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File #:

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FOIPA# N/A

62-56-5038

Serial Scope:

1-24

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PENDING LITIGATION

KEEP AS TOP SERIAL - FILE NO. 62-5038
SL

Indefinite

NR074 VA CODE

PM NITEL 5-2-75 MSE

TO ALL SACS

FROM DIRECTOR (82-116395)

PERSONAL ATTENTION

SENSTUDY 75

CAPTIONED MATTER PERTAINS TO BUREAU'S HANDLING OF REQUESTS FROM SENATE AND HOUSE SELECT COMMITTEES TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES. IN CONNECTION WITH WORK OF THESE COMMITTEES, STAFF MEMBERS MAY SEEK TO INTERVIEW CURRENT AND FORMER FBI EMPLOYEES.

RECENTLY, THE SENATE SELECT COMMITTEE (SSC) STAFF HAS INTERVIEWED SEVERAL FORMER EMPLOYEES AND IT IS ANTICIPATED THAT MANY MORE SUCH PERSONNEL WILL BE CONTACTED.

THE FBI HAS PLEDGED FULL COOPERATION WITH THE COMMITTEE AND WE WISH TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDERTAKEN BY THE COMMITTEE WITH RESPECT TO THE FBI. HOWEVER, WE DO HAVE AN OBLIGATION TO INSURE THAT SENSITIVE SOURCES AND METHODS AND ONGOING SENSITIVE INVESTIGATIONS ARE FULLY

*noted 5/2/75
RWS
4 Sent
Congress
5/6*

*CCO
make
file*

French *Bender* *Cop*

62-5038-1

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| FBI - ST. LOUIS | |

ASAC

PAGE TWO

PROTECTED. SHOULD ANY FORMER EMPLOYEE CONTACT YOUR OFFICE AND HAVE ANY QUESTION REGARDING HIS OBLIGATION NOT TO DIVULGE INFORMATION OBTAINED BY VIRTUE OF HIS PAST FBI EMPLOYMENT, HE SHOULD BE INSTRUCTED TO CONTACT LEGAL COUNSEL, FBIHQ, BY COLLECT CALL. YOUR CONVERSATIONS WITH FORMER EMPLOYEES MUST BE IN KEEPING WITH OUR PLEDGE. IT IS BELIEVED SUCH A PROCEDURE WOULD INSURE PROPER PROTECTION AND ALSO FACILITATE THE WORK OF THE SSC.

THE ABOVE PROCEDURE ALSO APPLIES TO CURRENT EMPLOYEES OF YOUR OFFICE. HOWEVER, CONTACT WITH THE LEGAL COUNSEL SHOULD BE HANDLED THROUGH THE SAC.

END

TIE TIME OUT SHOULD HAVE BEEN IEXXX 838 ON THE ABOVE TEL TKS GA
FBISL KCM REC FIVE TELS CLR/TU

NR036 WA CODE

5:15PM NITEL 5-20-75 PAW

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY - 75.

REBUTEL MAY 2, 1975.

IN CONNECTION WITH WORK OF THE SENATE AND HOUSE SELECT COMMITTEES, ITS REPRESENTATIVES MAY CONTACT YOUR OFFICE FOR INFORMATION.

IN ONE RECENT INSTANCE, A REPRESENTATIVE OF THE SENATE SELECT COMMITTEE TELEPHONICALLY INQUIRED AS TO IDENTITY OF SAC IN A PARTICULAR OFFICE DURING 1970.

IN HANDLING SUCH INQUIRIES INSURE ESTABLISHING BONA FIDES OF REPRESENTATIVE BY SHOW OF CREDENTIALS ON PERSONAL CONTACT OR, IF TELEPHONIC CONTACT, BY TELEPHONING BACK TO COMMITTEE. UNLESS INFORMATION IS OF A PUBLIC NATURE, AS IN THE INSTANCE CITED ABOVE, OBTAIN FBIHQ CLEARANCE PRIOR TO SUPPLYING ANY INFORMATION. FBIHQ MUST BE EXPEDITIOUSLY ADVISED OF ALL INFORMATION FURNISHED.

END

HOLD

ASAC
French
Bender
Caputo
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62-5038-2

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| FBI - ST. LOUIS | |

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NR046 WA CODE

7:55PM NITEL 3-24-75 DEB

TO ALL SACS

FROM DIRECTOR

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES — RESEARCH MATTERS

SENATOR FRANK CHURCH, CHAIRMAN OF THE SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES HAS MADE AN INITIAL REQUEST FOR INFORMATION FROM THE FBI. AMONG THE ITEMS REQUESTED IS A BREAKDOWN OF FIELD AGENT PERSONNEL ASSIGNED TO INTERNAL SECURITY AND COUNTERINTELLIGENCE MATTERS.

ACCORDINGLY, WITHIN FOUR EIGHT HOURS EACH SAC SHOULD SUTEL TO FBIHQ, ATTENTION: BUDGET AND ACCOUNTING SECTION, SETTING FORTH SEPARATELY THE NUMBER OF SACS, ASACS, SUPERVISORS AND AGENTS ASSIGNED TO INTERNAL SECURITY AND COUNTERINTELLIGENCE MATTERS. PERCENTAGES OF AN AGENT'S TIME, WHEN NOT ASSIGNED FULL-TIME TO THESE ACTIVITIES, SHOULD BE USED IF APPROPRIATE, PARTICULARLY IN THE SUPERVISORY CATEGORIES. THIS INFORMATION SHOULD BE BROKEN DOWN SEPARATELY BETWEEN INTERNAL SECURITY AND COUNTERINTELLIGENCE. YOUR RESPONSE SHOULD BE LIMITED TO AGENT PERSONNEL ONLY.

END

HOLD

62-5038-3
~~94-297-1~~

OSR
94-New

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1 2 1975

SAC *W/W*

F FRENCH

3-24-75

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, ST. LOUIS (94-new)

DATE: 3/25/75

FROM : SPVR. JACK A. FRENCH

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

The following is a breakdown, by supervisory and Agent assignments, of the percentage of time spent on internal security and counterintelligence in this division.

| <u>Personnel Assigned</u> | <u>Internal Security</u> | <u>Counterintelligence</u> |
|---------------------------|--------------------------|----------------------------|
| SAC WESLEY T. WHALEY | 0 | 0 |
| ASAC OSBORN LEON DOBBS | 0 | 0 |
| JACK A. FRENCH | 55 | 2 |
| RICHARD T. HRADSKY | 75 | 1 |
| WALTER C. JOHNSON | " | " |
| ROBERT S. STEWART | " | " |
| RONALD W. PARKER | " | " |
| STEPHEN D. KETTNER | " | " |
| MICHAEL E. STAPLETON | " | " |
| RUSSEL JAY NIELSEN | 50 | 0 |
| KEVIN R. ILLIA | " | " |
| BARRY A. JONES | " | " |
| LARRY B. BEAN | 25 | " |
| WILLIAM J. AHLER, JR. | " | " |
| HERMAN S. NICHOLS | " | " |
| MICHAEL S. CLAPP | 10 | " |
| WILLIAM R. DUNCAN | 5 | " |
| AUBREY D. PARK | 5 | " |
| WILLIAM R. BURTON | 2 | " |
| JAMES T. HAGGERTY | 2 | " |

1- St. Louis
JAF:jtc
(1) jtc

62-5038-4
94-297-2

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| MAR 25 1975 | |
| FBI - SAINT LOUIS | |



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

F B I

Date: 3/26/75

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

Via TELETYPE URGENT
(Priority)

TO: DIRECTOR
ATTENTION: BUDGET AND ACCOUNTING SECTION

FROM: ST. LOUIS (94-297) RUC

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES.

REBUNITEL TO ALL SACS MARCH 24, 1975.

THE FOLLOWING IS A BREAKDOWN OF FIELD AGENT PERSONNEL
ASSIGNED TO INTERNAL SECURITY AND COUNTERINTELLIGENCE MATTERS
IN THE ST. LOUIS DIVISION AS REQUESTED BY RE COMMUNICATION.

NEITHER THE SAC OR THE ASAC ^{ARE} ~~ASSIGNED~~ ASSIGNED TO
INTERNAL SECURITY OR COUNTERINTELLIGENCE MATTERS. ONLY ONE
SUPERVISOR IS ASSIGNED TO SUCH MATTERS, HE SPENDS APPROXIMATELY
55 PERCENT OF HIS TIME ON INTERNAL SECURITY AND TWO PERCENT ON
COUNTERINTELLIGENCE MATTERS.

SIX AGENTS SPEND APPROXIMATELY 75 PERCENT OF THEIR TIME
ON INTERNAL SECURITY AND ONE PERCENT ON COUNTERINTELLIGENCE
MATTERS.

THE REMAINING AGENTS SPEND NO TIME ON COUNTERINTELLIGENCE
MATTERS BUT SPEND THE LISTED PERCENTAGE OF TIME ON INTERNAL
SECURITY: THREE AGENTS, 50 PERCENT; THREE AGENTS, 25 PERCENT;
ONE AGENT, 10 PERCENT; TWO AGENTS, 5 PERCENT, TWO AGENTS, 2
PERCENT.

1- St. Louis

JAF:jtc
(1)

Approved: *[Signature]*
Special Agent in Charge

RUC
File Stripped

SEARCHED 94-297-3
SERIALIZED lis
INDEXED lis

Sent 11:52 PM 8 AM JAR M Per 62-5038-5

Consolidate into 94-297 62-5038 94-75

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Date:

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

Via _____
(Priority)

PAGE TWO SL 94-297

**ABOVE FIGURES REFLECT BOTH HEADQUARTERS CITY AND
RESIDENT AGENTS IN THIS DIVISION.**

END.

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

NR033 WA CODE

4:50PM 9/4/75 NITEL AJN

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 2, 1975.

PURPOSE OF INSTANT TELETYPE ARE TO (1) REITERATE THAT FBI HAS PLEDGED FULL COOPERATION WITH THE SENATE SELECT COMMITTEE (SSC) AND WISHES TO ASSIST AND FACILITATE ANY INVESTIGATIONS UNDERTAKEN BY THE SSC WITH RESPECT TO THE FBI; AND (2) SET FORTH NEW PROCEDURE RELATING TO SSC STAFF INTERVIEWS OF CURRENT AND FORMER FBI EMPLOYEES.

FOR INFORMATION OF THOSE OFFICES WHICH HAVE NOT PREVIOUSLY HAD CURRENT OR FORMER EMPLOYEES IN ITS TERRITORY INTERVIEWED BY THE SSC, THE BUREAU FREQUENTLY LEARNS FROM THE SSC OR OTHERWISE THAT FORMER EMPLOYEES ARE BEING CONSIDERED FOR INTERVIEW BY THE SSC STAFF. INSTRUCTIONS ARE ISSUED FOR THE FIELD OFFICE TO CONTACT THE FORMER EMPLOYEE TO ALERT HIM AS TO POSSIBLE INTERVIEW, REMIND HIM OF HIS CONFIDENTIALITY AGREEMENT WITH THE BUREAU AND SUGGEST THAT IF HE IS CONTACTED FOR

SAC *[initials]*
ASAC *[initials]*
#4 *[initials]*
#5 *[initials]*

62-5038-7

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| SEP 4 1975 | |
| FBI - ST. LOUIS | |

PAGE TWO

INTERVIEW, HE MAY CONTACT THE LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FURTHER INFORMATION. IN THE USUAL CASE, AS CIRCUMSTANCES UNFOLD, THE FORMER EMPLOYEE IS TOLD (1) THAT HE HAS A RIGHT TO LEGAL COUNSEL, BUT THAT THE BUREAU CANNOT PROVIDE SAME; (2) THAT THE BUREAU HAS WAIVED THE CONFIDENTIALITY AGREEMENT FOR THE INTERVIEW WITHIN SPECIFIED PARAMETERS; AND (3) THAT THERE ARE FOUR PRIVILEGED AREAS IN WHICH HE IS NOT REQUIRED TO ANSWER QUESTION. THESE AREAS ARE RELATING TO INFORMATION WHICH MAY (A) IDENTIFY BUREAU SOURCES; (B) REVEAL SENSITIVE METHODS/TECHNIQUES; (C) REVEAL IDENTITIES OF THIRD AGENCIES, INCLUDING FOREIGN INTELLIGENCE AGENCIES, OR INFORMATION FROM SUCH AGENCIES; AND (D) ADVERSELY AFFECT ONGOING BUREAU INVESTIGATIONS.

HERETOFORE, BUREAU HAS OFFERED INTERVIEWEES CONSULTATION PRIVILEGES WHEREBY A BUREAU SUPERVISOR WOULD BE AVAILABLE NEARBY, ALTHOUGH NOT ACTUALLY AT INTERVIEW, SO INTERVIEWEE MIGHT CONSULT WITH HIM SHOULD QUESTIONS ARISE AS TO PARAMETERS OF INTERVIEW OR PRIVILEGED AREAS. THE CONSULTANT DID NOT ACT AS A LEGAL ADVISOR.

EFFECTIVE IMMEDIATELY, BUREAU WILL NO LONGER PROVIDE

PAGE THREE

ON-THE-SCENE PERSONNEL FOR CONSULTATION PURPOSES TO ASSIST EITHER CURRENT OR FORMER EMPLOYEES. PROSPECTIVE INTERVIEWEES SHOULD BE TOLD THAT, IF THEY DESIRE ASSISTANCE OF THIS NATURE DURING AN INTERVIEW, THEY MAY CONTACT EITHER PERSONALLY (IF INTERVIEW IS IN WASHINGTON, D. C.) OR BY COLLECT CALL, THE ASSISTANT DIRECTOR OF THE INTELLIGENCE DIVISION, MR. W. R. WANNALL, OR, IN HIS ABSENCE, SECTION CHIEF W. O. CREGAR.

THIS CHANGE IN PROCEDURE SHOULD NOT BE CONSTRUED AS LESSENING THE ASSISTANCE WE ARE FURNISHING TO CURRENT AND FORMER EMPLOYEES.

FOR OUR ADDITIONAL INFORMATION, I AM WORKING WITH THE DEPARTMENT IN EXPLORING AVENUES TO ARRANGE LEGAL REPRESENTATION, WHEN NECESSARY, FOR CURRENT AND FORMER EMPLOYEES WITHOUT EXPENSE TO THEM. YOU WILL BE KEPT ADVISED OF DEVELOPMENTS IN THIS REGARD.

END

K

F B I

Date: SEPTEMBER 4, 1975

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

Via TELETYPE _____
NITEL
(Priority)

TO: DIRECTOR (62-116395)
FROM: ST. LOUIS (62-5038)
ATTENTION: INTD, W. O. CREGAR.
SENSTUDY 75.

RE BUREAU NITEL TO BOSTON, SEPTEMBER 3, 1975.

AVAILABLE RECORDS ST. LOUIS DIVISION REFLECT NO
COORDINATORS DESIGNATED FOR NEW LEFT AND BLACK EXTREMIST
COINTELPROS. SUCH MATTERS WERE UNDER SUPERVISION OF FOLLOWING
PERSONNEL FOR BELOW PERIODS: JANUARY 1967 THRU SEPTEMBER 1968,
SUPERVISOR EDMUND C. WELTON; OCTOBER 1968 TO MAY 1969, SAC
JOSEPH H. GAMBLE; JUNE 1969 TO OCTOBER 1969, SUPERVISOR JOHN
J. BUCKLEY; NOVEMBER 1969 THRU DECEMBER 1971, SUPERVISOR
EDWARD M. MORELAND.

MORELAND IS STILL ASSIGNED TO ST. LOUIS DIVISION; ALL
OTHERS ARE RETIRED FROM FBI.

1- St. Louis
JAF:jtc
(1)

007

62-5038-8
SEARCHED _____
SERIALIZED jw
INDEXED jw
FILED jw

[Handwritten signature]

Approved: _____
Special Agent in Charge

Sent 5:34 JAC M Per KOM

F B I

Date: 9/9/75

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

Via NITEL _____
(Priority)

TO: DIRECTOR (62-116395) AND DETROIT
FROM: ST. LOUIS (62-5038)
SENSTUDY 75

REBUNITEL SEPTEMBER 5, 1975.

FOR INFORMATION DETROIT, RETEL ADVISED THAT SENATE SELECT COMMITTEE (SSC) HAS REQUESTED WHEREABOUTS OF A NUMBER OF FORMER FBI EMPLOYEES INDICATING THEY MAY BE INTERVIEWED BY THE SSC STAFF.

JFK Act 6 (1)(B)

ALL OTHERS IN LIST SET OUT IN RETEL WERE EITHER SAC, ASAC, OR BOTH, DURING PERIOD 1959 - 1966, IN ONE OR MORE OF THE FOLLOWING OFFICES: BOSTON, DETROIT, LOS ANGELES, MIAMI, NEW YORK, SAN FRANCISCO, SEATTLE, AND WASHINGTON FIELD. THEY PRESUMABLY ARE ALSO KNOWLEDGEABLE CONCERNING MAIL OPENINGS. EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC STAFF FOR INTERVIEW. THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED

END PAGE ONE

65-5038-9

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FILED French

WA 5th ASAC OIA
DE 5th GHS
Sent 5th P-MLP M

004
Approved: HEP

Special Agent in Charge

F B I

Date: 9/9/75

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(Type in plaintext or code)Via NITEL _____
(Priority)

PAGE TWO

SL 62-5038

AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK, BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS IS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR. IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY NITEL IN ABOVE CAPTION, BRIEFLY INCLUDING REACTION OF FORMER EMPLOYEE CONTACTED.

FORMER SAC WESLEY T. WHALEY CONTACTED BY SAC, ST. LOUIS, THIS DATE. HE WAS FURNISHED INSTRUCTIONS CONTAINED IN RETEL AND ADVISED IF CONTACTED HE WOULD PROMPTLY CONTACT BUREAU'S LEGAL DIVISION. HE ADVISED HE DOES NOT BELIEVE HE POSSESSES ANY RELEVANT INFORMATION RE MAIL OPENINGS BUT STATED HE IS VERY PRO-BUREAU AND WOULD DO OR SAY NOTHING TO JEOPARDIZE THE BUREAU'S REPUTATION.

FORMER SAC THOMAS J. GEARTY PRESENTLY RESIDES SOMERSET APARTMENTS, 2446 DORCHESTER N., TROY, MICHIGAN 48084. DETROIT HANDLE PURSUANT TO INSTRUCTIONS IN REBUTEL.

END

HCP:NLN

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

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

NR 030 WA CODE

6:45PM NITEL 9/5/75 PMJ

| | | |
|---------------|---------------|--------------|
| TO ALEXANDRIA | BALTIMORE | BIRMINGHAM |
| BOSTON | CHICAGO | CINCINNATI |
| DALLAS | EL PASO | INDIANAPOLIS |
| JACKSON | JACKSONVILLE | LOUISVILLE |
| LOS ANGELES | MEMPHIS | MIAMI |
| NEW YORK | OKLAHOMA CITY | OMAHA |
| PHILADELPHIA | PHOENIX | ST. LOUIS |
| SAN DIEGO | SAN FRANCISCO | SAVANNAH |
| SEATTLE | | |

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

*62-5038**

REBTELS MAY 2, 1975, AND SEPTEMBER 4, 1975.

SENATE SELECT COMMITTEE (SSC) HAS REQUESTED WHEREABOUTS OF A NUMBER OF FORMER FBI EMPLOYEES INDICATING THEY MAY BE INTERVIEWED BY THE SSC STAFF. LISTED BELOW, BY FIELD OFFICE TERRITORY, ARE THESE FORMER EMPLOYEES AND THEIR LAST KNOWN ADDRESSES AS CONTAINED IN BUREAU FILES.

*SAC at 7:45 PM
4:30 PM
9/5/75*

SAC verbally contacted 9/9/75 - HES

62-5038-10

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| FBI-ST. LOUIS | |
| <i>SAC HW</i> | |

*ASAC HW
(info)*

PAGE TWO

JFK Act 6 (1)(B)

ALL OTHERS IN LIST BELOW WERE EITHER SAC, ASAC, OR BOTH, DURING PERIOD 1959 - 1966 IN ONE OR MORE OF THE FDDWING OFFICES: BOSTON, DETROIT, LOS ANGELES, MIAMI, NEW YORK, SAN FRANCISCO, SEATTLE, AND WASHINGTON FIELD. THEY PRESUMABLY ARE ALSO KNOWLEDGEABLE CONCERNING MAIL OPENINGS.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC STAFF FOR INTERVIEW. THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK, BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION.

PAGE THREE

CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS IS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY NITEL IN ABOVE CAPTION, BRIEFLY INCLUDING REACTION OF FORMER EMPLOYEES CONTACTED. IF A FORMER EMPLOYEE NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBIHQ.

ALEXANDRIA:

W. DONALD STEWART, CRYSTAL HOUSE I, APARTMENT 202, ARLINGTON, VIRGINIA.

JAMES H. GALE, 3307 ROCKY MOUNT ROAD, FAIRFAX, VIRGINIA

THOMAS E BISHOP, 8820 STARK ROAD, ANNANDALE, VIRGINIA

BALTIMORE:

ANTHONY P. LITRENTO, 2810 STONYBROOK DRIVE, BOWIE, MARYLAND

PAUL OCONNELL, JR., 2417 STRATTON DRIVE, POTOMAC, MARYLAND

DONALD E. RONEY, 131 CAMBRIDGE DRIVE, WINDSOR HILLS, WILMINGTON, DELAWARE

VICTOR TURYN, 2645 TURF VALLEY ROAD, ELLICOTT CITY, MARYLAND

DONALD W. MORLEY, BOX 222, NEW MARKET, MARYLAND

PAGE FOUR

BIRMINGHAM:

JOHN DAVID POPE, JR., 221 REMINGTON ROAD, BIRMINGHAM, ALABAMA

BOSTON:

LEO L. LAUGHLIN, 9 EVERETT AVENUE, WINCHESTER, MASSACHUSETTS

EDWARD J. POWERS, 10 COLONIAL DRIVE, BEDFORD, NEW HAMPSHIRE

J.F. DESMOND, 185 FRANKLIN STREET, BOSTON, MASSACHUSETTS

CHICAG:

MARLIN W. JOHNSON, CANTEEN CORPORATION, THE MERCHANDISE
MART, CHICAGO, ILLINOIS

HARVEY G. FOSTER, 1012 SOUTH HAMLIN, PARK RIDGE, ILLINOIS

CINCINNATI:

PAUL FIELDS, 2677 CYCLORAMA DRIVE, CINCINNATI, OHIO

HAR J. MORGAN, 5314 ELMCREST LANE, CINCINNATI, OHIO

DALLAS:

PAUL H. STODDARD, 3014 CHATTERTON DRIVE, SAN ANGELO, TEXAS

KENNEH E. COMMONS, 2458 DOUGLAS DRIVE, SAN ANGELO, TEXAS

EL PASO:

KARL W. DISSLY, POST OFFICE BOX 9762, EL PASO, TEXAS

INDIANAPOLIS:

DILLARD W. HOWELL, 6413 CARDINAL LANE, INDIANAPOLIS,

INDIANA

ALLAN GILLIES, 8228 HOOVER LANE, INDIANAPOLIS, INDIANA

JACKSON:

WILLIAMS W. BURKE, JR., 1847 AZTEC DRIVE, JACKSON,

MISSISSIPPI

PAGE FIVE

JACKSONVILLE:

DONALD K. BROWN, 826 BROOKMONT AVENUE, EAST JACKSONVILLE,
FLORIDA

WILLIAM M. ALEXANDER, 4857 WATER OAK LANE, JACKSONVILLE,
FLORIDA

LOUISVILLE:

BERNARD C. BROWN, 2301 NEWMARKET DRIVE, N.E., LOUISVILLE,
KENTUCKY

LOS ANGELES:

WILLIAM G. SIMON, 2075 LOMBARDY ROAD, SAN MARINO,
CALIFORNIA

WESLEY G. GRAPP, 4240 BON HOMME ROAD, WOODLAND HILLS,
CALIFORNIA

ARNOLD C. LARSON, 4232 ABBINGTON COURT, WESTLAKE VILLAGE,
CALIFORNIA

JOSEPH K. PONDER, 3719 CARRIAGE HOUSE COURT, ALEXANDRIA,
VIRGINIA. BUSINESS ADDRESS: 3030 SOUTH RED HILL AVENUE,
SANTA ANA, CALIFORNIA

MEMPHIS:

E. HUGO WINTERROWD, 1550 NORTH PARKWAY, MEMPHIS, TENNESSEE

MIAMI:

THOMAS MC ANDREWS, 324 NEAPOLITAN WAY, NAPLES, FLORIDA

FREDEICK F. FOX, 11450 W. BISCAYNE CANAL ROAD, MIAMI,
FLORIDA

PAGE SIX

NEW YORK:

JOSEPH L. SCHMIT, 656 HUNT LANE, MANHASSET, NEW YORK

HENRY A. FITZGIBBON, 76 EASTON ROAD, BRONXVILLE, NEW YORK

OKLAHOMA CITY:

JAMES T. MORELAND, 108 FERN DRIVE, POTEAU, OKLAHOMA

LEE O. TEAGUE, 2501 N.W. 121ST STREET, OKLAHOMA CITY,

OKLAHOMA

OMAHA:

JOHN F. CALLAGHAN, IOWA LAW ENFORCEMENT ACADEMY,

CAMP DODGE, POST OFFICE BOX 130, JOHNSTON, IOWA.

PHILADELPHIA:

RICHARD J. BAKER, 219 JEFFREY LANE, NEWTON SQUARE,

PENNSYLVANIA

JOHN F. MALONE, 25 GARFIELD AVENUE, CARBONDALE, PENNSYLVANIA

PHOENIX:

PALMER M BAKEN, JR., 3832 EAST YUCCA STREET, PHOENIX,

ARIZONA

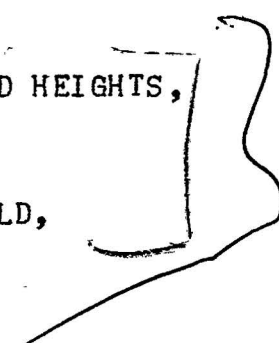
ST. LOUIS:

THOMAS J. GEARTY, 6630 CLAYTON ROAD NR. 105, RICHMOND HEIGHTS,

MISSOURI

WESLEY T. WHALEY, 286 GREEN TRAILS DRIVE, CHESTERFIELD,

MISSOURI



PAGE SEVEN

SAN DIEG:

FRANK L. PRICE, 2705 TOKALON STREET, SAN DIEGO, CALIFORNIA

SAN FRANCISCO:

CURTIS O. LYNUM, 644 EAST HILLSDALE BOULEVARD, SAN MATEO,
CALIFORNIA

HAROLD E. WELBORN, 13067 LA VISTA COURT, SARATOGA,
CALIFORNIA

SAVANNAH:

TROY COLEMAN, 36 CROMWELL ROAD, WILMINGTON PARK, SAVANNAH,
GEORGIA

JOSEPH D. PURVIS, 721 DANCY AVENUE, SAVANNAH, GEORGIA

SEATTLE:

LELAND V. BOARDMAN, ROUTE 3, BOX 268, SEQUIM, WASHINGTON

RICHARD D. AUERBACH, P.O. BOX 1768, SEATTLE, WASHINGTON

JAMES E. MILNES, 4317 - 50TH AVENUE, N.E., SEATTLE,

WASHINGTON

PAUL R. BIBLER, 15134 - 38TH AVENUE, N.E., SEATTLE,

WASHINGTON

END

PLS HOLDFOR ONE MORE

NR063 WA CODE

9:55 PM NITEL 9/17/75 MEB

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| TO ALEXANDRIA | JACKSONVILLE | NEW YORK |
| ATLANTA | KNOXVILLE | RICHMOND |
| BOSTON | LOS ANGELES | ST. LOUIS |
| DETROIT | MEMPHIS | SAN DIEGO |
| JACKSON | NEWARK | SEATTLE |

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75 — 02 1 15

REBUTELS MAY 2, 1975, AND SEPTEMBER 4, 1975, TO ALL OFFICES AND BUTELS SEPTEMBER 3, 1975, TO SELECTED OFFICES INFORMING LATTER THAT SENATE SELECT COMMITTEE (SSC) HAD REQUESTED IDENTITIES OF ALL SUPERVISORS AND COORDINATORS FOR COINTELPROS IN SELECTED OFFICES FOR (1) NEW LEFT AND BLACK EXTREMIST, 1967 THROUGH 1971, AND (2) FOR WHITE HATE, 1964 THROUGH 1971.

SSC ALSO REQUESTED LOCATIONS OF PERSONS NAMED IN FIELD RESPONSES TO REFERENCED SEPTEMBER 3, 1975, TELETYPE, AND LATEST INFORMATION IN FBIHQ FILES HAS BEEN FURNISHED TO SSC.

62-5038-11

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| SEARCHED | INDEXED |
| SERIALIZED | FILED |
| SEP 17 1975 | |
| FBI - ST. LOUIS | |

PAGE TWO

SSC STAFF MAY CONTACT CURRENT AND/OR FORMER EMPLOYEES NAMED, TO INTERVIEW THEM CONCERNING THEIR KNOWLEDGE OF COINTELPROS IN WHICH THEY HAD SUPERVISORY OR COORDINATING RESPONSIBILITIES.

EACH OF THE FOLLOWING FORMER EMPLOYEES EXCEPT MESSRS. CROKE AND MCMANUS IS TO BE CONTACTED IMMEDIATELY AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC STAFF FOR INTERVIEW. THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM INCLUDING OBLIGATIONS AS TO CONFIDENTIALITY OF INFORMATION ACQUIRED AS FBI EMPLOYEE. IT IS EMPHASIZED THAT BUREAU'S OFFER OF ASSISTANCE IS NOT INTENDED TO IMPEDE SSC WORK, BUT IS DONE AS COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION.

CONTACTS WITH THESE FORMER EMPLOYEES TO BE HANDLED PERSONALLY BY SAC OR ASAC. IN EVENT THIS IS NOT FEASIBLE FOR JUST CAUSE, TO BE HANDLED BY A SENIOR SUPERVISOR.

REGARDING FORMER SAS CROKE AND MCMANUS, SSC HAS BEEN INFORMED OF THEIR POOR PHYSICAL CONDITION AND REQUESTED TO TAKE THIS INTO CONSIDERATION IN ANY ACTION CONTEMPLATED BY SSC CONCERNING THEM. WE DO NOT, HOWEVER, KNOW THAT SSC WILL

PAGE THREE

NOT CONTACT THEM. NEW YORK OFFICE, IN COORDINATION WITH NEWARK SHOULD ARRANGE TO HAVE CONTACT MADE WITH CROKE AND MCMANUS BY A FORMER ASSOCIATE TO MAKE FRIENDLY INQUIRY AS TO THEIR CURRENT CONDITION. IT IS BEING LEFT TO DISCRETION OF SAS NEW YORK AND NEWARK, BASED ON RESULTS OF SUCH INQUIRY, WHETHER CROKE AND MCMANUS SHOULD BE INFORMED REGARDING POSSIBLE CONTACT OF THEM BY SSC. FBIHQ DOES NOT DESIRE THAT THEY BE UNDULY ALARMED, BUT WOULD NOT WANT THEM SURPRISED BY CONTACT OF SSC STAFF IF THIS COULD IMPAIR THEIR HEALTH.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED BUREAU BY NITEL IN ABOVE CAPTION, ATTENTION INTD, W. O. CREGAR, BRIEFLY INCLUDING REACTION OF FORMER EMPLOYEES CONTACTED. IF A FORMER EMPLOYEE NO LONGER IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO OTHER OFFICE IMMEDIATELY WITH COPY TO FBIHQ.

ALEXANDRIA:

SETH F. EIKENBERRY, 5367 SUMMIT DRIVE, FAIRFAX, VIRGINIA

JESSE C. HALL, JR., 4535 EATEN PLACE, ALEXANDRIA, VIRGINIA

ATLANTA:

CARL E. CLAIBORNE, 1866 MARY LOU LANE, S.E., ATLANTA,

PAGE FOUR

GEORGIA

RICHARD H. DAVIS, 1147 WILD CREEK TRAIL, ATLANTA, GEORGIA

CHARLES S. HARDING, 2243 PINELIFF DRIVE, N. E., ATLANTA,

GEORGIA

BOSTON:

RICHARD H. BLASSER, 129 ACADEMY AVENUE, WEYMOUTH,

MASSACHUSETTS

FREDERICK M. CONNORS, 15 LONGFELLOW ROAD, MELROSE,

MASSACHUSETTS

MICHAEL J. McDONAGH, 28 SPRINGVALE ROAD, NORWOOD,

MASSACHUSETTS

JOHN F. NOONAN, 122 VERNON ROAD, SCITUATE, MASSACHUSETTS

DETROIT:

ROBERT F. O'NEILL, 2551 IROQUOIS, DETROIT, MICHIGAN

JACKSON:

ROY K. MOORE, 107 SWALLOW DRIVE, BRANDON, MISSISSIPPI

JACKSONVILLE:

W. HERSHEL CAVER, 3714 NORTHWEST 40TH STREET, GAINESVILLE,

FLORIDA

KNOXVILLE:

PAGE FIVE

IRVING R. ANDERSON, 1029 PERCH DRIVE, CONCORD, TENNESSEE

LOS ANGELES:

JOHN KEARNEY, 4140 MAYFIELD STREET, NEWBURY PARK,

CALIFORNIA

RICHARD J. STILLING, 11648 AMESTOY STREET, GRANADA HILLS,

CALIFORNIA

JOHN S. TEMPLE, 2145 GRENADIER, SAN PEDRO, CALIFORNIA

MEMPHIS:

PHILIP S. ENDRES, 22 SOUTH SECOND STREET, MEMPHIS,

TENNESSEE

NEWARK:

BENJAMIN P. MCMANUS, 25 MICHAEL STREET, FORDS, NEW JERSEY

NEW YORK:

THOMAS J. CROKE, JR, 15 HOFSTRA DRIVE, GREENLAWN, NEW YORK

JOHN J. DUNLEAVY, 17 SOUTHVIEW CT., CARLE PLACE, NEW YORK

JOSEPH H. GAMBLE, 24 GREYSTONE ROAD, ROCKVILLE CENTRE,

NEW YORK

RICHMOND:

CHARLES F. HEINER, 25 THIN LAKE LANE, RICHMOND, VIRGINIA

RANDOLPH E. TROW, 1702 RANCH DRIVE, RICHMOND, VIRGINIA

PAGE SIX

JOHN H. WAGNER, 8220 BARNINGHAM ROAD, RICHMOND, VIRGINIA

SAINT LOUIS:

JOHN J. BUCKLEY, 9469 HARALD DRIVE, WOODSON TERRACE,

MISSOURI

EDMUND C. WELTON, 825 DEANDELL COURT, FERGUSON, MISSOURI

SAN DIEGO:

ROBERT S. BAKER, 4267 HORTENSIA, SAN DIEGO, CALIFORNIA

SEATTLE:

LEROY W. SHEETS, 5725 72ND STREET, N. E., MARYSVILLE,

WASHINGTON

END

PLEASE HOLD FOR ONE MORE

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F B I

Date: 9/18/75

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

Via TELETYPE NITEL
(Priority)

TO: DIRECTOR (62-116395) ^{1207 9-19-75} TMA

FROM ST. LOUIS (62-5038)

ATTENTION: INTD, W. O. CREAGER

SEN STUDY 75

RE BUREAU NITEL TO ALEXANDRIA, SEPTEMBER 17, 1975.

ON SEPTEMBER 18, 1975, JOHN J. BUCKLEY, 9469 HAROLD DRIVE, WOODSON TERRACE, MO., WAS CONTACTED BY ASAC, ST. LOUIS, THIS DATE. HE WAS FURNISHED INSTRUCTIONS CONTAINED IN REFERENCED TELETYPE AND ADVISED IF CONTACTED HE WOULD PROMPTLY CONTACT BUREAU'S LEGAL DIVISION. HE ADVISED HE DOES NOT BELIEVE HE POSSESSES ANY PERTINENT INFORMATION BUT STATED HE WOULD NOT JEOPARDIZE THE BUREAU'S REPUTATION.

ST. LOUIS ATTEMPTING TO CONTACT EDMUND C. WELTON.

END.

JTH:vls
(1)

[Handwritten signature]

62-5038-12
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Approved: P/rnr
Special Agent in Charge

Sent 22 above M Per [Signature]

TO: SAC:

- Albany
- Albuquerque
- Alexandria
- Anchorage
- Atlanta
- Baltimore
- Birmingham
- Boston
- Buffalo
- Butte
- Charlotte
- Chicago
- Cincinnati
- Cleveland
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- Dallas
- Denver
- Detroit
- El Paso
- Honolulu
- Houston
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- Jacksonville
- Kansas City
- Knoxville
- Las Vegas
- Little Rock
- Los Angeles
- Louisville
- Memphis
- Miami
- Milwaukee
- Minneapolis
- Mobile
- Newark
- New Haven
- New Orleans
- New York City
- Norfolk

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- Richmond
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- Salt Lake City
- San Antonio
- San Diego
- San Francisco
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- Savannah
- Seattle
- Springfield
- Tampa
- Washington Field
- Quantico

TO LEGAT:

- Bern
- Bonn
- Brasilia
- Buenos Aires
- Caracas
- Hong Kong
- London
- Madrid
- Manila
- Mexico City
- Ottawa
- Paris
- Rome
- Tel Aviv
- Tokyo

RE: HEARINGS BEFORE THE SENATE
SELECT COMMITTEE

Date December 4, 1975

- Retention For appropriate
- For information optional action Surep, by _____
- The enclosed is for your information. If used in a future report, conceal all sources, paraphrase contents.
- Enclosed are corrected pages from report of SA _____ dated _____

Remarks:

For your assistance in responding to local press inquiries, attached is a copy of unedited excerpted remarks by Assistant to the Director--Deputy Associate Director James B. Adams while testifying before the Senate Select Committee on 12/2/75, concerning anti-FBI allegations made by Gary Rowe, former FBI informant.

62-5038-14
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EXCERPTS OF REMARKS MADE BY
ASSISTANT TO THE DIRECTOR --
DEPUTY ASSOCIATE DIRECTOR JAMES B. ADAMS
TESTIFYING BEFORE THE
SENATE SELECT COMMITTEE
PERTAINING TO THE KU KLUX KLAN,
GARY ROWE, FORMER FBI INFORMANT, AND
PREVIOUS ATTEMPTS OF THE FBI
TO PREVENT VIOLENCE

DECEMBER 2, 1975

QUESTION: You do use informants and do instruct them to spread dissention among certain groups that they are informing on, do you not?

MR. ADAMS: We did when we had the COINTEL programs which were discontinued in 1971, and I think the Klan is probably one of the best examples of a situation where the law was ineffective at the time. We heard the term, State's Rights used much more than we hear today. We saw with the Little Rock situation the President of the United States sending in the troops pointing out the necessity to use local law enforcement. We must have local law enforcement use the troops only as a last resort. When you have a situation like this where you do try to preserve the respective roles in law enforcement, you have historical problems.

With the Klan coming along, we had situations where the FBI and the Federal Government was almost powerless to act. We had local law enforcement officers in some areas participating in Klan violence. The incidents mentioned by Mr. Rowe--everyone of those he saw them from the lowest level--the informant. He didn't see what action was taken with that information as he pointed out during his testimony. Our files show that this information was reported to the police departments in every instance.

We also know that in certain instances the information upon being received was not being acted upon. We also disseminated simultaneously through letterhead

memorandum to the Department of Justice the problem. And here we were--the FBI--in a position where we had no authority in the absence of an instruction from the Department of Justice to make an arrest. Section 241 and 242 don't cover it because you don't have evidence of a conspiracy. It ultimately resulted in a situation where the Department called in U. S. Marshals who do have authority similar to local law enforcement officials.

So historically, in those days, we were just as frustrated as anyone else was, that when we got information from someone like Mr. Rowe--good information, reliable information--and it was passed on to those who had the responsibility to do something about it, it was not always acted upon as he indicated.

QUESTION: In none of these cases, then, there was adequate evidence of conspiracy to give you jurisdiction to act.

MR. ADAMS: The Departmental rules at that time, and still do, require Departmental approval where you have a conspiracy. Under 241, it takes two or more persons acting together. You can have a mob scene and you can have blacks and whites belting each other, but unless you can show that those that initiated the action acted in concert, in a conspiracy, you have no violation.

Congress recognized this and it wasn't until 1968 that they came along and added Section 245 to the Civil Rights Statute which added punitive measures against an

individual. There didn't have to be a conspiracy. This was a problem that the whole country was grappling with--the President of the United States, Attorneys General--we were in a situation where we had rank lawlessness taking place. As you know from the memorandum we sent you that we sent to the Attorney General the accomplishments we were able to obtain in preventing violence and in neutralizing the Klan and that was one of the reasons.

QUESTION: ...A local town meeting on a controversial social issue might result in disruption. It might be by hecklers rather than by those holding the meeting. Does this mean that the Bureau should investigate all groups organizing or participating in such meetings because they may result in violent government disruption?

MR ADAMS: No sir, and we don't....

QUESTION: Isn't that how you justify spying on almost every aspect of the peace movement?

MR. ADAMS: No sir. When we monitor demonstrations, we monitor demonstrations where we have an indication that the demonstration itself is sponsored by a group that we have an investigative interest in, a valid investigative interest in, or where members of one of these groups are participating where there is a potential that they might change the peaceful nature of the demonstration.

 This is our closest question of trying to draw guidelines to avoid getting into an area of infringing on the 1st Amendment right, yet at the same time, being

aware of groups such as we have had in greater numbers in the past than we do at the present time. We have had periods where the demonstrations have been rather severe and the courts have said that the FBI has the right, and indeed the duty, to keep itself informed with respect to the possible commission of crime. It is not obliged to wear blinders until it may be too late for prevention. Now that's a good statement if applied in a clear-cut case.

Our problem is where we have a demonstration and we have to make a judgment call as to whether it is one that clearly fits the criteria of enabling us to monitor the activities. That's where I think most of our disagreements fall.

QUESTION: In the Rowe Case, in the Rowe testimony that we just heard, what was the rationale again for not intervening when violence was known about. I know we have asked this several times--I'm still having trouble understanding what the rationale, Mr. Wannall, was in not intervening in the Rowe situation when violence was known.

MR. WANNALL: Senator Schweiker, Mr. Adams did address himself to that and if you have no objections, I'll ask that he be the one to answer the question.

MR. ADAMS: The problem we had at the time, and it is the problem today, we are an investigative agency; we do not have police powers even like the U. S. Marshals do. The Marshals

since about 1795 I guess, or some period like that, had authorities that almost border on what a sheriff has. We are the investigative agency of the Department of Justice, and during these times the Department of Justice had us maintain the role of an investigative agency.

We were to report on activities. We furnished the information to the local police who had an obligation to act. We furnished it to the Department of Justice in those areas where the local police did not act. It resulted finally in the Attorney General sending 500 U. S. Marshals down to guarantee the safety of people who were trying to march in protest of their civil rights.

This was an extraordinary measure because it came at a time of Civil Rights versus Federal Rights and yet there was a breakdown in law enforcement in certain areas of the country. This doesn't mean to indict all law enforcement agencies in the South at the time either, because many of them did act upon the information that was furnished to them. But we have no authority to make an arrest on the spot because we would not have had evidence that was a conspiracy available. We could do absolutely nothing in that regard. In Little Rock the decision was made, for instance, that if any arrests need to be made, the Army should make them. And next to the Army, the U. S. Marshals should make them--not the FBI, even though we developed the violations. We have over the years as you know at the

Time there were many questions raised. Why doesn't the FBI stop this? Why don't you do something about it? Well, we took the other route and effectively destroyed the Klan as far as committing acts of violence and, of course, we exceeded statutory guidelines in that area.

QUESTION: What would be wrong, just following up on your point there, Mr. Adams, with setting up a program since it is obvious to me that a lot of our informers are going to have preknowledge of violence of using U. S. Marshals on some kind of long-range basis to prevent violence?

MR. ADAMS: We do. We have them in Boston in connection with the busing incident. We are investigating the violations under the Civil Rights Act, but the Marshals are in Boston. They are in Louisville, I believe, at the same time and this is the approach that the Federal Government finally recognized.

QUESTION: On an immediate and fairly contemporary basis that kind of help can be sought instantly as opposed to waiting till it gets to a Boston state. I realize a departure from the past and not saying it isn't, but it seems to me we need a better remedy than we have.

MR ADAMS: Well, fortunately we are at a time where conditions have subsided in the country even from the 60's and the 70's, or 50's and 60's. We report to the Department of Justice on potential trouble spots around the country as we learn of them so that the Department will be aware of them. The planning

for Boston, for instance, took place a year in advance, with state officials, city officials, the Department of Justice and the FBI sitting down together saying "How are we going to protect the situation in Boston"? I think we have learned a lot from the days back in the early 60's. But, the Government had no mechanics which protected people at that time.

QUESTION: Next I would like to ask, back in 1965, I guess during the height of the effort to destroy the Klans as you put it a few moments ago, I believe the FBI has released figures that we had something like 2,000 informers of some kind or another infiltrating the Klan out of roughly 10,000 estimated membership.

MR. ADAMS: That's right.

QUESTION: I believe these are FBI figures or estimates. That would mean that 1 out of every 5 members of the Klan at that point was an informant paid by the Government and I believe the figure goes on to indicate that 70 percent of the new members in the Klan that year were FBI informants. Isn't that an awful overwhelming quantity of people to put in an effort such as that? I'm not criticizing that we shouldn't have informants in the Klan and know what is going on to revert violence but it just seems to me that the tail is sort of wagging the dog. For example today we supposedly have only 1594 total informants, both domestic informants and potential informants. Yet, here we have 2,000 in just the Klan alone.

MR. ADAMS: Well, this number of 2,000 did include all racial matters and informants at that particular time and I think the figures

we tried to reconstruct as to the actual number of Klan informants in relation to Klan members was around 6 percent, I think after we had read some of the testimony on it. Isn't that right, Bill? Now the problem we had on the Klan is the Klan had a group called the Action Group. This was the group if you remember from Mr. Rowe's testimony that he was left out of in the beginning. He attended the open meetings and heard all the hoorahs and this type of information but he never knew what was going on because each one had an Action Group that went out and considered themselves in the missionary field. Theirs was the violence. In order to penetrate those you have to direct as many informants as you possibly can against it. Bear in mind that I think the newspapers, the President, Congress, everyone, was concerned about the murder of the three civil rights workers, the Lemul Penn case, the Violet Liuzzo case, the bombings of the church in Birmingham. We were faced with one tremendous problem at that time.

QUESTION: I acknowledge that.

MR. ADAMS: Our only approach was through informants. Through the use of informants we solved these cases. The ones that were solved. There were some of the bombing cases we never solved. They're extremely difficult, but, these informants as we told the Attorney General and as we told the President, we moved informants like Mr. Rowe up to the top leadership. He was the bodyguard to the head man. He was in a position where he could see that this could continue forever unless we could

create enough disruption that these members will realize that if I go out and murder three civil rights, even though the Sheriff and other law enforcement officers are in on it, if that were the case, and in some of that was the case, that I will be caught, and that's what we did, and that's why violence stopped because the Klan was insecure and just like you say 20 percent, they thought 50 percent of their members ultimately were Klan members, and they didn't dare engage in these acts of violence because they knew they couldn't control the conspiracy any longer.

QUESTION: I just have one quick question. Is it correct that in 1971 we were using around 6500 informers for a black ghetto situation?

MR ADAMS: I'm not sure if that's the year. We did have a year where we had a number like that of around 6000 and that was the time when the cities were being burned. Detroit, Washington, areas like this, we were given a mandate to know what the situation is, where is violence going to break out next. They weren't informants like an individual that is penetrating an organization. They were listening posts in the community that would help tell us that we have another group here that is getting ready to start another fire fight or something.

QUESTION: ... Without going into that subject further of course we have had considerable evidence this morning where no attempt was made to prevent crime when you had information that it was going to occur. I am sure there were instances where you have.

MR. ADAMS: We disseminated every single item which he reported to us.

QUESTION: To a police department which you knew was an accomplice to the crime.

MR. ADAMS: Not necessarily knew.

QUESTION: Your informant told you that, hadn't he?

MR. ADAMS: The informant is on one level. We have other informants and we have other information.

QUESTION: You were aware that he had worked with certain members of the Birmingham Police in order...

MR. ADAMS: That's right. He furnished many other instances also.

QUESTION: So you really weren't doing a whole lot to prevent that incident by telling the people who were already a part of it.

MR. ADAMS: We were doing everything we could lawfully do at the time and finally the situation was corrected when the Department agreeing that we had no further jurisdiction, sent the U.S. Marshals down to perform certain law enforcement functions.

QUESTION: ...This brings up the point as to what kind of control you can exercise over this kind of informant and to this kind of organization and to what extent an effort is made to prevent these informants from engaging in the kind of thing that you were supposedly trying to prevent.

MR. ADAMS: A good example of this was Mr. Rowe who became active in an Action Group and we told him to get out or we were no longer using him as an informant in spite of the information he had furnished in the past. We have cases, Senator where we have had

QUESTION: But you also told him to participate in violent activities

MR. ADAMS: We did not tell him to participate in violent activities.

QUESTION: That's what he said.

MR. ADAMS: I know that's what he says, but that's what lawsuits are all about is that there are two sides to issues and our Agent handlers have advised us, and I believe have advised your staff members, that at no time did they advise him to engage in violence.

QUESTION: Just to do what was necessary to get the information.

MR. ADAMS: I do not think they made any such statement to him along that line either and we have informants who have gotten involved in the violation of a law and we have immediately converted their status from an informant to the subject and have prosecuted I would say off hand, I can think of around 20 informants that we have prosecuted for violating the laws once it came to our attention and even to show you our policy of disseminating information on violence in this case during the review of the matter the Agents have told me that they found one case where an Agent had been working 24 hours a day and he was a little late in disseminating the information to the police department. No violence occurred but it showed up in a file review and he was censured for his delay in properly notifying local authorities. So we not only have a policy, I feel that we do follow reasonable safeguards in order to carry it out, including periodic review of all informant files.

QUESTION: Mr. Rowe's statement is substantiated to some extent with an acknowledgment by the Agent in Charge that if he were going

to be a Klansman and he happened to be with someone and they decided to do something, he couldn't be an angel. These are words of the Agent. And be a good informant. He wouldn't take the lead but the implication is that he would have to go along or would have to be involved if he was going to maintain his liability as a ---

MR. ADAMS: There is no question that an informant at times will have to be present during demonstrations, riots, fistfights that take place but I believe his statement was to the effect that, and I was sitting in the back of the room and I do not recall it exactly, but that some of them were beat with chains and I did not hear whether he said he beat someone with a chain or not but I rather doubt that he did, because it is one thing being present, it is another thing taking an active part in a criminal action.

QUESTION: It's true. He was close enough to get his throat cut apparently.

QUESTION: How does the collection of information about an individual's personal life, social, sex life and becoming involved in that sex life or social life is a requirement for law enforcement or crime prevention.

MR. ADAMS: Our Agent handlers have advised us on Mr. Rowe that they gave him no such instruction, they had no such knowledge concerning it and I can't see where it would be of any value whatsoever.

QUESTION: You don't know of any such case where these instructions
were given to an Agent or an informant?

MR. ADAMS: To get involved in sexual activity? No Sir.

NR 050 WA PLAIN

11:32PM NITEL 12/10/75 GHS

TO ALL SACS

FROM DIRECTOR

*Director's file 80-590**

DIRECTOR'S APPEARANCE BEFORE SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES, DECEMBER 10, 1975

A COPY OF THE STATEMENT I DELIVERED BEFORE THE SENATE
SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES TODAY HAS BEEN
SENT ALL OFFICES. FOR YOUR INFORMATION, THERE FOLLOWS A
SYNOPSIS ACCOUNT OF THE MAJOR AREAS OF THE COMMITTEE'S
QUESTIONS TO ME, TOGETHER WITH MY RESPONSES:

(1) REGARDING FBI INFORMANTS, QUESTIONS WERE ASKED
WHETHER COURT APPROVAL SHOULD BE REQUIRED FOR FBI USE OF
INFORMANTS IN INVESTIGATIONS OF ORGANIZATIONS (MY RESPONSE
WAS THAT THE CONTROLS WHICH EXIST TODAY OVER USE OF INFORMANTS
ARE SATISFACTORY); HOW CAN FBI KEEP INFORMANTS OPERATING
WITHIN PROPER LIMITS SO THEY DO NOT INVADE RIGHTS OF OTHER
PERSONS (MY RESPONSE WAS THAT RELIANCE MUST BE PLACED ON THE
INDIVIDUAL AGENTS HANDLING INFORMANTS AND THOSE SUPERVISING
THE AGENTS' WORK, THAT INFORMANTS WHO VIOLATE THE LAW CAN BE

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| FBI - ST. LOUIS | |
| <i>ASAC</i> | |

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#4
#5
S.T. Johnston

PAGE TWO

PROSECUTED -- AS CAN ANY AGENT WHO COUNSELS AN INFORMANT TO COMMIT VIOLATIONS); AND DID FORMER KLAN INFORMANT GARY ROWE TESTIFY ACCURATELY WHEN HE TOLD THE COMMITTEE ON DECEMBER 2 THAT HE INFORMED FBI OF PLANNED ACTS OF VIOLENCE BUT FBI DID NOT ACT TO PREVENT THEM (MY RESPONSE WAS THAT ROWE'S TESTIMONY WAS NOT ACCURATE).

(2) IN RESPONSE TO QUESTIONS REGARDING IMPROPER CONDUCT BY FBI EMPLOYEES, I STATED THAT ALLEGED VIOLATIONS OF LAW BY FBI PERSONNEL SHOULD BE INVESTIGATED BY THE FBI OR OTHER APPROPRIATE AGENCY; THAT THE INSPECTION DIVISION HAS CONDUCTED INQUIRIES REGARDING ALLEGATIONS OF MISCONDUCT; THAT AN OFFICE OF PROFESSIONAL RESPONSIBILITY HAS JUST BEEN ESTABLISHED IN THE JUSTICE DEPARTMENT, AND WE WILL ADVISE THAT OFFICE OF OUR MAJOR INVESTIGATIONS OF DEPARTMENTAL PERSONNEL, INCLUDING FBI EMPLOYEES, FOR ALLEGED VIOLATIONS OF LAW, REGULATIONS, OR STANDARDS OF CONDUCT; THAT I WOULD RESERVE COMMENT REGARDING POSSIBLE CREATION OF A NATIONAL INSPECTOR GENERAL TO CONSIDER MATTERS OF MISCONDUCT BY EMPLOYEES OF ANY FEDERAL AGENCY.

PAGE THREE

(3) IN RESPONSE TO QUESTIONS CONCERNING HARASSMENT OF MARTIN LUTHER KING, JR., I STATED THAT THE PERSONS WHO ISSUED THE ORDERS WHICH RESULTED IN SUCH HARASSMENT SHOULD FACE THE RESPONSIBILITY FOR IT, RATHER THAN THOSE UNDER THEM WHO CARRIED OUT SUCH ORDERS IN GOOD FAITH; THAT THE FBI STILL HAS RECORDINGS RESULTING FROM ELECTRONIC SURVEILLANCES OF KING; THAT WE RETAIN RECORDINGS FOR TEN YEARS BUT WE ALSO HAVE AGREED TO A REQUEST FROM THE SENATE NOT TO DESTROY INFORMATION IN OUR FILES WHILE CONGRESSIONAL INQUIRIES ARE BEING CONDUCTED; THAT I HAVE NOT REVIEWED THE KING TAPES; THAT IF THE COMMITTEE REQUESTED TO REVIEW THE KING TAPES, THE REQUEST WOULD BE REFERRED TO THE ATTORNEY GENERAL.

(4) IN RESPONSE TO QUESTIONS REGARDING WHETHER IT WOULD BE ADVANTAGEOUS TO SEPARATE THE FBI CRIMINAL INVESTIGATIVE RESPONSIBILITIES AND OUR INTELLIGENCE FUNCTIONS, I STATED THAT WE HAVE FOUND THE TWO AREAS TO BE COMPATIBLE, AND I FEEL THE FBI IS DOING A SPLENDID JOB IN BOTH AREAS.

(5) IN RESPONSE TO QUESTIONS CONCERNING THE ADEQUACY OF CONTROLS ON REQUESTS FROM THE WHITE HOUSE AND FROM OTHER GOVERNMENT AGENCIES FOR FBI INVESTIGATIONS OR FOR INFORMATION

PAGE FOUR

FROM OUR FILES, I STATED THAT WHEN SUCH REQUESTS ARE MADE ORALLY, THEY SHOULD BE CONFIRMED IN WRITING; THAT WE WOULD WELCOME ANY LEGISLATIVE GUIDELINES THE CONGRESS FEELS WOULD PROTECT THE FBI FROM THE POSSIBILITY OF PARTISAN MISUSE.

A FULL TRANSCRIPT OF THE QUESTIONS AND ANSWERS WILL BE FURNISHED TO EACH OFFICE AS SOON AS IT IS AVAILABLE.

ALL LEGATS ADVISED SEPARATELY.

END

PLS RETURN TO TALK

UA

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RE: DIRECTOR'S APPEARANCE

Date 1/5/76

BEFORE SENATE SELECT COMMITTEE

ON INTELLIGENCE ACTIVITIES

DECEMBER 10, 1975

62-5038*

62-5038-16

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The enclosed is for your information. If used in a future report, conceal in sources, paraphrase contents.

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Remarks: By routing slip dated 12/30/75 and captioned as above, all SACs and Legats were furnished a copy of the transcript of Mr. Kelley's 12/10/75 appearance before the Senate Select Committee on Intelligence Activities. Although the data contained in the transcript may be made available to news media representatives, used in answering questions received from citizens, and otherwise treated as being of a public-source nature, the transcript itself should not be reproduced for, or given to, anyone outside the FBI.

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(Mount Clipping in Space Below)

Eagleton urges new way to watch over CIA, FBI

By EDWARD W. O'BRIEN
Globe-Democrat
Washington Bureau Chief

WASHINGTON — Senate and House committees should end their intelligence investigations "as expeditiously as possible" and recommend a new method of permanent congressional supervision of the CIA and the FBI, Sen. Thomas F. Eagleton, D-Mo., says.

His own preliminary proposal is for a new joint Senate-House committee with rotating members "to make sure the committee does not become a captive" of the agencies it's overseeing, Eagleton said Tuesday.

"WE HAVE more than enough for a hearing record," he said. "To keep going indefinitely would be counterproductive."

Eagleton, back from a two-week trip to Rome, Athens and Cyprus, said government leaders in all those places "brought up the CIA" and generally "expressed concern about how much longer the hearings will go."

Their concern, he said, was

expressed to him about like this: "Is it absolutely necessary that the matter drag on and on? Enough is enough."

As an example of how proposed rotating memberships on a new supervisory committee would work, Eagleton said there could be 15 Senate and House members, with one-third changing every two years.

THIS IDEA, he conceded, does challenge the seniority system in Congress; where a member remains on a committee throughout his congressional service and moves up in rank over the years.

But the need for congressional supervision is so important, he said, as to justify a break with tradition and a mechanism for a frequent "infusion of fresh talent" in keeping a watch on CIA and FBI activities.

The Senate Intelligence Committee is due to expire Feb. 29, and the House committee Jan. 31. Eagleton said he would be willing to support only a limited extension to allow the Senate committee to wind up its work.

Eagleton said he was told the CIA hearings had been

given "the same front page treatment in Athens as in the United States." The Senate committee report on alleged CIA assassination plots had tremendous attention in Europe generally, he said.

THE HEARINGS "increased the hatred of the CIA" in Greece, he said, because of resentment there since 1967 over a widely held belief that the CIA was involved in bringing the military regime to power.

Eagleton arrived in Athens Dec. 26, three days after the assassination of Richard S. Welch, CIA station chief. Because of the tense atmosphere, the senator was closely guarded by Greek plainclothes security forces throughout his stay in Greece and Cyprus.

Welch, he said, was considered "a great friend of Greece." The CIA career man "was very much admired" by all Americans at the embassy, he said, and they are bitter about the Athens newspaper that published the names and home addresses of Welch and six other CIA agents.

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

P6B, St. Louis Globe-Democrat, St. Louis, Missouri

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House intelligence group OKs report, goes out of business

By WALTER PINCUS
Globe-Democrat-Washington
Post-News Service

WASHINGTON — The controversial 13-man House intelligence committee goes out of business Wednesday with the future unclear for its primary recommendation — that the House establish a permanent oversight committee on intelligence.

At the committee's final working session Tuesday, the members approved 9-4 a package of 20 recommendations intended to make minor and major changes in the organization and operation of the U.S. foreign and domestic intelligence community.

CHAIRMAN Otis G. Pike, D-N.Y., said at the conclusion of the meeting that he did not know "the future of the recommendations . . . but I hope the major ones pass."

Pike said Tuesday he had no plans to introduce legislation for establishing a permanent intelligence oversight committee.

Rather, he intends to file the recommendations with the House clerk Wednesday. Thereafter, he said, it will be up to the leadership.

A ranking committee Democrat, who asked not to be named, said, "We're going back to the old system of oversight."

UNDER THAT system, three House committees received notification of significant CIA covert operations but only the House Armed Services and Appropriations committees had authority to explore other intelligence budgets or operations.

"The House has got to be pushed into setting up a new committee," the ranking Democrat said, "I expect the speaker will wait until the Senate acts."

In the Senate, a proposal establishing a new intelligence committee for that body has already been the subject of hearings, and legislation is expected to be drafted by March 1 — the day the Senate intelligence committee is scheduled to go out of business.

Without a successor committee, the recommendations of the House committee will be distributed to various legislative committees.

ALONG WITH establishing an oversight committee, the Pike committee's major recommendations include:

—Reporting covert CIA operations to the new intelligence committee within 48 hours of initial approval along with the written support documents.

—Establishing a subcommittee of the National Security Council to provide Execu-

tive Branch oversight on covert and clandestine activities.

—Creating an inspector general for intelligence to investigate possible misconduct in all agencies with intelligence operations:

—ABOLISHING the Defense Intelligence Agency and transferring its functions to the CIA and an assistant secretary of defense for intelligence.

—Creating a director of central intelligence with a seat in the National Security Council and authority over the entire foreign intelligence community, including the CIA.

—Enacting legislation to define the electronic monitor-

ing role of the National Security Agency in the case of American citizens.

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P4A, St. Louis Globe-Democrat, St. Louis, Missouri

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(Mount Clipping in Space Below)

Welcome End of House CIA Panel

The House Intelligence Committee died Wednesday. May it rest in peace.

In the relatively short span of the special panel's existence, it set a track record for recklessness that may never be broken. Its scattergun approach to investigating the activities of United States intelligence-gathering agencies earned the 13-member committee a reputation for shooting first and investigating later.

If there was anything objective about the overbearing tactics of the congressional probers, it was seldom shown. Created a year ago with a deadline of this February to report its findings, the committee appeared bent more on a vendetta against intelligence agencies than on delivering constructive criticism arrived at through a fair analysis.

The select House committee's specific purpose was to determine whether all foreign and domestic Central Intelligence Agency, Federal Bureau of Investigation and other U.S. intelligence operations are needed and how to prevent alleged spying on citizens in the future. Supposedly, there were safeguards against news leaks from the committee of classified secrets.

In actual practice, the committee's security was as tight as a sieve. One finding after another was leaked to the news media, including information that crippled the CIA's operations. The committee appeared to take the high-handed position that it was the sole judge of classified documents and what material should be made public.

This never has been and never can be the prerogative of Congress. The irresponsible and unintelligent conduct of the House Intelligence Committee over the last year has proven that conclusively.

If the House is intent on setting up a permanent oversight committee on intelligence matters, it should be one pledged to improving and supporting national security rather than undermining it. The same goes for the Senate.

Public interest demands that intelligence-gathering functions be handled intelligently and not conducted like a sideshow for the entertainment of Congress and the furthering of political ambitions. The ill-advised House Intelligence Committee will not be missed.

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P14A, St. Louis
Globe-Democrat,
St. Louis, Mo.

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(Mount Clipping in Space Below)

Furor On Schorr's Role In Leak

By RICHARD DUDMAN
Chief Washington Correspondent

WASHINGTON — Daniel Schorr, the CBS News correspondent who made public a secret congressional report last week, has become the center of a swirling debate over information leaks, journalistic ethics and freedom of the press.

Two members of Congress want to prosecute him. The New York Times castigated him in an editorial, charging that he "did responsible journalism a disservice" by "making the report available for cash sale."

The furor over the leak has overshadowed the substance of the report so much that some cynics suspect the Ford Administration of promoting the dispute as a distraction.

As published in the New York Village Voice, the report accused the Central Intelligence Agency of repeated intelligence failures in Vietnam, in the 1973 Arab-Israeli war, in the United States global military alert against the Soviet Union at the end of that war, in the 1974 Turkish invasion of Cyprus and in the 1974 coup in Portugal.

IT ACCUSED Secretary of State Henry A. Kissinger of selling out the Kurdish rebellion last year, with the loss of thousands of lives, in a deal between Iran and Iraq. It charged him with a "passion for secrecy" in efforts to "control dissemination and analysis of data" inside the bureaucracy, and with making "comments . . . at variance with the facts" about the handling of suspected Soviet violations of the nuclear strategic arms accords of 1972.

Representative Otis G. Pike (Dem.), New York, chairman of the House Select Committee on Intelligence, has said he suspected that the Central Intelligence Agency leaked the report to discredit the committee. President Gerald R. Ford told a press conference last night that it had been leaked by a member of Congress or a House staff member.

Investigations into the source of the leak and the continuing dispute over Schorr's conduct promise to continue diverting attention

Representative Samuel S. Stratton (Dem.), New York, told the Post-Dispatch that he hoped to have a resolution ready to present on the House floor before the end of this week to hold Schorr in contempt.

He said he planned to ask for an hour's time under "privilege of the House" procedure, to propose that a special committee study the facts and recommended whether the full House should consider contempt charges.

Stratton is relying on a 1790 precedent, in which he said "a couple of people were put in jail for a couple of days for trying to bribe a member of Congress."

SENATOR ROBERT TAFT JR. (Rep.), Ohio, says contempt charges are not tough enough. He has said that the Department of Justice should consider criminal prosecution and that, if existing law does not cover the case, Congress should pass new legislation that does cover it.

The facts of the case were hard to find at first. Schorr denied he had anything to do with the publication of the document. Others who knew about it were saying "no comment" or discussing it off the record.

Now, however, everyone is talking freely and the main thing that remains unknown is where Schorr got the report.

The CBS correspondent, whose toughness and energy have produced many exclusives, had been covering the intelligence investigations for months. He obtained a copy of the report before the House voted Jan. 29 not to make it public.

Schorr, as well as reporters for the New York Times, the Washington Post and other news organizations, had been reporting information from the report, but it was not clear whether any of them had obtained a copy.

Schorr, however, displayed the cover of the report on the air, and word circulated that he had one.

SEVERAL OTHER news organizations became interested, including the Los Angeles Times and the Washington Post. So did

Charles Morgan, Washington representative of the American Civil Liberties Union, who last year led the way in prying into the mystery of the CIA's treasure ship, the *Glenn Explorer*.

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

St. Louis Globe
Democrat, St.
Louis, Missouri
St. Louis Post
Dispatch, St.
Louis, Missouri

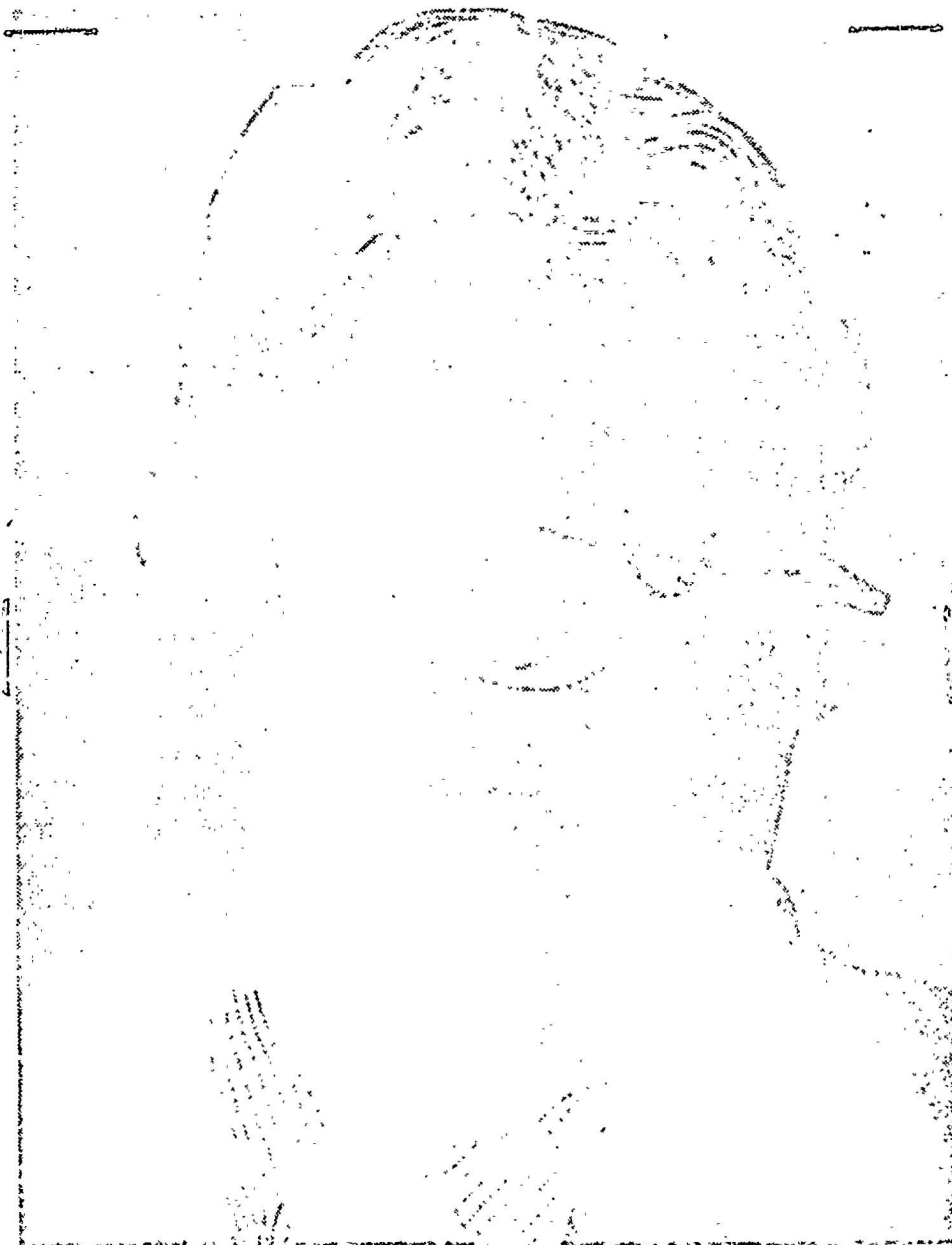
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Date: 2/18/76
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Title: DANIEL SCHORR
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Daniel Schorr
"I didn't want a crusaders cause"

Morgan told the Post-Dispatch: "I got a telephone call from someone who told me Schorr had the report. I called Schorr, and he said he did. He said he was looking for a publisher. He wanted something respectable — not the National Lawyers' Guild. There was no question that Schorr had in mind making some money for some First Amendment cause."

One or the other thought of the Reporters' Committee for Freedom of the Press, a group formed during the Nixon Administration to protect reporters against government surveillance and retaliation.

Schorr confirms this account generally. He told the Post-Dispatch he had been trying to decide how to get the full report published. This was after he had used the high points in his CBS broadcasts. The idea of approaching the Reporters' Committee had emerged in conversations with several other persons, he said.

"At that point I got a call from Morgan," Schorr said. "He told me, 'Look, we'd like to publish that report of yours. I saw you with it on TV. You do have it, don't you?'"

SCHORR RECALLS that he acknowledged having a copy, complimented Morgan on his timing, and said all he wanted from the ACLU was the name of a publisher.

"I didn't want a crusader's cause," Schorr told the Post-Dispatch. "I said all I wanted was to do it as a simple, casual, I-can-do-it-no-other-way thing. I said I wanted to make sure that whatever money came out of it would go, not to the ACLU, but to something more specifically on freedom of the press."

Morgan telephoned Jack Nelson, Washington bureau chief of the Los Angeles Times, a close friend and one of the six unpaid trustees of the Reporters' Committee.

Nelson was enthusiastic about the prospect of getting some money for the committee, which operates on a shoestring and is always seeking funds to meet expenses of its small

office staff and its mailings of reports or developments involving freedom of the press.

Nelson asked his editors at the Los Angeles Times if they wanted to run the text of the report. He was told they would have to see it first and then decide what to do with it.

By that time, other trustees were getting into the situation. Jack C. Landau of the Newhouse News Service and Fred Graham of CBS News, after a telephone poll of the trustees, put Schorr in touch with a New York lawyer who worked as a publishing agent.

ANOTHER NEWS EXECUTIVE who became interested in the matter was Harry Rosenfeld, assistant managing editor for national affairs at the Washington Post. He, too, knew about Schorr's reports on the air and suspected Schorr might have a copy.

Rosenfeld told the Post-Dispatch: "I called him and asked whether he had a copy. He said yes. I asked if he was through with it. He indicated he was. I said I wanted to see the report. He said, 'I'll write you a series of articles.' I said, 'No, I want to let my people see it.'"

"I'm going into this detail because I don't want it to seem that Schorr was peddling the report for money. He wasn't."

Rosenfeld recalled that Schorr said he would have to clear any such arrangement with CBS News. But Rosenfeld said his superiors, executive editor Benjamin C. Bradlee and managing editor Howard Simons objected to the idea on the ground that the Washington Post would not want to reciprocate and give any of its documents to CBS. Rosenfeld said he called Schorr the next morning and withdrew the proposal.

Their conversation would have remained confidential, Rosenfeld says, had it not been for another conversation a few days later between Schorr and a Washington Post reporter, Laurence Stern.

Stern says he has three pages of typed notes to prove that Schorr denied repeatedly that he had provided the report to the Village Voice, directly or indirectly.

STERN SAYS he already knew that Schorr had furnished the report to the newspaper.

Stern wrote a story reporting Schorr's denial but stating that "other sources familiar with the hush-hush developments of the story say that CBS correspondent Daniel Schorr, who covered the intelligence committee for his network, was instrumental in transmitting the report" to the Village Voice.

Schorr says that the New York lawyer, whom he refuses to name, found several paperback book publishers leery of the proposal. He said some of them hoped a joint publication with a newspaper might be arranged.

Eventually, however, the lawyer came up with an offer from Clay Felker, publisher of New York magazine and the Village Voice. Schorr, dealing through the lawyer, says he set three conditions—that the report be published in full, that Felker give some money to the Reporters' Committee, and that Felker promise confidentiality.

Schorr explained that he thought at that time that more than one copy might be at large. He said if his name was kept out of it, that would establish an "additional buffer" to protect his source.

Felker says, however, that he had not made any contribution and does not intend to make one.

"No money changed hands," he told the Post-Dispatch. "Schorr never asked for any money, nor did we ever offer him any money. At one point when we were thinking of putting out a special issue we contemplated the possibility of making a contribution to a civil liberties organization."

FELKER SAID he had not figured how much it had cost the Voice to publish most of the document as a 24-page lift-out section of the regular weekly newspaper. He said the extra cost was roughly the same as the cost of a normal issue of the Voice.

Felker, as most of those interviewed about the story of the Pike papers, expressed irritation over the editorial last Sunday in the New York Times. It was headed, "Selling Secrets." It stated that when Schorr passed the report to the Voice, there was "an arrangement under which money passed from the Voice to the Reporters' Committee for Freedom of the Press, a group dedicated to defense of the First Amendment."

The Times said: "To put it bluntly, while reporters and news organizations have rightly declined to accept the Government's judgment on what documents it is appropriate to publish, it is flatly wrong for reporters to be involved in any commercial traffic in such documents."

Felker attributed the Times's attitude to the unwelcome competition from the Voice.

"The Times is stunned," he said. "The Voice's circulation is going up in New York, and theirs is going down. They can't stand it. The Times is suffering these days."

On publication of the document, he said: "We are in the business of finding the news and printing it. Readers don't care where we get it. All they want to know is, is it relevant and is it authentic. The President convinced everyone it's authentic."

WILLIAM SMALL, vice president of CBS News, was asked by the Post-Dispatch whether CBS objected to a reporter's furnishing material to another news organization.

"Dan indeed made everything available to us," Small replied. "Nothing was left in the report of any consequence. That is, nothing was left that we would have done a special piece about."

"He faces potential legal action. We will back him legally so that neither the White House nor Congress nor anybody else can compel him to reveal his source."

"There are complicated ethical and philosophical considerations — wheels within wheels — but to rap him on the knuckles — I don't want someone in Congress getting up and saying that his own people have reprimanded him or disavowed him."

Schorr says he objects to the time the controversy has taken from his work as a reporter and to the fact that every conversation with a news source now starts with a snicker.

"I have not run into any obstacles, inside or outside my organization, to my work — at least not yet," he said.

What did he expect from Representative Strom's contempt threat?

STERN ANSWERED the question with a grin: "Wouldn't it be nice, after 18 months and a year, to have Congress pass the contempt statute in our history?"

(Mount Clipping in Space Below)

editorials

Lessons From Experience?

"We have learned many lessons from this experience, but we must not become obsessed with the deeds of the past."

That was President Ford's text for proposing reforms of the intelligence community, and on the basis of his proposals it must be asked just what has been learned from experience, and how would the Ford program prevent repetition of those deeds of the past with which he is obviously not obsessed?

Mr. Ford's proposals fall into three sections. First there is a new executive order restricting the Central Intelligence Agency and other foreign intelligence operations as to spying on Americans in this country. Second, there is legislation offered Congress to make it illegal for government employees to reveal classified information. Finally, the President has created three new boards to manage and oversee intelligence.

The President's plan is for internal reforms internally directed and controlled. The program should make the intelligence system more accountable to the President and perform more responsibly if it works out in practice — that is, if agencies operating in secret really respect those guidelines meant to protect the rights of citizens, and if George H. Bush as new CIA director can really manage all the varied and sometimes rival intelligence groups, and if former Ambassador Robert D. Murphy and his committee can really oversee their performances.

Despite the internal improvements within the Executive Branch, however, the "lessons from experience" are that the misdeeds of the intelligence services were Executive Branch misdeeds. Mr. Ford's plan does nothing to disturb presidential control of intelligence but, instead, enhances it with new secrecy proposals that could increase the Executive power by

hiding its use further from public view.

In those terms, how would all of Mr. Ford's new boards and guidelines prevent some future Executive from using the intelligence branch for arbitrary personal, political or foreign policy ends? How does tightening Executive management of the system protect the nation against a reoccurrence of such deeds of the past as spying on Americans, fomenting an invasion here and an insurrection there and a war elsewhere, buying politicians in one country or trying to overthrow an elected government in another or supplying mercenaries in a third?

Other presidents have used intelligence agencies to conduct such covert activities, yet Mr. Ford and Secretary of State Kissinger, in testimony before a Senate committee, do not even talk directly of covert activities. They argue for the need for sound intelligence. That is unquestionable. What is questionable is the misuse and distortion of the intelligence function to engage in covert, dirty and sometimes plainly illegal tricks.

The Executive authority to use the intelligence function in arbitrary ways is a relatively recent phenomenon, and it has created a grave challenge to the American system of checks and balances. The constitutional way to provide this essential check is through strong congressional oversight. Mr. Ford himself commends the idea of a joint committee of oversight, but he suggests that he does not know what oversight means when he asks Congress to agree never to disclose information without the President's approval.

Oversight automatically bowing to an Executive claim for secrecy is not what Congress owes the Republic. Congress must insist on a complete inspection of the uses of the vast and devious power of the intelligence arm.

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2B (Editorial Page)

ST. LOUIS
POST-DISPATCH

ST. LOUIS, MO.

Date: 2/19/76
Edition: *** Final

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Editor:

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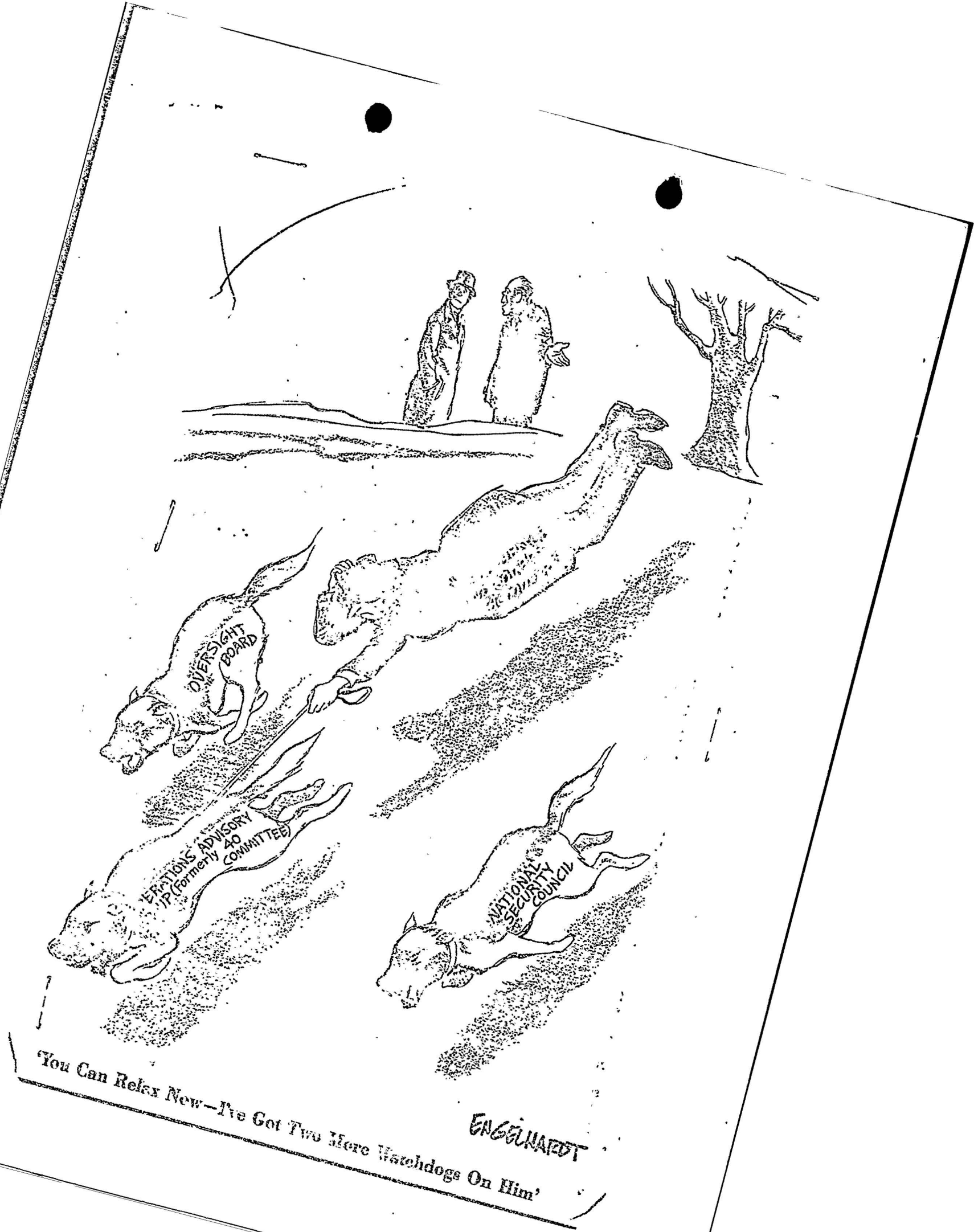
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'You Can Relax Now - I've Got Two More Watchdogs On Him'

ENGELHARDT

(Mount Clipping in Space Below)

Ford Security Plan Still Has Loopholes For Political Abuse

By RICHARD DUDMAN

Chief Washington Correspondent

WASHINGTON

ONE OF PRESIDENT Gerald R. Ford's biggest tasks has been to straighten out what officials call the American "intelligence community."

Several of the agencies included in the community were corrupted to some degree by the Watergate scandal. To take random examples, the Central Intelligence Agency provided disguises and false identities for White House burglars, a director of the Federal Bureau of Investigation burned documentary evidence in his backyard, and political enemies of the Nixon Administration were confident that the Internal Revenue Service was harassing them with special tax audits.

Illegal letter openings, wiretaps, surveillance, slander and provocation at home, as well as efforts abroad to assassinate foreign leaders, interfere in foreign elections, foment coups and even wage secret wars—all these gave the CIA and the rest of the intelligence community a bad name.

Mr. Ford brought forth his remedy this week. It was a package of new Government orders, proposals for new legislation and appointment of a new civilian oversight committee.

His problem essentially was how to carry on the business of government effectively while at the same time insulating the government machinery against political abuse by some future Nixon.

Some of the President's top aids put the matter in different words in a briefing given to congressional leaders Tuesday night and to reporters yesterday.

THE OPENING FLASH card in a slide presentation put it this way:

"To ensure that—

"The United States has a strong and effective capability to gather and evaluate foreign intelligence and conduct necessary covert operations.

"These activities are conducted in a constitutional and lawful manner and never aimed at our own citizens."

From the President on down, the greater emphasis appeared to be on the first of those

two objectives. Mr. Ford's package kept the CIA intact, rejecting the advice of some critics who had urged a separation of covert operations from intelligence gathering on the ground that the one distorted the other when operational decisions demanded production of facts to support them.

The Ford package also ignored the Rockefeller Commission's recommendation last year that careful consideration be given to whether the CIA's budget should be made public, particularly in the light of a provision of the Constitution that requires regular publication of "the receipts and expenditures of all public money."

A question arose immediately, too, about the President's recommendation that Congress streamline its overseeing function and create a single joint committee on intelligence to take the place of the four committees to which intelligence agencies must report.

Mr. Ford told Congress that the change would reduce the risks of disclosure of Government secrets and "facilitate the efforts of the Administration to keep the Congress fully informed of foreign intelligence activities."

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

3B ST. LOUIS
POST-DISPATCH

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Date: 2/19/76

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Character: SL 94-297

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A CRACKDOWN ON information leaks by executive order and proposed legislation also served the cause of efficiency and effectiveness. Government employes would be subject to civil judgment and in some cases criminal punishment if they divulged classified material entrusted to them.

Although the press and others outside the Government are exempt from these provisions, Attorney General Edward H. Levi acknowledged that they could be summoned as witnesses and ordered on pain of contempt to disclose their sources.

So much for the efficiency and effectiveness side of the new balance promised by the President. There are seeds of controversy also in the new protections offered for individual Americans.

That flashcard said that intelligence activities would be "never aimed at our own citizens." yet the words "except" and "unless" appear again and again when these guarantees are spelled out in the President's new executive order on United States foreign intelligence activities.

The order prohibits physical surveillance against any U.S. citizen, U.S. corporation or resident alien—"unless" it comes under a program approved by the agency head and is directed against a former agency employe or contractor to protect intelligence sources or methods or national security information.

OTHER EXCEPTIONS include any U.S. citizen outside the United States who is "reasonably believed to be acting on behalf of a foreign power or engaging in international terrorist or narcotics activities or activities threatening the national security."

Exceptions likewise are included in guarantees against physical searches without consent, opening of mail, examination of federal tax returns, infiltration of private organizations, and wire taps.

In various forms, the question kept arising as to what would prevent a President from once more misusing the intelligence machinery to help strengthen his own political position.

The new CIA director, George Bush, was asked what would happen when someone in his position was directed in the future to penetrate the headquarters of a U.S. political party.

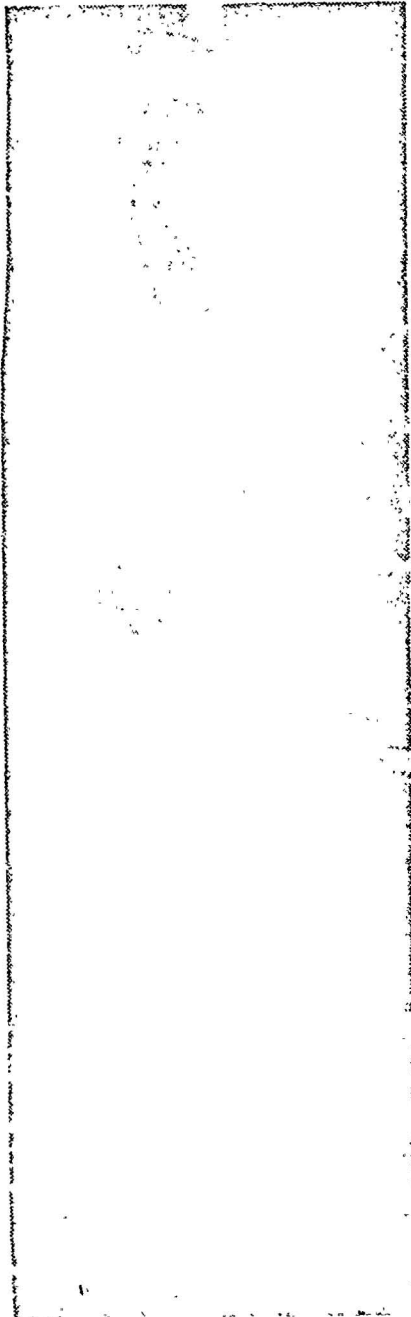
Bush replied that anything like that would be "absolutely out."

But the only reason he gave was that he would not permit the agency to be involved in any such operation.

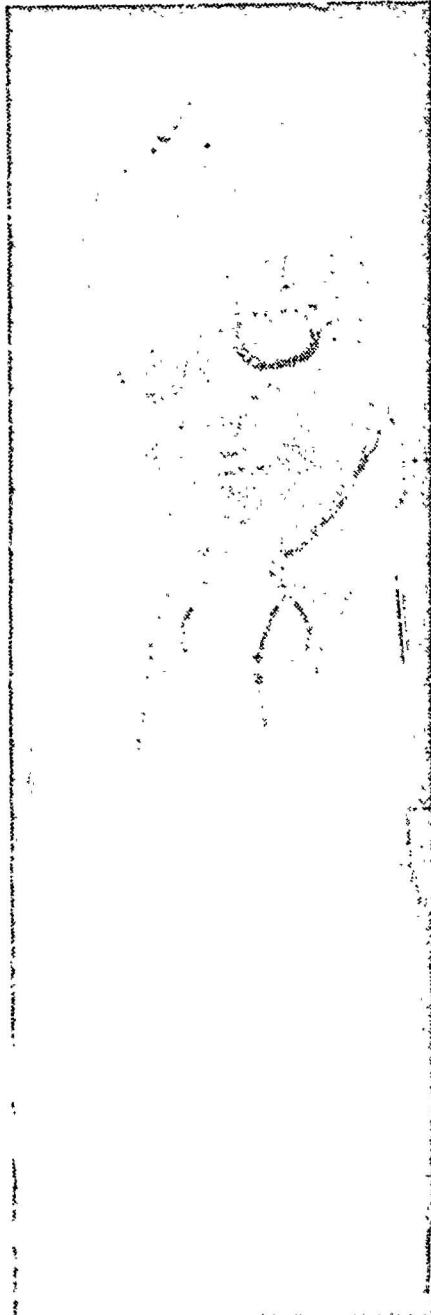
When the officials made it clear that President Ford is determined that the proposed new congressional oversight committee will have no veto over covert foreign operations, reporters wanted to know whether Congress could have done anything to halt the covert delivery of arms and money to a U.S.-backed faction in Angola.

Lt. Gen. Brent Scowcroft (ret.), assistant to the President for national security affairs, replied: "There is nothing to prevent a member of Congress from moving to cut off funds for the operation—as has, in fact, been done in Angola."

But further questions elicited the fact that there had been no determination yet as to when the committee would be notified of any such operation. It appeared that the decision already might have been made and the operation in progress before even the overseeing committee got wind of it.



Brent Scowcroft
Assistant to the President



George H. Bush
CIA Director

(Mount Clipping in Space Below)

Revamping U.S. Intelligence

The three-part plan to reorganize and upgrade the United States' Intelligence gathering operations announced Tuesday night by President Ford appears to be constructive and well thought out.

It calls for placing all policy direction for foreign intelligence under four officials — the President, the Vice President, and the Secretaries of State and Defense.

It calls for combining all the operations of the Central Intelligence Agency, the Pentagon's Defense Intelligence Agency and the National Security Agency and other intelligence units under one command structure headed by the new director of the CIA, George Bush.

It also would create a new Oversight Board made up of private citizens "to monitor the performance of our intelligence operations."

To prevent possible abuses, Mr. Ford said his office would propose "a comprehensive set of public guidelines" to safeguard civil rights, plus eventual legislation "to provide judicial safeguards against electronic sur-

veillance and mail openings."

President Ford said he also seeks a law against peacetime assassination attempts, and laws that would make it illegal for a government employe "who has access to certain highly classified information to reveal that information properly."

Adoption of this plan should go a long way toward rebuilding the effectiveness of U.S. intelligence operations and restoring confidence in the CIA and other agencies engaged in this activity.

Congress should carry out its end of the bargain to help restore the greatly diminished effectiveness of government agencies that have been hampered by non-stop congressional probes and constant leaking of damaging information. Certainly a law is needed as soon as possible to prevent the improper disclosure of classified information. Unless Congress acts to protect secret intelligence information, it shouldn't be trusted with secret information whose release could hurt U.S. intelligence operations.

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

14A (Editorial Page)

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Fed. Bureau of Investigation

(Mount Clipping in Space Below)

GAO Criticizes FBI Intelligence Work

By CURT MATTHEWS
Washington Correspondent

WASHINGTON, Feb. 24 — Domestic intelligence operations of the Federal Bureau of Investigation are neither effective nor properly controlled, the General Accounting Office, said in a report made public yesterday.

A spokesman for the agency called the report "the most extensive study ever made of current FBI operations." Unlike recent congressional inquiries into FBI investigative work this study focused on current practices and procedures rather than past abuses, he noted.

The General Accounting Office, an independent agency set up by Congress to review the effectiveness of Government operations and make recommendations for improving efficiency, made the study at the request of Representative Peter W. Rodino Jr. (Dem.), New Jersey, chairman of the House Judiciary Committee.

The report is based on reviews of 893 randomly selected domestic intelligence cases that were under active investigation in 1974 by FBI field offices in 10 cities.

"The cases . . . reviewed resulted in few prosecutions or convictions or even in referrals by the FBI — to appropriate (local) authorities — for prosecution," the report said.

Of 797 cases in which individuals were under investigation for suspected subversion, the FBI obtained advance information about planned "subversive or extremist" activities in only 17 cases.

Although the FBI passed on to local authorities information regarding expected activities of subversive and extremist groups, in 15 of the 17

cases neither the agents involved in the investigations nor the bureau files could supply information regarding how the information was ultimately used to prevent a crime, the report said.

The study suggested that the FBI procedures included no follow-up reports to indicate the usefulness of information produced by its investigations. The report noted that the FBI has been slow to drop an investigation after a group or individual has come under surveillance.

"We believe the results of our review show that there is a need for a clear statement from the Congress as to what the objectives of the FBI's domestic operation should be, what functions they should include and what their scope

should be," the report said.

It specifically recommended:

— Clarifying the authority of the FBI to investigate U.S. citizens suspected of illegal subversion of the Government.

— Limiting domestic intelligence investigations to groups or individuals "that have used or are likely to use force or violence."

— Restricting the use by the FBI of "nonviolent emergency measures" only to prevent the use of force or violence in violation of a federal law.

— Limiting the scope, use and retention of information gathered by the FBI in domestic intelligence operations.

— Requiring that the Attorney General each year review the domestic intelligence operations of the FBI and report to Congress.

The legislative recommendations are more restrictive of FBI operations than are the domestic intelligence guidelines drafted last December by Attorney General Edward H. Levi.

These guidelines called for closer supervision by the Department of Justice of FBI domestic intelligence, including involvement by the Attorney General in key decisions to start and stop specific investigations.

FBI director Clarence M. Kelley has said that if the bureau concentrated on violence-prone groups, as the report today recommended, it would be unable to find and control persons dangerous to the Government who are not affiliated with such groups.

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