not true and that it was "unfortunate that such a great man as J. Edgar Hoover" would "aid rightists" by such a statement. He said he would hope rather that the FBI would come out with a statement to the effect that it was amazing that so few Negroes, in view of the treatment they have received, have turned to communism.

REC-49 100-106470-361
 MAY 18 1964

He said that the Justice Department had informed him concerning only one communist known to be participating in King's organization and King said that when given this information, he promptly expelled this man from the organization.

1 - Mr. DeLoach
 1 - Mr. Rosen

1 - Mr. Sullivan
 1 - Mr. Phillips

CJH:jol (7)

53 MAY 22 1964

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 contents may not be disclosed to any other person.

M. A. Jones to DeLoach Memo
RE: REVEREND MARTIN LUTHER KING, JR.

OTHER COMMENTS:

He indicated that Negro organizations still plan demonstrations in Alabama to "expose the hypocrisy of Governor Wallace" and that other demonstrations will occur elsewhere whether or not current civil rights legislation passes Congress. He explained that even with the passage of the pending bill, it will still be necessary to enforce these new laws and he felt that demonstrations would be necessary to insure this.

He expressed surprise that some Justice Department officials and Senators had indicated they were no longer going to maintain the strong positions they had taken on civil rights legislation just a few weeks ago and that they now appeared ready to compromise and agree to "crippling proposals" being advanced by Senator Dirksen.

He said that if the Presidential election was held today, President Johnson would carry the South with few exceptions. He said there is a definite danger that the Republican Party will become the "white man's party" unless liberals within that organization assert leadership.

He hedged on previous statements attributed to him that there would be demonstrations in Washington if the civil rights bill appeared to be in trouble and he admitted that no plans had been made for such demonstrations as of this time.

RECOMMENDATION:

None. For information.

[Handwritten initials: JH, DS, and a checkmark]

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. Evans
1 - Mr. DeLoach

Mr. W. C. Sullivan

April 26, 1964

Mr. F. J. Baumgardner

1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Bland
1 - Mr. Baumgardner
1 - Mr. Phillips

COMMUNIST PARTY - USA

NEGRO QUESTION

COMMUNIST INFLUENCE IN RACIAL MATTERS

INTERNAL SECURITY - COMMUNIST

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 11-8-00 BY SP2ALM/JTG

ELSKR

NY 4096-S*

furnished information concerning a conversation between Stanley Levison and Clarence Jones the night of 4/24/64 relating to Martin Luther King's press release of 4/23/64 attacking the Director's budget testimony on communist influence in racial matters. The conversation was in extremely guarded language as a result of which our analysis of the true meaning must necessarily be very speculative. We are able to make these speculations only because of our prior knowledge of what the King camp intended doing. My memoranda to you 4/21, 23, 24/64 informed of advice given to King by Levison and Jones that King must not remain silent after the 4/15/64 Joseph Alsop article expressing King's communist connections. King instructed an associate, Walter Fauntroy, to see Burke Marshall on 4/12/64 concerning the matter. Then, after the 4/21/64 release of the Director's budget testimony, the King camp decided on a public response by King in the form of a press release which would attack both the Director's testimony and the Alsop article.

The Levison-Jones conversation 4/24/64 contained the following: Jones said that King's release on both the article and Hoover's statement is being widely publicized in Californian newspapers. Levison commented that Hoover did not directly relate to the article. Jones said, "No, but statement was a broad statement." (Apparently relating to King's release). Levison asked if statement was a disavowal of connections (apparent reference to King's communist connections). Jones said, "Yes..." and placing the issue within the context of the movement, particularly as relates to uncolored bombings, etc." (It is noted that King's release ends with a criticism of the Bureau's alleged failures in bombing investigations). Levison and Jones agreed that King's release was a real head-on attack.

Levison asked if King had talked to anybody and Jones answered, "Through a representative." (This could well refer to Fauntroy acting for King). Levison asked the result and Jones replied, "That discussion felt it was important to make a statement... just as we had indicated

100-3-116

53 MAY 14 1964

1 - 100-106670 (Martin Luther King, Jr.)
1 - 100-392432 (Stanley Davis Levison)
1 - 100-407013 (Clarence Jones)

SFP:klw (13)

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.

NOT RECORDED

170 MAY 6 1964

Memorandum to Mr. Tolson
Re: BLACK PANTHER PARTY - BPP
STENO QUESTION
ON BPP INFLUENCE IN RACIAL MATTERS
100-24116

earlier, that the failure to do anything was disappointing." Levison asked if any hostility was encountered and Jones said, "No," (apparently meaning that Marshall was friendly to Levison in such contact, especially took place). Levison went on to ask the "BPP" whether they agreed that the Administration is disappointed in King and Levison inquired, "What is the Administration from which the disappointment emanates?" Jones replied, "After an explanation was given for the reasons for the limited contact during the transition period, it was apparently accepted in good faith." (This explanation by Jones correlates with our earlier information that Fauntroy was to tell Marshall that there had been some limited King-Levison contacts but only holding to a transition period of the New York office of the Southern Christian Leadership Conference).

Levison asked concerning the contact with King indirectly, "Was it a high enough level to feel that both the acceptance of the Fauntroy explanation and the racial condition that is my concern?" Jones replied, "At previous levels," to which Levison said, "That sounds good... I'm glad," and that now they were not in the position of being guilty by silence.

OBSERVATIONS:

It is obvious that the above-reported conversation is extremely guarded to the point of being unclear to an outsider. However, we can speculate that Jones and Levison are referring either to some person high in the Administration not known to us at this time or to Burke Marshall who is known to us as being involved in the King matter. Whoever it was apparently agreed with the idea of King's press release. We will remain particularly alert through our sources covering the key individuals for any information which will positively establish the identity of the person to whom Jones and Levison alluded.

RECOMMENDATION:

For information.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. BELMONT

FROM : W. C. Sullivan

SUBJECT: MARTIN LUTHER KING

DATE: 4/23/64

cc Mr. Belmont
Mr. DeLoach
Mr. Sullivan

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

I received a call at 5:25 p.m. from the San Francisco Office to advise that Dr. Martin Luther King has, as predicted, issued his written statement to the press. It caused a great deal of interest and undoubtedly it will be mentioned tonite around the country on radio & TV.

King mentioned the Director by name and, in substance, put him in the category of southern politicians and racists who are opposing the Bill of Rights. He indicated that the Director, if nothing more, would be used by these people for maintaining segregation, all because the Director made what King regards as being a false statement charging communist infiltration and influence in the civil rights and negro movement.

King challenged the Director that if he had any real evidence, to come forth with it. He went on to say that the leaders of the Negro movement have tried consistently to keep communists out of policy-forming areas and positions of leadership.

King quoted the AG against the Director, to the effect that it is to be expected that communists will try to infiltrate civil rights movements, but they had not succeeded in making the expected impact.

King, at the end, repeated his challenge to the Director to come forth with evidence to support his charge.

WCS:CSH (4)

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.

58 MAY 5 1964

EX 101

APR 30 1964

The Attorney General

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

2 - Mr. J. A. Mintz
(1-Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
October 20, 1975

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

Reference is made to a request from the SSC dated October 2, 1975, requesting certain documents and other information from the FBI concerning an FBI mail intercept project.

Attached for your approval and forwarding to the SSC is an original of a memorandum which responds to the request of the SSC.

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

Enclosures - 3 ENCLOSURE

62-116395

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

JWJ:emg
(9)

CONFIDENTIAL MATERIAL ATTACHED

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
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Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____

ST 104

REC-30

15 NOV 7 1975

990

dated

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

October 20, 1975

1 - Mr. J. W. Johnson

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

Reference is made to a request from SSC dated October 2, 1975, requesting certain documents and other information from the Federal Bureau of Investigation (FBI) concerning an FBI mail intercept project. Item two requested all material pertaining to an FBI mail opening project in regard to a suspected Soviet or Soviet-bloc illegal agent who resided in Riverside, California, and occurred for approximately four to eight weeks in autumn of 1961 or 1962. Mail was allegedly opened in the FBI resident office in Riverside.

Twenty-nine documents containing information which relates to a mail cover and mail openings in the investigation of Walter Henryk Duda are being delivered with this memorandum.

It is noted the Sam Survey program previously identified in memorandum dated September 8, 1975, furnished the SSC, was conducted in the Los Angeles Office from September 28, 1961, to November 17, 1962.

It is also noted that the material in regard to the Duda case does not relate to the time frame of your request, autumn of 1961 or 1962, but does fit the criteria of a suspected Soviet-bloc illegal agent who resided in Riverside, California. It would appear that the facts of the Duda case and the Sam Survey program would be related to your request. A thorough review was conducted and there does not appear to be any other case that would fit the criteria as set forth in your request.

1 - The Attorney General
62-116395
JWJ:emg
(8)

SEE NOTE PAGE TWO

Original and one to the Attorney General

Assoc. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
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Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

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

NOTE:

It is noted the information pertaining to Walter Henryk Duda occurred during the period January, 1963, through September, 1964, which is in variance to the time period referred to in the SSC request that the mail openings occurred in a period approximately four to eight weeks in autumn of 1961 or 1962. Duda does fit the description of a suspected Soviet-bloc illegal agent who resided in Riverside, California. It is believed that the facts relating to mail allegedly opened in the FBI resident office in Riverdale during the period autumn of 1961 or 1962 have become confused as to when and where the alleged mail openings occurred. Therefore, the material relating to the Duda case, a closed case, is being furnished the SSC and is believed this case relates to their request.

Copies of material are being maintained instant file.

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/20/75

U. S. Senate Select Committee on Intelligence
Caption of Document: Activities (SSC). (SSC Request
10/2/75.)

Originating Office: FBI

Delivered by: Richard A. Taylor Date: 10/28/75

Received by: Stephanie Smith

Title: Receptionist

Return this receipt to the Intelligence Division, FBI

#mpe16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/STG

ENCLOSURE 102-110375-990

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

10/20/75

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
Memorandum and enclosures

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

SSC letter 10/2/75

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

C

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

Intelligence collection
Information handling

#m0216
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/jrk

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

Information furnished which relates to mail covers and mail openings in the investigation of Walter Henryk Buda.

62-116395

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSUDY 75

TREAT AS YELLOW

INSTRUCTIONS

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

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

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-990

NOTE: THIS IS A PERMANENT CHARGE OUT FOR A XEROX COPY/COPIES OF "JUNE" MAIL THAT WAS INCLUDED IN COPIES OF FBI DOCUMENTS FURNISHED TO THE ATTORNEY GENERAL BY MEMO/LETTER DATED 10-20-75 IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U. S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. THE COPY/COPIES OF THE "JUNE" MAIL DATED AS INDICATED BELOW HAS/HAVE BEEN REMOVED FROM THIS ENCLOSURE MATERIAL TO BE FILED IN THE APPROPRIATE HOUSTUDY OR SENSTUDY "JUNE" FILE INDICATED ABOVE, LOCATED IN THE SPECIAL FILE ROOM OF THE RECORDS SECTION.

DATE(S) OF MAIL: 10-2-75

REMOVED BY: Wardlaw DATE REMOVED: 9-28-76

mde16
ALL INFORMATION CONTAINED ON THIS
FORM
DATE 10/17/00 BY SP-2 ALN/10/16

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

October 21, 1975

The Attorney General

Director, FBI

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

#MDR16
 10/21/75 SP-2 ALM/H16

Pursuant to an oral request from Mr. James Dick, Staff Member of the SSC, on October 20, 1975, and with the concurrence of Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, enclosed is the original of a memorandum transmitting an FBI document to the SSC responsive to the request of Mr. Dick.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a copy of the FBI document which is being delivered to the SSC.

Enclosures (4)

62-116395

ST 104

REC-30

375-991

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

15 NOV 7 1975

WOC:1hblhb
 (9)

NOTE:

On 10/13/75, Assistant Director W. Raymond Wannall of the Intelligence Division was deposed by Mr. James Dick, Staff Member of the SSC. During the taking of the deposition, Mr. Wannall noted that in two cases information had been developed as a result of mail interceptions and that appropriate officials of the Department of Justice were made aware that mail had been intercepted. Mr. Dick advised he was aware of one such case and was also aware that a former Attorney General

4- ENCLOSURE

NOTE CONTINUED PAGE 2

Assoc. Dir. _____
 Dep. AD Adm. _____
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 Asst. Dir.: _____
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 Training _____
 Legal Coun. _____
 Telephone Rm. _____

MAIL ROOM ☐

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84 NOV 10 1975

The Attorney General

NOTE CONTINUED:

apparently discussed FBI interception of mail with former Senator Russell B. Long of Louisiana in 1965. Mr. Dick was not aware of the second case involving mail intercepts and requested information regarding this second case.

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

62-116395

October 21, 1975

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

Reference is made to the deposition of Assistant Director W. Raymond Wannall of the Intelligence Division, FBI, on October 13, 1975. In this deposition, Mr. Wannall advised that in two cases appropriate officials of the Department of Justice were made aware that mail had been intercepted. Mr. James Dick, Staff Member of the SSC, stated he was aware of one such case and requested from the FBI any information as to the identity and circumstances of the second case.

This memorandum effects delivery to the SSC of an FBI communication dated August 14, 1964, which is responsive to the oral request of Mr. Dick. This memorandum, in its excised form, is unclassified and is furnished to the SSC for whatever use the Committee deems appropriate.

Enclosure

1 - The Attorney General

WOC:1hb/lhb

(8)

ORIGINAL AND ONE COPY TO AG

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

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : MR. SULLIVAN

DATE: 8-14-64

FROM : MR. BRANIGAN

SUBJECT: ESPIONAGE - [REDACTED]

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]

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

The captioned code word covers our investigation of the unknown subject at [REDACTED], who offered to sell information concerning [REDACTED] to the [REDACTED] for \$60,000.

BACKGROUND:

Information concerning this first came to our attention on 7-17-64 when our highly confidential coverage detected a letter addressed to [REDACTED], postmarked 7-16-64 at [REDACTED]. We followed up on this by inserting a message in a [REDACTED] newspaper indicating that we were interested in the offer. The unsub then telephonically contacted an Agent of the Washington Field Office at the telephone number furnished him in the message in the personal column of the [REDACTED] newspaper. Thereafter, we intercepted a telephone call that the subject made to the [REDACTED] during which he attempted to verify that he was dealing with [REDACTED] citizens. Acting on the subject's instructions, a package containing a camera suitable for document photography and \$500 was dispatched by United Airlines air freight from Washington to [REDACTED] during the early morning of 8-13-64.

In the meantime, another resident of [REDACTED], one [REDACTED], advised our office there that he had been engaged by an unidentified individual to pick up a package at United Airlines Freight Terminal which he was to subsequently turn over and for which he would be paid \$20.

CURRENT DEVELOPMENTS:

According to SAC [REDACTED], an Agent of the [REDACTED] Office posing as [REDACTED] in the latter's automobile picked up the package at 8 p.m., [REDACTED], and, thereafter, proceeded as he had been instructed to a drive-in in the [REDACTED] area. [REDACTED] advised that the coverage by [REDACTED] Agents at the Air Freight Terminal uncovered a suspect who appeared to be closely observing

WAB:BST:hrt
(8)

REC-38

This document is prepared in response to your request and is not for dissemination outside your [REDACTED] **CONTINUED - OVER** limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

65 AUG 21 1964

ENCLOSURE

MEMORANDUM FOR MR. SULLIVAN
RE: [REDACTED]

[REDACTED]'s automobile and who, thereafter, surveilled the automobile to the area of the drive-in.

After waiting the agreed time, our Agent proceeded to a parking lot adjacent to a church about one mile further down the highway. Shortly after the Agent arrived, he was approached by the suspect who inquired "Are you [REDACTED]?" Thereafter, the suspect claimed to be a messenger who had been engaged to pick up the package. He did deliver an envelope to our Agent which contained the \$20 agreed to. At this point, the Agent, posing as [REDACTED], identified himself and requested that the suspect identify himself and voluntarily accompany him to the [REDACTED] Office.

[REDACTED]

[REDACTED]

According to SAC [REDACTED], the subject readily acknowledged that he was in real deep trouble and claimed that his wife was also knowledgeable concerning his activities. Subject freely admitted contacting the [REDACTED] and offering to sell information to them. However, the subject steadfastly maintained that he was a patriotic American, a Catholic and one who hated the [REDACTED] and that he was endeavoring to get all out of them that he could and he then intended to turn whatever he obtained over to [REDACTED].

Subject's wife was invited to the office and she confirmed that earlier in the evening the subject had apprised her of his activities and gave her a letter which was addressed to [REDACTED] and which she was to mail upon receipt of a phone call from him. This

MEMORANDUM FOR MR. SULLIVAN
RE: [REDACTED]

letter was mailed by her when she was contacted by the subject who was at that time in the [REDACTED] Office. Subject and his wife both furnished signed statements.

Thereafter, the facts in this case were presented to Mr. Thomas K. Hall of the Internal Security Division of the Department who advised that in view of the illegal source of the original information and all that flowed from it, he could not authorize the filing of a complaint charging the subject with an attempt to commit espionage. [REDACTED] was immediately advised both at [REDACTED] and at Washington concerning the identity of the subject and the facts admitted by him. This was done in the event the [REDACTED] could institute some action. Upon completion of the signing of the statements, subject and his wife were permitted to return to their residence since no prosecutive action could be taken.

ACTION:

The investigation at [REDACTED] is continuing, the completed results of which will be furnished to the [REDACTED] so it can institute administrative proceedings against him. The facts will, likewise, be furnished to the Internal Security Division of the Department which has requested them.

JS *WES* *100* *8/14* *[Signature]*

UNITED STATES GOVERNMENT

Memorandum

TO : MR. SULLIVAN ✓

FROM : MR. BRANIGAN

SUBJECT: DOSNAR
ESPIONAGE - RUSSIA

1 - Mr. Belmont
1 - Mr. Mohr
1 - Mr. DeLoach

DATE: 8-14-64

1 - Mr. Sullivan
1 - Mr. Taylor 1 - Mr. Moore
1 - Mr. Branigan

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

ROUTE IN ENVELOPE

The captioned code word covers our investigation of the unknown subject at San Diego, California, who offered to sell information concerning Sonar to the Soviets for \$60,000.

BACKGROUND:

Information concerning this first came to our attention on 7-17-64 when our highly confidential coverage detected a letter addressed to Soviet Ambassador Dobrynin, postmarked 7-16-64 at San Diego, California. We followed up on this by inserting a message in a San Diego newspaper indicating that we were interested in the offer. The unsub then telephonically contacted an Agent of the Washington Field Office at the telephone number furnished him in the message in the personal column of the San Diego newspaper. Thereafter, we intercepted a telephone call that the subject made to the Soviet Embassy during which he attempted to verify that he was dealing with Soviet citizens. Acting on the subject's instructions, a package containing a camera suitable for document photography and \$500 was dispatched by United Airlines air freight from Washington to San Diego during the early morning of 8-13-64.

In the meantime, another resident of San Diego, one R. Tobin, advised our office there that he had been engaged by an unidentified individual to pick up a package at United Airlines Freight Terminal which he was to subsequently turn over and for which he would be paid \$20.

CURRENT DEVELOPMENTS:

According to SAC C. Williams, an Agent of the San Diego Office posing as R. Tobin in the latter's automobile picked up the package at 8 p.m., PDT, and, thereafter, proceeded as he had been instructed to a drive-in in the San Diego area. SAC Williams advised that the coverage by San Diego Agents at the Air Freight Terminal uncovered a suspect who appeared to be closely observing

WAB:BST:hrt
(8)

REC-38
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 contents must not be disclosed to unauthorized personnel without the express approval of the FBI.

65 AUG 21 1964

ENCLOSURE

10 AUG 19 1964

MEMORANDUM FOR MR. SULLIVAN
RE: DOSNAR

Tobin's automobile and who, thereafter, surveilled the automobile to the area of the drive-in.

After waiting the agreed time, our Agent proceeded to a parking lot adjacent to a church about one mile further down the highway. Shortly after the Agent arrived, he was approached by the suspect who inquired "Are you Tobin?" Thereafter, the suspect claimed to be a messenger who had been engaged to pick up the package. He did deliver an envelope to our Agent which contained the \$20 agreed to. At this point, the Agent, posing as Tobin, identified himself and requested that the suspect identify himself and voluntarily accompany him to the San Diego Office.

The suspect, who has now been identified as the subject, is Perry A. Chapdelaine, 3231 Par Drive, La Mesa, California. He is a Grade 13 engineer at the Navy Electronics Laboratory, San Diego. This laboratory does all the training and electronics work and research, including Sonar, for the Navy in the San Diego area. In this connection, the subject claimed that he had access to information classified "Confidential." He has been a Government employee in excess of ten years and is the father of ten children.

In May, 1952, subject was an applicant for the position of Special Agent with this Bureau. Apparently during the interview it was determined the applicant's father was killed by the police in Chicago in 1932 when caught stealing butter from a boxcar. He had been arrested for selling whiskey prior to that in Wisconsin. Applicant was considered very nervous and had a vagotomy operation for a nervous disorder performed in 1947. Applicant had an ulcer which caused his discharge from the service and which still, at that time, gave him trouble. He was unfavorably recommended for employment.

According to SAC Williams, the subject readily acknowledged that he was in real deep trouble and claimed that his wife was also knowledgeable concerning his activities. Subject freely admitted contacting the Soviets and offering to sell information to them. However, the subject steadfastly maintained that he was a patriotic American, a Catholic and one who hated the Russians and that he was endeavoring to get all out of them that he could and he then intended to turn whatever he obtained over to ONI.

Subject's wife was invited to the office and she confirmed that earlier in the evening the subject had apprised her of his activities and gave her a letter which was addressed to ONI and which she was to mail upon receipt of a phone call from him. This

MEMORANDUM FOR MR. SULLIVAN
RE: DOSNAR

letter was mailed by her when she was contacted by the subject who was at that time in the San Diego Office. Subject and his wife both furnished signed statements.

Thereafter, the facts in this case were presented to Mr. Thomas K. Hall of the Internal Security Division of the Department who advised that in view of the illegal source of the original information and all that flowed from it, he could not authorize the filing of a complaint charging the subject with an attempt to commit espionage. ONI was immediately advised both at San Diego and at Washington concerning the identity of the subject and the facts admitted by him. This was done in the event the Navy could institute some action. Upon completion of the signing of the statements, subject and his wife were permitted to return to their residence since no prosecutive action could be taken.

ACTION:

The investigation at San Diego is continuing, the completed results of which will be furnished to the Navy so it can institute administrative proceedings against him. The facts will, likewise, be furnished to the Internal Security Division of the Department which has requested them.

J *WES* *100* *8/14* *Q*

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/21/75

U. S. Senate Select Committee on Intelligence
Caption of Document: Activities (SSC). (Deposition of
Assistant Director W. R. Wannall, Intelligence
Div., 10/13/75.)

Originating Office: FBI

Delivered by: Richard J. Taylor Jr. Date: 10/22/75

Received by: C. H. Hately

Title: Clerk

Return this receipt to the Intelligence Division, FBI

#mde16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP2 ALM/dt/c

62-116375-991

ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER

10/21/75

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

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 oral request 10/20/75

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

U

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

Information handling
Intelligence collection

m DR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-24M/JTB

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

August 14, 1964 communication relating to a reference made by Assistant Director Wannall of a second case where appropriate officials of the Department of Justice were made aware that mail had been intercepted.

62-116395

FMR: fmr:

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
in connection with Senstudy 75

TREAT AS YELLOW

INSTRUCTIONS

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

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

1 - Mr. J. H. Adams
 1 - Mr. J. A. Mintz
 1 - Mr. W. R. Wannall
 1 - Mr. R. L. Shackelford
 1 - Mr. B. C. Rachner

The Attorney General

October 22, 1975

Director, FBI

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

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

#mdel6
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 1/17/00 BY SP-2 ALM/RTG

Enclosed is the original of a memorandum concerning interviews by SSC Staff Members of Special Agents Robert L. Shackelford and Bernard C. Rachner of this Bureau. 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: Michael E. Shaheen, Jr.
 Special Counsel for
 Intelligence Coordination

1 - 67- (Personnel file SA Robert L. Shackelford)
 1 - 67- (Personnel file SA Bernard C. Rachner)

SFP:eks
 (13)

ST 104

REC-30

62-116395-993

15 NOV 7 1975

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
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 Gen. Inv. _____
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 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____

ENCLOSURE

84 NOV 10 1975

MAIL ROOM ☐

TELETYPE UNIT ☐

NW 35285

DocId:32989677

Page 164

GPO : 1975 O - 569-920

1 - Mr. J. B. [redacted]ams
 1 - Mr. J. A. Mintz
 1 - Mr. W. R. Wannall
 1 - Mr. R. L. Shackelford
 1 - Mr. B. C. Rachner
 1 - Mr. W. O. Cregar
 1 - Mr. S. F. Phillips

62-116395

October 22, 1975

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

RE: INTERVIEWS OF FBI SECTION CHIEF
ROBERT L. SHACKELFORD AND FBI
LIAISON OFFICER BERNARD C.
RACHNER BY SSC STAFF MEMBERS

#mde16
 10-17-00 SP-2AM/1K
 ALL PER

Set forth below is information concerning interviews of FBI Section Chief Robert L. Shackelford and FBI Liaison Officer Bernard C. Rachner by SSC Staff Members.

On September 23, 1975, SSC Staff Members Arthur Harrigan and Mark Gitenstein advised the FBI Legal Counsel Division that the SSC Staff desired to depose a current FBI official concerning the FBI's relationship with the Internal Revenue Service (IRS) and, in particular, requests concerning tax returns and audits. Gitenstein indicated that the FBI official deposed would ultimately testify in open hearings with an IRS representative concerning these matters. It was indicated that the interview of the FBI official involved would be based on documents currently in possession of the Committee relating to the FBI and IRS. It was agreed that Section Chief Robert L. Shackelford, who supervised a Section which made requests in this area, and Liaison Officer

Assoc. Dir. Bernard C. Rachner, who currently handles liaison with IRS, would be the appropriate FBI representatives to be deposed and testify.

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 Admin. _____
 Comp. Syst. _____
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 Director Sec'y _____

On September 25, 1975, Shackelford and Rachner, accompanied by David J. Anderson, Civil Division, Department of Justice, were jointly interviewed by SSC Staff Members.

Plan. & Eval. 1 - 67- (Personnel file SA Robert L. Shackelford)
 Spec. Inv. 1 - 67- (Personnel file SA Bernard C. Rachner)

SFP:eks (12) ebs

62-116395-112
 ENCLOSURE

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FBI SECTION CHIEF AND LIAISON OFFICER BY SSC

The SSC Staff Members included Harrigan, Gitenstein and Barbara Benoff. Also present were a recorder and an unidentified Minority Counsel representative. The interview commenced at approximately 3:30 p.m. and terminated at approximately 6:15 p.m. Shackelford and Lachner were not placed under oath. However, their rights were read to them and waivers were presented for signature. At this time, Anderson advised he was present on behalf of the Government, not to represent Shackelford and Lachner. Shackelford insisted that the waiver forms stipulate as to limitation of counsel. This was done and the waivers were signed.

Upon request, Lachner briefly related the nature of the FBI/IRS liaison relationship and the mechanics used by the FBI in obtaining income tax returns. It was emphasized that the FBI had no authority to obtain tax returns by direct application to IRS and, therefore, any requests for returns are channeled through the Department of Justice. The procedures for handling these requests were briefly outlined for the Staff representatives.

Shackelford was asked to agree to the accuracy of lengthy passages read from various FBI documents in the Committee's possession. Objections were raised by Shackelford to the laborious and time-consuming process involved, pointing out, with Anderson's concurrence, that the FBI would stipulate to the contents of the documents. Harrigan, after considerable discussion, then agreed to summarize the documents and speed up the process, which was done. The documents involved were principally COMINT (Counterintelligence Program) documents which had some relationship to income tax matters.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FBI SECTION CHIEF AND LIAISON OFFICER BY SSC

In terminating the interview, Gitenstein requested that Shackelford and Rachner agree on the record to notify the Committee 24 hours in advance of any additional information which they might use in open testimony on September 30, 1975. Shackelford told Gitenstein that this was an unreasonable and unfair request inasmuch as the statement taken had been restricted to a recitation concerning our liaison with INS, the mechanics of obtaining tax returns, and virtually a statement of agreement as to the accuracy of Harrigan's reading of the COMINTLERO documents. It was explained there was no way of anticipating questions raised by the Committee and answers of necessity would inject new material by FBI personnel. Gitenstein then agreed to a proposal that FBI personnel would advise of any factual change desired in answers given in the course of the interview and contained in the transcript. Rachner requested Gitenstein to agree to advise the FBI 24 hours in advance of the public hearing as to any new line of questioning or specific inquiry outside of the statement taken, to which Gitenstein agreed. Anderson concurred with these agreements. Gitenstein then indicated that the FBI personnel would be expected to testify in open hearings on September 30, 1975.

During the morning of September 29, 1975, John T. Elliff, Director of the SSC Domestic Intelligence Task Force, advised that he intended to inject into the hearing the matter of the FBI having obtained the tax returns of Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC) as well as the COMINTLERO use of them. Elliff advised that he also intended to broaden the inquiry into our obtaining of the tax returns of Sidney H. Peck, our designation of Peck as a Key Activist; and to relate this to the proposed COMINTLERO use of the tax returns. It was vigorously pointed out to Elliff by FBI Intelligence Division personnel, including Shackelford and Rachner, that efforts to locate the documents involved and to resolve whether the COMINTLERO usage of the tax returns was

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FBI SECTION CHIEF AND LIAISON OFFICER BY SSC

ever implemented would be a monumental task permitting insufficient time for the FBI personnel to research the matter prior to the open hearings the next day. It was emphasized by Shackelford that the injection of this new material was not within the 24 hour agreement made by Shackelford and Lechner with the Staff Members. Elliff stated he realized this but felt that both issues raised would be focal points of testimony because both persons were well-known. He added that in the absence of the documents disclosing whether the proposed COINTELPRO usage of the returns of King and the SCLC was implemented, the Committee would make reference in open hearing to the fact that the returns were requested and obtained, but that questioning regarding implementation would be reserved for a later hearing. Shackelford told Elliff that this would be a totally unfair presentation as it would imply wrongdoing and leave a clear implication that the COINTELPRO action was taken. Elliff was told that if this course of action was followed it would be vigorously protested during the course of the hearings, as would his attempt to equate the Key Activist Program with COINTELPRO.

Subsequently, on September 29, 1975, Shackelford and Lechner met with Gitenstein to review the transcript of their deposition. Gitenstein engaged Shackelford in a discussion concerning the previous conversation with Elliff. Gitenstein was advised of the reasons for the strong objections of Shackelford and that if the Committee chose to proceed, vigorous objections would be raised during the open hearings by the FBI witnesses. Gitenstein then said that he would try to have the matter of Leck's being a Key Activist covered in the initial comments being prepared for Senator Joseph M. Montoya without COINTELPRO connotations. Gitenstein was advised that Leck's previous status as a Key Activist was not relevant to the IRS hearing and any unfair implications made by the Committee would be vigorously protested.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: INTERVIEW OF FBI SECTION CHIEF AND LIAISON OFFICER BY SSC

On the evening of September 29, 1975, the Committee advised that the open hearings involving Shackelford and Kachner were being rescheduled for October 1, 1975. On the morning of September 30, 1975, Gitenstein further advised Shackelford that the segment of the IRS hearings involving the FBI had been cancelled. Gitenstein stated that it had been decided that the Committee was not sufficiently prepared for this aspect of the hearings. He added that the COMINT/IRS usage of IRS tax returns would be covered in subsequent hearings.

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

10/22/75

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

SSC

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

HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer,
interviewee, testifier and subject)Memorandum reporting the results of an interview by SSC Staff
Members of incumbents Section Chief Robert L. Shackelford and
Liaison Officer Bernard C. Bachner.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.)

NA

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

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)Treasury Department - Internal Revenue Service
Liaison

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

Interviewed regarding the FBI/IRS liaison relationship and the
mechanics used by the FBI in obtaining income tax returns.Shackelford was asked to agree to the accuracy of some
documents which involved COMINFILPRO and their relationship to
income tax matters. Some specifics were raised relating
to the anticipated public hearings.

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz

The Attorney General

October 22, 1975

Director, FBI

1 - Mr. W. R. Wannall
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar
1 - Mr. S. F. Phillips *# more 16*

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

10/17/00 SP2 Alm/116

Enclosed for your information is the original of a memorandum, with its attachment, concerning an interview of former FBI Special Agent Arnold E. Brandt by SSC Staff Members. Also enclosed is a copy of the memorandum, with its attachment, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (4)

62-116395

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

1 - 67- (Personnel file former SA Arnold E. Brandt)

SFP:mjgmys
(11)

ST 104

REC-30

62-116395-994

15 NOV 7 1975

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
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Files & Com. _____
Gen. Inv. _____
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Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

SECRET MATERIAL ATTACHED

MAIL ROOM ☐

TELETYPE UNIT ☐

84 NOV 10 1975

NW 55285 DocId:32989677 Page 172

GPO : 1975 O - 569-920

62-116395

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

October 22, 1975

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

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

RE: INTERVIEW OF FORMER FBI
SPECIAL AGENT (SA) ARNOLD E. BRANDT
BY SSC STAFF MEMBERS

The following concerns an interview of former SA
Arnold E. Brandt by SSC Staff Members.

On September 9, 1975, SSC Staff Member James Dick
advised the Legal Counsel Division of the FBI that he desired
to interview former SA Arnold E. Brandt concerning mail
openings involving FBI personnel.

Brandt was subsequently in contact with the Legal
Counsel Division and was advised that the particular area of
SSC interest was under inquiry by the Department of Justice to
determine whether there was criminal conduct on the part of
FBI personnel and that the Department of Justice had not yet
made a determination in this regard. Brandt was also advised
that his appearance before the SSC was voluntary and that the
FBI could not provide him private counsel.

Subsequent to the interview, Brandt voluntarily
furnished to the FBI a statement recording the results of the
interview. A copy of that statement is attached herewith.

Enclosure

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
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Telephone Rm. _____
Director Sec'y _____

ORIGINAL AND ONE COPY TO AG

1 - 67- (Personnel file former SA Arnold E. Brandt)

SFP:mjg
(10)

NOTE:

Brandt's statement, handwritten, was mailed to the
Bureau and has been typed in the form it now appears as an
attachment to this LHM. The contacts with the Legal Counsel
Division mentioned above were with Supervisor P. V. Daly.

SECRET MATERIAL ATTACHED

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

SECRET

September 18, 1975

From: Arnold E. Brandt

Re: Interview by Counsel for
Senate Select Committee on Intelligence

Writer was interviewed by James V. Dick and Thomas Dawson, Staff Counsel to the Senate Committee, at the Dirksen Office Building, Washington, D. C., on September 15, 1975, from approximately 10:15 a.m. until approximately 12:50 p.m.

At the outset, I was advised that my appearance was voluntary and that I could be represented by counsel. I was not requested to sign any waiver of my rights nor was any such form presented to me. No stenographer was present. I was not under oath.

In response to questions, I identified myself by name, residence and current employment. I informed the interviewers of my background, including date and place of birth, education, military service and my employment history in the FBI.

The following is my recollection of the matters discussed during the interview although not necessarily in chronological order.

The interviewers seemed familiar with the material being covered and names mentioned. My comments were strictly responsive to their questions and I was forthright and as exact as my recollection would permit. I advised them no documents had been made available to me by the FBI to refresh my recollection. They indicated they had received certain material but did not produce anything for my review. At various points when they asked for names of FBI Agents or officials, I volunteered to look at a list of names to see if they were familiar to me but no list was shown. They did mention a number of names they said were postal employees but except for a Mr. Hickey, whom I believed was a Postal Inspector. I had possibly met, I could not place the names.

SECRET

TREAT AS YELLOW

62-116395-974

Classified by 20478
Exempt from GDS, Category 243
Date of Declassification Indefinite

ENCLOSURE

SECRET

There was considerable discussion of the organization of the New York Office of the FBI, particularly, the Espionage Division in 1960. I identified Joseph L. Schait as the Agent in charge of the Division. I recalled there were four sections, one of which handled Satellite and Yugoslav matters, two handling Soviet matters and one handling other foreign intelligence matters. I identified William McDonald, John Danahy and Frank Gallant as having been Mr. Schait's assistants at various times. I was Coordinating Supervisor in charge of one Section (33) with my own squad and James O'Brien's squad (331). We were responsible for Soviet investigations other than of the officials and, particularly, the illegal agents. I recalled that later we had a third squad in the Section (332) and that George Quinn and Douglas White had been Supervisors of it but I could not remember the dates. I was asked about the makeup of the other squads in the Division and recalled that there had been five squads in 34 (Official Soviets), three squads in 35 (Satellites) and three squads in 31 (Foreign Intelligence other than Soviet-Bloc). The only Supervisor I could recall from the early 1960's other than those mentioned above was John Mabey.

Most of the interview time was spent on the SSI Survey program. I recalled that in the late 1950's and beginning of 1960, there was considerable concern over Soviet intentions. It was believed that the Soviets were operating illegal agent networks and that SSI Survey was established in an attempt to monitor and penetrate mail communications systems of those networks. I could not recall if the basis of the program was some communication from New York to Bureau Headquarters. I did recall that arrangements were made in Washington between FBI officials and other government officials including postal authorities but I did not know who these people were. I believe that this program would have had the approval of Mr. Hoover. Other Headquarters officials at this time were Alan Belmont, William Sullivan and Donald Moore. I assume they would have been aware of the program at its outset but I do not know the extent of their knowledge.

- 2 -

SECRET

SECRET

The program was operated at Idlewild Airport in the foreign air mail facility. A group of Agents screened mail going to certain cities in Western Europe looking for envelopes with certain indicators. At several points during the interview, questions arise about indicators in this and other survey programs but I declined to discuss such details on the basis these were matters my instructions from the Bureau prohibited me from disclosing. Questions regarding the mechanics of the operations were discussed to the extent of who was involved and who supervised. I recalled that James O'Brien was the Supervisor, George Quinn was the Case Agent and others involved I could recall as James Kehoe, Frank Tangle, Jim Gibson, William Hamilton and Steve McGarr. I recalled Walter Postting, an Agent who was on a research project on my squad, opened envelopes on the HSI Survey. I believed the training in this technique was given by someone from the FBI Laboratory but could not recall where this training took place. I remembered that others were trained and used in this program but could not recall any names.

I recalled that the program had a number of Agents assigned (possibly six or eight) on a full time basis and several others who filled in from time to time as substitutes when regulars had days off, were on leave, etc. The program ran almost every day and around the clock, geared to the flights to Western Europe. I could not recall that any communist countries, Latin-America, Asia or Africa were covered. I believed all the mail originated in the United States and not in Canada or Mexico.

Although I could not recall that I ever visited the airport facility, I believe that a separate room or area was set aside. My recollection was that literally thousands of pieces of mail were screened daily but that only a few were brought to the New York Office to be examined. Of these, only one or two might be opened each day. They were photographed, resealed and returned to the airport to be replaced in the mail. Time was important and an attempt was always made to get the letter back on the same flight it should go out on.

- 3 -

SECRET

SECRET

With regard to S Coverage, I was not personally involved with this but recalled it was a program that screened mail to be delivered to the various Soviet-bloc missions. It was operated by two or more men who reviewed the mail at the Lenox Hill Post Office during the early morning hours. Any pictures taken went to the squads handling the particular establishment. I could not recall which squad was responsible for the program, possibly 34.

I recalled the UN Survey as a program that screened mail to be delivered to various Soviets employed at the United Nations Secretariat. The purpose here was to identify agent communications directed to his Soviet principal. I believe it only involved one or two men and that it was operated at the Grand Central Post Office. I cannot recall what squad handled this program. I cannot recall what Agents were involved. I believe it only operated very briefly in the early 1950's and was discontinued because it was unproductive.

I recalled the GDS Survey as a program that screened mail in various districts in Manhattan. The purpose again was to identify illegals based on certain indicators on the envelope. I believe my section may have been involved in this program originally but believe it was later transferred to another section. I cannot recall when this program started nor when it ended, nor how many men were involved but probably only a limited number.

I believe sometime in 1955 instructions came from Bureau Headquarters that certain programs were to be stopped. I do not know why these instructions were issued by Mr. Hoover and at first, did not believe that SSI and S were meant to be included. I do not know what happened to the equipment. I believe the camera was returned to the New York Office photo lab and the other equipment went back to the FBI Laboratory. Any negative film taken in any of these programs was destroyed after a certain period of time, possibly 30 or 90 days or a year. Prints of any of this could have gone into case files if any were opened. It is possible some prints may have been sent to Headquarters. I believe a case file was opened in New York on the SSI Survey. I do not recall the number. I do not believe it was kept in the regular files section. It could have been kept with the Confidential Informant Files.

- 4 -

SECRET

SECRET

I never considered what we were doing was illegal. (This question was approached in several different ways). In my opinion, the Post Office had legal custody of the mail and turned it over to the FBI on the basis of decisions made at the highest levels of the U. S. Government. I was not aware if this included the President, the National Security Council or the Department of Justice. I do recall that in 1963, the late Robert Kennedy, who was then the Attorney General, visited the New York Office and was briefed about various espionage cases. Although I cannot say that mail intercepts were specifically discussed, he seemed to be extremely knowledgeable of all of the espionage cases involved. There was at least one other Department of Justice official with him, but I cannot recall his name.

I cannot recall that the Agents in Division 4 - (Internal Security - C) ever asked us to look for any mail of interest to them.

I cannot recall what files were maintained in the New York Office on these cases. From time to time we would report to Mr. Schmit on the productivity of SAM Survey, for example, but I do not believe we had any formal reporting system, such as every week, or month or anything like that. I believe that during annual inspections, some kind of write-up may have been prepared to explain or justify the manpower used on such programs but have no idea if anything concerning it appeared in the inspection report.

I felt that Z and SAM were good programs that should have been continued and I can recall that the question of reestablishing them was discussed on several occasions after 1966. I do not know if there was ever a formal recommendation to this effect ever prepared.

I seem to recall one case where a surveillance Agent saw a subject drop a letter in a mailbox and we were able to get to look at the letter. I cannot recall the details of how it was done, whether we called Washington or worked through local Post Office officials.

- 3 -

SECRET

SECRET

Until I read something about it in news reports recently, I never knew CIA had a mail intercept program in the U. S. I recall receiving communications from the Bureau furnishing information emanating from a Bureau source that appeared to have come from a communications intercept but assumed since it involved foreign addressees, that it came from abroad.

SECRET

TO: Intelligence Community Staff
ATTN: Central Index

FROM:

FDI

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

10/22/75

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

SSC

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

HSC

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

Memorandum reporting the results of an interview by SSC
Staff Members of former Special Agent Arnold E. Brandt

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

NA

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

S

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

Information handling
Intelligence collection

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

Interviewed concerning mail openings in the New York Office

62-116395

FMK:fmk

(4)

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

TREAT AS YELLOW

INSTRUCTIONS

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

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

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

The Attorney General

October 22, 1975

Director, FBI

UNITED STATES SENATE SELECT COMMITTEE
 ON INTELLIGENCE ACTIVITIES (SSC)

#mdel/6
 10/17/75
 SP2 Alm/7TG

Reference is made to a request from the SSC dated October 8, 1975, requesting "Access to the lists of government employees and San Francisco security and Security Index subjects whose names were on the watch lists employed in the CHIPROP SURVEY and the CHICLET SURVEY. These categories are described in a memorandum from SAC, San Francisco, to Director, FBI, dated March 11, 1960." The March 11, 1960, memorandum was previously furnished to the SSC.

Attached for your approval and forwarding to the SSC is an original of a memorandum which responds to the request of the SSC.

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

Enclosures - ENCLOSURE

62-116395

REC-30 62-116395-995

ST 104

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

15 NOV 7 1975

LLA:kjg
 (9)

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. _____

CONFIDENTIAL MATERIAL ATTACHED

CONFIDENTIAL

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

October 22, 1975

Am 0216

10-17-00 SP-2 Alm 1216

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

Reference is made to SSC letter dated October 8, 1975, requesting under item two, 'Access to the lists of government employees and San Francisco security and Security Index subjects whose names were on the watch lists employed in the CHIPROP SURVEY and the CHICLET SURVEY. These categories are described in a memorandum from SAC, San Francisco, to Director, FBI, dated March 11, 1960.' The March 11, 1960, memorandum was previously made available to the SSC.

FBI Headquarters (FBIHQ) files do not contain any information and/or documents responsive to referenced request. The San Francisco Office of the FBI has, therefore, been queried in this regard and has advised as follows:

A review of San Francisco files fails to disclose any watch lists which may have been utilized in connection with the CHIPROP and CHICLET SURVEYS. Agent personnel who participated in these surveys have advised that no watch lists were maintained for these programs. The limitations involved in reviewing over 13,000 letters a day within a two-hour period did not allow sufficient time to compare these letters with a list of names. Agent personnel reviewing these letters had their own 'mental lists' of names which included individuals who in the past, under general categories, were known as persons of internal security interest to the Bureau.

The general criteria used by Agent personnel reviewing letters under the CHICLET and CHIPROP SURVEYS included:

1. Letters with a return address of individuals who were known to be 'turncoats' from the Korean conflict.
2. Letters with a return address of a doctor or a university on Mainland China.

62-116395

LLA:kjg

(8)

CONFIDENTIAL

Original and one to the Attorney General

Classified by 6283

Exempt from GDS, Category Number 2

Date of Declassification Indefinite

ENCLOSURE

GPO 954-546

MAIL ROOM ☐

TELETYPE UNIT ☐

Page 183

DocId:32989677

NW 55285

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 _____

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

3. Mail believed to emanate from Chinese Communist (CHICOM) intelligence services based on covers that we were aware of.

4. Mail with information that identified it with a scientific or technical facility.

5. Mail with a return address of a province in China where the atomic bomb reportedly was being manufactured.

6. Mail addressed to well-known security subjects of the FBI residing in the United States.

7. Mail indicating illegal travel of Americans to Mainland China.

With regard to the 140 classification (Security of Government Employees (SGE) cases referred to in San Francisco letter to Director, FBI, dated March 11, 1960), no list of government employees was maintained. These cases were opened as a result of an indices search by the Division in which an individual resided or an indices search at FBIHQ, which was initiated as a result of that individual coming to our attention through these surveys based on the general criteria set forth above. Occasionally, when an indices search did not reveal an individual to be a government employee, subsequent background investigation would determine this, at which time an SGE investigation would then be conducted.

Agent personnel engaged in the reviewing of letters in connection with these surveys were experienced investigators in security matters in the San Francisco Bay area and were well-acquainted with the names of San Francisco area as well as nationally known security and Security Index subjects. These Agents basically utilized their own experience and judgment in these matters. While some Agents may have utilized personal lists or notations for ready reference purposes, no official watch list was utilized; therefore, there are no known watch lists available in FBI records for review in accordance with the SSC request and no personal lists or notations were retained.

CONFIDENTIAL

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/22/75

U.S. Senate Select Committee.
Caption of Document:

10/8/75 request CHIPROP SURVEY and
CHICHLET SURVEY.

Originating Office: FBI

Delivered by: Richard T. Taylor Jr. Date: 10/30/75

Received by: Lynsey Oster

Title: Clerk

Return this receipt to the Intelligence Division, FBI

#mde16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ACM/STG

ENCLOSURE

62-114375-995

CLASSIFY AS APPROPRIATE

NOTE: SEE INSTRUCTIONS ON REVERSE
BEFORE COMPLETING.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

10/22/75

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

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

Memorandum

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

SSC letter 10/8/75

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

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)Intelligence collection
Information handling#moe/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-7-00 BY SPJ ALM/216

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

General criteria used by personnel reviewing letters under
the CHICLET and CHIPROP Surveys in the San Francisco area.

62-116395

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTURY 75

TREAT AS YELLOW

3791 (6-75)

CLASSIFY AS APPROPRIATE

INSTRUCTIONS

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

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

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

The Attorney General

October 22, 1975

Director, FBI

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

10-17-00

SP2 Alm/1775

Reference is made to the SSC request dated September 29, 1975.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum in response to Items 7 through 11, Page 2, of the September 29, 1975, request.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a set of the materials which are being delivered to the SSC.

Enclosures (2)

62-116395

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

VRT:lek/en ED
(11)

ST 104

REC-30

62-116395-996

15 NOV 7 1975

NOTE:

The pertinent portion of the 9/29/75 request is attached to the file copy of enclosed LHM. Exact copies of the materials being furnished are maintained in the office of the Senstudy 75 Project. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the materials being provided to the SSC.

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 ☐

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

62-116395

October 22, 1975

Wm 10/17/00 SP2 ALM/HB

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

Reference is made to the SSC request dated September 29, 1975.

The purpose of this memorandum is to effect delivery to the SSC of materials in full response to Items 7 through 11 of Page 2 of the aforementioned request.

It is noted that Item 7 of the SSC request concerns recommendations or decisions to include Martin Luther King, Jr., on the Security, Reserve, Rabble-Rouser and/or Agitator Index or list, and/or his designation as a Key Activist, Key Black Extremist, Top Functionary and/or Key Figure. An exhaustive review of our files at FBI Headquarters reflects that Martin Luther King Jr., was included in Section A of the Reserve Index on May 11, 1962, and remained in Section A of the Reserve Index until his death in April, 1968. The Reserve Index was discontinued on December 23, 1969, and all Reserve Index cards were destroyed at that time. The Rabble-Rouser Index was instituted on August 4, 1967, and the name was changed to the Agitator Index on March 21, 1968. Martin Luther King, Jr., was not included in either of these Indices. Neither was he included in the Security Index. Martin Luther King, Jr., was not designated a Key Activist, Top Functionary or Key Figure. Martin Luther King, Jr., was not designated a Key Black Extremist.

The last paragraph of the memorandum H. P. Callahan to Mr. Mohr of January 31, 1964, included in Item 8 indicates Mr. Jay Howe received a letter from Director Hoover. This letter does not concern the United States Information Agency film - "March for Freedom."

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 _____

VRT:blk/en (10)

This document is prepared in response to your request and is not for dissemination or 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.

WRT/TL-JRM WOC/JP

62-116395-100

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

GPO : 1975 O - 569-920

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

It is noted that Item 10 of the SSC request concerns the manual changes referred to in the Racial Matters section of the security letter identified in Item 9 of the SSC request. An exhaustive review of our files at FBI Headquarters fails to locate any corrected pages for the Manual of Rules and Regulations.

1 - The Attorney General

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWEN, TEXAS, VICE CHAIRMAN
PHILIP B. HART, MICH.
HOWARD H. BAKER, IND. ENN.
WALTER F. MONDLE, MINN.
JERRY GOLDWATER, ARIZ.
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CHARLES F. C. MATHIAS, JR., MD.
ROBERT MORGAN, G.C.
RICHARD S. SCHWILKEN, PA.
GARY J. HUNT, CALIF.
WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARTZ, 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

September 29, 1975

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

Dear Mike:

Enclosed is a document request for materials
pertaining to the King matter. *

I would like to set October 6, 1975 as a dead-
line for delivery of all outstanding previously-requested
documents pertaining to the King matter and October 13,
1975 for delivery of all documents requested on the
attached list.

I would also appreciate your arranging a briefing
for Mike Epstein for sometime this week by knowledgeable
FBI personnel concerning:

A. The present location and organization of any
files and materials which were found to be in
William C. Sullivan's Bureau office when he was denied
further access thereto in or about September 1971; and

B. A description of the contents of such files
and materials.

Finally, we would like to have access to the
Department of Justice files pertaining to Martin Luther
King, Jr. and/or the Southern Christian Leadership Confer-
ence for the year 1962. The materials in these "DJ" files
will be reviewed pursuant to the terms of the procedural
agreement between the Committee and the Department, i.e.
subsequent to review of such files certain items will be
formally designated to be screened for delivery.

Sincerely,

John T. Elliff
Director

ENCLOSURE Domestic Intelligence Task Force

- Nugent*
7. All materials reflecting proposals, recommendations or decisions to include Martin Luther King on the Security, Reserve, Rabble-Rouser, and/or Agitator Index or list, and/or his designation as a Key Activist, Key Black Extremists, Top Functionary and/or Key Figure.
8. All materials from August 28, 1963 to December 31, 1964 which pertain to the distribution by the United States Information Agency of a film of the march on Washington, including such materials as concern or reflect contacts or correspondence between the FBI and the USIA or between the FBI and the White House concerning such film.
9. SAC Letter No. 59-2, dated 1/13/59, including the Security letter ~~attached~~ thereto pertaining to Racial Matters.
10. The Manual changes/referred to in the Racial Matters section of the Security letter identified in Item 9 above.
11. Memorandum from Mr. Rosen to the Director, dated 1/7/59 captioned "Racial Matters" that is referenced in the proposed letter to all SAC/s which was typed on 1/7/59 and which became the Racial Matters section of Item 9 above.
12. Memorandum dated February 11, 1960, from W. B. *Wette* to *Mann* A. Rosen, captioned "Racial Matters." *Had*
13. *Call system* Airtel to all offices dated February 12, 1960, captioned *Mann* "Racial Matters." *has*
14. Memorandum dated June 26, 1963, from Mr. Rosen to Mr. Belmont, captioned "Racial Matters." *Mann* *has*
15. Airtel dated June 27, 1963 from the Director to all continental offices, captioned "Racial Matters." *Mann* *has*
16. Memorandum dated January 23, 1959, from Mr. Rosen to the Director, captioned "Bombing Matters or Racial Matters (New Classification)." *Mann* *has*
17. SAC letter sent on 1/28/59 which was attached to the memorandum identified in Item 16 above. *Mann* *a*
18. All versions of Section 122 of the Manual of Instructions which were in effect from 1955 through 1965. *Mann*
19. All materials reflecting correspondence, contacts, or communications, or proposed correspondence contacts, or communications, between FBI personnel and:
- Twissell*

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

Addressee: SENATE SELECT COMMITTEE

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/22/75

U.S. SENATE SELECT COMMITTEE

Caption of Document:

9/29/75 request, Items 7 thru 11

Originating Office: FBI 445
Delivered by: Richard J. Taylor Date: 10/28/75

Received by: Stephanie Smith

Title: Receptional

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/216

62-116395-996
ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central IndexFROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

☒ DOCUMENT ☐ BRIEFING ☐ INTERVIEW ☐ TESTIMONY ☐ OTHER**10/22/75**

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 and enclosures**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 letter 9/29/75, items 7 thru 11**6. CLASSIFICATION OF
INFORMATION (enter
U, C, S, TS or
Codeword)**U**7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)**Information handling
Intelligence collection****#mDr16**
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 16-17-00 BY SP2 ALM/276

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

Martin L. King, Jr. was included in Section A of the Reserve Index. The Reserve Index was discontinued on 12/23/69 and all Reserve Index cards were destroyed at that time; S/C letter 059-2 dated 1/13/59 pertaining to Racial Matters; An inter-office memorandum dated 1/7/59 captioned "Racial Matters."

62-116395**FMK:fmk
(4)****ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75****TREAT AS YELLOW**

INSTRUCTIONS

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

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

SSC REQUEST 9/29/75
ITEM # VII

#mOR/6
10-17-00 SP2 Alm/716

RETAIR

Ser 996

62-116375-77

1 - Mr. Rushing
1 - Mr. Higgins
1 - Mr. Forsyth

SAC, Atlanta (100-5586)

May 11, 1962

Director, FBI (100-106670)

MARTIN LUTHER KING, JR.
SECURITY MATTER - C

In view of the subject's prominence in national activities and his close association with Communist Party (CP) members and CP officials, the Bureau is of the opinion his name should be included in Section A of the Reserve Index. Accordingly, such action is being taken by the Bureau.

Proper cards indicating this action will be forwarded to you under separate cover.

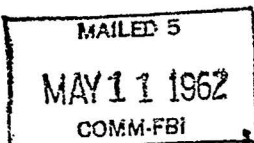
1 - New York (100-136585)

NOTE ON YELLOW:

The subject, Negro, male, was born 1/15/29 at Atlanta, Georgia. He is presently co-pastor of the Ebenezer Baptist Church, Atlanta, Georgia, and resides at 407 Auburn Avenue, N.E., Atlanta, Georgia. He is President of the Southern Christian Leadership Conference (SCLC). He continually associates with highly placed CP members. Stanley Levison, secret CP member, represents the subject in SCLC business and advises him on racial matters. Hunter Pitts O'Dell, former CP official (1959), is employed by the SCLC and assists King. Subject's name used in countless CP fronts and he actively campaigns in racial matters. He has been described by Levison as a confirmed Marxist.

WTF:cjc
(7)

ATTENTION MR. HIGGINS: Subject's name should be placed in Section A of the Reserve Index and tabbed communist.



FBI - JUSTICE
REC'D - CIVIL RIGHTS

MAY 11 15 32 PM '62

REC-1

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

MAY 22 1962

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

SSG REQUEST 9/29/75

ITEM # VIII

RETAIN

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MOHR

FROM : N. P. CALLAHAN

SUBJECT: UNITED STATES INFORMATION AGENCY (USIA)
FILM - "MARCH FOR FREEDOM"

#m DR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/146

DATE: January 31, 1964

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

This morning I saw Jay Howe of our Subcommittee and he advised that during the Attorney General's appearance before the Subcommittee yesterday morning no discussion arose involving the Bureau on the part of the members with respect to the Director's testimony.

Howe did state that all of the members are very concerned regarding the background of Martin Luther King which the Director furnished off the record and strictly among themselves to Jay's knowledge have had quite lengthy discussions concerning it.

Jay Howe stated that yesterday morning after they had concluded hearings on the Justice Department items, the members and the Chairman instructed him to have the USIA show them the film which they have and propose to distribute the captioned "March For Freedom." Howe stated all members were present for this film except Congressmen Lipscomb and Neal Smith. Howe stated the film generally deals with the racial situation in this country and the members were particularly disturbed and irked at the fact that Martin Luther King appears to predominate the film. He appears in better than half of the entire film and after viewing it the members got the impression that he had played an advisory role in its preparation.

Howe stated on a strictly confidential basis that the Chairman with the concurrence of the other members of the Subcommittee feel that an approach should be made to the President so that he can instruct USIA to withdraw this film and not permit its circulation. The Chairman also suggested to Howe he might want to mention to the Senate Appropriations Committee Clerk, Harold Merrick, that maybe members of the Senate Subcommittee on Appropriations would want to view this film but definitely without giving any of the King background which was furnished off the record.

Howe stated that yesterday afternoon after viewing the USIA movie members had also observed the editorial in yesterday's Washington Post dealing with this picture which in substance indicated it was a good film; however, it would meet with opposition from certain areas particularly those who were "confused" or "fainthearted."

Howe was most appreciative of the letter he received from the Director after his appearance before the Subcommittee.

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.

NPC:gt

6

UNITED STATES

GOVERNMENT

Memorandum

TO : Mr. Belmont

DATE: January 31, 1964

FROM : C. A. Evans

SUBJECT: TESTIMONY CONCERNING
MARTIN LUTHER KING BEFORE THE
HOUSE APPROPRIATIONS COMMITTEE

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

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10-17-00 BY SP2 JRM/HG

#MDR/6

The Attorney General called and stated that during the course of his testimony yesterday on the Justice Department appropriation, he learned that there had been previous testimony before the Committee concerning the subversive affiliations of Martin Luther King. He said something was mentioned about a report having been withdrawn and he asked whether this had anything to do with the report he had discussed with the Bureau some time ago. He wanted to know if there was anything on the record with regard to such testimony.

After checking with Mr. Mohr, the Attorney General was informed that there was absolutely nothing on the record insofar as the Bureau was concerned in regard to this matter. It was pointed out that the House Subcommittee had been concerned about some film which USIA was going to distribute abroad, in which Martin Luther King played a particular part, and because of this the Director had been asked about King's background. The comments in this regard, however, were off the record.

The Attorney General seemed completely satisfied with this, as he said just to forget he ever asked about it.

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - Mr. Rosen

CAE:vap
(7)

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.

REC-16 100-106670-299

6 FEB 7 1964

EX-108

64 FEB 12 1964

File 100-106670
CC-100-3-116

UNRECORDED COPY FILED IN

SSC REQUEST 9/29/75

ITEM # IX

#MDR 16
10/17/60 SP-2 ALM/JTG

RETAIN

SC 996



PERSONAL ATTENTION
SA LETTER NO. 59-2
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

January 13, 1959

WASHINGTON 25, D. C.

In Reply, Please Refer to
File No.

AT - Information NC
DATE 10-17-00 SP2ALN/HE

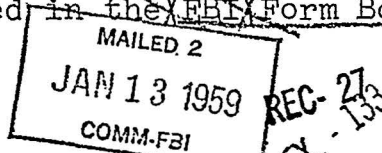
(A) PERSONNEL ~~RESTORATION RIGHTS~~ ~~TEMPORARY INDEFINITE EMPLOYEES~~ - FBI FORM BOOK -- At present, employees having permanent appointments who cease duty to enter military service possess mandatory restoration rights. Effective January 1, 1959, employees having temporary indefinite appointments who cease duty to enter military service or former temporary indefinite employees who return from military service though it began before January 1, 1959, will also be granted mandatory restoration rights and should be afforded the same processing and rights heretofore afforded only to permanent employees. Almost all Bureau employees are either permanent or temporary indefinite, which means that mandatory restoration rights and other attendant rights, such as right to be considered for promotion while absent, will be of much wider application than before.

In order to insure that former employees who left temporary indefinite positions to enter military service prior to this time receive consideration for any vacancy for which they would have been considered had they not left, the Bureau will furnish you with a list of such former employees who ceased duty within the past four years. Four years is used since at present no employee who remains in military service voluntarily for more than four years (including any other military service since June 24, 1948) can retain restoration rights. Upon receipt, their names should be restored appropriately to your seniority index. It is appreciated that you will not have a field personnel file for such employees. Therefore, whenever a check of your seniority index shows that such employees should be among those considered for a vacancy, you should request the Bureau to compare their qualifications as shown in their Seat of Government personnel file with the qualifications of others in competition for the position. Your request may be supported by your observations concerning the individual's qualifications, along with an appropriate recommendation. Hereafter, you should, of course, retain field personnel files of employees having temporary indefinite appointments who cease duty to go into military service and their names should be appropriately retained in your seniority index.

Revisions for the Manual of Rules and Regulations, Handbook for FBI Employees, and Form FD-183 are being prepared.

Upon receipt of the enclosed supply of the revised form, old copies should be destroyed. Eighteen copies of the revised form are enclosed and one copy should be placed in the FBI Form Book.

1/13/59
SA LETTERS NO. 59-2



66-CH-2819
20 JAN 14 1959

(B) ~~FILE REVIEWS~~ -- Effective immediately it no longer is required that you, the ASAC or supervisors review cases with employees to whom assigned each 30 days (60 days for Resident Agents). The review

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.

of cases with employees is left to your discretion and should be done only in those instances where the inexperience of the employee or the quality of his production indicates the desirability of using that procedure as a means of training or evaluation of the employee's work. Appropriate manual revisions have been prepared.

1/13/59

SAC LETTER NO. 59-2

(C) ~~X~~ BRIEFS FILED WITH CIRCUIT COURTS OF APPEALS - REVIEW OF --
At the present time the Bureau obtains through the Washington Field Office, copies of ~~X~~ briefs filed with the United States Supreme Court in all Bureau cases which go before that court on appeal. These briefs are analyzed at the Seat of Government, not from a legal viewpoint, but solely to assure that the Bureau's interests are properly protected both from the standpoint that any false charges against the Bureau or its personnel have been properly answered and also to assure that the Bureau remains abreast of judicial decisions and trends which affect or might possibly affect the Bureau's operations.

In the future the review of briefs on appeal will be extended to cover those filed with the various ~~X~~ Circuit Courts of Appeals. Accordingly, it will be the responsibility of the office of prosecution to arrange to obtain copies of briefs filed by both the appellant and the Government in every Bureau case in which a conviction in the District Court is appealed to the appropriate Circuit Court of Appeals. Copies of the briefs should be furnished to the Bureau together with a summary of the points raised on appeal and the Government's answers thereto.

It should be borne in mind that the purpose of the review of these briefs is not to consider the legal sufficiency of the arguments and answers, but solely to determine whether the Bureau's interests have been properly and fully protected and to assure that the Bureau is aware of issues raised on appeal on the Circuit Court of Appeals level which affect or might possibly affect the Bureau's operations.

This matter must be discussed at the next semiannual conference in each office to insure that all investigative personnel thoroughly understand the importance of these instructions and the necessity for prompt compliance therewith.

1/13/59

SAC LETTER NO. 59-2

- 2 -

~~(D) YOUNG AMERICAN MEDAL AWARDS FOR BRAVERY AND SERVICE~~ --

Although there is no limitation on the number of qualified candidates who may be recommended by each of the Governors of the respective states and the Executive Officers of U. S. territories and possessions, only a very small number of qualified candidates were nominated last year for the Young American Medal Awards for Bravery and Service which the President stands ready to personally confer each year. Specifically, only eight qualified candidates for the Service Award for 1957 were nominated for consideration. It is seriously questioned that this small number of nominees is representative of the outstanding work of American youth.

Attached are three copies of a reprint entitled "Young American Medal Awards for Service, Bravery" which appeared in the January, 1957, issue of the FBI Law Enforcement Bulletin. This reprint explains in detail the qualifications necessary for nominees, the identity of persons who may submit nominations and other pertinent matters regarding the awards. The members of the Young American Medals Committee are the same as indicated in the reprint with the exception of Mr. G. Frederick Mullen who has been replaced by Mr. Luther Huston. Additional copies of this reprint may be obtained by routing slip marked "Attention: Crime Records Section."

You should personally mention this matter to the Governor or Executive Officer in your territory during your next conference with him.

1/13/59

SAC LETTER NO. 59-2

~~(E) SPECIAL AGENTS MUTUAL BENEFIT ASSOCIATION (SAMBA)~~ --

Under separate cover there is being sent each division a report to the members of SAMBA containing information as to the Board of Directors, the membership and the financial condition of SAMBA. You should insure that one copy of this statement is furnished to each employee within your division.

1/13/59

SAC LETTER NO. 59-2

(F) ~~X~~ RACIAL MATTERS -- The investigation of Klan-type organizations, hate organizations and individuals connected with these organizations who advocate, condone or tend to incite to violence for the purpose of denying others their constitutional rights is now handled under the character Racial Matters. These investigations should be handled and reported under the general rules relating to security-type cases. Appropriate changes are being made in the Manuals and the FBI Handbook.

This information should be brought to the attention of all personnel handling this type of investigation and they should become thoroughly familiar with the new Manual section, Manual changes and Handbook changes when they are received in your office.

(Security Letter on attached page)

1/13/59
SAC LETTER NO. 59-2

- 4 -

(G) ~~LABOR MANAGEMENT RELATIONS ACT, 1947 (SECURITY MATTER)~~ --
Effective immediately the annual check of all pending security investigations of individuals and Security Index cases for possible Labor Management Relations Act, 1947 (Security Matter) cases is no longer required. The Manual of Instructions will be changed accordingly.

Each office will be held strictly responsible for recognizing and opening all such cases in its territory. The failure to recognize and open such a case will be a matter for possible administrative action.

Very truly yours,

John Edgar Hoover

Director

Enclosures for (A) & (D)

1/13/59
SAC LETTER NO. 59-2

- 5 -

(Typed January 7, 1959)

ROUTED TO ATTENTION

Letter to All Special Agents in Charge

RE: RACIAL MATTERS

Dear Sir:

The investigation of "lan-type organizations, hate organizations and individuals connected with these organizations who advocate, condone or tend to incite to violence for the purpose of denying others their constitutional rights is now handled under the character Racial Matters. These investigations should be handled and reported under the general rules relating to security-type cases. Appropriate changes are being made in the Manual and the FBI Handbook.

This information should be brought to the attention of all personnel handling this type of investigation and they should become thoroughly familiar with the new Manual section, Manual changes and Handbook changes when they are received in your office.

Very truly yours,

John Edgar Hoover
Director

JAN 9 1 51 PM '59
REC'D-READING ROOM
FBI

PHF:ers
(9)

SEE MEMO ROSEN TO THE DIRECTOR, SAME DATE,
CAPTIONED "RACIAL MATTERS," PHF:ers.

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.

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____

66-64-2819
ENCLOSURE



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

(Typed January 7, 1959)

PERSONAL ATTENTION

#mde/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 Rm/1216

G. I.

Letter to All Special Agents in Charge:

RE: RACIAL MATTERS

Dear Sir:

The investigation of Klan-type organizations, hate organizations and individuals connected with these organizations who advocate, condone or tend to incite to violence for the purpose of denying others their constitutional rights is now handled under the character Racial Matters. These investigations should be handled and reported under the general rules relating to security-type cases. Appropriate changes are being made in the Manuals and the FBI Handbook.

This information should be brought to the attention of all personnel handling this type of investigation and they should become thoroughly familiar with the new Manual section, Manual changes and Handbook changes when they are received in your office.

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

*Sent to all SAC's
See Off & Supers
1-13-59 - CRT*

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.

66-04-2819

add'l info

SSG REQUEST 9/29/75

ITEM # X

MDE 16
10-17-00 SP2 Am/ATG

RETRAIN

A. Rosen

January 14, 1959

W. B. Welte

MANUAL AND FBI HANDBOOK CHANGES
HATE ORGANIZATIONS
RACIAL MATTERS

mde/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/HFG

Since the investigation of Ku Klux Klan-type organizations and other hate groups have been transferred from the Domestic Intelligence Division to the Investigative Division, Section 87EE which provided instructions for the handling of these investigations under the general section of the Manual dealing with security investigations should be deleted. Also, certain parts of the Manual of Rules and Regulations and the FBI Handbook should be changed.

Attached is a new section for the Manual of Instructions captioned "Racial Matters" to replace the deleted material. Also attached is a new section for the FBI Handbook. Corrected pages for the Manual of Rules and Regulations and Manual for Field Stenographers are also attached to this memorandum. No policy changes have been involved; however, administrative changes have been made where necessary.

In order to facilitate the routing, filing and indexing of correspondence, the file classification of 105 which is a Domestic Intelligence Division classification is being changed to classification 157 which is the classification applying to Racial Matters and Bombing Matters.

RECOMMENDATIONS:

1. That Section 87EE be deleted from the Manual of Instructions.

2. That the attached new section for the Manual of Instructions and corrections for the Manual of Rules and Regulations, Manual for Field Stenographers and the FBI Handbook be approved.

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.

Enclosures (4)

- 1 - Records Branch
- 1 - Training and Inspection Division
- 1 - Domestic Intelligence Division

FHF:ers:nmc

(9)

MAIL ROOM

TELETYPE UNIT

DocId:32989677

Page 210

Tolson
Boardman
Belmont
Mohr
Nease
Parsons
Rosen
Tamm
Trotter
W.C. Sullivan
Tele. Room
Holloman
Gandy

ORIGINAL COPY FILED IN

PROPOSED CHANGE IN THE FBI HANDBOOK

Section Racial Matters
(New)

#m0816
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-19-00 BY SP2 ALM/706

A. Investigations of Klan-type organizations, hate organizations and associated individuals.

1. While these are considered criminal investigations they are considered delicate in nature and require the application of the restrictions necessary in the conducting of security-type investigations. Therefore, the investigations and reports are to be handled in accordance with the general rules applying to security-type investigations.

2. CAUTION

- a. Insure there is a proper basis for every investigation. No investigation to be predicated upon organizations ^{OR INDIVIDUALS} which sponsor unpopular causes or propaganda, unless standards set forth below are met. Insure that there is no basis for justifiable criticism, that these investigations infringe upon constitutional freedoms of speech, press or assemblage.

3. Investigations

- a. Investigation is confined to those organizations or associated individuals ^{that} either:
 - (1) have been designated pursuant to EO 10450
 - (2) have not been designated under EO 10450 but there is an actual or alleged affiliation or subsidiary relation with a designated organization

- (3) have adopted a policy or have allegedly adopted a

cc-66-1934

Handbook
Removed

ENCLOSURE

2 Buckner

*policy of advocating, condoning or inciting the
use of force or violence to deny others their rights
under the Constitution*

(4) have allegedly committed acts of violence

(5) ^{have} actually or allegedly committed violations of laws within the Bureau's jurisdiction

- b. Agents are not to attend functions or rallies of any Klan or hate group, although open to the public.
- c. Investigations must be vigorous and incisive. Give immediate, continuous attention until allegation resolved and closed promptly if it is definitely determined that standards listed above are not met.
- d. Open individual cases on officers, leaders and active workers in these organizations to determine whether they have been involved in acts of violence or have a definite potential for future acts of violence. Good judgment and discretion must be exercised in the case of prominent individuals who may be dupes of such organizations and who may hold nominal office. Immediately advise the Bureau when investigation of a prominent person is contemplated and if there is any question as to whether there is sufficient probable cause to fully justify investigation, no investigation should be conducted without Bureau approval.

4. Informants and interviews

- a. Develop informants in all organizations under active investigation.
- b. SAC may authorize preliminary interviews with rank-and-file members or individuals not connected with organizations. Prior to obtaining SAC authority, ^{sub}secure credit, arrest,

informant and indices checks and submit memorandum to the SAC. Officials of local groups or national officers not to be interviewed without Bureau authority. Also obtain Bureau authority whenever a greater than usual risk is involved, such as with individuals employed in the newspaper field, educational field, radio and television industry, etc.. Two Agents should be present when organization official interviewed and, if possible, two Agents should

be present at interviews with organization members. No attempt should be made during preliminary interview to develop the individual as an informant but, if he is coöperative and has informant potential, obtain complete background and obtain Bureau authority to developing ^{from} as ^{an} potential informant. per
may
I.
first

- c. Bureau authority not necessary to interview organization members regarding criminal or applicant cases; however, interview should be confined to subject matter of inquiry, unless information concerning organization volunteered.

5. Classification 157

6. Character - Racial Matters

PROPOSED CHANGE IN MANUAL OF INSTRUCTIONS
Section RACIAL MATTERS

#MD46
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2ALM/276

A. Investigations of Klan-type organizations, hate organizations and associated individuals.

1. While these are considered criminal investigations they are considered delicate in nature and require the application of the restrictions necessary in the conducting of security-type investigations. Therefore, the investigations and reports are to be handled in accordance with the general rules applying to security-type investigations.

2. Caution

Extreme care must be exercised to insure that in every instance there is a proper basis for investigation. Sound judgment must be used to avoid investigation of organizations or individuals who merely sponsor unpopular causes or propaganda but which do not meet the standards outlined under item 3 below. The Bureau must insure that there will be no justifiable basis for any charge that these investigations infringe upon constitutional freedoms of speech, press or assemblage.

3. Investigations

- a. Investigation is confined to those organizations or associated individuals who either:

(1) Have been designated pursuant to EO 10450

(2) Have not been designated under EO 10450 but there is an actual or alleged affiliation or subsidiary relation

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with a designated organization.

- (3) Have adopted a policy or have allegedly adopted a policy of advocating, condoning or inciting the use of force or violence to deny others their rights*

under the Constitution

(4) Have allegedly committed acts of violence

(5) Have actually or allegedly committed violations of laws within the Bureau's jurisdiction

b. During the investigation of Klan-type organizations

and hate organizations, the following information should be obtained:

(1) Organization structure

(a) Headquarters

(b) Officers

(c) Location of Klaverns or local chapters

(2) Objectives

(3) Publications and propaganda

(4) Finances

(5) Activity of Klaverns or local chapters

(a) Name and address

(b) Officers

(c) Estimated membership and recruiting activities

(d) Meetings

I. Date

II. Type (open or closed)

III. Place

IV. Estimated attendance

c. Follow through public source material and established sources activities of organizations which do not qualify for investigation under above standards. Initiate investigation upon receipt of information which brings organization within investigative criteria and at the

same time advise Bureau this action taken and basis therefor.

- d. Conduct no investigation regarding individual acts of violence allegedly or actually committed by an organization in absence of information indicating violation within Bureau's jurisdiction. However, concerning each such incident, the following information should be obtained through informants and sources in connection with investigations of such organizations;

- (1) Which group involved
- (2) Whether action taken was on initiative of individual members or with knowledge of approval of leadership

In initial communication reporting violent act, advise if there is or is not indication of organization participation.

If act of violence is a criminal violation over which Bureau has jurisdiction, be guided by instructions concerning the specific violation; if the act of violence is a bombing or attempted bombing having religious or racial aspects or involving a religious or educational institution, be guided by the specific instructions relating to bombings and attempted bombings.

- e. Agents are not to attend functions or rallies of any Klan or hate group although open to the public.

- f. These investigations must be both vigorous and incisive. The fundamental objective is to identify those who may be engaged or responsible for acts of violence and care must be taken to avoid becoming involved in widespread, nebulous investigation which does not go to the heart of the problem at hand. When a case is opened it should receive immediate continuous attention until the initial allegation is resolved. The case should be promptly closed if it is definitely determined that it does not fall within the criteria set out in item 3.
- g. Individual cases should be opened on officers, leaders and active workers in these organizations to determine whether they have been involved in acts of violence or have a definite potential for future acts of violence. Good judgment and discretion must be exercised in the case of prominent individuals who may be dupes of such organizations and who may hold nominal office. Immediately advise the Bureau when investigation of a prominent person is contemplated and if there is any question as to whether there is sufficient probable cause to fully justify investigation, no investigation should be conducted without Bureau approval.
- h. Whenever such terms as "anti-Semitic," "anti-Negro," etc., are used to describe statements or propaganda they should be fully documented and explained in complete detail to show the specific nature of the statement actually made

In reporting
writing
section
font

and to avoid ~~the~~ reporting of an unsupported conclusion to the effect that the statement or propaganda was "anti-Semitic," "anti-Negro," etc. When an informant or witness uses such terms he should be requested to furnish specific quotations to support his statement.

1. ~~i.~~ Names of members in attendance at meetings should not be set out in investigative reports but should be indexed from informant reports. Names of new members should be furnished the Bureau by letter for indexing purposes.

4. Informants and interviews

- a. In order that the Bureau may discharge its responsibilities it is mandatory that information be obtained regarding all

pertinent Klan or hate organization activities. In this regard it is necessary that informants be developed in all such organizations which meet the criteria set forth in 3. Efforts in this regard must be discreet.

- b. Preliminary interviews with rank-and-file members of an organization and other individuals not connected with such organizations conducted solely for the purpose of determining the attitude of the individual may be authorized by the SAC. In order to obtain authority from the SAC, credit, arrest, informant and indices checks should be made and a memorandum prepared for the SAC setting forth this information in order that he may make a decision regarding the propriety of the interview. Officials of local groups or national officers are not to be interviewed without prior Bureau authority. Likewise where a greater than usual risk is involved, such as individuals employed in the newspaper field, educational field, radio and television industry, and the like, specific Bureau authority must be obtained. Two Agents should be present when an organization official is interviewed and, if possible, two Agents should be present at interviews with organization members. During such an interview, no attempt should be made to develop the individual as an informant but if he is cooperative and has a potential for development as an informant, complete background information should be obtained and specific*

Bureau authority requested to develop him as an informant.

- c. Bureau authority not necessary prior to interview with organization members in criminal or applicant-type cases; however, interview should be confined to subject matter of inquiry, unless data concerning organization volunteered by interviewee.*
- d. Submit by September 15 and March 15 each year letter captioned "Semiannual listing of Klan and hate organizations and informant coverage," Bureau file #62-245, #157-1, containing:*

- (1) Names of Klan and hate organizations active in your territory*
- (2) Coverage of each Klan broken down by Klaverns and each hate organization broken down into local chapters showing identities of informants and sources reporting on each*
- (3) Estimated membership by Klaverns or chapters and basis for estimate*

5. Classification 157

6. Character - Racial Matters

PROPOSED CHANGE IN MANUAL FOR FIELD STENOGRAPHERS

ADDITION - SECTION 5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/196

<u>Class- sifica- tion No.</u>	<u>Character</u>	<u>Copies to Bureau</u>	<u>Pending report copies for re- porting auxiliary office</u>	<u>RUC or C report copies for re- porting office</u>	<u>Excep- tions</u>
157	Racial Matters	6	2	1	One to Atlanta for information -- Klan report only

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.

100-10775-
NOT RECORDED
170 FEB 13 1959

Field Steno
Manual
revised
for

53 FEB 13 1959

cc. 66-18975

2-Bjornh

ORIGINAL COPY FILED IN

SSC REQUEST 9/29/75

ITEM # XI

#MDR 16
10-77-00 SP2ALM1706

Revised

See 996

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALN/146

DATE: January 7, 1959

FROM : A. Rosen

SUBJECT: RACIAL MATTERS

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen ✓
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

The Investigative Division has assumed supervisory jurisdiction over investigations relating to Klan-type organizations, hate organizations and associated individuals. The objective of these investigations is to ascertain any criminal-type violation over which the Bureau has jurisdiction. It is realized that these investigations are delicate in nature and require the application of the restrictions necessary in the conducting of security-type investigations. For example, it is not believed desirable that officers of the above-mentioned organizations be interviewed or inquiry be made on a college campus unless the facts are presented to the Bureau and Bureau authorization is granted. For these reasons these investigations should be handled and reported as security-type investigations.

In addition, it is necessary at this time to make appropriate changes in the Manual of Instructions, Manual of Rules and Regulations and the FBI Handbook. These changes have been prepared and are being forwarded to the Training and Inspection Division under separate cover.

Attached is a SAC Letter advising the field that these investigations are being handled under the character Racial Matters and appropriate manual and handbook changes are being prepared to be forwarded to the field in the near future. In addition, the field is being advised that these investigations should be handled and reported under the general rules pertaining to security-type investigations.

RECOMMENDATION:

That the attached SAC Letter be forwarded to the Training and Inspection Division for appropriate processing.

Enclosure - Attached

- 1 - Training and Inspection Division
- 1 - Records and Communications
- Attention: Mr. Waikart

FHF:ers
 (7) 4-2
 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.

UNITED STATES GOVERNMENT

Memorandum

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

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

TO : Mr. W. R. Wannall

DATE: 10/29/75

FROM : W. O. Cregar

SUBJECT: SENSTUDY 75

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP224M/745

My memoranda to you 10/16/75, and 10/21/75, (copies attached) concerned a possible briefing by Bureau personnel of Senators Church and Tower of the Senate Select Committee on Intelligence Activities (SSC) and members of its Staff concerning particularly sensitive aspects relating to our investigations of Martin Luther King, Jr., and Stanley David Levison, and our SOLO operation. Pursuant to the Director's suggestion, we had Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination of the Department, take up with the SSC the possibility of having the SSC accept the account of Shaheen that Shaheen had been briefed by the FBI "and believes -."

We are now in receipt of Shaheen's letter of 10/28/75, forwarding an SSC letter of 10/22/75, (both attached). The SSC finds the Director's suggestion as not satisfactory "because of the complexity of the issues involved." The SSC notes its full confidence in Shaheen's objectivity, but does not believe that Shaheen has had the opportunity afforded members of the Committee Staff to study the entire matter in sufficient detail to ask the questions necessary to explore the issues fully. The SSC desires Shaheen to proceed with further discussions so as to reach a satisfactory resolution of the matter. Shaheen, in turn, recommends a briefing by Bureau personnel of Senators Church and Tower, Staff Director Miller and Staff Members Gitenstein and Epstein, all of the SSC Staff.

OBSERVATIONS:

We had originally recommended our briefing include only Senators Church and Tower plus Miller and Ellif, the latter being the director of the Domestic Intelligence Task Force. Our feeling for the extreme sensitivity of this matter dictates our desire to avoid as much as possible the spread of

Enclosures (4)

62-116395

ENCLOSURE

LEGAL COUNSEL

CONTINUED OVER

ROUTE IN ENVELOPE

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

our information to lower Staff levels. We would still like to keep this at a higher level within the SSC than represented by Messrs. Gitenstein and Epstein. However, inasmuch as Gitenstein heads up the overall SCC inquiry into the FBI and Epstein heads up its specific inquiry into the King case, we are unable to pose any objection to their being present at the briefing, which objection would likely be accepted by the SSC. We are, therefore, recommending acceding to the SSC request.

RECOMMENDATION:

Upon approval, we will advise Shaheen that Bureau personnel are available for the briefing of the SSC people. As indicated in our 10/16/75, memorandum, those personnel will be you, Mr. Wannall (if available), accompanied by Section Chief W. O. Cregar of the SENSTUDY 75 Project, and Supervisors S. F. Phillips, D. Ryan, and Mr J. Steinbeck.

Briefing done
11/5/75 -
See Wannall
to Adams
memo 11/5/75
DR: lff

B

Since

JRM
12-10

wrw

JSA
PLM

OK

Yellow Tag

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

10/21/75

Mr. W. R. Wannall

- 1 - Mr. W. A. Branigan

W. O. Cregar

- ① - Mr. W. O. Cregar

SENSTUDY 75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/776

Memorandum W. O. Cregar to Mr. W. R. Wannall, dated 10/16/75, recommended that Mr. Wannall, accompanied by Section Chief William O. Cregar of the Sensstudy Project and Messrs. David Ryan, Seymor F. Phillips and Michael J. Steinbeck, furnish a briefing to Senate Select Committee (SSC) officials to demonstrate the significance of information we obtained from our SOLO informants relative to the influence that Stanley David Levison, secret Communist Party member, had on Martin Luther King, Jr.

In considering this recommendation, the Director asked, "Why don't we see if they will accept the account of Mr. Shaheen that he has been briefed and believes--."

On the afternoon of 10/21/75, Mr. Shaheen was telephonically advised of the Director's observations and was requested to determine whether the SSC would accept Mr. Shaheen's certification that he has been briefed and believes that the three documents in question could not be furnished to the Committee in unexcised form without possibly jeopardizing the very lives of sensitive FBI informants. Mr. Shaheen agreed that it would be worth contacting Mr. John T. Elliff, Domestic Intelligence Task Force Director of the SSC, to determine if Shaheen's certification that the excisions were proper and justified would satisfy the SSC. Shaheen indicated that, following his contact with Elliff, he would telephonically advise Cregar as to what, if any, further action is desired of the Bureau.

ACTION: For information.

62-116395

WOC:1hb
(7)

ROUTE

ENCLOSURE

62-116395-977
IN ENVELOPE

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
10/16/75

Mr. W. R. Wannall

W. O. Cregar

1 - Mr. W. A. Branigan
① - Mr. W. O. Cregar

SENSTUDY 75

#MDA16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2MJA/KAB

This memorandum recommends that representatives of the Intelligence Division brief Senators Church and Tower, as well as William Miller, Staff Director, and John T. Elliff, Domestic Intelligence Task Force Director, all of the Senate Select Committee (SSC), regarding the background, position in the Communist Party and the level of influence our SOLO informants enjoy both in the Communist Party, USA, and with Soviet officials. The purpose of this briefing is to demonstrate the significance of the information we obtained from these informants relative to the influence that Stanley David Levison, secret Communist Party member, had on Martin Luther King, Jr.

By letter dated 9/16/75, Mr. John T. Elliff of the SSC requested Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, give his personal attention to the excised portions of three Bureau communications furnished to the SSC regarding Martin Luther King, Jr. According to Elliff, the SSC believes that the three documents in question should be furnished to the Committee in unexcised form in order that the Committee have a complete understanding of the King investigation.

Inasmuch as representatives of the Intelligence Division have insisted that providing the requested Bureau documents in unexcised form could jeopardize the very lives of sensitive FBI informants, Elliff in referenced letter requested Shaheen to personally examine the three documents in question and hopefully make a determination that the documents in unexcised form could be provided the SSC.

62-116395

WOC:1hb
(7)

CONTINUED - OVER

62-116395-299
ENCLOSURE

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

In an effort to resolve this impasse, Mr. Michael Shaheen and his deputy, Steven Blackhurst, were briefed in detail as to the background, Party affiliation and level of influence our SOLO informants have both on the Soviets and in the Communist Party. They were not given the names of our SOLO informants. Additionally, Shaheen and Blackhurst were allowed to review in detail the unexcised documents requested by the SSC. Both agreed that the Bureau's position was sound and that to produce the documents in unexcised form for the edification of the entire SSC Staff could, in fact, seriously jeopardize the lives of our two informants. As a result, Shaheen recommended that officials of the FBI brief Messrs. Church, Tower, Miller and Elliff in the same manner that he and Blackhurst had been briefed. Additionally, Shaheen suggested that the documents in question in unexcised form be shown these SSC officials and that representatives of the Intelligence Division be available to answer any questions the SSC officials might have. It was Shaheen's hope and belief that such a course of action would satisfy the SSC as to the level of influence Levison would have had on the late Martin Luther King, Jr., and yet preserve the security of our SOLO informants. Those representatives in the Intelligence Division responsible for the SOLO informants, as well as those who were responsible for the investigation of Martin Luther King, Jr., believe Shaheen's proposal has merit and recommend such a course of action.

RECOMMENDATION:

That Mr. Wannall, if available, accompanied by Section Chief William O. Cregar of the Senstudy Project and Messrs. David Ryan, Seymour Phillips and Michael Steinbeck,

CONTINUED - OVER

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

all of whom have detailed knowledge of either the Communist Party, Martin Luther King, Jr., or our SOLO informants, furnish a briefing to the SSC officials as set out above.



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

FBI

OCT 28 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a letter from the Senate Select Committee dated October 22, 1975. With respect to the attached request, this will confirm a telephone conversation I had this morning with Bill Cregar of the Bureau advising that a briefing be the recommended procedure for responding to the Committee's request in the Martin Luther King matter. I advised Mr. Cregar that the Committee would, in addition to having Senators Church and Tower and Staff Director Miller present, want Messrs. Gitenstein and Epstein of the staff also present for the briefing. This request should be addressed as soon as possible.

ENCLOSURE

ST 104 REC-30

62-116395-997

ENCLOSURE

cc: Paul Daly

15 NOV 7 1975

Memo W.O. Cregar to
W.R. Wannell 10/29/75
SFP:eks

5. Phillips

LEGAL COUNSEL

62-116395



FRANK CHURCH, IDAHO, CHAIRMAN
JOHN C. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
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CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

October 22, 1975

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 AM/1208

Dear Mike:

The Select Committee has been advised of the suggestion communicated by you yesterday, that the Committee accept your examination of certain sensitive materials relating to the Martin Luther King matter as satisfying the Committee's request in this area.

This suggestion is not satisfactory because of the complexity of the issues involved. While we have full confidence in your objectivity, we do not believe that you have had the opportunity afforded members of the Committee staff to study the entire matter in sufficient detail to ask the questions necessary to explore the issues fully.

We hope you will proceed with further discussions so as to reach a satisfactory resolution of this matter.

Sincerely,

John T. Elliff

John T. Elliff
Director
Domestic Intelligence Task Force



ENCLOSURE

62-116395-997

The Attorney General

1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall
October 30, 1975

Director, FBI

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

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

#mdek
NOV 10 1975
10/17/00 SP-2 ALM/776

Enclosed is the original of a memorandum, with attachments, reporting the results of separate interviews by SSC Staff Members of FBI Special Agent in Charge Robert C. Denz and Special Agent John C. Sullivan. Also enclosed is a copy of the memorandum, with attachments, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Enclosures (6)

62-116395

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

1 - 67- (Personnel file SAC Robert C. Denz)
1 - 67- (Personnel file SA John C. Sullivan)

SFP:mjg
(11)

ST 104

REC-30

15 NOV 7 1975

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Training _____
Legal Coun. _____
Telephone Rm. _____

3-ENCLOSURE

MAILED ROOM TELETYPE UNIT

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NW 55285 DocId:32989677 Page 235

GPO : 1975 O - 569-920

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

62-116395

October 30, 1975

1 - Mr. S. F. Phillips

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

RE: SSC STAFF INTERVIEWS OF FBI
SPECIAL AGENT IN CHARGE (SAC) ROBERT C.
DENZ AND SPECIAL AGENT (SA) JOHN C.
SULLIVAN

The following concerns SSC Staff interviews of FBI
SAC Robert C. Denz and SA John C. Sullivan.

Mr. Michael Epstein, SSC Staff Member, requested that Denz and Sullivan be made available in Washington, D. C., for Staff interviews on September 24, 1975, concerning their knowledge of the FBI's investigations of Martin Luther King, Jr., the Southern Christian Leadership Conference, Stanley David Levison, and Communist Influence in the Racial Movement. Denz and Sullivan were released from their confidentiality agreement with the FBI for the purpose of submitting to interview within the prescribed parameters. Prior to the interviews, Denz and Sullivan were advised that there were four privileged areas concerning which they were not required to answer questions. These concerned: (1) information which might identify confidential sources, (2) information concerning ongoing investigations, (3) information revealing sensitive methods and techniques, and (4) information identifying or from third agencies, including foreign intelligence agencies.

Attached hereto are separate memoranda reporting the results of the interviews.

Assoc. Dir. — Enclosures (4)

Dep. AD Adm. —

Dep. AD Inv. —

Asst. Dir.: ORIGINAL AND ONE COPY TO AG

Admin. — 1 - 67-

(Personnel file SAC Robert C. Denz)

Comp. Syst. — 1 - 67-

(Personnel file SA John C. Sullivan)

Ext. Affairs —

Files & Com. —

Gen. Inv. — SFP:mjg

Ident. — (10)

Inspection —

Intell. —

Laboratory —

Plan. & Eval. —

Spec. Inv. —

Training —

Legal Coun. —

Telephone Rm. —

Director Sec'y —

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

GPO : 1975 O - 569-920

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

Re: SSC Staff Interviews of FBI Special Agent
in Charge (SAC) Robert C. Denz and Special Agent
(SA) John C. Sullivan

NOTE:

Legal Counsel Division contact with Epstein was by Supervisor P. V. Daly. Briefing of Denz and Sullivan prior to interview was by Supervisor S. F. Phillips of the Senstudy 75 Project. The LHM's being furnished the Department were submitted to the Bureau by New York airtels 10/10/75 (Denz) and 9/26/75 (Sullivan) captioned "Senstudy 75."



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

In Reply, Please Refer to
File No.

October 10, 1975

UNITED STATES SENATE
SELECT COMMITTEE ON INTELLIGENCE

INTERVIEW OF
SPECIAL AGENT IN CHARGE ROBERT C. DENZ
NEW YORK OFFICE, SEPTEMBER 24, 1975,
BY MICHAEL EPSTEIN AND MARY DE OREO

#mdelk
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/ljt

The interview took place in Room G-308, Everett M. Dirksen Senate Office Building, Washington, D. C., from approximately 11:10 a.m. to 11:45 a.m. on September 24, 1975. Mr. Epstein presented a one-page typewritten form, pertaining to "Advice of Rights" and "Waiver of Rights", stating that he hoped Mr. Denz would sign it. It was read, signed and dated. A copy was obtained by SAC Denz and is attached.

In response to career-type questions, SAC Denz advised the interviewers of his current position in the New York Office, which he assumed February, 1975, his position as Assistant Special Agent in Charge, Portland, Oregon, Office from April, 1974, to January, 1975, and his position of Assistant Special Agent in Charge in the New York Office from March, 1973 to April, 1974. Mr. Denz noted that prior to this he was assigned to Headquarters. It was mentioned by Mr. Denz that the New York Office has five Special Agents in Charge and one Assistant Director in Charge. Mr. Epstein stated that he is primarily interested in that point of Mr. Denz's career which took place at Headquarters. Mr. Denz advised that he was transferred from the Detroit Office to Headquarters in approximately March of 1963 and was assigned to a unit which had some of the supervisory responsibilities pertaining to the Communist Party, USA. After serving several months, possibly six to eight, Mr. Denz was assigned to a unit handling extremist matters, such as the Ku Klux Klan. As to the first unit mentioned, it was explained that there were various

62-11635-999
ENCLOSURE

Re: INTERVIEW OF SPECIAL AGENT IN CHARGE ROBERT C. DENZ,
NEW YORK OFFICE, SEPTEMBER 24, 1975

investigations and various subfiles concerning the Communist Party, such as Communist Party membership, and Communist Party youth. Mr. Epstein asked the identities of the other individuals serving in that specific unit. Mr. Denz replied that he recalls Special Agents Harry Gurley, Seymour Phillips, and William Shaw.

In response to Mr. Epstein's question, Mr. Denz advised that, in view of the lapse of time and the fact that his service in that particular unit was only a matter of months, all of his assignments could not be recalled. To the best of memory, Mr. Denz advised that he coordinated Communist Party membership figures as furnished by certain field offices and believed that at one time he had assigned the subfile on Negro matters. Mr. Epstein inquired whether this meant "Cominfil", or Communist Party infiltration of Negro groups. Mr. Denz advised that he could not recall specifically the lineup in Division 5, Headquarters, of Communist infiltration cases, but the Communist Party, USA, Negro matters would probably touch on Communist infiltration as well as Negro members in the Communist Party itself. Mr. Epstein inquired as to the "March on Washington" of 1963 and specifically, the identity of the Special Agent handling same, and who would an official of the Division, as example, an Assistant Director, refer to if he had a question regarding the March. Mr. Denz advised that the official would, no doubt, go down the line of command to the Section Chief, and then to the Unit Chief, and then to the Special Agent handling subject matter. Mr. Epstein was aware that a Mr. Baumgardner was the Section Chief at that time. As to whether the Assistant Director would go directly to the Special Agent handling the matter, Mr. Denz advised that he doubted such would be the normal procedure, but indicated that an official could well have done so on occasion.

Mr. Epstein furnished for review Xerox copies of a July and an August, 1963, memorandum, which indicated they originated with Special Agent in Charge Denz, along with communications directed to the Attorney General, pertaining to Communist influence in racial matters and the March on Washington. A review of same indicated to Mr. Denz that such memoranda went up the chain of command to Mr. Hoover. Mr. Denz advised

Re: INTERVIEW OF SPECIAL AGENT IN CHARGE ROBERT C. DENZ,
NEW YORK OFFICE, SEPTEMBER 24, 1975

that the memoranda indicate that Mr. Denz had the responsibility of coordinating field information regarding the March on Washington and the responsibility of keeping Bureau officials currently advised. Both memoranda were of an informative nature. In reply to Mr. Epstein's questions regarding a review of files at Headquarters, Mr. Denz explained that probably the memoranda were based on information furnished by several field offices, but no doubt files at Headquarters could also have been reviewed. Mr. Epstein inquired as to Mr. Denz's opinion of the extent of Communist Party influence on the March on Washington. Mr. Denz noted that Mr. Hoover had commented on one of the memoranda to the effect that it was an infinitesimal amount. Mr. Denz stated that he, himself, might not put it in exactly that manner but agreed, while it was no doubt a logical target for the Communist Party, there was not that much influence. At least one of the memoranda supported this comment. As to Mr. Epstein's question concerning Special Agent Forsyth's assignments, he was advised by Mr. Denz that to the best of memory Special Agent Forsyth handled assignments pertaining to individual subjects but no specifics were known. Mr. Epstein inquired as to Mr. Denz's knowledge of "taps" on Martin Luther King. Mr. Denz replied that he recalls hearing of same while at Headquarters but cannot recall as to exact time, place, or any other specific details.

Mr. Epstein concluded the interview, stating his appreciation for the appearance.

Enclosure

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

PHILIP A. HART, MICH.
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WALTER D. HIDDLESTON, KY.
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RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. D. SCHWARTZ, 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, 91ST CONGRESS)

WASHINGTON, D.C. 20510

#mDR16

10-17-00 SP-2 ALM-1716

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: E. C. [Signature]

Date: 9/24/75

Witness: [Signature]



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
September 26, 1975

#mdl 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/JS

U.S. Senate Select Committee (SSC)
Re Interview of Special Agent JOHN C. SULLIVAN
September 24, 1975
Washington, D. C.

On September 24, 1975, Special Agent (SA) JOHN C. SULLIVAN was interviewed by Mr. MICHAEL EPSTEIN and MARY DeOREO, Staff Members of the U.S. Senate Select Committee (SSC) at the New Senate Office Building, Washington, D. C.

Mr. EPSTEIN presented SA SULLIVAN with an "Advice of Rights" form requesting that it be read and signed. SA SULLIVAN signed the form, a copy of which is attached.

Mr. EPSTEIN then presented SA SULLIVAN with a Xerox copy of a New York Office (NYO) airtel dated April 16, 1964, captioned, "Communist Party-USA Negro Question; Communist Influence in Racial Matters; IS-C"; "CP-USA, COINTEL; IS-C", and asked if he had written this airtel. After reading this document, SA SULLIVAN advised Mr. EPSTEIN that he did not write the document. Mr. EPSTEIN asked if the initials, "JCS", on the lower left hand corner of the first page were his initials. SA SULLIVAN stated that his initials are "JCS", but that he did not write the document. Mr. EPSTEIN then asked SA SULLIVAN if he knew who could have written the document with the same initials. SA SULLIVAN stated that the document could have been written by SA JOHN SEATON. Mr. EPSTEIN asked where SA SEATON was assigned. He was told that SA SEATON was last known to be assigned to the Philadelphia Office.

Mr. EPSTEIN then asked SA SULLIVAN what cases were assigned to him in 1964 in the NYO. SA SULLIVAN stated that most of his investigations dealt with Racial Matters. Mr. EPSTEIN said, like the Black Panther Party, and SA SULLIVAN said yes.

Attachment

62-116375-999
ENCLOSURE

Re:

U.S. Senate Select Committee (SSC)

Re Interview of Special Agent JOHN C. SULLIVAN

September 24, 1975

Washington, D. C.

Mr. EPSTEIN then asked that if SA SULLIVAN investigated Racial Matters, why he was not investigating CP-USA Negro Matters. He was told that one squad usually handled all matters dealing with the CP, and that CP-Negro Matters and Racial Matters investigations were not the same, and were handled by different squads.

Mr. EPSTEIN then asked how the NYO was set up, such as divisions, etc. He was told that the NYO had divisions that were then broken down into squads. Each squad was responsible for investigating specific classifications.

Mr. EPSTEIN then produced other documents as follows: Xerox copy of a document captioned, "CP-USA Negro Question-Communist Infiltration; Racial Matter; IS-C", dated May 21, 1964, NY file number 100-151649; Xerox copy of Bureau airtel to New York dated April 13, 1964, captioned, "CP-USA; COINTELPRO; IS-C; NEGRO QUESTION", Bureau file number 100-3-104-34; Xerox copy of Bureau letter to NY captioned, "CP-USA; NEGRO QUESTION", Bureau file number 100-3-110.

Mr. EPSTEIN asked SA SULLIVAN if he was familiar with any of the above-mentioned documents. SA SULLIVAN stated that he was not familiar with the above documents. Mr. EPSTEIN then asked if SA SULLIVAN conducted any investigation pertaining to the CP and Mr. STANLEY LEVISON. SA SULLIVAN stated that the only investigation he can recall is when he received some documents and was told to read the documents and disseminate the information from these documents into the specific file having an interest in the subject matter, and did not participate in any active investigation of the CP in New York.

Mr. EPSTEIN asked who was the supervisor of the squad investigating CP matters in 1964, and who was SA SULLIVAN's supervisor in 1964. SA SULLIVAN stated that JOHN KEARNEY was the supervisor of the squad handling the investigation of the CP, and RAYMOND RUCKEL was his supervisor in 1964.

Mr. EPSTEIN asked what agents handled the investigation of the CP-USA; COINTELPRO-CP; and CP-Negro Question. SA SULLIVAN stated that he did not know, and would only be guessing if he began to name persons.

Re:

U.S. Senate Select Committee (SSC)
Re Interview of Special Agent JOHN C. SULLIVAN
September 24, 1975
Washington, D. C.

Mr. EPSTEIN then asked who had the initials, "JJK" and "JMK". SA SULLIVAN said that "JJK" is probably JOHN KEARNEY, but did not know who was "JMK". Mr. EPSTEIN said, could it be JAMES KIRBY. SA SULLIVAN said it could be, but he did not know KIRBY's middle initial. Mr. EPSTEIN asked who was "JFO", and SA SULLIVAN said he could not recall who had the initials, "JFO".

Mr. EPSTEIN asked what stenographers had the initials, "RMV" and "TNS". SA SULLIVAN said he did not know since the documents on which these initials appear were typed in 1964.

Mr. EPSTEIN asked if SA SULLIVAN knew ALEXANDER BURLINSON and where he is at the present time. SA SULLIVAN stated that he knew Mr. BURLINSON and was last known to be living in Scarsdale, NY.

Miss DeOREO mentioned Civil Rights violations. SA SULLIVAN stated that Civil Rights is a separate matter and has nothing to do with the topics being discussed.

Mr. EPSTEIN then wanted to know if SA SULLIVAN conducted his investigation under Section 87 or Section 122 (of the Manual of Instructions). He was advised that cases were handled under Section 122. He also expressed an interest as to whether or not the FBI investigated persons, such as 10 persons conducting a peaceful picket demonstration. SA SULLIVAN stated that the FBI does not investigate peaceful picketing demonstrations, stating that New York City averages about one strike a day and sometimes there may be 5 to 10 demonstrations going on at once.

The interview began at 10:20 a.m. and ended at 11:04 a.m.

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

PHILIP A. HART, MICH.
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WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O'SCHWARTZ, 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

AMDRB

SP-2 ALM/175

10-17-00

ADVICE OF RIGHTS

Before you answer any questions, we would like to advise you of your rights.

This interview is completely voluntary and you have a right to leave without being interviewed, or to terminate the interview at any time.

You have the right to remain silent.

Although the Senate Select Committee is not a prosecutive body, it is possible that anything you say might become available to a prosecutive body and could be used against you in court.

You have the right to consult with an attorney before any questions are asked, and you may have an attorney here with you during questioning.

If you cannot afford an attorney, the Committee shall then endeavor to obtain counsel for you.

If you decide to answer questions without an attorney present, you still have the right to stop answering questions any time; or you may defer your answer until you consult with an attorney.

WAIVER OF RIGHTS

I have read this statement of rights and I understand what my rights are. I am willing to be interviewed and to answer questions without a lawyer at this time. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: _____

Date: _____

Witness: _____

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

10/30/75

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

SSC

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

HSC

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

Memorandum reporting the results of an interview by SSC Staff
Members of S/C Robert C. Denz and Special Agent John C. Sullivan

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

IHA

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

U

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

Information handling
Operating procedures

#m Dr/6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/1706

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

Interviewed concerning their knowledge of FBI's investigations of
Martin Luther King, Jr., Southern Christian Leadership Conference,
Stanley D. Lovison and Communist Influence in Racial Movement.

62-116395

FMK:fmk
(4)

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

TREAT AS YELLOW

5. P. 1

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.

1 - Mr. J. B. Adams 1 - Mr. W. O. Cregar
1 - Mr. J. A. Mintz 1 - Mr. Fox
1 - Mr. D. W. Moore 1 - Mr. Branigan
1 - Mr. W. R. Wannall

October 30, 1975

BY LIAISON

ST 104 REC-30

02-116395-1000

Honorable Frank Church
Chairman, Select Committee to
Study Governmental Operations With
Respect to Intelligence Activities
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

Under date of October 28, 1975, Mr. John T. Elliff, Director, Domestic Intelligence Task Force, addressed a communication to Assistant Director W. Raymond Wannall of this Bureau. Mr. Elliff advised that your Committee has recently learned of allegations that the Central Intelligence Agency is in possession of information indicating that there are Soviet agents on seven Senators' staffs. Mr. Elliff requested that the Committee be given a brief written statement of the FBI's position regarding these allegations which may be made public by the Committee. Moreover, Mr. Elliff requested that the Committee be furnished the substance of a briefing which was afforded to Mr. William G. Miller, Staff Director of the Select Committee, and himself several weeks ago. The latter item was requested for the Select Committee's confidential consideration.

On October 9, 1975, accompanied by Assistant Director Wannall, I appeared before the Congressional Seminar on Intelligence and Internal Security sponsored by the American Conservative Union in Washington, D. C. During the question and answer period following my prepared remarks, several Seminar participants asked for clarification and comment regarding a reported statement by Senator Barry Goldwater that KGB intelligence officers had infiltrated seven Congressional or Senate staffs. The Seminar was advised that the FBI has no information indicating that Soviet KGB officers have infiltrated any Congressional staffs. Mr. Wannall stated that it was not a

Assoc. Dir. _____
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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's Sec'y _____

WAB:hke/emg
(12)

SEE NOTE PAGE TWO

CONFIDENTIAL MATERIAL ATTACHED

Honorable Frank Church

case of infiltration but "more of an effort on the part of hostile intelligence services to make contacts not only on Capitol Hill but elsewhere with individuals who are in positions of influence or in a position to furnish information which is of value to the hostile intelligence services." Mr. Wannall continued that if the FBI did obtain such information indicating infiltration of an Congressional office or staff, such information would be promptly furnished to the appropriate Senator or Congressman.

Pursuant to the request of Mr. Elliff, there is attached a memorandum summarizing the briefing that was afforded to members of your staff on August 7, 1975.

Sincerely yours,

Clarence M. Kelley
Director

Enclosure

- 1 - The Attorney General
- 1 - The Deputy Attorney General
- 1 - Mr. Michael E. Shaheen, Jr. - Enclosure
Special Counsel for Intelligence Coordination
U.S. Department of Justice

NOTE: This letter to Senator Church has been prepared in response to the request made in writing by Mr. John T. Elliff to Assistant Director Wannall on October 28, 1975. Mr. Elliff's letter is attached. There is also attached a rough-draft transcript of the question and answer period setting forth the comments of Mr. Kelley and Assistant Director Wannall regarding alleged KGB infiltration of Congressional offices.

1-Mr. J. B. Adams 1-Mr. Cregar
1-Mr. J. A. Mintz 1-Mr. Fox
1-Mr. D. W. Moore 1-Mr. Branigan
1-Mr. W. R. Wannall

~~CONFIDENTIAL~~

October 30, 1975

MEMORANDUM FOR THE RECORD

On August 7, 1975, Mr. William G. Miller, Staff Director of the United States Senate Select Committee, and Mr. John T. Elliff, Director, Domestic Intelligence Task Force of the Select Committee, were afforded an informal briefing by Assistant Director W. Raymond Wannall and Section Chief William A. Branigan concerning Soviet and other Communist-bloc countries' activities with respect to the Congress of the United States.

At the very outset of the briefing, it was stressed that the FBI has no information that the Soviet Committee for State Security (KGB) or other hostile intelligence services have currently infiltrated any Members of the Congress or any of their staffs.

During the briefing, FBI representatives pointed out that they had observed an increase in activity, particularly by the Soviets in contacts with Congressional representatives and their staffs. It was explained that the Political Branch of the Soviet KGB has increased its personnel and has increased their contacts with persons on Capitol Hill, especially during the time when the Congress was considering most favored nation status for the Soviet Union. Contacts by Soviet KGB representatives are overt in nature for the purpose of acquiring intelligence which is readily available and for the purpose of influencing insofar as possible a course of action or a cause favorable to their country. Contacts by KGB representatives with persons on Capitol Hill can be used by these representatives to recruit an individual who would have access to Secret information if the opportunity for recruitment presented itself. It was pointed out that in the past we have had such cases. In these instances staff members have reported cultivation by Soviet

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

WAB:hke
(12)

ORIGINAL PREPARED FOR HONORABLE FRANK CHURCH, CHAIRMAN, SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES, U.S. SENATE; ONE COPY FOR MR. MICHAEL E. SHAHEEN, JR., SPECIAL COUNSEL FOR INTELLIGENCE COORDINATION, U.S. DEPARTMENT OF JUSTICE; ONE COPY FOR THE ATTORNEY GENERAL; AND ONE COPY FOR THE DEPUTY ATTORNEY GENERAL.

~~CONFIDENTIAL~~

Classified by 2355

Exempt from GDS, Categories 2 and 3
Date of Declassification Indefinite

MAIL ROOM ☐ TELETYPE UNIT ☐

~~CONFIDENTIAL~~

MEMORANDUM FOR THE RECORD

representatives, and with the approval of their superiors, this Bureau has followed these activities utilizing the staff members as our own agents. In one such case dating back to the 1930s, a staff representative regularly received substantial payments from the Soviets for information he was able to obtain through his employment.

During the briefing, FBI representatives brought out that if they acquired any knowledge of Soviet or Communist-bloc success in contacts on Capitol Hill, certainly these facts would be reported to the individual Members of the Congress who would be specifically interested.

- 2 -

~~CONFIDENTIAL~~

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

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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

October 28, 1975

Mr. W. Raymond Wannall
Assistant Director
Federal Bureau of Investigation
Washington, D. C. 20535

#MDR/K
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP-2 ALM/288

Dear Mr. Wannall:

The Senate Select Committee has recently learned of allegations that the Central Intelligence Agency is in possession of information indicating that there are Soviet agents on seven Senators' staffs. It has also been alleged that this information was given to the Rockefeller Commission but was subsequently deleted from its report.

Several weeks ago you briefed Mr. William G. Miller, staff director of the Select Committee, and myself on this matter. Furthermore, I am advised that Director Kelley addressed this question recently at a public meeting sponsored by the American Conservative Union.

In view of the Committee's interest in this area, I am requesting that you provide to the Committee a brief written statement of the FBI's position regarding these allegations which may be made public by the Committee. Moreover, the Committee desires to have the substance of the briefing referred to above in the form of a written memorandum for its own confidential consideration.

Thank you for your assistance.

Sincerely,

John T. Elliff
Director
Domestic Intelligence Task Force

John T. Elliff

Director

Domestic Intelligence Task Force

FIVE

APPEARANCE OF DIRECTOR KELLEY AND
ASSISTANT DIRECTOR VANNALL BEFORE
THE CONGRESSIONAL SEMINAR ON
INTELLIGENCE AND INTERNAL SECURITY
SPONSORED BY THE AMERICAN
CONSERVATIVE UNION, OCTOBER 9, 1975

PORTIONS OF QUESTION AND ANSWER
SEGMENT AS PERTAINS TO ALLEGED KGB
INFILTRATION OF CONGRESSIONAL OFFICES

- Q. Do you have any information on Mr. Goldwater's statement that there are 8 KGB members on Senate Staffs?
- A. Vannall: We have no evidence that KGB members are connected with any staffs of Congress.
- Q. Is there a pattern of KGB cultivation of certain Senate offices? Is it not true that KGB Agents do operate on Capitol Hill?
- A. Vannall: Over the years we have noted that targets of the Hostile Intelligence Services have changed depending upon the requirements of the country it services. In recent years we have noted an increased pattern of activity of contacts, not only on Capitol Hill but in various areas where there is a possibility of securing information of interest to the foreign government.
- Q. How about developing Agents of Influence and disinformation techniques--do you see that going on?
- A. Vannall: Without limiting myself to the contacts on Capitol Hill the answer would be yes. There has been no decrease of the efforts of the Hostile Intelligence Services. They make contacts among American citizens, individuals that would be willing to cooperate, develop Agents of Influence, as you describe them, and also to develop information through surreptitious means.
- Q. Several partially inaudible questions regarding the recent sophistication of the KGB and the role of KGB disinformation.
- Q. Do you maintain surveillance here in Congress and on Capitol Hill? How do you seek to safeguard the political rights of Congress? How do you reconcile two very important areas..... unclear.
- A. Kelley: We have always tried to achieve a balance. I understand that there ~~was~~ ^{is} a feeling that there were too many KGB Agents on the Hill. I don't know that there were, but we do at this time still have Agents that

QUESTIONS AND ANSWERS

CONTINUED

come up here, and we are not ignoring the protection of members of Congress. We are not forgetting that possibly they might inadvertently fall prey to the activities of some of these people. We are going to protect them and their rights, just as anyone else's.

Q. Some parts inaudible and garbled...speaks of infiltration of Congress and KGB activity on Capitol Hill....

A. Wannall: Yes, I am glad you brought up the question again because I do not want to leave the word infiltration in the record. It's more of an effort on the part of Hostile Intelligence Services to make contacts, not only on Capitol Hill but elsewhere in our country, with individuals who are in a position to furnish information which is of value to the Hostile Service. The pattern I referred to--by that I meant an increase in the number of contacts that have been made over the previous few years. I think there are valid reasons for this, valid from the standpoint of the Hostile Intelligence Services. Congress was considering according to the Soviet Union a Most Favored Nation status. I'm sure the Soviets were interested in seeing that such legislation should be adopted. It could be anticipated, therefore, that there would be increased contacts. So the "infiltration" is a little more than I intended to convey. I have no information indicating infiltration of any Congressman or Senator's office, and I might point out that regularly, if we get information indicating that a known or suspected Intelligence Officer has fallen into a pattern of contact with a particular staff member or a particular employee on the Hill we would then call it to the attention of the appropriate Senator or Congressman.

Q. You are not saying, are you, that Staff Members are not in contact with Foreign Agents. (partially inaudible)

A. Wannall: I am neither saying they are or are not. I am saying any contact between members of Congress and individuals connected with foreign governments, none of whom may be a member of a Hostile Intelligence Service without the knowledge of the member of Congress...(interrupted by another question)

Q. Would you say the Soviets lobby?

A. Wannall...short discourse on registration act requirements

QUESTIONS AND ANSWERS

CONTINUED

Q. Have the Soviets been successful in developing sources within the Congress?

A. Wammall: If you're talking about history, any time in the past, I can think of one, possibly two occasions where someone connected with the Hill has wittingly been in contact with representatives of a Hostile Intelligence Service. If you're asking about the present, I have no knowledge or information that I can impart in response to your question.

Q. Inaudible

A. Wammall: What we would be calling to the attention of a Senator or Congressman would be any information that may come to our attention indicating that someone in whom the Senator or Congressman may have an interest was being utilized, perhaps unwittingly, an effort was being made to develop information. We would surely want the Senator or Congressman to be aware of that and we would make sure that he was aware.



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

OCT 15 1975

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

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: Senate Select Committee Letter dated October 8

Attached is a letter from the Senate Select Committee dated
October 8. Please prepare an appropriate response.

ENCLOSURE

cc: Paul Daly

REC-43

EX-110

15 NOV 7 1975

LEGAL COUNSEL



OCT 15 1975

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

FROM: Steve Blackhurst
Assistant Special Counsel for
Intelligence Coordination

SUBJECT: Senate Select Committee Letter dated October 8

#MDR16
16-17-00
SP-2 ALM/16

Attached is a letter from the Senate Select Committee dated October 8. Please prepare an appropriate response.

cc: Paul Daly

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN C. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
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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

October 8, 1975

PM DR 16
16-17-00 SF2ALM/176

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

Dear Mike:

The Select Committee wishes to make the following additional requests for materials pertaining to FBI mail openings:

1. Delivery of all materials pertaining to the decisional process -- (i.e., consideration, recommendation, and proposal -- and the names of all persons involved therein) -- which preceded and resulted in the Bureau's request to the Central Intelligence Agency to place each of the following names on the HUNTER mail watch list:
 - a. Derk Bodde
 - b. National Guardian
 - c. Leonard Bernstein
 - d. National Mobilization Committee to End the War in Vietnam
 - e. Ramparts Magazine
2. Access to the lists of government employees and San Francisco security and Security Index subjects whose names were on the watch lists employed in the CHIPROP SURVEY and the CHICLET SURVEY. These categories are described in a memorandum from SAC, San Francisco, to Director, FBI, dated March 11, 1960.



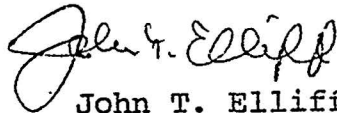
ENCLOSURE

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

October 8, 1975

This request should be treated with the highest priority inasmuch as public hearings on this matter are scheduled for the week of October 20.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

cc: Mr. Paul Daly

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

10/22/75

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

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

Memorandum

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

SSC letter 10/8/75

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

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are
used underline for emphasis)Intelligence collection
Information handling#m DR 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-17-00 BY SP2 ALM/276

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

General criteria used by personnel reviewing letters under
the CHICLET and CHIPROP Surveys in the San Francisco area.

62-116395

FMK:fmk

(4)

ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTURY 75

TREAT AS YELLOW

INSTRUCTIONS

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

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

62-116395-1002
CHANGED TO
62-116464-144x

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ft/BR

10215
ALL INFORMATION CONTAINED ON THIS FORM
DATE 10-17-00 BY SP2 ALM/716

UNITED STATES GOVERNMENT

Memorandum

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

FROM : W. O. Cregar *WOC*

SUBJECT: SENSTUDY 75

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

1 - Mr. W. R. Wannall

1 - Mr. J. G. Deegan

DATE: 10/16/75

1 - Mr. W. A. Branigan

1 - Mr. W. O. Cregar

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Dep. AD Inv. _____
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#0016
SP-2 ALM 1176
16-17-00

This memorandum recommends that representatives of the Intelligence Division brief Senators Church and Tower, as well as William Miller, Staff Director, and John T. Elliff, Domestic Intelligence Task Force Director, all of the Senate Select Committee (SSC), regarding the background, position in the Communist Party and the level of influence our SOLO informants enjoy both in the Communist Party, USA, and with Soviet officials. The purpose of this briefing is to demonstrate the significance of the information we obtained from these informants relative to the influence that Stanley David Levison, secret Communist Party member, had on Martin Luther King, Jr. *(u)*

By letter dated 9/16/75, Mr. John T. Elliff of the SSC requested Mr. Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, give his personal attention to the excised portions of three Bureau communications furnished to the SSC regarding Martin Luther King, Jr. According to Elliff, the SSC believes that the three documents in question should be furnished to the Committee in unexcised form in order that the Committee have a complete understanding of the King investigation. *(u)* *SI 112*

Inasmuch as representatives of the Intelligence Division have insisted that providing the requested Bureau documents in unexcised form could jeopardize the very lives of sensitive FBI informants, Elliff in referenced letter requested Shaheen to personally examine the three documents in question and hopefully make a determination that the documents in unexcised form could be provided the SSC. *(u)*

62-116395

CLASS. & EXT. BY *4412*
REASON-FCIM 1-2.4.2
DATE OF REVIEW *10/16/95*

WOC:1hblhb
(7)

15 NOV 10 1975
CONTINUED - OVER

ROUTE IN ENVELOPE

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

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

In an effort to resolve this impasse, Mr. Michael Shaheen and his deputy, Steven Blackhurst, were briefed in detail as to the background, Party affiliation and level of influence our SOLO informants have both on the Soviets and in the Communist Party. They were not given the names of our SOLO informants. Additionally, Shaheen and Blackhurst were allowed to review in detail the unexcised documents requested by the SSC. Both agreed that the Bureau's position was sound and that to produce the documents in unexcised form for the edification of the entire SSC Staff could, in fact, seriously jeopardize the lives of our two informants. As a result, Shaheen recommended that officials of the FBI brief Messrs. Church, Tower, Miller and Elliff in the same manner that he and Blackhurst had been briefed. Additionally, Shaheen suggested that the documents in question in unexcised form be shown these SSC officials and that representatives of the Intelligence Division be available to answer any questions the SSC officials might have. It was Shaheen's hope and belief that such a course of action would satisfy the SSC as to the level of influence Levison would have had on the late Martin Luther King, Jr., and yet preserve the security of our SOLO informants. Those representatives in the Intelligence Division responsible for the SOLO informants, as well as those who were responsible for the investigation of Martin Luther King, Jr., believe Shaheen's proposal has merit and recommend such a course of action. (u)

RECOMMENDATION:

That Mr. Wannall, if available, accompanied by Section Chief William O. Gregar of the Senstudy Project and Messrs. David Ryan, Seymour Phillips and Michael Steinbeck,

~~CONFIDENTIAL~~

CONTINUED - OVER

~~CONFIDENTIAL~~

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

all of whom have detailed knowledge of either the Communist Party, Martin Luther King, Jr., or our SOLO informants, furnish a briefing to the SSC officials as set out above. ~~(S)~~ (u)

WRW/tw

~~Amc~~ Jma

PCW

Jm

Why don't we see if they will accept the account of Mr. Shaheen that he has been briefed and believes (u)

TY

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *WRC/JS*
FROM : W. O. Cregar *OC/B*
SUBJECT: SENSTUDY 75

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. J. G. Deegan
DATE: 10/21/75
1 - Mr. W. A. Branigan
1 - Mr. W. O. Cregar

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Director Sec'y _____

Memorandum W. O. Cregar to Mr. W. R. Wannall, dated 10/16/75, recommended that Mr. Wannall, accompanied by Section Chief William O. Cregar of the Senstudy Project and Messrs. David Ryan, Seymour F. Phillips and Michael J. Steinbeck, furnish a briefing to Senate Select Committee (SSC) officials to demonstrate the significance of information we obtained from our SOLO informants relative to the influence that Stanley David Levison, secret Communist Party member, had on Martin Luther King, Jr. *[initials]*

In considering this recommendation, the Director asked, "Why don't we see if they will accept the account of Mr. Shaheen that he has been briefed and believes..." *[initials]*

On the afternoon of 10/21/75, Mr. Shaheen was telephonically advised of the Director's observations and was requested to determine whether the SSC would accept Mr. Shaheen's certification that he has been briefed and believes that the three documents in question could not be furnished to the Committee in unexcised form without possibly jeopardizing the very lives of sensitive FBI informants. Mr. Shaheen agreed that it would be worth contacting Mr. John T. Elliff, Domestic Intelligence Task Force Director of the SSC, to determine if Shaheen's certification that the excisions were proper and justified would satisfy the SSC. Shaheen indicated that, following his contact with Elliff, he would telephonically advise Cregar as to what, if any, further action is desired of the Bureau. *[initials]*

ACTION: For information. *ST 112*

62-116395

WOC:1hb 1hb
(7)

15 NOV 10 1975

84 NOV 13 1975

NW 55285 DocId:32989677 Page 12

ROUTE IN ENVELOPE

PLAINTEXT

TELETYPE

TO: SAC PITTSBURGH

FROM: DIRECTOR, FBI

SENSTUDY 75

1 - Mr. Mintz
1 - Mr. Wannall URGENT
1 - Mr. Cregar
1 - Mr. Hotis
1 - Mr. Daly 10/9/75
1 - Mr. Walsh

THE SENATE SELECT COMMITTEE HAS REQUESTED THAT SPECIAL AGENT IN CHARGE VINCENT E. RUEHL BE MADE AVAILABLE IN WASHINGTON, D. C. FOR INTERVIEW BY THAT COMMITTEE ON 10/14/75 CONCERNING HIS KNOWLEDGE ON MAIL OPENINGS. SAC RUEHL SHOULD ARRANGE TO ARRIVE IN WASHINGTON, D. C., IN TIME TO BE BRIEFED BY A REPRESENTATIVE OF THE LEGAL COUNSEL AND INTELLIGENCE DIVISIONS AT 9 A.M. 10/14/75, IN ROOM 3658 OF THE J. EDGAR HOOVER BUILDING.

1 - Personnel File - Vincent E. Ruehl

NOTE: James Dick, Senate Select Committee Staff Member, requested that SAC Ruehl be made available for interview concerning his knowledge on mail openings. This communication will serve as approval for the waiver of the existing employment agreement signed by SAC Ruehl.

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TELETYPE

REC-2 62-116375-1005

15 NOV 12 1975

TELETYPE UNIT

MAIL ROOM

84 NOV 13 1975

Page 267

GPO : 1975 O - 569-920

F B I

Date: 10/15/75

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

TO: DIRECTOR, FBI (62-116395)

FROM: SAC, PITTSBURGH

SENSTUDY '75

Enclosed are original and 7 copies of LHM concerning interview of SAC VINCENT E. RUEHL by Senate Subcommittee Staff Member JAMES DICK on 10/14/75.

② - Bureau (Enc. 8)

1 - Pittsburgh

VER:hmm

(3)

enc (4)

#m DE 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/17/00 BY SP-2 ALM/ATG

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JEH

ENCLOSURE

LEGAL COUNSEL

DO NOT CLASS.

Approved: [Signature]

Sent _____ M Per _____

84 DEC 15 1975 Special Agent in Charge
NY 55285 DocId:32989677 Page 268



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Pittsburgh, Pennsylvania

October 15, 1975

In Reply, Please Refer to
File No.

~~SECRET~~

Handwritten: #MDR16 SP-2 AM/116
10/27/00

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

INTERVIEW OF FBI SPECIAL AGENT IN CHARGE
VINCENT E. RUEHL BY SSC STAFF MEMBER

On October 14, 1975, at 10:00 a.m., Special Agent in Charge (SAC) Vincent E. Ruehl met with SSC Staff Member James Dick in the Everett M. Dirksen Building. SAC Ruehl and Mr. Dick proceeded to the Main Senate Office Building where an interview was initiated at approximately 10:30 a.m., and was concluded at approximately 12:30 p.m.

At the outset of the interview, which was witnessed by a court reporter who is also a notary public, SAC Ruehl consented to be placed under oath by the court reporter. Immediately thereafter, Mr. Dick advised SAC Ruehl that it was understood SAC Ruehl was appearing voluntarily, he had the right to counsel, he could conclude the interview at any time and/or interrupt the interview for the purpose of obtaining counsel.

The interview consisted of Mr. Dick obtaining from SAC Ruehl, details regarding Ruehl's knowledge of FBI programs in the Chinese security field which involved mail openings.

SAC Ruehl furnished the following information regarding the program of Chinese Communist Propaganda Entering the United States (CHIPROP):

SAC Ruehl was assigned as a Supervisor at FBI Headquarters (FBIHQ), Domestic Intelligence Division (now Intelligence Division), in November, 1956. Within the first year of his assignment in a Supervisory capacity, he was assigned to Chinese matters, including supervision of CHIPROP. This was a program which had been initiated prior to SAC Ruehl's assignment to FBIHQ. Mail emanating from Communist China entered the U. S. at San Francisco in the custody of U. S. Customs Service. Through an established source, the mail was made available for review to FBI Agents assigned to the San Francisco Office. The Agents selectively separated items

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

Classified by *16283*
Exempt from GDS, Category 2+3
Date of Declassification Indefinite

ENCLOSURE



~~SECRET~~

of mail which would be of interest to the FBI in discharging its responsibility of protecting the security of the United States. The selection was made based on the person or persons to whom the mail was addressed and/or the identity of the person in Communist China who originated the mail.

The selected items of mail were opened, photographed and thereafter replaced into the routine mail flow. Photographic copies were furnished to the Bureau for transliteration and review. The transliterations were then furnished San Francisco for further dissemination.

SAC Ruehl advised during the period CHIPROP was in operation, Communist China was considered a hostile force. There were a number of Chinese in the United States who had received highly technical and scientific training and education and a number of them were employed in defense areas. Communist China was endeavoring to induce such individuals to return to Communist China, particularly to assist in nuclear research and the development of sophisticated weapons and missiles. Some Chinese scientists did in fact return to Communist China after having been employed in areas concerned with defense of the United States. There was at least one instance SAC Ruehl recalled where a Chinese scientist attempted to depart the U. S. en route to Communist China by way of England while in possession of classified information. The classified information was discovered and removed from his custody at a U.S. port of embarkation. Through the CHIPROP operation, overtures being made to Chinese in the United States to assist Communist China were discovered.

While CHIPROP was in operation, another program involving Chinese letters emanating from the United States and destined for Communist China was in operation under the acronym CHICLET.

CHICLET was initially motivated when it was determined registered mail from the United States was being delivered to a Communist intelligence department officer listed as the Military Attache at the Chinese Communist Embassy in Stockholm, Sweden. CHICLET resulted in information concerning individuals in the United States, obviously sympathetic to Communist China, and who might logically present an intelligence problem for the FBI.

A third project regarding Chinese language letters emanating from Canada and destined to individuals in the United States was handled under the acronym CHICAN. This program was

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suggested by FBI, San Francisco, which furnished 83 sample items in support of its recommendation for the program. A review of the items at FBIHQ established such a program would have little value and authorization for San Francisco to implement it was denied.

At the conclusion of the interview, Mr. Dick posed the question as to whether SAC Ruehl ever considered the implementation of the mail opening as an illegal act. Mr. Ruehl stated he had never considered this activity illegal as it was directly connected with and essential to the FBI's responsibility of protecting the internal security of the country. Mr. Ruehl disclaimed any knowledge as to whether subject matters had been discussed with Attorneys General during the period the programs were in operation.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: ALLEGATIONS OF SOVIET
PENETRATIONS ON CAPITOL HILL
INTERNAL SECURITY - R11/2/00 #MDR 16
CLASSIFIED BY SP-2 ALM/STG
DECLASSIFY ON: 25X b6
DATE: 10/31/75

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At 2:50 p.m. on October 31, 1975, Michael Shaheen, Special Counsel for Intelligence Coordination in the Department, telephonically advised me that Senator Church requested that he be authorized to make available to Senator Mansfield at Senator Mansfield's request, a copy of a letter from the Director addressed to Senator Church dated October 30, 1975, and its enclosure, a memorandum for the record dated October 30, 1975, which was classified Confidential. The letter and its enclosure concerned allegations that there are Soviet agents on the staffs of seven Senators. The letter restates material furnished by the Director in a public session on October 9, 1975, however, the enclosure to the letter reviews a briefing given to representatives of the Senate Select Committee concerning matters of a sensitive nature.

Mr. Shaheen asked me whether the Bureau would object to authorizing Senator Church to furnish the letter and its enclosure to Senator Mansfield. Mr. Shaheen subsequently called and advised that Senator Church also desired to release the letter but not the enclosure publicly and asked for my views.

I discussed this matter with Mr. Adams and Mr. Wannall and recommended that we agree to permit the letter to be made available publicly by Senator Church; that the letter and its enclosure be made available to Senator Mansfield, but that the enclosure not be further disseminated by Senator Mansfield or furnished by the Committee to others. We agreed that this would be appropriate and I so advised

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

JAM:mfd

15 NOV 7 1975

NOT RECORDED

46 NOV 10 1975

CONTINUED - OTHER

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

84 NOV 11 1975

ORIGINAL FILED IN 65-57784-2037

Memorandum to Mr. Adams
Re: Allegations of Soviet Penetrations on
Capitol Hill

Mr. Shaheen. Shortly thereafter, during a conversation with the Director, I advised him of Senator Church's request and the limited conditions under which the Bureau had agreed for the letter and its enclosure to be released by Senator Church. The Director concurred.

RECOMMENDATION:

For information.

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1 - Mr. J. B. Adams
1 - Mr. J. A. Mintz
1 - Mr. J. Cochran

62-116395

October 23, 1975

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

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

RE: INTERVIEW OF FORMER FBI
SPECIAL AGENT (SA) GEORGE A. BERLEY
BY SSC STAFF MEMBERS

Set out below is information concerning an interview of former FBI SA George A. Berley by SSC Staff Members. Berley served in the FBI from January 26, 1942, until his retirement on July 18, 1975. He was an SA from June 14, 1943, until retirement.

On September 8, 1975, SSC Staff Member James Dick advised this Bureau of his desire to interview former SA George A. Berley on the subject of surreptitious entries by FBI personnel. Prior to Berley appearing for interview, he was advised by the Legal Counsel Division of this Bureau that he had a right to counsel during interview, but that the FBI could not provide him with private counsel. He was advised that he was released from his employment agreement for purposes of answering questions concerning surreptitious entries. He was also advised that the Department of Justice was in the process of determining whether there may have been criminal conduct by Bureau personnel who made or were involved in surreptitious entries. It was pointed out to Berley that any statement he gives the SSC could be used against him if the Department of Justice initiates prosecution. Berley was further advised that his appearance before the SSC was voluntary and whether to appear and respond to particular questions was a decision he alone must make. It was indicated to him that the SSC must issue a subpoena before it could demand that he answer questions and, absent such a subpoena, he was not compelled to submit to interview.

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ORIGINAL AND ONE COPY TO AG

1 - 67-245562 (Personnel file former SA George A. Berley)

SFP:mjg
(10)

SEE NOTE PAGE SIX

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

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

Re: Interview of Former FBI Special Agent (SA)
George A. Berley by SSC Staff Members

Berley did submit to interview, the results of which were voluntarily furnished by Berley and are as follows:

Interview took place from approximately 9:55 a.m. to 12:30 p.m., September 10, 1975, in a room in the former Carroll Arms Hotel. Interviewers were SSC Staff Members John T. Elliff and James Dick.

At the outset, Berley was furnished an "Advice of Rights" statement to sign. Berley questioned the need to sign such a statement in view of the fact that he was appearing voluntarily and merely desired to "set the record straight" regarding his activities. Mr. Dick stated that if he, Berley, did not sign it, the interview would be terminated. Berley therefore signed the waiver, and was furnished a copy for his personal retention.

Berley told his interviewers that he had already talked with FBI personnel John Hotis and Paul Daly, and understood from them that his responses to questions would be limited to the subject of surreptitious entries and that the release from his FBI confidentiality agreement was for only that subject matter and for nothing else. Berley also told Elliff and Dick that Hotis and Daly had advised that certain matters regarding surreptitious entries were under review by the Department of Justice. Consequently, answers to certain questions at this time might not be appropriate, in view of the Department of Justice review.

Berley also told interviewers that there were four privileged areas concerning which he understood he would not be required to answer questions. These concerned matters which might identify FBI sources, divulge sensitive methods or techniques, affect ongoing investigations, and information obtained from or involving a third agency.

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

Re: Interview of Former FBI Special Agent (SA)
George A. Berley by SSC Staff Members

Berley inquired as to the definition of "intelligence targets" and Elliff responded that this meant foreign powers and anything defined as dangerous to the national security. Berley asked Mr. Elliff if such definition included organizations advocating overthrow of the Government by force and violence. Mr. Elliff said that this area had not as yet been defined. Thereupon, Berley said that he would decline to answer any questions concerning such organizations.

On request, Berley furnished information relating to his background in the FBI which covered 33½ years. He said that during his career he had spent only about 20% of his work time in the area of locks and locking devices.

Berley told Elliff and Dick that all surreptitious entries in which he engaged were with the authority of Mr. Hoover, the Assistant Director of the Intelligence Division and the Assistant Director of the Laboratory. He emphasized that he never acted on his own authority and such operations always were in regard to current operations in which case files had been opened.

On request, Berley furnished information concerning the organizational structure of the FBI Laboratory.

Almost an hour and one-half was spent during the interview on the subject of "lock training." Matters covered concerned the training of Berley; and schools which Berley conducted, including the training of new Agents and specialized schools. He pointed out that most of the latter were added on to regular In-Service Training. He was asked whether lock schools were connected with schools relating to electronic surveillances and replied that he considered the question outside the parameters of the interview. Berley was asked if he knew how the students he taught would use the information and he replied "No," insofar as specific cases were concerned. He pointed out that such training also related to the security of FBI facilities.

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

Re: Interview of Former FBI Special Agent (SA)
George A. Berley by SSC Staff Members

Berley informed that he did not set up the classes and when asked whether they were in conjunction with other courses, he again declined to answer on the basis that question went beyond the parameters of the interview.

Considerable time was spent on a discussion of the authority for operations in which Berley engaged. He advised that at no time did he personally authorize any activity in which he was involved and that the authority always came from his own Assistant Director (AD) or higher superiors. As a matter of fact, according to Berley, the order to him to participate in these activities was, in most cases, approved by the FBI Director himself. Berley was questioned concerning the form of the authority and pointed out that there would be a teletype from a field office in connection with an ongoing investigation and that the teletype would later have the authority endorsed thereon or there would be a memorandum authorizing the operation. Berley again emphasized that all of his activities concerned ongoing investigations. He was asked if there was a code name for a surreptitious entry and he responded in the negative. Asked if he ever had notice of an anticipated project in advance of receiving a teletype, Berley responded "Yes." Berley was asked what information he liked to receive in advance for purposes of any preliminary discussion concerning a job. He responded that this question was outside the parameters of the interview as it was close to the subject of "informant coverage."

Asked how many operations in which he participated per year, Berley said he had no idea. He was asked for an approximation of the number of operations per year and gave a round figure of three or four, on the average but indicated that he did not know the exact number. Berley was next told that from the period April 1, 1964, to April 1, 1965, he had received nine incentive awards in connection with his work. Berley responded that he had not reviewed any records that would permit him to verify this figure.

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

Re: Interview of Former FBI Special Agent (SA)
George A. Berley by SSC Staff Members

Berley was asked if he did other things than just open a door or a safe. He responded that his prime responsibility was safes and locks. He was asked if he ever took anything out of a safe and declined to answer as the question was beyond the subject of surreptitious entries. He was asked whether, when he embarked on such a job, there were other than FBI or Government employees present. Berley's response was that this question was beyond the area of surreptitious entries. He was asked if he had ever entered a place where there was a microphone installed and he declined to answer for the same reason as that immediately above.

Berley was asked whether any of the jobs concerned other than foreign countries. Berley said that he would decline to answer this question because of a question of definition of terms as evidenced by the exchange he had had earlier in the interview.

Asked who was the AD of the Laboratory in the mid-1960s, Berley responded that it was Ivan Conrad.

At the end of the interview Berley indicated that he hoped the interview would end the need for any further effort on Berley's part in this matter. Elliff said that they would have to prepare a report.

Berley pointed out that he had never been in a decision-making position in the operations in which he took part. He stressed the fact that in the field of intelligence such operations were necessary.

Elliff indicated that the purpose of the SSC was to set ground rules for future use in establishing the legality of matters under consideration in the surreptitious entry field. Berley suggested that they find legal means to do these necessary things and pointed out that sometimes a surreptitious entry is the only way to get needed information.

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

Re: Interview of Former FBI Special Agent (SA)
George A. Berley by SSC Staff Members

There was no indication at the close of the interview whether or not Berley would be required for further interview.

The foregoing is not necessarily in chronological order as the matters were discussed during the interview.

NOTE:

Legal Counsel Division's contacts with Berley were by Supervisor P. V. Daly.

TO: - Intelligence Community Staff ATTN: Central Index				FROM: <p style="text-align: center;">FBI</p>			
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	<input checked="" type="checkbox"/>	INTERVIEW	TESTIMONY	OTHER	10/23/75	
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)							
<p style="margin: 0;">Memorandum reporting the results of an interview by SSC Staff Members of former Special Agent George A. Berley.</p>							
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 Intelligence collection						<div style="text-align: right;"> <p style="margin: 0; font-size: small;"># model 6</p> <p style="margin: 0; font-size: small;">ALL INFORMATION CONTAINED</p> <p style="margin: 0; font-size: small;">HEREIN IS UNCLASSIFIED</p> <p style="margin: 0; font-size: small;">DATE 10/18/00 BY SP2 ALM/176</p> </div>	
8. SUMMARY (see reverse side before completing this item)							
<p style="margin: 0;">Interviewed regarding surreptitious entries.</p> <p style="margin: 0;">62-116395</p> <p style="margin: 0;">FMK: fmk</p> <p style="margin: 0;">(4)</p> <p style="margin: 0; text-align: center;">ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75</p> <p style="margin: 20px 0 0 300px; font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">TREAT AS YELLOW</p> <div style="position: absolute; right: 0; bottom: 0; font-size: 3em; transform: rotate(-15deg); opacity: 0.5;"> 51WOC </div>							

INSTRUCTIONS

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

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

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

The Attorney General

October 23, 1975

Director, FBI

1 - Mr. W. O. Cregar
1 - Mr. J. T. Aldhizer, III

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

#MDR16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/18/00 BY SP-2 ALM/JIC

Reference is made to SSC letter October 6, 1975,
containing requests for materials concerning Martin Luther
King, Jr.

Enclosed for your approval and forwarding to the
SSC is the original of a memorandum in response to all items
requested in SSC letter of October 6, 1975.

Also enclosed for your records is a copy of the
memorandum which is being delivered to you with a set of
the materials which are being delivered to the SSC.

Enclosures (2)

62-116395

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

JIA:eks

(9)

REC-2
EX 104

15 NOV 12 1975

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. _____

4-ENCLOSURE
enclosure behind file

SEE NOTE PAGE 2

ROUTE ENVELOPE

TOP SECRET MATERIAL ATTACHED

1047 ROOM ☐

TELETYPE UNIT ☐

84 NOV 13 1975

NW 55285 DocId:32989677 Page 283

GPO : 1975 O - 569-920

The Attorney General

NOTE:

The SSC letter 10/6/75, is attached to the file copy of enclosed letterhead memorandum. Exact copies of the materials being furnished are maintained in the office of the SENSTUDY 75 Project. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the materials being provided to the SSC.

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

62-116395

October 23, 1975

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

Reference is made to SSC letter October 6, 1975, containing requests for materials concerning Martin Luther King, Jr.

Purpose of this memorandum is to effect delivery to the SSC of information and materials relating to requests contained in SSC letter October 6, 1975.

Being delivered with this memorandum are materials relating to Items 1, 2, 4, 5, 6, 7, and 8.

Items 1 and 2 involve Southern Regional Council Special Reports issued on or about January 8, 1962, and November 14, 1962. Material is being delivered in response only to Items 1a and 2a which pertain to the FBI's receipt or awareness of these reports and their contents. A review of logical FBI Headquarters' files discloses no information in response to Items 1b, 1c, 2b, and 2c. This review further indicates that all action taken by the FBI regarding the subject matter of the above reports was taken in regard to King's release of information based on those reports. All materials reflecting, concerning or pertaining to King's statements were furnished to the SSC by FBI memorandum dated October 8, 1975, in response to Items 17a and 17b of SSC request of September 8, 1975.

In response to Item 3, a review at FBI Headquarters of abstracts and files concerning King and Stanley David Levison for the period January 1, 1961, - February 13, 1962,

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.

ROUTE IN ENVELOPE

**ORIGINAL AND ONE COPY TO AG
 TOP SECRET MATERIAL ATTACHED**

ENCLOSURE

Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

JTA:eks,
 (8)

MAIL ROOM ☐

TELETYPE UNIT ☐

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

revealed no memoranda from the Director to the Attorney General. It is noted that since investigation of King was not in progress during this period, information regarding King's participation in civil rights' activities would have been furnished the Department under various captions and is not readily retrievable.

Regarding Item 5, a search of FBI Headquarters' files produced no evidence of electronic surveillance ever being instituted against Harry Wachtel, Ralph Abernathy, John Lewis, and James Farmer. With the exception of a microphone surveillance installed during 1964 in joint headquarters of the Student Non-Violent Coordinating Committee and the Congress Of Racial Equality (CORE) at the Democratic National Convention, Atlantic City, New Jersey, FBI Headquarters' files failed to disclose any evidence of electronic surveillance against CORE. Information pertaining to this microphone surveillance at Atlantic City has been previously furnished the SSC.

Regarding Item 6, no information could be located in FBI Headquarters' files regarding testimony of Governors Barnett and Wallace in 1962 before the Senate Commerce Committee. Material pertaining to their testimony in 1963 was retrieved and is being delivered since apparently July, 1963, is the year of SSC interest.

No material was located in FBI Headquarters' files responding to Item 7b, 7c and 7g, which requested material relating to the Attorney General's reply to Senators Magnuson, Moynihan and Russell, respectively. In addition, no material could be located in FBI Headquarters' files bearing specifically on President Kennedy's remarks during his press conference July 17, 1963, (Item 7c).

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

In response to Item 9, the excised portions of the January 28, 1964, memorandum from F. J. Baumgardner to Mr. W. C. Sullivan labeled "JUN7" pertain to King's private life.

With respect to Item 10, the identity of the author of the document entitled "Questions to be explored at conference 12/23/63 re communist influence in racial matters," cannot be determined. This list of questions was apparently prepared by individuals at FBI Headquarters involved in the investigations of King and Communist Influence in Racial Matters. This list was apparently to serve as a guide for discussions during the conference on December 23, 1963, at FBI Headquarters.

1 - The Attorney General

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

PHILIP A. HART, MICH.
WALTER F. MONDALE, ILL.
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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

October 6, 1975

#MDR16

10-17-00 SP-2 ALM/ITG

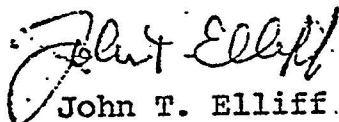
Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

Enclosed is a request for documents per-
taining to the Martin Luther King, Jr. matter.
Delivery is requested by Friday, October 17, 1975.

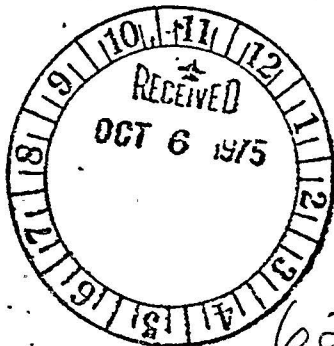
Your cooperation is appreciated.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

Attachment



5-18-83

62-116395-1008

DIRECTOR
10/13/75 CAP US SENATE
SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES
JTA/ela

1. On or about January 8, 1962, the Southern Regional Council, Atlanta, Georgia, issued a Special Report entitled "Albany" by Professor Howard Zinn, which on pages 31 - 33 (attached hereto), inter alia, contains a discussion about the FBI. Please supply the Committee with all materials pertaining to or reflecting:

- a. the FBI's receipt or awareness of this report, or its contents;
- b. comments, analyses, inspections, reports, and/or responses with respect to allegations in this report which pertained to the FBI; and
- c. actions taken as the result of allegations in this report which pertained to the FBI.

2. On or about November 14, 1962, the Southern Regional Council, Atlanta, Georgia, issued a report entitled "Albany, A Study in National Responsibility," by Professor Howard Zinn, which on pages 26-34 (attached hereto), inter alia, contains a discussion about the FBI. Please supply the Committee with all materials pertaining to or reflecting:

- a. the FBI's receipt or awareness of this report or its contents;
- b. comments, analyses, inspections, reports, and/or responses with respect to allegations in this report which pertained to the FBI; and
- c. actions taken as the result of allegations in this report which pertained to the FBI.

3. All memoranda from the Director, FBI, to the Attorney General, from January 1, 1961, through February 13, 1962, concerning Martin Luther King, Jr. (Please excise portions which were the product of electronic surveillance.)

4. All memoranda and other materials reflecting what was communicated by the FBI Director to the Attorney General on January 1, 1962, concerning Martin Luther King, Jr., as is indicated in the first paragraph of

the February 14, 1962, memorandum from the FBI Director to the Attorney General captioned "Martin Luther King, Jr.". (Please excise portions which were the result of electronic surveillance.)

5. All memoranda and other materials pertaining to an decisions and authorizations for electronic surveillance of the following individuals:

- a. Stanley David Levison;
- b. Hunter Pitts O'Dell;
- c. Clarence Jones;
- d. Harry Wachtel;
- e. Ralph Abernathy;
- f. Student Non-Violent Coordinating Committee (SNCC);
- g. John Lewis;
- h. Bayard Rustin;
- i. Congress of Racial Equality;
- j. James Farmer;

as well as dates of authorization, installation, and termination; type of surveillance involved (microphone or telephone); and locations of all telephones and premises surveilled.

6. All memoranda and other materials pertaining to the testimony before the Senate Commerce Committee of:

- a. Governor Ross Barnett on July 12, 1962;
- b. Governor George Wallace on July 15-16, 1962.

7. All memoranda and other materials pertaining to:

- a. A letter from Senator Warren G. Magnuson to the FBI Director in July 1963 inquiring about any relationship between racial unrest and the Communist Party;

- b. The Attorney General's reply to Senator Magnuson, dated July 23, 1963 (a copy is attached hereto as printed in the record of the Hearings before the Commerce Committee, United States Senate, 88th Congress, 1st Session, on S. 1732 (Public Accommodations), pp. 375-376.
 - c. The last question and answer in the President's press conference of July 17, 1963 (copy attached hereto), pertaining to racial unrest and the Communist Party.
 - d. A letter from Senator Mike Monroney to the FBI Director in July 1963 inquiring about any relationship between racial unrest and the Communist Party.
 - e. The Attorney General's reply to Senator Monroney, dated on or about July 25, 1963, as reported in the Washington Evening Star on July 25, 1963 (copy of article attached hereto).
 - f. A letter from Senator Richard Russell to the FBI Director dated July 27, 1963, inquiring about any relationship between racial unrest and the Communist Party.
 - g. The Attorney General's reply to Senator Russell dated on or about November 1, 1963.
8. All memoranda and any other materials pertaining to the August 1, 1963, conversation between the Attorney General and Courtney Evans which is described in the last paragraph on page 4 of a February 5, 1964, memorandum from C. D. DeLoach to Mr. Mohr, captioned "Dr. Martin Luther King, Jr., Information Concerning".
9. We are submitting herewith a copy of the excised version of a January 28, 1964, memorandum from F. J. Baumgardner to W. C. Sullivan, labelled "June". Your advice is requested (a) whether the deleted phrases pertain to Dr. King's private life, or (b) whether the deleted phrases pertain to Dr. King's associations with persons believed to be associated with the Communist Party.

10. The identity of the author of the document entitled "Questions to be explored at conference 12/23/63 re communist influence in racial matters," which has previously been supplied to the Committee.

through a hole in the door, but a guard came along and hit him in the back as he was passing the plate through the opening. He fell against the bars and hit his head. (Police Chief Pritchett fired the guard on after.)

When I went to the sheriff's office Wednesday morning, December 20, to see one of the original Freedom Riders still in the county jail, I was told they were allowed no visitors except for a lawyer. Husbands, wives, mothers, fathers, could talk to prisoners only by shouting through a barbed wire fence at a thick-ashed wire window through which no one inside was visible.

At the prayer meeting in the Shiloh Baptist Church that Tuesday night after the settlement, a young white girl arrested with the original group on Sunday, came down the aisle to the rostrum. She had been released from jail a few minutes before and was out of breath. She spoke briefly, softly. "First time I'd ever seen a jail. It's a funny mixed-up feeling to hate being in a dirty place but to be glad you're there for a good reason....We hope you'll keep going."

The Police Chief of Albany said, "We met non-violence with non-violence."

Where was the Federal Government?

While young people on three separate occasions were being ordered out of Albany terminals and arrested, while over 700 persons were arrested and over 400 kept in jail for marching downtown to sing, pray, and protest, the Federal Government, pledged through specific Constitutional guarantees, statutes, and administrative rulings to protect the rights of citizens against local usurpation, took the following visible actions:

On November 1, 1961, when Selyn McCollum watched police order nine young Negroes out of the white waiting room at the Trailways Bus Terminal, and this reported to the F.B.I., there was no apparent result. November 22, when five students were arrested for using the Trailways facilities in Albany, no federal action was visible. When Chief Pritchett ordered the Freedom Riders outside the railroad waiting room on December 10, and then arrested 11 in the street, for the third time in six weeks the express ruling of a federal Agency failed of enforcement. With the start of demonstrations and mass arrests on Tuesday, December 12, local police practice came into conflict, not with the very pointed I.C.C. ruling, but with broader -- and more complex -- issues represented by the Bill of Rights: freedom of assembly, the right of petition.

On Wednesday, with more demonstrations and more arrests, telegrams began going to Attorney General Kennedy asking federal intervention. On Thursday -- more demonstrations, more arrests -- and the New York Times reported from Albany that, "The Justice Department was watching developments here closely." That day, Attorney General Kennedy conferred by phone with both Governor Vandiver and Mayor Kelley. The Mayor said he assured the Attorney General that law and order could be preserved without federal aid. Also that day, the Assistant Attorney General in charge of the Civil Rights Division talked with Albany Movement leader W. G. Anderson. On Friday, with demonstrations and negotiations in progress, he phoned Mayor Kelley and offered to mediate, and the mayor assured the Assistant Attorney General that the city could work out its problems. On Saturday, negotiations broke down. Martin Luther King, Jr. led the march downtown that

evening, hundreds more were arrested, and the NAACP wired Vice President Johnson and Attorney General Kennedy to protest the arrests. F.B.I. men were reported cruising the streets in cars.

On Monday, December 18, a settlement was announced; and within a hour Mayor Kelley said Attorney General Robert Kennedy called to congratulate him for a good job.

Events in Albany were caused by the city's violation of the Interstate Commerce Commission's regulation. The Federal Government took no apparent action to curb that violation, although it undoubtedly has power to enforce its own orders. Today in Albany the I.C.C. order is being complied with. It was enforced, not by federal authority, but by demonstrations in the streets.

Conclusion

Over 700 Negroes in Albany, and a few sympathetic whites, spent time in prison in December of 1961, as a mass substitute for federal action to compel recognition of a legal right. They were not opposed by the white people of Albany, but by local law enforcement officers. These officers acted, not out of malice, but out of a too-faint comprehension of the changes which are rolling slowly, but inevitably, through the South today, and which, with McComb, Jackson, and Albany, have begun to move into the heart of the Black Belt. As in other cases, a movement born of specific grievances was nurtured in crisis and developed larger objectives, those of full equality and untarnished human dignity.

The real feelings of the Negro community were kept from a fundamentally fair-minded white community by the powerful barrier of segregation, propped up by a hostile press and an unsympathetic city administration. As Christmas approached in 1961, masses of Albany Negroes

Where Was the Federal Government?

Over 700 Negroes in Albany, and a few sympathetic whites, spent time in prison in December of 1961, as a mass substitute for federal action to compel recognition of a legal right.

OF all the forces involved in Albany, the national government is the only one whose actions do not match its expressed convictions. The Negroes of Albany have strained to the limits of their capacity to endure pain and rebuff. The white community has behaved in accord with the customs of the majority of southern whites in resisting attempts to change the status quo. The chief of police has acted like a chief of police. But the federal government has not operated according to its pretensions.

The national government has failed to protect the liberties of its citizens in the city of Albany. From the feebleness of its actions, a detached observer might conclude that the federal government is still operating under the Constitution of the United States as once expounded by Chief Justice Taft.

The First Amendment of the constitution of the United States says: "Congress shall make no law . . . abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." Supreme Court decisions in the early part of this century made it clear beyond question that these rights of free speech, petition, and assembly, are also guaranteed against state or local action by the words of the Fourteenth Amendment, that no state shall "deprive any person of life, liberty, or property, without due process of law." In Albany, hundreds of Negroes were locked up in some of the most miserable jails in the country for peacefully attempting to petition the government for a redress of grievances. Is the national government powerless to protect the right of petition?

Section 242 of the U.S. Criminal Code, which comes from the Civil Rights Act of 1866 and the Enforcement Act of 1870, creates a legal basis for federal prosecution of: "Whoever, under color of any law . . . wilfully subjects . . . any inhabitant of any State . . . to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution and laws of the United States. . . ." Three times in succession in November and December 1961, the

police of the city of Albany, by arresting Negroes and whites in connection with their use of the terminal facilities in that city, violated a right which has been made clear beyond a shadow of a doubt in the courts, and nailed down tight by a ruling of the Interstate Commerce Commission. Yet, the federal government took no action.

When a sheriff, in the presence of witnesses, slapped a young Negro for asking the right to sing and pray in prison, the federal government was silent. Throughout the December troubles, there were phone calls from the Justice Department to Governor Vandiver and Mayor Kelley, conversations between the Department and leaders of the Albany Movement. The F.B.I. dutifully sat in its office in Albany and took dozens upon dozens of affidavits from Negro citizens complaining that their constitutional rights had been violated by city and county officials. But eight months later, there was not a sign of action on these charges.

In the spring and summer of 1962, hundreds of Negroes, and some whites, were again deprived of their constitutional rights by city and county officials. They were put into jail again and again for taking actions supposedly protected by the First and Fourteenth Amendments. A pregnant woman was beaten, a lawyer was caned, a white youth had his jaw and ribs broken, three young people were forcibly dragged from a courtroom under the eyes of a county judge. Still no action. Eighteen-year-old Cordell Reagan, a veteran SNCC worker, emerged from Dougherty County jail in late August, after 16 days of confinement for "contributing to the delinquency of a minor" (which, translated, meant that Reagan had been sitting on the fender of a nearby car while two students were picketing a theater) made this comment to me about the Department of Justice and local police: "They're letting them get away with murder."

In December 1961, in the midst of hundreds of jailings in the many demonstrations, the *New York Times* reported from Albany: "The Justice Department was watching developments here closely." In September 1962, after shotgun blasts ripped into a home in Terrell County where Negro and white registration workers were staying, a Justice Department spokesman said in Washington: "We are watching the situation very, very closely."

In June 1962, six months after several flagrant violations of the ICC ruling, the *Atlanta Journal's* Washington correspondent reported: "The U.S. Justice Department has launched an investigation of alleged bus station segregation in Albany." In July, several Justice Department lawyers were sent to Albany. On the 26th of that month, according to an *Atlanta Constitution* report, Albany's Mayor Kelley conferred in Washington with Attorney General Kennedy. The *Constitution* said: "Kelley said he told Kennedy that Albany's racial problems are dealt with by local people. Kelley said Kennedy agreed with him."

Atlanta Journal Washington correspondent Douglas Kiker reported in July: "Justice Department officials described the Albany trouble Monday as 'a tense situation' but added that Mayor Asa Kelley and Chief of Police Laurie Pritchett 'have certainly indicated a strong desire to maintain order.' They said they had received no evidence that Albany police are not furnishing adequate law protection." This was immediately after attorney C. B. King, with more than 100 city and county police nearby, had received his bloody beating at the hands of the Dougherty County sheriff. Kiker disclosed that the Department of Justice was "investigating" the beating of King. But if there was ever a case where one hour of investigation would be sufficient to establish grounds for federal action, this was it.

Near the end of the summer, after receiving dozens of angry telegrams, after the picketing of the White House by citizens from both North and South, and after face-to-face pleas from Roy Wilkins of the NAACP and William Kunstler of the American Civil Liberties Union, the Justice Department made two legal moves: 1) it entered a friend-of-the-court brief to support the Albany Movement's request that an injunction against further demonstrations be denied; and 2) it asked for an injunction (after a violation of voting rights in Terrell County so outrageous that usually calm reporters on the scene were upset) to prevent certain officials in southeast Georgia from interfering with registration activities.

The available administrative machinery for enforcing federal law should be outlined: the Department of Justice has the duty to enforce laws passed by Congress and provisions of the U.S. Constitution. In the Department there is a Civil Rights Division, headed by an Assistant Attorney General, which handles the bulk of the legal work of the Department dealing with civil rights cases. The Division depends for its information on another branch of the Justice Department, the Federal Bureau of Investigation, which has offices in cities all over the country. F.B.I. agents undertake investigations on orders from the Department, to determine if federal law has been violated. The F.B.I. can make arrests, usually on orders from the Department, sometimes on its own in situations of urgency. After investigation, in civil rights cases, it is up to the Civil Rights Division to decide whether prosecution should be initiated. If so, this is usually done through the United States Attorney in that judicial district, who prosecutes the case in federal District Court, after indictment by a grand jury or the filing of an information. Also upon the Department's advice or order, the U.S. Attorney may file civil suits (although this may be done by a Civil Rights Division lawyer from Washington) asking that the federal court issue injunctions forbidding certain parties to engage in specified practices which may deprive individuals of their rights under the Constitution. Attached to the federal district court are U.S. marshals, who serve subpoenas, give notice of injunctive action, and otherwise carry out the orders of the court or the Attorney General. From District Court, there is

the right of appeal to the Court of Appeals, and then, in certain cases, to the United States Supreme Court.

The Department of Justice has on occasion defended its restraint in the Albany situation and in other crises by the following arguments, which deserve examination and reply:

1. Argument: Prosecutions in the Deep South stand little chance of succeeding, since juries are white and prejudiced.

Reply: Even if acquittal results, prosecution may act as a deterrent. Right now, southern police officers, knowing the government's reluctance to prosecute, feel free to do as they wish with Negro citizens, and Albany has demonstrated this. If nothing else, a series of prosecutions would exert a powerful educational and moral force in a situation where Negroes feel deserted by the national government and southern whites are not clear where the government stands.

2. Argument: The Supreme Court decision in the *Screws* case of 1945 interpreted section 242 in such a way as to make convictions difficult, because of the need to show "intent" on the part of the accused, with "intent" interpreted very narrowly.

Reply: The only way to get new interpretations of the law is to bring new cases before the courts.

3. Argument: The Department of Justice needs specific legislative authorization from Congress—as it has in the Civil Rights Acts of 1957 and 1960 regarding voting—to take injunctive action against local officials in other situations involving civil rights and civil liberties.

Reply: In the *Debs* case of 1895 there was no specific legislative basis for an injunction; yet the Supreme Court ruled that the federal government could get one, saying: "Every government . . . has a right to apply to its own courts" in matters which the constitution has entrusted to the care of the national government. The Court said: "The entire strength of the nation may be used to enforce in any part of the land the full and free exercise of all national powers and the security of all rights entrusted by the Constitution to its care."

The government may choose to interpret its own powers narrowly, or it may interpret

them broadly. The degree of its compassion may dictate the choice. When you combine the present reluctance of the Department of Justice with the unhesitant exercise of power by local police, the result is to blind the First and Fourteenth Amendments with the first flash of a police officer's badge.

Moreover, Albany has implications for American freedom beyond the question of equal rights for Negroes. Can American citizens, anywhere in the land, have freedom of speech and assembly in the face of a determined police force and an uncertain national government?

4. Argument: Our federal arrangement requires that the national government should interfere as little as possible with "local" situations.

Reply: It was precisely the purpose of the Fourteenth Amendment to take the enforcement of racial equality out of the hands of local governments, which had proved the most flagrant violators, and put ultimate authority in the hands of the national government. Local governments may do anything they want in the field of ordinary crime. They may punish people for disorderly conduct, for blocking sidewalks, for disobeying police officers. But the moment such offenses are applied to one race in a way that they are not applied to another, the Fourteenth Amendment is violated, and the federal government, with all the power at its command, has proper constitutional jurisdiction. To take the view that the arrests of Negro citizens, for reasons obviously connected with their race, are purely "local" matters, is to take a pre-Civil War view of the American federal system.

5. Argument: There is no need for federal interference so long as large-scale violence does not break out, so long as local police maintain order.

Reply: If the government's only requirement is the maintenance of "order," even without the existence of freedom, then we have moved close to the ideology of the totalitarian state.

Something needs to be said about the role of the Federal Bureau of Investigation, and then about the influence of the President of the United States.

PAGE 30

There is a considerable amount of distrust among Albany Negroes for local members of the Federal Bureau of Investigation. "They're a bunch of racists," a young Negro told me bitterly. Whether true or not, this is the feeling of many Negroes who have had contact with the F.B.I., and, even if distorted, it is a general reflection of the efficacy of the F.B.I.'s role in the area of civil rights. F.B.I. men appear to Albany Negroes as vaguely-interested observers of injustice, who diffidently write down complaints and do no more. With all the clear violations by local police of constitutional rights, with undisputed evidence of beatings by sheriffs and deputy sheriffs, the F.B.I. has not made a single arrest on behalf of Negro citizens. The one arrest made by the F.B.I. in connection with the Albany situation came in early September, and this when an F.B.I. man himself was attacked by a white man near the site of a burned church.

In its 1961 volume, *Justice*, the Commission on Civil Rights implied that the F.B.I. may be fundamentally incapable of enforcing the civil rights of American citizens. This is because of its natural attachments to local police on whom it is dependent for the solution of ordinary crimes, and because it is these same local police who are the most frequent violators of the rights of Negroes in the South. The Commission suggested the possibility of "a new administrative arrangement within the Department of Justice to ease the problem of F.B.I. agents having to investigate police officers with whom they work daily on other cases."

One solution might be the creation of a special corps of federal agents—similar to the T-men used by the Treasury Department—for the sole purpose of enforcing federally guaranteed constitutional rights in many parts of the country where they are consistently violated. Such agents need not be "outsiders," for there is a whole new generation of young Southerners—Negro and white—who are intelligent, courageous, capable, and genuinely concerned about civil rights, and from whom such agents could be selected. The F.B.I. is most effective as an agency for the solution of ordinary crimes, and perhaps it should stick to that.

As for the President of the United States, he could play, but so far has not played, a key role in crises such as Albany. The Commission on Civil Rights last year called for "the exertion of leadership by the President and others in the National Government. . . . These recommendations are based on the belief that the Presidency, and indeed the whole Federal establishment, is preeminently a place for moral leadership. The Commission has been impressed with the influence which those in responsible positions can exert on the civil rights climate of the Nation. By using the instruments for education and persuasion which are available to them they can stir the conscience of the country."

President Kennedy's first substantive public statement came after eight months of trouble in Albany when, responding to a question

at his August 1, 1961, press conference, he called the situation "unsatisfactory," declared he could not understand why Albany city officials would not negotiate with Negroes, and said: "We are going to attempt as we have in the past to try to provide a satisfactory solution for the protection of the constitutional rights of the people of Albany, and we will continue to do so." The trouble with this latter statement was that "in the past" the national government had done extremely little, and if its future attempts were to be of the same magnitude, this was a puny promise indeed.

In another press conference on Thursday, September 14, 1962, again in response to a question, President Kennedy strongly denounced the burning of the Negro churches in Lee and Terrell Counties, calling the actions "cowardly as well as outrageous." This was commendable. But it also indicates the level of tolerance at which our national leaders—and perhaps most white Americans—operate. They will be aroused by open violence, particularly against places of worship (Governor Vandiver of Georgia, hardly a friend of the Albany Movement, offered a \$250 reward for the apprehension of the arsonists). But they will not be made sufficiently indignant by mass jailings, by the deprivation of free speech and assembly, by beatings and intimidation, by the perpetuation of segregation. The nation as a whole—not only the President—needs to expand its capacity for outrage.

Only once in the Albany troubles did the national administration show a real burst of energy; that was when Martin Luther King, Jr. was jailed on July 10. The President asked for a report, the Attorney General got busy, the Assistant Attorney General in charge of civil rights made phone calls, and the next day King was out of jail. But there was no such deep concern for the hundreds of ordinary citizens in Albany who went to jail about the same time for basically the same reason. Special favors to distinguished individuals are too easy a substitute for genuine assistance to troubled groups. Jackie Robinson, who last summer received elaborate greetings from the President on the occasion of his election to the Baseball Hall of Fame, noted the Albany situation and wrote: "I'd rather have freedom than flowers."

The President's general silence, (except for the two instances noted above) and the feebleness with which the Justice Department has acted are often attributed to the practical realities of national politics, which require, it is said, that the President woo the support of Southerners in Congress for other laudable national goals. But there are some means so morally hurtful that they corrupt the ends. Besides, there is serious reason to doubt that the Administration gains substantial advantage from such tactics. The Senators from the state of Georgia had an opportunity, in 1961, to vote on 12 key issues important to the Administration: they both voted with the Administration in only two of the 12 instances, and these were farm bills that they probably would have supported in any event. In a

third case, on the housing bill, Talmadge supported the President and Russell did not.

Finally, it can be argued that the President's concern for civil rights and his concern for political advantage are both demonstrated by his choice of federal judges, knowing clearly that those appointed in the South will have tremendous authority over the progress of race relations, and will have it for many years. Certain judicial appointments of this Administration have appalled Southern liberals.

The federal government, if it wants to, can take the following actions in Albany:

1. Begin immediate prosecution under Section 242 of local officials who have deprived Negroes of their constitutional rights in the Albany area. Such trials, since they involve misdemeanors, do not even require grand jury indictments, but may be initiated on the presentation of an information by the Department of Justice, and the Commission on Civil Rights has urged this procedure "in appropriate cases." The F.B.I. has in its hands piles of affidavits from Albany citizens—accumulated over a period of nine months—testifying to violations of federal law; but the Justice Department has not acted.

2. Station in the area a substantial number of federal agents to protect citizens from intimidation, beating, and false arrest. Such agents should not confine themselves to standing by and taking notes, which the F.B.I. has been doing on occasion in the Deep South in the midst of scenes of brutality, but should have the authority to make arrests on the spot.

3. Go into federal court and ask for injunctions to prevent local officials from a) enforcing segregation statutes, and b) interfering with peaceful assembly, picketing and speech. Violations of such injunctions would then be subject to judicial punishment without trial. Both such legal actions have been initiated by the Albany Movement, but they could have been started by the federal government last December, and should now be backed by it. The government, after prodding, did enter a friend-of-the-court brief in a defensive action against the city's attempt to make demonstrations punishable, but has not taken any steps to make peaceful assembly a positive right.

4. The President should address himself directly to the people of Albany, white and Negro, speaking forthrightly about racial discrimination, making it plain to Albany whites that they are entitled to express their views and hold their private beliefs, but that public law now entitles Negroes to equal use of all public facilities, and that the entire power of the federal government will stand behind this. The Southern Regional Council, in its report *The Federal Executive and Civil Rights*, said: "The South should be informed where the President stands. . . . The millions of Southerners, white and Negro, who want to break loose from enfeebling customs, would respond with gratitude to Presidential leadership."

5. There is a procedure outlined in the U.S. Attorney's Manual, Title 10, Civil Rights Division, which says that where there is insufficient evidence for federal prosecution but "repetitive civil rights violations" exist, the U.S. Attorney may initiate a mediative conference "with responsible local officials." The manual says: "Situations in which such a conference may be useful include those involving enforced racial segregation and illegal police practices. . . ." It says further: "Such a conference should serve the purpose of putting the officials on notice regarding the applicable federal laws and giving them an opportunity to remedy the situation. . . ." It would be difficult indeed to think of a situation more badly in need of such a procedure than Albany this past year, but there is no indication that the Department of Justice has used it, choosing instead to rely on informal—and ineffectual—efforts at mediation.

6. The President should refuse to appoint segregationist federal judges. Judgeships left vacant are preferable to those filled for life by men who, on their public record, are opponents of racial equality.

7. The Commission on Civil Rights might well investigate the Albany situation and make appropriate recommendations. There are a hundred potential Albanys in the Deep South.

These proposed actions require boldness, imagination, vigorous initiative—precisely those qualities that were promised by Mr. Kennedy in his campaign for the Presidency. As yet, however, no New Frontiers have been carved out in the social wilderness which surrounds Albany. They will probably be established, as elsewhere in the Deep South, by determined Negroes and farsighted whites, compelled by court rulings and smoothed by compromises, but with that intermittent conflict, and suffering, which accompany progress. What the government can do is help ease the pain.

are demonstrating because of their own feeling that they have denied certain American rights which they seek. And it is not a Communist operation, although any demonstration may help in a Communist cause. Demonstrations of any type help Communist causes, whether it is by one group of citizens or by another. I believe the members of this committee feel that there is any Communist conspiracy involved in the present demonstrations that are going on in the United States.

SENATOR BARNETT. Yes, sir.

SENATOR THURMOND. Mr. Chairman, I would disagree with your statement there. I personally do feel that there is some Communist conspiracy behind the movements going on in this country.

SENATOR MONRONEY. The committee will be glad to have any witnesses that you would care to present. But I do feel that we are doing ourselves and the Nation a great disservice by trying to brush off or sweep this problem under the rug by saying that protests, the disturbances, and demonstrations are a part of some race war overseas and that there is no deep-seated, purely American problem that is involved in their creation.

SENATOR THURMOND. Mr. Chairman, I would not say that there is a deep feeling on the part of a great many people in these demonstrations. I feel there is. And I feel that a great many of these people who are demonstrating are sincere in their actions during these protests, and so forth. But I still say that these parades, in my judgment, are inspired by the Communists, and I think it is part of the international conspiracy of communism.

SENATOR MONRONEY. Does the Senator have some witnesses he would like to suggest, beyond those he has already called?

SENATOR THURMOND. We expect to call some witnesses on various occasions. I don't know whether I will call any on this. I have reason to believe that I will.

SENATOR BARNETT. Senator, if I am not out of order—

SENATOR MONRONEY. Not at all.

SENATOR BARNETT. May I request this honorable committee to ask Mr. Hoover if the people in this particular picture are Communist; if any of them—Martin Luther King is on the front row, along with Berry, and others, and Williams—if any of them are Communist, and if so, what were they doing at Montecagle, Tenn. I would like to have an answer from him.

SENATOR MONRONEY. This committee would like to hear from Mr. Hoover on this and on the lifetime record of Martin Luther King or anybody else who is charged with being a Communist. This is very important to the committee, and we would like to have the full weight of evidence and not one picture as a basis to make our final decision.

The following letter was subsequently received for the record:)

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C. July 23, 1963.

WALTER G. MAGNUSON,
Senator,
Seattle, D.C.

RE: SENATOR. This is in response to your inquiry of the Federal Bureau of Investigation concerning the charges made at the hearings on S. 1732 that the

racial problems in this country, particularly in the South, were created and being exploited by the Communist Party.

Based on all available information from the FBI and other sources, we have no evidence that any of the top leaders of the major civil rights groups are Communists, or Communist-controlled. This is true as to Dr. Martin Luther King, Jr., about whom particular accusations were made, as well as other leaders.

It is natural and inevitable that Communists have made efforts to infiltrate the civil rights groups and to exploit the current racial situation. In view of the real injustices that exist and the resentment against them, these efforts have been remarkably unsuccessful.

I hope that this provides the information you were seeking.

Sincerely,

ROBERT F. KENNEDY,
Attorney General

Governor BARNETT. Senator, may I say this. Very few Mississippi Negroes have demonstrated. They bring them in by the truckload from other sections. They bring them in from New York. We don't know who they are.

The Negroes in Mississippi actually refuse to associate with them. But there are a few; they pick up a few. They picked up some in Greenwood, Miss., recently, and they talked to them for 2 or 3 days and then they got them in a frenzy. They pass the plate and they get the money, and then they are gone, leaving turmoil and strife in their path.

I think when we look into the situation carefully and find out that a large number of these very people who are demonstrating are who are actually Communists.

I have records, gentlemen, I would be glad to send you, of the convictions against people who have been brought to Greenwood, Miss., and who have testified. I mean who have demonstrated in the streets of Greenwood. Several—I will write you if that is suitable and give you the backgrounds of some who have demonstrated. I will see the type and the character of people who are the agitators coming to our State.

Our Negroes in Mississippi don't pay much attention to them. They didn't pay much attention to the "freedom riders."

Senator MONROE. We would be happy to receive any information you might give us.

Governor BARNETT. Yes, sir.

Senator MONROE. Senator Cotton, the ranking minority member.

Senator COTTON. Governor, I join in bidding you welcome to the committee. It is always a privilege to have a Governor of a State appear before us and the welcome would be yours anyway. It is doubly so when you appear with our esteemed colleague, J. Stennis.

There are two or three questions I must ask you, however. At this point I would like cleared up, because I am a little confused by the evidence before our committee.

One page 7 of your statement you say that—

control over individual action by operators of private business lies with the power of the State legislatures. Some States have passed legislation on this subject, some have not.

And then you go on to say, and I quote, in the middle of page 7:

Mississippi has taken no action on this question. In our State the owner of each business is free to make his own decision as to whom he will serve.

satellite. If the Soviet troops left Cuba and if Cuba started moving towards a Titoist-type situation, do you see the possibility of perhaps coexistence?

THE PRESIDENT. It is very difficult to base a future policy on presumptions which are not today realized. The fact of the matter is the Soviet troops are there. The fact of the matter is that Cuba does follow a satellite role, and that is what we consider unacceptable to us. I would hope that the situation some day would change.

[24.] Q. Mr. President, Governor Rockefeller and Senator Goldwater are sharply divided on what sort of an appeal the Republican Party should make to the South in 1964. Perhaps this question will be faced by you next year, and I wondered whether you plan to either repudiate or reject the support and the votes of segregationists in the South.

THE PRESIDENT. I think that the record of this administration on this matter of equal opportunity is so well known to everyone, North and South, that in 1964 there will be no difficulty in identifying the record of the Democratic administration, what it stands for. And my judgment is, based on history, that the Republican Party also will make a clear stand on this issue. I would be surprised if they didn't.

[25.] Q. Mr. President, in the last week the Governor of Alabama, the Governor of Mississippi, and the Attorney General of Arkansas have all testified before the Senate Commerce Committee insisting that the integration move was Communist-inspired. And this has led to some fears on the part of some Senators that we may be entering into a period of McCarthyism that

will submerge this issue. Will you comment on it?

THE PRESIDENT. The fact of the matter is that the Communists attempt, and obviously, to worm their way into every movement, and particularly to worm their way into those movements where there is an obvious—where there is trouble. I would think that the relatively few remaining Communists in the United States, and they are very few, I would think that they would attempt to take advantage of whatever difficulties may arise in the United States. But I must say that we looked into this matter with a good deal of care.

We have no evidence that any of the leaders of the civil rights movements in the United States are Communists. We have no evidence that the demonstrations are Communist-inspired. There may be occasions when a Communist takes part in a demonstration. We can't prevent that. But I think it is a convenient scapegoat to suggest that all the difficulties are Communist and if the Communist movement would only disappear that we would end this.

The fact of the matter is, it is easy to blame it on the authorities in Washington, it is easy to blame it on the Attorney General or the President, and say, "If they would just stop talking about these things the problem would go away." The way to make the problem go away, in my opinion, is to provide for a redress of grievances.

Reporter: Thank you, Mr. President.

NOTE: President Kennedy's fifty-eighth news conference was held in the State Department Auditorium at 4 o'clock on Wednesday afternoon, July 17, 1963.

306 Special Message to the Congress on Balance of Payments.

July 18, 1963

To the Congress of the United States:

Soon after my inauguration, I reported to the Congress on the problems presented to this nation by three successive years, be-

ginning in the late 1950's, of mounting balance of payments deficits accompanied by large gold outflows; and I announced a program designed to restore both confidence in

No Rest For In Rights Fight

Robert Kennedy Denies Charges

By J. A. O'LEARY
Star Staff Writer

Attorney General Robert F. Kennedy said today there is no evidence that any of the top leaders of the civil rights groups "are Communist controlled."

In a letter to Senator Monroney, Democrat of Oklahoma, the Attorney General pointed out that the Senate Commerce Committee by several Southern "states" has been "informed" in recent months that the

Gov. Ross Barnett of Mississippi and Gov. George C. Wallace of Alabama asked the committee to look into the matter.

Gov. Barnett also handed the committee a pamphlet containing a large group photograph, which the Governor said came from the Georgia Commission of Education. He testified that it showed Dr. Martin Luther King, Jr., at a Communist training school.

Referred to FBI

Senator Monroney asked the FBI for a report. FBI Director J. Edgar Hoover, "in line with departmental policy," referred the letter to the Attorney General, who sent Senator Monroney the following reply:

"This is in response to your inquiry of the Federal Bureau of Investigation concerning the charges made at the hearings on S. 1733 (one of the civil rights bills) that the racial problems in this country, particularly in the South, were created or are being exploited by the Communist Party."

"Based on all available information from the FBI and other sources, we have no evidence that any of the top leaders of the major civil rights groups are Communist controlled. This is true as to Martin Luther King, Jr., about whom particular accusations were made, as well as other leaders."

"It is natural and inevitable that Communists have made efforts to infiltrate the civil rights groups and to exploit their current racial views in view of the real injustices that exist and the movement against

see RIGHTS, Page A-1

RIGHTS.

Continued From Page A-1
them, these efforts have been remarkably unsuccessful.

"I hope this provides the information you were seeking."

Read by Monroney

The allegations previously had been denied by Dr. King.

Senator Monroney read the letter at today's hearing after a delegation of religious leaders had given strong testimony in favor of removing racial barriers from all places of public accommodation.

As his letter was released, the Attorney General told the Senate Judiciary Committee that his mail from Southern states shows "the most distorted idea of what is going on here."

He said that in some Southern States people are told day after day that "the greatest danger to their individual liberties is the central Government and President Kennedy."

Mr. Kennedy faced more questioning from Senator Ervin, Democrat of North Carolina, in his lengthy appearance before the Judiciary Committee.

Suggests Prosecution

Senator Ervin returned to the point that the Justice Department should start criminal prosecutions against "leading officials who deprived Negroes of their rights rather than to go after new voters."

He said that he did not think the Attorney General should "join the outcome of court cases in the field of civil rights to the failure of a law in Maryland to prevent persons convicted in participating in the riot at the summer camp."

The Attorney General said

he was not questioning the integrity of jurors but wanted to emphasize that their thinking was conditioned by being told constantly of dangers to their liberties from Washington actions.

Chairman Eastland, defending the jurors in his home State of Mississippi, argued that conflicting testimony was given at Oxford.

Takes New Tack

Senator Ervin approached the argument from a different point.

"I don't think," he said, "that I would change the whole Constitution because of the illegal actions by Gov. Barnett and the unwise actions of the Governor of Alabama."

When the argument turned to the public accommodations section of the bill, which would bar discrimination against Negroes trying to be served in restaurants and accommodations in hotels, Senator Keating, Republican of New York, pointed to an amendment he planned to introduce.

The amendment would remove an 1875 statute barring discrimination by State based on the Fourteenth Amendment.

Senator Keating noted that the constitutionality of this law was upheld by the Supreme Court in 1951 when it knocked out other civil rights laws.

The Attorney General said the Keating amendment would be helpful.

As the session broke up, Senator Ervin addressed a report that his group was now taking action. Mr. Kennedy, referring to his group as "one of our best," said the Senate Judiciary Committee had been "very helpful" in the past.

The Attorney General said

he was not questioning the integrity of jurors but wanted to

emphasize that their thinking was conditioned by being told constantly of dangers to their liberties from Washington actions. The religious delegation testifying before the Commerce Committee consisted of the Rev. John F. Cronin of the National Catholic Welfare Conference; Rabbi Irwin M. Blum of the Synagogue Council of America; and Dr. Eugene Carson Blake of the National Council of Churches.

These same clergymen testified before the House Judiciary Committee yesterday, and appeared again today before a Senate Labor Subcommittee in support of a fair employment practice bill.

Senator Thurmond, Democrat of South Carolina, who has cross-examined all other witnesses before the Commerce Committee, said he had no questions to ask the religious delegation.

Under questioning by other Senators, about whether there should be any exemptions from small establishments, Father Cronin said he thought the once a facility is opened to the public the Government has right to regulate it without distinction as to size or nature.

Acting Committee Chairman Eastland asked Father Cronin, who acted as spokesman for the group, if he would exempt the widow who for economic reasons must rent two or three rooms in her home.

The witness replied that would not. He added that such a case the widow could not have that all customers be welcomed and desirable, but that no distinction be made on color.

There were being made in the House meanwhile, to bring Fair Employment Practices to the floor before the August 31 civil rights march here, a

Evening Star
7/25/63

Memorandum ROUTE IN ENVELOPE

NE

Mr. W. C. Sullivan

DATE: January 23, 1964

- 1 - Mr. Belmont
- 1 - Mr. Sullivan
- 1 - Mr. Callahan
- 1 - Mr. Bland
- 1 - Mr. Baumgardner
- 1 - Mr. Forsyth
- 1 - Mr. Ryan
- 1 - Mr. Phillips

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

Mr. F. J. Baumgardner

CT: COMMUNIST PARTY, USA

INTERNAL SECURITY

COMMUNIST INFLUENCE IN RACIAL MATTERS

INTERNAL SECURITY - COMMUNIST

This memorandum recommends that Security Supervisor Harry F. Afford, Jr., of the San Francisco Office be ordered to report to the Bureau 2/3/64 for a one-day conference preparatory to effecting coverage of the activities of Martin Luther King, Jr., and his associates in Honolulu 2/18-25/64.

Our investigation of the communist influence in racial matters clearly reveals King to be one of the most prominent and important leaders of the Negro people today. Investigation to date has proven his being of strong communist influence and has

Because of the communist influence on him, he needs to be watched for the security of the Nation, completely discredited. An obvious means to this end is through his activities and we are attempting to obtain as many facts as possible relative to his activities with a view to effectively using this information. The activities of King and his associates at Honolulu have demonstrated the potential for us in effecting technical coverage.

For some time King has been planning on a trip to Honolulu, where he is scheduled to speak about 2/18/64. His itinerary tentatively calls for departure from Los Angeles, California, for Honolulu 2/18/64 and return to the mainland 2/25/64. He will be accompanied by his Executive Assistant, Mr. Walker.

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

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-18-00 BY SP-2 NLM/216

The present Agent complement of the Honolulu Office is 13, including the SAC and ASAC; also includes one sound-trained Agent. Because of the small number of Agents in that Office and the Office's rather limited experience in the type of operation we desire to effect (such as we had Washington Field Office handle at the Willard), we believe it would be advantageous to have the Honolulu personnel and equipment augmented with personnel and equipment from the San Francisco Office, where there are 10 Agents.

100-3-116

100-103670 (Martin Luther King, Jr.)

SP:kmj

(10)

REC 5

FEB 10 1964

Memorandum to Mr. Sullivan
COMMUNIST PARTY, USA
- NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
D-3-116

und-trained Agents assigned. In addition, San Francisco, over the
ars, has had much experience in effecting similar types of coverage
d Supervisor Harry F. Clifford, Jr., is one of the Bureau's most
perienced field men in this area of operations.

We therefore propose that Clifford be ordered into Washington,
C., for a complete briefing in this matter by Assistant Director
Sullivan and others of his staff fully acquainted with all aspects of
this case. We will also arrange to have copies of all pertinent corre-
spondence relating to this matter, both past and future, made available
to the San Francisco Office for review by Clifford and any other personnel
who may assist him.

COMMENDATIONS:

(1) Attached airtel directing Supervisor Clifford to report
to the Bureau 2/3/64 be approved.

(2) By separate communication to the appropriate offices, we
are arranging to have copies of all pertinent correspondence, both past
and future, sent to San Francisco for the assistance of that Office.

(3) At the conclusion of the one-day conference you will be
informed as to its results and arrangements which will be perfected for
fully informing Honolulu and taking action as necessary to further our
ends in this matter.

RECEIVED
FBI

CH-WE

V. K. K.

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

Addressee: SENATE SELECT COMMITTEE

☐ LHM ☒ LHM ☐ Memo ☐ Report dated 10/23/75

Caption of Document: U. S. SENATE SELECT COMMITTEE.

10/6/75 request

Originating Office: FBI

Delivered by: Paul J. [Signature] Date: 10/23/75

Received by: [Signature]

Title: _____

urn this receipt to the Intelligence Division, FBI

#mde/k

10/18/00

SP-2 ALM/STG

62 11-21-10
ENCLOSURE

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-1068*Enclosure
Behind
File*

NOTE: THIS IS A PERMANENT CHARGE OUT FOR A XEROX COPY/COPIES OF "JUNE" MAIL THAT WAS INCLUDED IN COPIES OF FBI DOCUMENTS FURNISHED TO THE ATTORNEY GENERAL BY MEMO/LETTER DATED 10-23-75 IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U. S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. THE COPY/COPIES OF THE "JUNE" MAIL DATED AS INDICATED BELOW HAS/HAVE BEEN REMOVED FROM THIS ENCLOSURE MATERIAL TO BE FILED IN THE APPROPRIATE HOUSTUDY OR SENSTUDY "JUNE" FILE INDICATED ABOVE, LOCATED IN THE SPECIAL FILE ROOM OF THE RECORDS SECTION.

DATE(S) OF MAIL: 12-4-62REMOVED BY: WardlawDATE REMOVED: 9-28-76

#mde16
ALL INFORMATION CONTAINED ON THIS
FORM IS UNCLASSIFIED
DATE 10/18/00 BY SP-2 ALM/116

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

The Attorney General

October 23, 1975

Director, FBI

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

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

#more 16
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/18/00 BY SP2 JAM/118

Enclosed is the original of a memorandum, with its attachment, concerning an interview of FBI Special Agent in Charge Vincent E. Ruehl by an SSC Staff Member.

Also enclosed is a copy of the memorandum, with its attachment, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

62-116395
Enclosures (4)

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

1 - 67- (Personnel file SAC Vincent E. Ruehl)
SFP:eks
(12)

2-ENCLOSURE

REC-2 62-116395-1009
EX 104

15 NOV 12 1975

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 _____

SECRET MATERIAL ATTACHED

MAIL ROOM ☐ TELETYPE UNIT ☐

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

62-116395

October 23, 1975

1 - Mr. S. F. Phillips

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

RE: INTERVIEW OF FBI SPECIAL AGENT
 IN CHARGE (SAC) VINCENT E.
 RUEHL BY SSC STAFF MEMBER

The following concerns an interview of FBI
 SAC Vincent E. Ruehl by an SSC Staff Member.

On October 9, 1975, Mr. James Dick, SSC Staff
 Member, requested of the Legal Counsel Division of the FBI
 that SAC Ruehl be made available for interview concerning
 his knowledge of mail openings. After the FBI released
 Ruehl from his agreement of confidentiality for purpose of
 the interview, limited to the subject of mail openings,
 Ruehl was made available and was interviewed on October 14,
 1975. Attached hereto is a memorandum dated October 15,
 1975, at Pittsburgh, Pennsylvania, which records Ruehl's
 report of that interview.

Enclosure

1 - 67-

(Personnel file SAC Vincent E. Ruehl)

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:eks
 (11)

NOTE: Contacts with the SSC relating to this matter
 were by Supervisor P. V. Daly of the Legal Counsel Division.

SECRET MATERIAL ATTACHED

ENCLOSURE



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Pittsburgh, Pennsylvania

October 15, 1975

~~SECRET~~

In Reply, Please Refer to
File No.

#m DR16
DECLASSIFIED BY SP-2 ALM/18
ON 10/27/00

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

INTERVIEW OF FBI SPECIAL AGENT IN CHARGE
VINCENT E. RUEHL BY SSC STAFF MEMBER

On October 14, 1975, at 10:00 a.m., Special Agent in Charge (SAC) Vincent E. Ruehl met with SSC Staff Member James Dick in the Everett M. Dirksen Building. SAC Ruehl and Mr. Dick proceeded to the Main Senate Office Building where an interview was initiated at approximately 10:30 a.m., and was concluded at approximately 12:30 p.m.

At the outset of the interview, which was witnessed by a court reporter who is also a notary public, SAC Ruehl consented to be placed under oath by the court reporter. Immediately thereafter, Mr. Dick advised SAC Ruehl that it was understood SAC Ruehl was appearing voluntarily, he had the right to counsel, he could conclude the interview at any time and/or interrupt the interview for the purpose of obtaining counsel.

The interview consisted of Mr. Dick obtaining from SAC Ruehl, details regarding Ruehl's knowledge of FBI programs in the Chinese security field which involved mail openings.

SAC Ruehl furnished the following information regarding the program of Chinese Communist Propaganda Entering the United States (CHICPROP):

SAC Ruehl was assigned as a Supervisor at FBI Headquarters (FBIHQ), Domestic Intelligence Division (now Intelligence Division), in November, 1936. Within the first year of his assignment in a Supervisory capacity, he was assigned to Chinese matters, including supervision of CHICPROP. This was a program which had been initiated prior to SAC Ruehl's assignment to FBIHQ. Mail emanating from Communist China entered the U. S. at San Francisco in the custody of U. S. Customs Service. Through an established source, the mail was made available for review to FBI Agents assigned to the San Francisco Office. The Agents selectively separated items

~~SECRET~~

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

Classified by 6283
Exempt from GDS, Category 2+3
Date of Declassification Indefinite

ENCLOSURE

62-116395-1009



~~SECRET~~

of mail which would be of interest to the FBI in discharging its responsibility of protecting the security of the United States. The selection was made based on the person or persons to whom the mail was addressed and/or the identity of the person in Communist China who originated the mail.

The selected items of mail were opened, photographed and thereafter replaced into the routine mail flow. Photographic copies were furnished to the Bureau for transliteration and review. The transliterations were then furnished San Francisco for further dissemination.

SAC Ruchl advised during the period CHINPOP was in operation, Communist China was considered a hostile force. There were a number of Chinese in the United States who had received highly technical and scientific training and education and a number of them were employed in defense areas. Communist China was endeavoring to induce such individuals to return to Communist China, particularly to assist in nuclear research and the development of sophisticated weapons and missiles. Some Chinese scientists did in fact return to Communist China after having been employed in areas concerned with defense of the United States. There was at least one instance SAC Ruchl recalled where a Chinese scientist attempted to depart the U. S. en route to Communist China by way of England while in possession of classified information. The classified information was discovered and removed from his custody at a U.S. port of embarkation. Through the CHINPOP operation, couriers being made to Chinese in the United States to assist Communist China were discovered.

While CHINPOP was in operation, another program involving Chinese letters emanating from the United States and destined for Communist China was in operation under the acronym CHICLET.

CHICLET was initially motivated when it was determined registered mail from the United States was being delivered to a Communist Intelligence department officer listed as the Military Attache at the Chinese Communist Embassy in Stockholm, Sweden. CHICLET resulted in information concerning individuals in the United States, obviously sympathetic to Communist China, and who might logically present an intelligence problem for the FBI.

A third project regarding Chinese language letters emanating from Canada and destined to individuals in the United States was handled under the acronym CHICME. This program was

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~~SECRET~~

suggested by FBI, San Francisco, which furnished 83 sample items in support of its recommendation for the program. A review of the items at FBIHQ established such a program would have little value and authorization for San Francisco to implement it was denied.

At the conclusion of the interview, Mr. Dick posed the question as to whether SAC Ruehl ever considered the implementation of the mail opening as an illegal act. Mr. Ruehl stated he had never considered this activity illegal as it was directly connected with and essential to the FBI's responsibility of protecting the internal security of the country. Mr. Ruehl disclaimed any knowledge as to whether subject matters had been discussed with Attorneys General during the period the programs were in operation.

~~SECRET~~

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

10/23/75

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

SSC

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

HSC

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

Memorandum reporting the results of an interview by SSC Staff Member of Special Agent In Charge Vincent E. Buchl.

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

NA

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

S

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

**Intelligence collection
Information handling**

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

Interviewed regarding mail openings.

62-116395

FMK: fmk

(4)

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

TREAT AS YELLOW

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP-2 ALM/HG**

5. woc/BS

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.

TO: Intelligence Community Staff ATTN: Central Index				FROM: <div style="text-align: center; font-weight: bold;">FBI</div>			
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	
x	DOCUMENT		BRIEFING		INTERVIEW		TESTIMONY
							10/23/75
3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)							
x	SSC						
	HSC						
4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)							
Memorandum and enclosures							
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)						6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)	
SSC letter 10/6/75, items 1,2,4,5,6,7 and 8						TS	
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)							
Intelligence collection Information handling Surveillance, electronic							
8. SUMMARY (see reverse side before completing this item)							
Materials relating to Martin Luther King, Jr.: receipt or awareness of reports involving Southern Regional Council Special Reports of 1/8/62 and 11/14/62; Materials reflecting what was communicated by the FBI Director to the Attorney General on 1/62 as indicated in 2/14/62 memorandum from the Director to the Attorney General; decisions and authorizations for electronic surveillance on various individuals and/or organizations; testimony before the Senate Commerce Committee of Gov. Ross Barnett and Gov. George Wallace in 1963; letters from two senators inquiring about any relationship between racial unrest and the Communist Party; 8/1/63 conversation between the Attorney General and Courtney Evans; Clarification of a previously submitted document; author of a previously submitted document cannot be determined.							
62-116395 FMK:fmk (4)				ORIGINAL VIA LIASON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75			

*mdrj6
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/27/00 BY SP-2 ALM/216

5-10018

INSTRUCTIONS

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

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

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

October 24, 1975

The Attorney General

Director, FBI

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

2 - Mr. J. Cochran, Jr.
(1 - W. D. Campbell)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. G. Deegan
1 - Mr. S. Klein

Reference is made to the September 29, 1975, SSC request forwarded to the Department of Justice by letter dated September 29, 1975, listing certain documents and other information desired from the FBI.

Enclosed for your approval and forwarding to the committee is an original of a memorandum in partial response to the request.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a set of the materials which is being delivered to the SSC.

Enclosures (2)

62-116395

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

SK:k1m
(12)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/18/00 BY SP-2 AM/STG

Delivered to
Shaheen
10/28/75
PVD/sub

SEE NOTE PAGE 2

15 NOV 12 1975

5-AD ENCLOSURE
ENCLOSURE

Sec. Dir. _____
Asst. Dir. _____
Adm. Serv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & Public Affs. _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____
Off. of the Inspector General _____

NOV 13 1975 MAIL ROOM ☒ TELETYPE UNIT ☐

The Attorney General

NOTE:

Single copies of the 9/29/75 communications are attached to the file copy of the enclosed LHM. Exact copies of the materials being furnished are maintained in the office of the SENSTUDY 75 Project and a detailed record has been maintained of the materials furnished. Material contained herein, which responds to Item 2, and reflects intra-office Atlanta correspondence, was received at the Bureau as enclosures to Atlanta airtel dated 10/6/75, captioned SENSTUDY '75. Mr. Edward J. McDonough, Civil Rights Section, General Investigative Division, advised that Division 6 not in possession of any material relating to Item 5. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the materials being provided to the SSC.

62-116395

- 2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
2 - Mr. J. Cochran, Jr.
(1 - W. D. Campbell)
1 - Mr. W. R. Wannall

October 24, 1975

- 1 - Mr. J. G. Deegan
1 - Mr. W. O. Cregar
1 - Mr. S. Klein

10/18/60 *#mdc16* *SP2 AM/11/6*

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

Reference is made to the letter from the Director of the Domestic Intelligence Task Force, SSC, to the Deputy Attorney General's Office dated September 29, 1975, requesting delivery of FBI materials pertaining to Martin Luther King, Jr.

The purpose of this memorandum is to effect delivery to the SSC of information and materials relating to the September 29, 1975, SSC request and specifically to the following Items in that request: Items 2, 3, 4 and 5.

Item 3 requested access to all forms FD 185 and attachments (including forms entitled "Performance Rating Guide for Investigative Personnel"), for Special Agent Alden F. Miller for the years 1960-1968. This material will be available for review at FBI Headquarters (FBIHQ) pursuant to previously agreed upon arrangements pertaining to the review of performance ratings.

Concerning Item 4 requesting any materials reflecting dates upon which Special Agent William D. Campbell, while attached to the Washington Field Office (WFO), was on special or temporary assignment at FBIHQ (Laboratory (LAB) or Intelligence Division), between January 1, 1964, and the date of his transfer to the LAB, the following comments are submitted.

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 _____

SK:klm

(11)

ORIGINAL AND ONE TO AG

62-116395-1012

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 ☐

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ENCLOSURE

GPO : 1975 O - 569-920

U. S. SENATE SELECT COMMITTEE

A review of Bureau files disclosed no information that SA Campbell was officially placed on temporary or special assignment at FBIHQ during the above dates. It is the personal recollection of SA Campbell that his supervisor at WFO verbally advised him in late 1964, (specific time frame not recalled) to report to the LAB for the purpose of listening to some tape recordings to determine if additional information could be derived therefrom. SA Campbell reported to the LAB for a period of about one month, and it is his recollection that during this period, he continued to be assigned to WFO. The performance of his duties at the LAB was conducted there as the necessary equipment was at that location. During the period SA Campbell reported for duty at the LAB, he was officially assigned to WFO and merely reported to the LAB to carry out his responsibilities.

Item 5 requested materials which would reflect the authority and instructions issued for FBI personnel to surveil, monitor, investigate and/or report on civil rights demonstrations, protests, rallies, or marches which involved Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC) prior to October 23, 1962.

In respect to aforementioned Item, an extensive, exhaustive search has been conducted of pertinent FBI files. However, this search did not uncover any specific documents that disclosed any specific instructions being issued to FBI personnel regarding the above matter.

1 - The Attorney General

FRANK CHURCH, IDAHO, CHAIRMAN
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WALTER D. HILLSTON, KY.
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RICHARD S. SCHWEIKEN, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWAPZ, 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, 91ST CONGRESS)

WASHINGTON, D.C. 20510

September 29, 1975

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

Dear Mike:

Enclosed is a document request for materials
pertaining to the King matter.

I would like to set October 6, 1975 as a dead-
line for delivery of all outstanding previously-requested
documents pertaining to the King matter and October 13,
1975 for delivery of all documents requested on the
attached list.

I would also appreciate your arranging a briefing
for Mike Epstein for sometime this week by knowledgeable
FBI personnel concerning:

A. The present location and organization of any
files and materials which were found to be in
William C. Sullivan's Bureau office when he was denied
further access thereto in or about September 1971; and

B. A description of the contents of such files
and materials.

Finally, we would like to have access to the
Department of Justice files pertaining to Martin Luther
King, Jr. and/or the Southern Christian Leadership Confer-
ence for the year 1962. The materials in these "DJ" files
will be reviewed pursuant to the terms of the procedural
agreement between the Committee and the Department, i.e.,
subsequent to review of such files certain items will be
designated to be screened for delivery.

Sincerely,

John T. Elliff
Director

ENCLOSURE Domestic Intelligence Task Force

(DELETED)

- Call Denver for Atlanta*
2. All materials relating to rental or other arrangements made by the FBI for the use of an apartment or premises located in the Peachtree Towers, Atlanta, Georgia, as a listening post, as well as all materials relating to the termination of such arrangements, use, and/or occupancy.
- call file*
3. Access to all Forms FD 185 and attachments (including forms entitled "Performance Rating Guide for Investigative Personnel") for Special Agent Alden F. Miller for the years 1960-1968.
- call file*
4. Any materials reflecting dates upon which Special Agent William D. Campbell, while attached to the Washington Field Office, was on special or temporary assignment at FBI Headquarters (Laboratory or Intelligence Division), between January 1, 1964 and the date of his transfer to the Laboratory Division at FBI Headquarters. *WFO & Lab*
5. Materials which would reflect the authority and instructions issued for FBI personnel to surveil, monitor, investigate and/or report on civil rights demonstrations, protests, rallies, or marches which involved Martin Luther King, Jr. and the Southern Christian Leadership Conference prior to October 23, 1962.
6. Materials reflecting authority for and instructions issued prior to October 23, 1962, with respect to developing "any information. . . concerning the SCLC relating to racial matters (which) must be reported under the racial matters caption," and the maintenance of "a separate file on SCLC relating to racial incidents (157-632)." (See first paragraph on page 2 of October 23, 1962 letter from the Director to the SAC, Atlanta, captioned "Communist Infiltration of the Southern Christian Leadership Conference, Internal Security - C")

Nugent

7. All materials reflecting proposals, recommendations or decisions to include Martin Luther King on the Security, Reserve, Rabble-Rouser, and/or Agitator Index or list, and/or his designation as a Key Activist, Key Black Extremists, Top Functionary and/or Key Figure.
8. All materials from August 28, 1963 to December 31, 1964 which pertain to the distribution by the United States Information Agency of a film of the march on Washington, including such materials as concern or reflect contacts or correspondence between the FBI and the USIA or between the FBI and the White House concerning such film.
9. SAC Letter No. 59-2, dated 1/13/59, including the Security letter attached thereto pertaining to Racial Matters.
10. The Manual changes referred to in the Racial Matters section of the Security letter identified in Item 9 above.
11. Memorandum from Mr. Rosen to the Director, dated 1/7/59 captioned "Racial Matters" that is referenced in the proposed letter to all SAC/s which was typed on 1/7/59 and which became the Racial Matters section of Item 9 above.
12. Memorandum dated February 11, 1960, from W. B. ^{Wette} ~~Wette~~ to ^{Maurice} ~~Maurice~~ A. Rosen, captioned "Racial Matters." *Has*
13. *Call Rosen* Airtel to all offices dated February 12, 1960, captioned "Racial Matters." *Maurice has*
14. Memorandum dated June 26, 1963, from Mr. Rosen to Mr. Belmont, captioned "Racial Matters." *Maurice has*
15. Airtel dated June 27, 1963 from the Director to all continental offices, captioned "Racial Matters." *Maurice has*
16. Memorandum dated January 23, 1959, from Mr. Rosen to the Director, captioned "Bombing Matters or Racial Matters (New Classification)." *Maurice has*
17. SAC letter sent on 1/28/59 which was attached to the memorandum identified in Item 16 above. *Maurice*
18. All versions of Section 122 of the Manual of Instructions which were in effect from 1955 through 1965. *Maurice*
19. All materials reflecting correspondence, contacts, or communications, or proposed correspondence contacts, or communications, between FBI personnel and: *Twissall*

A. Samuel Riley Pierce, Jr.

B. Dr. Frank R. Barnett

(See memorandum from W. C. Sullivan to A. H. Belmont, dated January 8, 1964, captioned "Samuel Riley Pierce, Jr., 280 Park Avenue, New York 17, N.Y.")

20. All materials reflecting correspondence between any FBI headquarters personnel and former Chief of Police Jenkins, Atlanta, Georgia, concerning or pertaining to Martin Luther King, Jr., and/or the Southern Christian Leadership Conference from January 1, 1960 through April 1968.
21. All materials pertaining to (a) the nomination, and (b) the selection, of Martin Luther King, Jr., for the Nobel Prize.

*Seems that we
discussed a similar
? previously.*

#mde/b
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/18/00 BY SP2 ALM/TJG

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

Addressee: Senate Select Committee

☐ LTR ☒ LHM ☐ Memo ☐ Report dated 10/24/75

Caption of Document: Re SSC request 9/29/75 for delivery
of materials pertaining to King. Items 2,3,4 and
5.

Originating Office: FBI 2nd

Delivered by: Richard T. Taylor Jr. Date: 10/30/75

Received by: Lynsey Oster

Title: Clerk

Return this receipt to the Intelligence Division, FBI

62-116395-1010
ENCLOSURE

TO: Intelligence Community Staff ATTN: Central Index				FROM: FBI			
SUBJECT: Abstract of Information Provided to Select Committees							
1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)						2. DATE PROVIDED	
<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY
						10/24/75	
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 and enclosures							
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)						6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)	
SSC letter 9/29/75; items 2,3,4 and 5						U	
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)							
Operating procedures Surveillance, electronic							
8. SUMMARY (see reverse side before completing this item)							
Materials relating to Martin Luther King, Jr. and Southern Christian Leadership Conference; rental or other arrangements made for the use of an apartment or premises located at Peachtree Towers, Atlanta, Gs.; Performance Rating Guide for Investigative Personnell available for review; SA from WFO never on temporary or special assignment to FBIHQ during late 1964.							
62-116395 FMK: fmk (4)							
ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75							
TREAT AS YELLOW							

#mdel6
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 DATE 10/10/00 BY SP2ALM/7.6

J. WOC/8

INSTRUCTIONS

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