

File #:

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1992 (44 USC 2107 Note). Case#:NW
65994 Date: 11-01-2021

62-AT-2854

Serial Scope:

1 THRU 58

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DESTROY**
FOIPA# N/A

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LR074 LA CODE

654PM NITEL 5-2-75 WSE

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONNEL 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

20 COPIES RECEIVED
9 SUPERVISORS
1 RESIDENT AGENCIES

ALL COPIES DESTROYED FOR
RETURN BY 10/1/77

Kelly

62-2854-1

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1975	
FBI - ATLANTA	
<i>SAC</i>	<i>C</i>

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SAC let Q
Heath
62

No action
5-2-75

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

IR074 WA CODE

854PM NITEL 5-2-75 MSE

TO ALL SACS

FROM DIRECTOR (62-116395)

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.

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62-2554-1

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1975	
FBI - ATLANTA	

PAGE TWO

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END

IR674 UA CODE

654PM NITEL 5-2-75 MSE

TO ALL SACS

FROM DIRECTOR (62-116395)

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.

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*Handled
in 5 min*

62-2554-1

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 2 1975	
FBI - ATLANTA	

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.

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END

F B I

Transmit in _____ Via Airtel
(Type in plaintext or code)

(Priority)

5/23/75

(Date)

To: SAC, Atlanta

From: Director, FBI (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

Enclosed for immediate hand delivery to former SA Alan G. Sentinella is an original and one copy of a statement he voluntarily dictated to a Bureau secretary 5/21/75 and which was transcribed subsequent to Sentinella's departure from Washington, D. C.

For your information, Sentinella has indicated a desire to review this statement and make any necessary corrections, after which he will furnish you a copy for forwarding to the Bureau which should be by cover airtel immediately after Sentinella makes it available. Direct airtel to Attention, INTD - W. O. Cregar.

Enclosure

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(Do not type below this line.)

62-2854-2

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 27 1975	
FBI-ATLANTA	

Airtel

5/23/75

To: SAC, Atlanta

From: Director, FBI (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

Enclosed for immediate hand delivery to former SA Alan G. Sentinella is an original and one copy of a statement he voluntarily dictated to a Bureau secretary 5/21/75 and which was transcribed subsequent to Sentinella's departure from Washington, D. C.

For your information, Sentinella has indicated a desire to review this statement and make any necessary corrections, after which he will furnish you a copy for forwarding to the Bureau which should be by cover airtel immediately after Sentinella makes it available. Direct airtel to Attention, INTD - W. O. Cregar.

Enclosure

62-2854-2

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 27 1975	
FBI-ATLANTA	

May 27, 1975

Mr. Wilburn K. DeBruler
Special Agent in Charge
Federal Bureau of Investigation
Atlanta, Georgia

Dear Will,

Please forward attached brown envelope to Bureau, Attention:
Seymor F. Phillips.

Thanks for your help.

Yours truly,




Alan G. Sentinella

AGS/cia

62-2854-3

SEARCHED	INDEXED
SERIALIZED <i>ml</i>	FILED <i>ml</i>
MAY 28 1975	
FBI-ATLANTA	



5/28/75

AIRTEL

REGISTERED MAIL

TO: Director, FBI (62-116395)
(Attention: INTD - W. O. Cregar)

FROM: SAC, Atlanta (62-2854)

SENSTUDY 75

Re Bureau airtel to Atlanta 5/23/75.

Material enclosed with referenced airtel was hand-delivered to former SA, ALAN G. SENTINELLA, 5/27/75, and same was returned by SENTINELLA to Atlanta Division same day.

Enclosed is the material furnished by SENTINELLA.

2-Bureau (Enc.)

1-Atlanta

WKD:rrl

(3)

W

18

62-2854-4

NR036 WA CODE

4:10PM NITEL 5-20-75 PAW

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY - 75.

REBUIEL 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

ASAC _____
3 _____
4 _____
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6 _____
7 _____
8 _____
9 _____
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CHIEF STENO _____

62-2854-5

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MAY 20 1975	
FBI-ATLANTA	

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NR036 WA CODE

4:13PM NITEL 5-20-75 PAW

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL *ATTENTION*

SENSTUDY - 75.

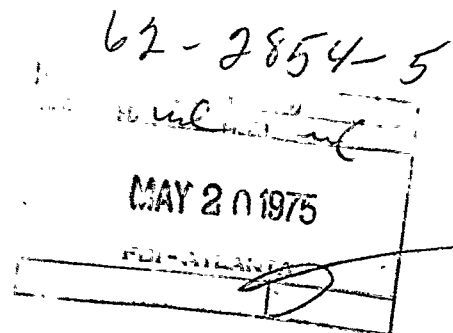
REBUTEL MAY 2, 1975.

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END



NR058 WA CODE

12:00PM NITEL 5/28/75 FLD

TO ALEXANDRIA

NEWARK

ATLANTA

OMAHA

BALTIMORE

PHILADELPHIA

CHARLOTTE

PORTLAND

CHICAGO

PHOENIX

KANSAS CITY

TAMPA

LITTLE ROCK

WASHINGTON FIELD

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

62-2854

REBUTEL MAY 2, 1975.

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC) CONCERNING A NUMBER OF PRESENT AND FORMER FBI EMPLOYEES, INCLUDING THEIR CURRENT WHEREABOUTS, SUGGESTS THEY MAY BE INTERVIEWED BY SSC STAFF, EXACT SUBJECT MATTERS FOR INTERVIEWS UNKNOWN. SET OUT BELOW ARE NAMES AND LAST KNOWN ADDRESSES OF FORMER BUREAU EMPLOYEES AND OFFICE OF ASSIGNMENT OF INCUMBENTS, ALL OF WHOM SSC HAS INQUIRED ABOUT.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CON-

77 Action
5/29/75
R.D.

one yellow cc
destroyed and

A. Miller advised
8:45 am 5/29/75
WD

62-2854-6
MAY 28 1975
A. Miller
Haynes
Note p. 2
A. Miller

PAGE TWO

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

INCUMBENT EMPLOYEES TO BE ADVISED THAT IF CONTACTED BY SSC STAFF FOR INTERVIEW, LEGAL COUNSEL DIVISION TO BE IMMEDIATELY

PAGE THREE

NOTIFIED THROUGH SAC.

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

ALEXANDRIA: COURTLAND J. JONES, 6607 N. 29TH STREET, ARLINGTON, VA.; ROBERT G. KUNKEL, SAC; BERNARD A. WELLS, 5311 MONTGOMERY STREET, SPRINGFIELD, VA.

ATLANTA: ALDEN F. MILLER

BALTIMORE: ERNEST H. BELTER, 616 EDNOR ROAD, SILVER SPRING, MARYLAND; STERLING B. DONAHOE, 2813 SPIRAL LANE, BOWIE, MARYLAND; ROBERT H. HAYNES, 205 NORTHMOOR DRIVE, SILVER SPRING, MARYLAND

CHARLOTTE: JOSEPH A. SIZOO, 84A PINE CRESCENT, WHISPERING PINES, NORTH CAROLINA

CHICAGO: OLGA CIESA, 10409 S. INDIANA AVENUE, CHICAGO, ILLINOIS

KANSAS CITY: BILL D. WILLIAMS, SAC

LITTLE ROCK: JOHN J. CREAMER, JR., ASAC

NEWARK: JOHN J. CONNOLLY; RITA AGNES AMBROSIO, 1604 JOHN STREET, FORT LEE, NEW JERSEY; RALPH W. BACHMAN,

PAGE FOUR

610 NORWOOD DRIVE, WESTFIELD, NEW JERSEY; KARL L. BROUSE,
5 BURRINGTON GORGE, WESTFIELD, NEW JERSEY.

OMAHA: ROBERT L. TAGG

PHILADELPHIA: JOHN B. MEADE

PORTLAND: LEO B. APP, JR. EDGAR O. INGALLS

PHOENIX: MILDRED E. RISK, 11830 113TH DRIVE, YOUNGTOWN,
ARIZONA

TAMPA: MICHAEL J. ROZAMUS, 6509 GULF DRIVE, HOLMES BEACH,
FLORIDA

WFO: JAMES J. GAFFNEY; ELMER L. TODD

COPY TO ROME, WITH ITS EMPLOYEES NAMED, BY MAIL.

END

SSP FBI ATLANTA

TKS/CLR FOR THREE

12138 WA CODE

12:00PM NITEL 5/28/75 FLD

TO ALEXANDRIA

NEWARK

ATLANTA

OMAHA

BALTIMORE

PHILADELPHIA

CHARLOTTE

PORTLAND

CHICAGO

PHOENIX

KANSAS CITY

TAMPA

LITTLE ROCK

WASHINGTON FIELD

FROM DIRECTOR (62-116395)

PERSONAL ~~ATTENTION~~

SENSTUDY 75

REBUTEL MAY 2, 1975.

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC) CONCERNING A NUMBER OF PRESENT AND FORMER FBI EMPLOYEES, INCLUDING THEIR CURRENT WHEREABOUTS, SUGGESTS THEY MAY BE INTERVIEWED BY SSC STAFF, EXACT SUBJECT MATTERS FOR INTERVIEWS UNKNOWN. SET OUT BELOW ARE NAMES AND LAST KNOWN ADDRESSES OF FORMER BUREAU EMPLOYEES AND OFFICE OF ASSIGNMENT OF INCUMBENTS, ALL OF WHOM SSC HAS INQUIRED ABOUT.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CON-

62-2854-6

ad. int.

NOV 2 1975

PAGE TWO

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ATLANTA: ALDEN F. MILLER

BALTIMORE: ERNEST H. BELTER, 616 EDGEMORE ROAD, SILVER SPRING, MARYLAND; STERLING B. DONAHUE, 2013 SPIRAL LANE, DOWIE, MARYLAND; ROBERT H. HAYNES, 205 NORTHMOOR DRIVE, SILVER SPRING, MARYLAND

CHARLOTTE: JOSEPH A. SIZOO, 24A PINE CRESCENT, WHISPERING PINES, NORTH CAROLINA

CHICAGO: OLGA GIESA, 10409 S. INDIANA AVENUE, CHICAGO, ILLINOIS

KANSAS CITY: BILL D. WILLIAMS, SAC

LITTLE ROCK: JOHN J. GREENER, JR., ASAC

NEWARK: JOHN J. CONNOLLY; RITA AGNES AMEROSIO, 1624 JOHN STREET, FORT LEE, NEW JERSEY; RALPH W. BACHMAN,

PAGE FOUR

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5 BURREINGTON GORGE, WESTFIELD, NEW JERSEY.

OMAHA: ROBERT L. TAGG

PHILADELPHIA: JOHN B. MEADE

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ARIZONA

TAMPA: MICHAEL J. ROZAKUS, 6669 GULF DRIVE, HOLMES BEACH,
FLORIDA

UFG: JAMES J. GAFFNEY; ELMER L. TODD

COPY TO ROME, WITH ITS EMPLOYEES NAMED, BY MAIL.

END

ESP FBI ATLANTA

TMS/CLR FOR THREE

F B I

Date: 5/29/75

Transmit the following in Code
(Type in plaintext or code)Via NITEL
(Priority)TO: DIRECTOR, FBI (62-116395) *JAC*

FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

REBUTEL TO ALEXANDRIA AND OTHER OFFICES, MAY 28, 1975.

SA ALDEN F. MILLER, ATLANTA DIVISION, ALERTED TO POSSIBILITY OF CONTACT BY SSC. SA MILLER HAS NOT BEEN CONTACTED TO DATE. IN THE EVENT CONTACT, LEGAL COUNSEL DIVISION WILL BE IMMEDIATELY ADVISED THROUGH THE SAC.

SEARCHED _____
SERIALIZED *ml*
INDEXED _____
FILED *ml*

*Pink &
Yellow cc's
destroyed ml*

*62-2854-7*WKD:rrl
(1)

*WME
Haynes
Miller
958
p*

SSP

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

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

NR002 AT CODE

9:58 PM NITEL MAY 29, 1975 WCG

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

REBUTEL TO ALEXANDRIA AND OTHER OFFICES, MAY 28, 1975.

SA ALDEN F. MILLER, ATLANTA DIVISION, ALERTED TO POSSIBILITY OF CONTACT BY SSC. SA MILLER HAS NOT BEEN CONTACTED TO DATE. IN THE EVENT CONTACT, LEGAL COUNSEL DIVISION WILL BE IMMEDIATELY ADVISED THROUGH THE SAC.

END

JAC FBIHQ ACK FOR ONE AND HOLD FOR ONE

62-2854-7

SEARCHED	INDEXED
SERIALIZED <i>ml</i>	FILED <i>ml</i>
MAY 30 1975	
FBI-ATLANTA	

10

F B I

Date: 5/30/75

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

NITEL

CODE

Via _____
(Priority)TO: DIRECTOR, FBI (62-116395) *FLC*
(ATTN: INTD - W. O. CREGAR)

FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

DURING A MEETING WITH REGINALD MURPHY, EDITOR, THE ATLANTA CONSTITUTION, 5/29/75, MURPHY IN GENERAL CONVERSATION ADVISED SAC, ATLANTA, THAT HE HAD RECEIVED A NUMBER OF TELEPHONE CALLS FROM THE SENATE SELECT COMMITTEE, WASHINGTON, D. C., SEEKING AN INTERVIEW WITH HIM. MURPHY SAID HE HAD AGREED TO A MEETING WITH A MEMBER OF THE COMMITTEE, NAME NOT STATED, AND DID SO SOMETIME APPARENTLY WITHIN THE LAST WEEK. MURPHY INDICATED THE INTERVIEW CONCERNED MARTIN LUTHER KING. MURPHY VOLUNTEERED HE WAS UNABLE TO ANSWER MANY OF THE QUESTIONS ASKED SINCE HE WAS WITHOUT KNOWLEDGE OF THE EVENTS AND THAT SOME OF THE INDIVIDUALS HE WAS QUESTIONED ABOUT ARE NOW DECEASED. HE SPECIFICALLY REFERRED TO FORMER EDITOR, RALPH MCGILL, ATLANTA CONSTITUTION, NOW DECEASED, AND INDICATED THAT THE INQUIRY CONCERNED INFORMATION IT WAS FELT COULD BE PROVIDED BY MCGILL. MURPHY WAS NEVER SPECIFIC IN HIS CONVERSATION AND NO EFFORT WAS MADE ~~TO OBTAIN FURTHER DETAILS~~ *TO INTERROGATE HIM* SINCE IT WAS OBVIOUS HE DID NOT WISH TO

WKD:rrl
(1)Approved: *[Signature]*Sent *8 58 P*

M

Per *SSP*

Special Agent in Charge

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

F B I

Date:

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

AT 62-2854

PAGE TWO

EXPAND ON THE COMMENTS MADE BY HIM.

MURPHY INDICATED ALSO THAT THE PERSON OR PERSONS INTERVIEWING HIM FELT HE, MURPHY, SHOULD HAVE SPECIFIC KNOWLEDGE AND HE IS NOT SURE HE WAS ABLE TO CONVINCE THEM THAT HE DID NOT. FROM THE COMMENTS MADE BY MURPHY, IT WAS THE IMPRESSION OF THE SAC THAT MURPHY WAS PRESSED FOR DETAILS, WHICH HE WAS UNABLE TO PROVIDE.

Approved: _____ Sent _____ M Per _____

NR009 AT CODE

8:58 PM NITEL MAY 30, 1975 WCG

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2854)

ATTENTION: INTD - W. O. CREGAR

SENSTUDY 75

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END PAGE ONE

*All copies
Destroyed*

62-2854-8

PAGE TWO (AT 62-2854)

SINCE IT WAS OBVIOUS HE DID NOT WISH TO EXPAND ON THE COMMENTS MADE BY HIM.

MURPHY INDICATED ALSO THAT THE PERSON OR PERSONS INTERVIEWING HIM FELT HE, MURPHY, SHOULD HAVE SPECIFIC KNOWLEDGE AND HE IS NOT SURE HE WAS ABLE TO CONVINCE THEM THAT HE DID NOT. FROM THE COMMENTS MADE BY MURPHY, IT WAS THE IMPRESSION OF THE SAC THAT MURPHY WAS PRESSED FOR DETAILS WHICH HE WAS UNABLE TO PROVIDE.

END

FBIHQ FLC CLR TKS

F B I

Date: 6/4/75

625

Transmit the following in "CODE"
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (62-116395)

ATTENTION: INTD

JMT
W.O. Pagan

FROM: SAC, ATLANTA (62-2854)

SENSTUDY '75.

Home 632-1079
62-2854-310

ON 6/4/75, FORMER AGENT RICHARD H. DAVIS, 1147 WILD CREEK TRAIL, N.E., ATLANTA, GA., ADVISED HE WAS CONTACTED THIS DATE BY (FNU) EPSTEIN WHOM HE BELIEVED WAS CALLING FROM WASHINGTON, D. C. DAVIS STATED HE FEELS EPSTEIN IS A MEMBER OF THE SENATE SELECT COMMITTEE SINCE INQUIRY CONCERNED DAVIS' KNOWLEDGE OF MARTIN LUTHER KING CASE. EPSTEIN STATED HE WISHED TO INTERVIEW DAVIS EITHER IN ATLANTA OR WASHINGTON, D. C.; HOWEVER, DAVIS SAID THAT NO DEFINITE ARRANGEMENTS WERE MADE DURING CONVERSATION OTHER THAN HE WOULD CONTACT EPSTEIN AS TO APPROPRIATE DATE FOR INTERVIEW IN ATLANTA.

DAVIS WAS INFORMED HE COULD CONTACT THE OFFICE OF LEGAL COUNSEL COLLECT FOR ASSISTANCE IN THIS MATTER. DAVIS STATED HE WOULD DO SO.

END

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WKD:th
(1)

62-2854-9

Approved: _____

Special Agent in Charge

Sent

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

14025 AT CODED

8:08 PM NITEL JUNE 4, 1975 JWS

TO: DIRECTOR, FBI (62-116335)

FROM: ATLANTA (62-2854)

ATTN: INID W. D. CREGAR

SENSITIVITY '75.

ON 6/4/75, FORMER AGENT RICHARD H. DAVIS, 1147 WILD CREEK TRAIL, N. E., ATLANTA, GA., ADVISED HE WAS CONTACTED THIS DATE BY (FNU) EPSTEIN WHOM HE BELIEVED WAS CALLING FROM WASHINGTON, D. C. DAVIS STATED HE FEELS EPSTEIN IS A MEMBER OF THE SENATE SELECT COMMITTEE SINCE INQUIRY CONCERNED DAVIS' KNOWLEDGE OF MARTIN LUTHER KING CASE. EPSTEIN STATED HE WISHED TO INTERVIEW DAVIS EITHER IN ATLANTA OR WASHINGTON, D. C.; HOWEVER, DAVIS SAID THAT NO DEFINATE ARRANGEMENTS WERE MADE DURING CONVERSATION OTHER THAN HE WOULD CONTACT EPSTEIN AS TO APPROPRIATE DATE FOR INTERVIEW IN ATLANTA.

DAVIS WAS INFORMED HE COULD CONTACT THE OFFICE OF LEGAL COUNSEL COLLECT FOR ASSISTANCE IN THIS MATTER. DAVIS STATED HE WOULD DO SO.

END

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62-2854-9



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 28, 1975

MEMORANDUM TO ALL EMPLOYEES

RE: INTERVIEWS OF FBI EMPLOYEES

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

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

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

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

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

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

Enclosures (3)

Clarence M. Kelley
Clarence M. Kelley
Director

62-2854-10

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EMPLOYMENT AGREEMENT

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

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

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

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

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

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

(Signature)

(Type or print name)

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

_____, 19____, by _____

(Signature)



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

January 18, 1973

ORDER NO. 501-73

RULES AND REGULATIONS

**Title 28—JUDICIAL
ADMINISTRATION**

Chapter I—Department of Justice

[Order 501-73]

**PART 16—PRODUCTION OR DISCLOSURE
OF MATERIAL OR INFORMATION**

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

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

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

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

Sec.

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

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

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

§ 16.21 Purpose and scope.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 16.26 Procedure in the event of an adverse ruling.

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

Dated: January 11, 1973.

RICHARD G. KLEINDIENST,
Attorney General.

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

OFFICE OF THE ATTORNEY GENERAL

WASHINGTON, D. C.

May 15, 1956

ORDER NO. 116-56

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

A. REQUESTS FOR INFORMATION FROM DEPARTMENT FILES

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

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

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

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

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

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

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

B. REQUESTS FOR INTERVIEWS WITH DEPARTMENTAL PERSONNEL

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

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

C. EMPLOYEES TESTIFYING BEFORE CONGRESSIONAL COMMITTEES

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

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

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

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

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

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

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

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

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

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

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

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

E. OBSERVERS IN ATTENDANCE AT COMMITTEE HEARINGS

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

/s/ Herbert Brownell, Jr.

Attorney General

NR003 WA CODE

1:27AM NITEL 6-28-75 TJJ

TO ATLANTA

KNOXVILLE

BIRMINGHAM

LOS ANGELES

ALBANY

TAMPA

JACKSONVILLE

CHICAGO

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 2, 1975.

INQUIRIES MADE OF BUREAU BY SENATE SELECT COMMITTEE (SSC) CONCERNING A NUMBER OF PRESENT AND FORMER FBI EMPLOYEES, INCLUDING THEIR CURRENT WHEREABOUTS, SUGGESTS THEY MAY BE INTERVIEWED BY SSC STAFF CONCERNING BUREAU'S FORMER INVESTIGATION OF MARTIN LUTHER KING, JR. SET OUT BELOW ARE NAMES AND LAST KNOWN ADDRESSES OF FORMER BUREAU EMPLOYEES AND OFFICE OF ASSIGNMENT OF INCUMBENTS, ALL OF WHOM SSC HAS INQUIRED ABOUT.

EACH OF THESE FORMER EMPLOYEES IS TO BE IMMEDIATELY CONTACTED AND ALERTED THAT HE MIGHT BE APPROACHED BY THE SSC STAFF ABOUT THE KING INVESTIGATION. THEY SHOULD BE TOLD THAT

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PAGE TWO

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

INCUMBENT EMPLOYEES TO BE ADVISED THAT IF CONTACTED BY SSC STAFF FOR INTERVIEW, LEGAL COUNSEL DIVISION TO BE IMMEDIATELY NOTIFIED THROUGH SAC.

IMMEDIATELY AFTER CONTACT, RESULTS SHOULD BE FURNISHED.

PAGE THREE

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

ATLANTA: INCUMBENTS - DONALD P. BURGESS, RICHARD E. FUGATT, EDMUND F. HAGGERTY, O. RICHARD HAMILTON, CHARLES T. HAYNES, WILBUR W. SEITZER, ROBERT W. THOMSON. FORMER - MARION E. CHEEK, 1613 GAIL AVENUE, ALBANY, GEORGIA 31705; CHARLES T. HARDING, 2243 PINECLIFF DRIVE, NORTHEAST, ATLANTA, GEORGIA 30345. (938-1317)

BIRMINGHAM: LAWRENCE T. GURLEY, 1340 WESTMINISTER PLACE, BIRMINGHAM, ALABAMA 35235.

ALBANY: HENRY G. ROWSE, JR., 39 NORTH MAIN STREET, ENOSBURG FALLS, VERMONT 05450.

JACKSONVILLE: WILLIAM LEE BOLYARD - INCUMBENT.

KNOXVILLE: W. JOHN BENTON - INCUMBENT.

LOS ANGELES: JAMES M. KELLOGG - INCUMBENT.

TAMPA: JAMES E. MCMAHON, 3110 COCOS ROAD, TAMPA, FLORIDA 33618.

CHICAGO: JOHN BASSETT - INCUMBENT.

END

JWS FBI AT ACK FOR TWO TELS

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NR003 WA CODE

1:27AM NITEL 6-28-75 TJT

TO ATLANTA

KNOXVILLE

BIRMINGHAM

LOS ANGELES

ALBANY

TAMPA

JACKSONVILLE

CHICAGO

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

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TAMPA: JAMES E. MCMAHON, 3110 COCOS ROAD, TAMPA, FLORIDA 33618.

CHICAGO: JOHN BASSETT - INCUMBENT.

END

JWS FBI AT ACK FOR TWO TELS

CLR AND TKS

F B I

Date: JUNE 28, 1975

Transmit the following in CODE
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA

~~PERSONAL ATTENTION~~

SENSTUDY 75

RE BUTEL TO ATLANTA AND OTHER OFFICES, JUNE 28, 1975.

ALL CURRENT AND FORMER AGENTS WITHIN ATLANTA DIVISION
CONTACTED BY SAC, ATLANTA, JUNE 28, 1975, WITH EXCEPTION OF
FORMER SA MARION CHEEK AND ADVISED IN ACCORDANCE WITH
INSTRUCTIONS, RE TEL.

FORMER SA CHEEK CURRENTLY BOATING ON SUWANEE RIVER IN
REMOTE AREA, FLORIDA, AND NO POTENTIAL FOR LOCATING UNTIL
EVENING OF JUNE 29, 1975, NEXT. CHEEK WILL BE CONTACTED BY
SAC AS SOON AS POSSIBLE, JUNE 29, 1975, AND BUREAU IMMEDIATELY
ADVISED OF CONTACT.

END.

(1) - Atlanta
WKD:pjg
(1) *Pjg*

Approved: *WKD*

Special Agent in Charge

Sent

10:40

A M

Per

JS

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

NR002 AT CODE

10:40 AM NITEL JUNE 28, 1975 PG

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA

SENSTUDY 75

RE BUTEL TO ATLANTA AND OTHER OFFICES, JUNE 28, 1975.

ALL CURRENT AND FORMER AGENTS WITHIN ATLANTA DIVISION
CONTACTED BY SAC, ATLANTA, JUNE 28, 1975, WITH EXCEPTION OF
FORMER SA MARION CHEEK AND ADVISED IN ACCORDANCE WITH
INSTRUCTIONS, RE TEL.

FORMER SA CHEEK CURRENTLY BOATING ON SUWANEE RIVER IN
REMOTE AREA, FLORIDA, AND NO POTENTIAL FOR LOCATING UNTIL
EVENING OF JUNE 29, 1975, NEXT. CHEEK WILL BE CONTACTED BY
SAC AS SOON AS POSSIBLE, JUNE 29, 1975, AND BUREAU IMMEDIATELY
ADVISED OF CONTACT.

END

LRF FBIHQ CLR

SEARCHED	
SERIALIZED	<i>ml</i>
INDEXED	
FILED	<i>ml</i>

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 28 1975	
FBI-ATLANTA	

62-2854-12

NR002 AT CODED

PM NITEL JUNE 29, 1975 TLL

TO: DIRECTOR, FBI *TOW*

FROM: ATLANTA

SENSTUDY '75.

RE BUTEL TO ATLANTA AND OTHER OFFICES JUNE 28, 1975.

FORMER SA MARION CHEEK CONTACTED BY SAC, ATLANTA, JUNE 29, 1975, IN ACCORDANCE WITH INSTRUCTIONS IN RE TEL.

END

*Link & Boring
Destroyed *ml**

*WAC
(*mp*)*

SEARCHED *ml*

SERIALIZED *ml*

INDEXED *ml*

FILED *ml*

62-2854-13

TREAT AS ORIGINAL

Approved: *SAC DeBuler (TLL)*

Special Agent in Charge

Sent *2 44*

Per *TLL*

NR002 AT CODED

7:44 PM NITEL JUNE 29, 1975 TLL

TO: DIRECTOR, FBI

FROM: ATLANTA

SENSTUDY '75.

RE BUTEL TO ATLANTA AND OTHER OFFICES JUNE 28, 1975.

FORMER SA MARION CHEEK CONTACTED BY SAC, ATLANTA, JUNE
29, 1975, IN ACCORDANCE WITH INSTRUCTIONS IN RE TEL.

END

TOW FBIHQ CLR

SEARCHED
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INDEXED
FILED

62-2854-13

131241 WA CODE

9:08PM NITEL 7-11-75 RLF

TO ATLANTA

FROM DIRECTOR (82-116095)

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 28, 1975.

SENATE SELECT COMMITTEE STAFF HAS INDICATED INTENTION TO INTERVIEW FORMER BUREAU EMPLOYEE JERRY D. ROSEBERRY, REPORTEDLY NOW EMPLOYED SOUTHERN BELL TELEPHONE COMPANY, ATLANTA. LAST KNOWN ADDRESS (1970) 463 CANTERBURY CIRCLE, FOREST PARK, GEORGIA 30050.

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

END.

PLS ACK FOR LNE THATS IT FOR NOE TRS

ESP FBI ATLANTA

TRK/CLR

62-2854-14

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 11 1975	
FBI - ATLANTA	

7/11
SAC advised
out

NR041 WA CODE

9:58PM NITEL 7-11-75 RLF

TO ATLANTA

FROM DIRECTOR (32-116395)

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 28, 1975.

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

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

END.

PLS ACK FOR ONE THATS IT FOR NOW TKS

ESP FBI ATLANTA

TKS/CLR

62-2854-14

SEARCHED	INDEXED
SERIALIZED	FILED
FBI - ATLANTA	

NR041 WA CODE

9:58PM NITEL 7-11-75 RLF

TO ATLANTA

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

REBUTEL MAY 28, 1975.

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

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

END.

PLS ACK FOR ONE THATS IT FOR NOW TKS

SSP FBI ATLANTA

TKS/CLR

62-2854-14

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IR021 AT CODE

11:33 PM NITEL JULY 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2654)

SENSTUDY 75

RE BU TEL TO ATLANTA JULY 11, 1975.

FORMER SA JERRY D. ROSEBERRY 5441 WILEY DRIVE, ATLANTA, GEORGIA
CONTACTED BY SAC EVENING JULY 11, 1975, AND ADVISED HIM CONCERNING
CAPTIONED MATTER IN ACCORDANCE WITH BUTEL TO ATLANTA MAY 26, 1975.

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62-2854-15

NR021 AT CODE

11:33 PM NITEL JULY 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BU TEL TO ATLANTA JULY 11, 1975.

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

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FILED *ent*

PTM FBIHQ ACK FOR ONE TEL

62-2854-15

02021 AT CODE

FM NITEL JULY 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395) *PTM*

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BU TEL TO ATLANTA JULY 11, 1975.

FORMER SA JERRY D. ROSEBERRY 2441 WINDLEY DRIVE, ATLANTA, GEORGIA
CONTACTED BY SAC EVENING JULY 11, 1975, AND ADVISED HIM CONCERNING
CAPTIONED MATTER IN ACCORDANCE WITH BUTEL TO ATLANTA MAY 26, 1975.

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SERIALIZED *ul*

INDEXED

FILED *ul*

TREAT AS ORIGINAL

Approved: *R/D*

Special Agent in Charge

Sent *11 30*

Per *SSP*

M

62-2854-15

F B I

Date: 7/22/75

CODE

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

TO: DIRECTOR, FBI (62-116395) LER

FROM: SAC, ATLANTA (62-2854)

ATTN: INTD (W. O. GREGAR)

SENSTUDY 75

ON JULY 15, 1975, MISS JESSIE ABERCROMBIE, MANAGER, PEACHTREE TOWERS APARTMENTS, 300 WEST PEACHTREE STREET, N. W., ATLANTA, GEORGIA, CONTACT THE ATLANTA OFFICE AND VOLUNTEERED INFORMATION SHE WAS CONTACTED THE PRECEDING DAY (JULY 14, 1975) BY A MR. EPSTEIN, WHO IDENTIFIED HIMSELF AS AN INVESTIGATOR FROM WASHINGTON, D. C. EPSTEIN SAID HE WANTED TO SEE HER RECORDS OF TENANTS FOR THE YEARS 1961, 1962, AND 1963. SHE TOLD HIM SHE DID NOT MAINTAIN RECORDS BY YEARS, BUT BY NAME OF TENANT OR FIRM WHO RENTED APARTMENTS. EPSTEIN THEN ASKED IF THE FBI RENTED AN APARTMENT ON A PERMANENT BASIS OR IF THE FBI HAD RENTED AN APARTMENT PAST OR PRESENT. MISS ABERCROMBIE TOLD HIM SHE HAD NEVER RENTED AN APARTMENT TO THE FBI, BUT HAD RENTED APARTMENTS TO INDIVIDUAL AGENTS OF THE FBI OVER THE YEARS WHO WERE ON TRANSFER, TEMPORARY OR PERMANENT ASSIGNMENTS, AND THAT RECORDS

1 - Atlanta
CTH/pab
(1)

62-2854-16

Approved: 

Special Agent in Charge

Sent 11:14

M

Per 558

F B I

Date:

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

AT 62-2854, PAGE TWO

WOULD BE UNDER THEIR RESPECTIVE NAMES IN WHICH APARTMENT
WAS RENTED.

EPSTEIN THEN ASKED IF GENERAL SERVICES ADMINISTRATION
HAD RENTED AN APARTMENT TO WHICH MISS ABERCROMBIE REPLIED
THAT TO HER KNOWLEDGE THEY HAVE NEVER RENTED AN APARTMENT.
EPSTEIN TOLD HER HE WOULD ATTEMPT TO SECURE A NAME AND CALL
HER FROM WASHINGTON, D. C.

IT IS NOTED THAT MISS ABERCROMBIE HAS BEEN CONNECTED
WITH THE MANAGEMENT OF PEACHTREE TOWERS APARTMENTS, A HIGH-
RISE APARTMENT BUILDING, SINCE IT WAS OPENED IN JULY, 1962.

MISS ABERCROMBIE ADVISED SHE WILL CONTACT THE ATLANTA
OFFICE IF SHE IS CONTACTED BY EPSTEIN OR ANYONE ELSE MAKING
INQUIRY RELATIVE TO THE FBI.

IT IS NOTED MICHAEL EPSTEIN OF SSC INTERVIEWED FORMER
SA'S RICHARD H. DAVIS AND JERRY D. ROSEBERRY IN ATLANTA ON
JULY 14, 1975.

IT IS ALSO NOTED SPACE WAS SECURED IN THE PEACHTREE
TOWERS APARTMENTS IN ATLANTA WHERE THE PLANT WAS MAINTAINED
IN CONNECTION WITH THE KING TECHNICAL COVERAGE.

END

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

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

NR003 AT CODED

11:14 PM NITEL JULY 22, 1975 WCG

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2854)

ATTN: INTD (W. O. CREGAR)

SENSTUDY 75

ON JULY 15, 1975, MISS JESSIE ABERCROMBIE, MANAGER, PEACHTREE TOWERS APARTMENTS, 300 WEST PEACHTREE STREET, N. W., ATLANTA, GEORGIA, CONTACTED THE ATLANTA OFFICE AND VOLUNTEERED INFORMATION SHE WAS CONTACTED THE PRECEDING DAY (JULY 14, 1975) BY A MR. EPSTEIN, WHO IDENTIFIED HIMSELF AS AN INVESTIGATOR FROM WASHINGTON, D. C. EPSTEIN SAID HE WANTED TO SEE HER RECORDS OF TENANTS FOR THE YEARS 1961, 1962, AND 1963. SHE TOLD HIM SHE DID NOT MAINTAIN RECORDS BY YEARS, BUT BY NAME OF TENANT OR FIRM WHO RENTED APARTMENTS. EPSTEIN THEN ASKED IF THE FBI RENTED AN APARTMENT ON A PERMANENT BASIS OR IF THE FBI HAD RENTED AN APARTMENT PAST OR PRESENT. MISS ABERCROMBIE TOLD HIM SHE HAD NEVER RENTED AN APARTMENT TO THE FBI, BUT HAD RENTED APARTMENTS TO INDIVIDUAL AGENTS OF THE FBI OVER THE YEARS WHO WERE ON TRANSFER, TEMPORARY OR PERMANENT ASSIGNMENTS, AND THAT RECORDS

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INDEXED _____
FILED ml

62-2854-16

PAGE TWO (AT 62-2854)

WOULD BE UNDER THEIR RESPECTIVE NAMES IN WHICH APARTMENT WAS RENTED.

EPSTEIN THEN ASKED IF GENERAL SERVICES ADMINISTRATION HAD RENTED AN APARTMENT TO WHICH MISS ABERCROMBIE REPLIED THAT TO HER KNOWLEDGE THEY HAVE NEVER RENTED AN APARTMENT. EPSTEIN TOLD HER HE WOULD ATTEMPT TO SECURE A NAME AND CALL HER FROM WASHINGTON, D. C.

IT IS NOTED THAT MISS ABERCROMBIE HAS BEEN CONNECTED WITH THE MANAGEMENT OF PEACHTREE TOWERS APARTMENTS, A HIGH-RISE APARTMENT BUILDING, SINCE IT WAS OPENED IN JULY, 1962.

MISS ABERCROMBIE ADVISED SHE WILL CONTACT THE ATLANTA OFFICE IF SHE IS CONTACTED BY EPSTEIN OR ANYONE ELSE MAKING INQUIRY RELATIVE TO THE FBI.

IT IS NOTED MICHAEL EPSTEIN OF SSC INTERVIEWED FORMER SA'S RICHARD H. DAVIS AND JERRY D. ROSEBERRY IN ATLANTA ON JULY 14, 1975.

IT IS ALSO NOTED SPACE WAS SECURED IN THE PEACHTREE TOWERS APARTMENTS IN ATLANTA WHERE THE PLANT WAS MAINTAINED IN CONNECTION WITH THE KING TECHNICAL COVERAGE.

END

NR003 AT CODED

11:14 PM NITEL JULY 22, 1975 UCC

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2354)

ATTN: INTD (W. O. CREGAR)

SENSTUDY 72

ON JULY 15, 1975, MISS JESSIE ABERCROMBIE, MANAGER, PEACHTREE TOWERS APARTMENTS, 300 WEST PEACHTREE STREET, N. W., ATLANTA, GEORGIA, CONTACTED THE ATLANTA OFFICE AND VOLUNTEERED INFORMATION SHE WAS CONTACTED THE PRECEDING DAY (JULY 14, 1975) BY A MR. EPSTEIN, WHO IDENTIFIED HIMSELF AS AN INVESTIGATOR FROM WASHINGTON, D. C. EPSTEIN SAID HE WANTED TO SEE HER RECORDS OF TENANTS FOR THE YEARS 1961, 1962, AND 1963. SHE TOLD HIM SHE DID NOT MAINTAIN RECORDS BY YEARS, BUT BY NAME OF TENANT OR FIRM WHO RENTED APARTMENTS. EPSTEIN THEN ASKED IF THE FBI RENTED AN APARTMENT ON A PERMANENT BASIS OR IF THE FBI HAD RENTED AN APARTMENT PAST OR PRESENT. MISS ABERCROMBIE TOLD HIM SHE HAD NEVER RENTED AN APARTMENT TO THE FBI, BUT HAD RENTED APARTMENTS TO INDIVIDUAL AGENTS OF THE FBI OVER THE YEARS WHO WERE ON TRANSFER, TEMPORARY OR PERMANENT ASSIGNMENTS, AND THAT RECORDS

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62-58-1-16

PAGE TWO (AT 62-2854)

WOULD BE UNDER THEIR RESPECTIVE NAMES IN WHICH APARTMENT WAS RENTED.

EPSTEIN THEN ASKED IF GENERAL SERVICES ADMINISTRATION HAD RENTED AN APARTMENT TO WHICH MISS ABERCROMBIE REPLIED THAT TO HER KNOWLEDGE THEY HAVE NEVER RENTED AN APARTMENT. EPSTEIN TOLD HER HE WOULD ATTEMPT TO SECURE A NAME AND CALL HER FROM WASHINGTON, D. C.

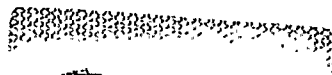
IT IS NOTED THAT MISS ABERCROMBIE HAS BEEN CONNECTED WITH THE MANAGEMENT OF PEACHTREE TOWERS APARTMENTS, A HIGH-RISE APARTMENT BUILDING, SINCE IT WAS OPENED IN JULY, 1962.

MISS ABERCROMBIE ADVISED SHE WILL CONTACT THE ATLANTA OFFICE IF SHE IS CONTACTED BY EPSTEIN OR ANYONE ELSE MAKING INQUIRY RELATIVE TO THE FBI.

IT IS NOTED MICHAEL EPSTEIN OF SSC INTERVIEWED FORMER SA'S RICHARD H. DAVIS AND JERRY D. ROSEBERRY IN ATLANTA ON JULY 14, 1975.

IT IS ALSO NOTED SPACE WAS SECURED IN THE PEACHTREE TOWERS APARTMENTS IN ATLANTA WHERE THE PLANT WAS MAINTAINED IN CONNECTION WITH THE KING TECHNICAL COVERAGE.

END



62-2854-17



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Atlanta, Georgia

July 24, 1975

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

The following information has been furnished by SA Edward A. Shea concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 23, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The interview of SA Edward A. Shea by the two SSC Staff Members commenced at 9:35 A. M. and ended at 10:37 A. M.

At the beginning of the interview no mention was made of SA Edward A. Shea's rights by SSC Staff Members Michael Epstein and Mary DeOreo.

The following information was furnished to these two SSC Staff Members and it is not necessarily in chronological order:

At the outset of the interview, SA Shea was questioned about his service in the Bureau, type work he did, etc., and SA Shea indicated that he had been in the Federal Bureau of Investigation (FBI) as a Special Agent for almost 25 years, having entered the Bureau in March, 1951; after an initial assignment at Richmond, Virginia, SA Shea was transferred to Cleveland, Ohio, where he was assigned to the security squad. SA Shea remained in Cleveland for 20 years doing security work for practically the entire time. In May, 1972, SA Shea was transferred to the Atlanta Division and once again was assigned to security work, which assignment has continued to the present time.

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8-Bureau

62-2854 (62-2854) EAS/pab (9)

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

SA Shea was then asked by Mr. Epstein about a review project he had handled earlier in the year pertaining to the Counterintelligence Program (COINTELPRO) in the Atlanta Division and what it involved.

SA Shea mentioned that in approximately the latter part of December, 1974, or early January, 1975, he had been assigned to handle a project dealing with COINTELPRO in the Atlanta Office.

FBI Headquarters (FBIHQ) had sent out communications to various field offices around the latter part of December, 1974, or early January, 1975, relative to the COINTELPRO-Hate Groups, Black Nationalist Hate Groups, New Left, and Communist Party, U. S. of America (CP,USA). In these communications FBIHQ had indicated it was in receipt of a request under the Freedom of Information Act (FOIA) for documents relating to the COINTELPRO. As a result, FBIHQ had reviewed its files on COINTELPRO and classified various documents. FBIHQ listed these documents in work papers which were sent out to the various field offices, including Atlanta, as enclosures to the FBIHQ communications. These work papers listed documents that were to be classified in each office and recipients were instructed to review the work papers to make sure all copies of these documents classified by FBIHQ were so classified in the field office files on COINTELPRO. These work papers showed the classification assigned to the particular document, the identifying number of the classifying officer, the exemption category and the date it was classified by FBIHQ.

In addition, these FBIHQ communications instructed the recipient field offices to review its various COINTELPRO files, such as the ones on the Hate Groups, Black Nationalist Hate Groups, etc. to insure that all other documents in these files which were classifiable were so classified. These were to include memoranda and letters to other offices, etc. The office that originated the communication had the responsibility of notifying other recipients of these communications so their copies could also be classified.

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

Based on these FBIHQ communications, SA Shea, who handled this project by himself, located all the documents listed in the FBIHQ work papers and classified them according to the information set out in the work papers.

In addition, SA Shea also reviewed each of the Atlanta COINTELPRO files on the categories previously mentioned, for any further documents that should be classified.

SA Shea recalled that in this part of the review he did locate various documents in these files which he felt required classification.

SA Shea could not recall any specific documents that he so classified but did remember classifying a number of documents in the COINTELPRO-Hate Group file and COINTELPRO-CP,USA file. These documents selected by SA Shea were then classified, and copies designated for any other Atlanta files were then located and classified; in addition, FBIHQ and other field offices that had been furnished copies of these documents were then notified by Atlanta to locate their copies of these documents and classify them according to information furnished by Atlanta.

SA Shea pointed out to the SSC Staff Members that he recalled that subsequently FBIHQ had sent back communications to Atlanta relative to documents SA Shea had classified in both the COINTELPRO-Hate Group and COINTELPRO-CP,USA files. FBIHQ instructed that all those classified by SA Shea in the COINTELPRO-Hate Group file be declassified as they did not warrant classification and also a number in the COINTELPRO-CP,USA file also were to be declassified, which was done by SA Shea.

The SSC Staff Members then inquired if during this review of the COINTELPRO files, whether SA Shea had noted any COINTELPRO actions, any recommended actions, or any COINTELPRO suggestions which were directed against Reverend Martin Luther King, Jr., Coretta King or the Southern Christian Leadership Conference (SCLC). SA Shea indicated that in carrying out this project, his purpose was first to locate the COINTELPRO documents listed by FBIHQ in their work papers and classify them; next he was also to review the Atlanta COINTELPRO files to see if any other COINTELPRO documents prepared by Atlanta required classification.

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

In handling this project, SA Shea was primarily interested in classifying the documents in these COINTELPRO files and little notice was made of any specific COINTELPRO actions actually being recommended in these documents. SA Shea pointed out that in his review he did not recall any COINTELPRO action that had been directed or recommended against Reverend King, his wife, Coretta, or SCLC.

SA Shea was then questioned as to whether he could recall in his review, having to classify any Atlanta COINTELPRO document in which a copy may have been designated for the case file on SCLC, and SA Shea indicated that he could not recall or remember anything specific on this.

Mr. Epstein then inquired if the Atlanta Office had any COINTELPRO files which only pertained to organizations, in which all information relative to a particular organization like the Young Socialist Alliance (YSA), or the Socialist Workers Party (SWP) would be located. SA Shea indicated there was no such specific breakdown in the Atlanta COINTELPRO files as they were set up under broad group categories, such as Hate Groups, Black Hate Groups, New Left, etc.

Mr. Epstein then asked if SA Shea had ever been involved in handling any COINTELPRO matters when he was assigned to the Cleveland Office or whether the Cleveland Office ever had any COINTELPRO actions against Reverend King or SCLC. SA Shea indicated that he understood that the questioning of him would be limited to his review of the Atlanta COINTELPRO files earlier in the year, for the classification purposes; SA Shea suggested that this should be discussed with the FBIHQ representative, who was in the Atlanta Office at the time, to resolve this; however, Mr. Epstein did not pursue this.

Mr. Epstein then inquired, that prior to the FBI instituting the COINTELPRO, and prior to the various field offices setting up COINTELPRO files, if some Agent made a suggestion about a counterintelligence action, would such a

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

suggestion, say in the form of a memorandum or letter, be placed in the case file of the organization or the individual against whom the action was being directed. SA Shea indicated he had no knowledge of any such suggestions ever being made in the form of memoranda, letters, etc., suggesting a counter-intelligence action being directed against anyone or any organization prior to the institution of the actual COINTELPRO by FBIHQ.

Mr. Epstein then asked, if when FBIHQ instituted the COINTELPRO and the various field offices set up COINTELPRO files, was there any retrieval of any documents made from any files dating back prior to the commencement of COINTELPRO, that were then placed in any of Atlanta's COINTELPRO files. SA Shea indicated that in his review of the various COINTELPRO files earlier in the year, he had not noted any such indication of this.

Mr. Epstein then asked if SA Shea was aware of any review program dealing with COINTELPRO in which any documents were removed from COINTELPRO files. SA Shea stated emphatically that there was no program to ever remove any documents dealing with COINTELPRO from Atlanta's COINTELPRO files or from any Atlanta files.

On several occasions during the interview of SA Shea, Mr. Epstein would come back to his line of questioning about SA Shea's review of the COINTELPRO files earlier in the year and whether SA Shea could recall any COINTELPRO action or COINTELPRO suggested action against Reverend King, Mrs. King or SCLC. SA Shea on each occasion pointed out that he could not recall seeing any documents in any of the COINTELPRO files which related to any such action directed against the Kings or SCLC.

Mr. Epstein on one occasion asked SA Shea if, during the time he had been assigned to the Atlanta Office, he had ever hear of any COINTELPRO action, or any suggested action, directed against Reverend King, his wife, or SCLC, and SA Shea replied that he had not.

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
EDWARD A. SHEA BY SSC STAFF MEMBERS

Mr. Epstein also asked if SA Shea was aware of any COINTELPRO action or recommended action being made after FBIHQ has discontinued the COINTELPRO, and SA Shea indicated he knew of no actions or recommendations being made.

During the interview, Mr. Epstein did most of the questioning and Mrs. DeOreo took extensive notes; both SSC Staff Members were pleasant and cordial during the entire interview, which ended at approximately 10:37 A. M.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Atlanta, Georgia

July 23, 1975

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
CHARLES T. HAYNES BY SSC STAFF MEMBERS

The following information has been furnished by SA Charles T. Haynes concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The interview of SA Haynes started at 11:57 A. M., was discontinued for lunch from 1:32 P. M. until 2:34 P. M., and was terminated at 3:10 P. M. Epstein asked all of the questions during the interview. Haynes was not advised of his rights or of the purpose of the interview. Early in the interview, Haynes informed Epstein he was under the impression the purpose of the interview was to obtain information regarding Martin Luther King, Jr., and Epstein confirmed this explaining King, the SCLC and the marches were so closely related it was necessary to go into some of these things.

Epstein asked Haynes his title and was informed Haynes is a Special Agent Supervisor in the Atlanta Office of the FBI, supervising the Number 3 Squad which is generally known as the security squad. He asked when Haynes became a supervisor and was informed he was appointed in August, 1968. Epstein asked who served as supervisor of the squad prior to Haynes and was advised SA Charles S. Harding, now retired,

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8 - Bureau
① - Atlanta (62-2854)

CTH:pab

(9)

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

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preceded Haynes as supervisor. He asked why Harding was replaced and Haynes stated it was a decision made by the Bureau which was an administrative matter and not pertinent to the inquiry regarding Martin Luther King, Jr. Epstein did not pursue this question any further.

Epstein asked when the investigation regarding King started and if there was a file open prior to the time the investigation was authorized. Haynes replied he did not know when the file was opened or when the investigation was authorized. Haynes was asked when the technical coverage regarding King was instituted and when it was discontinued, and he replied to the best of his knowledge it was instituted during about November, 1963, and Haynes monitored it until about January 4, 1964, when Haynes became ill from a kidney stone attack, thereafter entering the hospital in Atlanta on January 8, 1964. Epstein asked Haynes if he returned to monitoring the surveillance later and Haynes replied that he did not return to the assignment on a full-time basis, but probably relieved other individuals monitoring several times during a period which may have continued as long as a year.

Epstein asked when the King case was closed and Haynes replied he did not know, but felt sure it was sometime prior to April, 1968. Haynes was asked who made the decision to close the file, and he stated he did not know. Epstein asked when the SCLC case was closed and Haynes stated he did not recall, but did remember that SCLC activity "wound down" considerably prior to King's death, and even more so after King's death to the point that the information did not warrant maintaining the file in a pending status. When asked who gave instructions to close the file, Haynes stated that he did not recall but that it was possible that the Atlanta Office took the action closing the file, and it was even possible that Haynes may have approved such action administratively; however, he does not recall.

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Epstein asked if it would be customary for New York to send Atlanta any information they received regarding Stanley Levison and if so what file it would be put in. It was explained to Epstein it would be necessary to know the nature of such information before answering such a question, however, since Atlanta did not have any pending investigation regarding Levison or SCLC there would be no reason for New York to send any information regarding Levison to Atlanta unless they had some reason to request information concerning some pending investigation. Epstein pressed the question of whether New York would continue to send Atlanta information concerning Levison and he was informed, based on information available at Atlanta, there was no reason for New York to send the information to Atlanta regarding Levison, without requesting investigation; however, it was possible that they may have some reason for having sent information to Atlanta for informational purposes.

Epstein asked where the monitoring of the King technical surveillance was conducted and he was advised by Haynes it was conducted in the Peachtree Towers Building. He asked the room number and Haynes replied he did not recall the room number but did recall it was on one of the upper floors of the building. He asked who made the installation and handled the contact with the telephone company, and Haynes replied he did not know, that the equipment was in the apartment when Haynes was instructed to report there for the monitoring assignment. Epstein asked who else was present in the apartment at the time and was advised that SA Alden F. Miller was present, connected the equipment and instructed Haynes in the operation of the equipment. In response to the question of other Agents monitoring the technical surveillance at the time, Haynes stated to the best of his knowledge he was probably the first Agent to monitor the surveillance, with the technical assistance of SA Miller.

Epstein asked the name of the person who rented the apartment at the Peachtree Towers and Haynes replied he did not know. He asked if such information was available in the files of the Atlanta Office and Haynes replied he

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did not know, explaining that such information may have been made a matter of record, and yet may not have been made a matter of record. Epstein stated that at this point he would stop the questioning in order for Haynes to go upstairs to the FBI Office and review the files to determine whether or not such information was in the files. Haynes explained that such a project would probably entail extensive file review in order to state whether such information was, or was not, in the file. Epstein asked if Haynes could have someone else conduct the necessary file review regarding this matter, at which time Haynes replied he would request a break at this point to consult with an FBIHQ representative in the FBI Office. After consulting with the FBIHQ representative for approximately five minutes, Haynes returned to Senator Talmadge's office and informed Epstein that the clearance for the interview was based on what Haynes could remember regarding King and not on information from the files. Epstein was advised that any request by him for information from the files should be submitted in writing in the usual manner. Epstein did not pursue this matter any further.

Epstein asked if Haynes knew Bill Sullivan and if he recalled him coming to Atlanta. Haynes replied that he did know Sullivan and recalled him coming to Atlanta in the 1960's at least on one occasion and possibly twice. Haynes explained he recalled Sullivan coming to Atlanta in the early or middle 1960's in connection with a regional type FBI conference regarding developing and handling of informants in Klan organizations, and possibly a second visit at a later time, but no other details were recalled.

Epstein asked Haynes if he knew of any instance where an Agent in Atlanta furnished any information regarding King or the SCLC to the news media and Haynes replied he did not.

Epstein asked if Atlanta had a COINTELPRO file regarding King or the SCLC and Haynes advised it did not. Haynes was asked if he knew of any COINTELPRO information regarding King or the SCLC and Haynes stated he did not. When asked where such material would be filed, Haynes stated that since he knew of none he did not know where it would be filed. When asked if such information could be in the case file, Haynes advised it was possible.

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Epstein asked if the Atlanta Office participated in the COINTELPRO retrieval project and was advised by Haynes he thought so; however, Haynes was not familiar enough with the particular project he had in mind to be sure. Haynes explained he had in mind a project around the first of 1975, which had to do with declassifying certain previously identified COINTELPRO correspondence and subsequently classifying some material also connected with COINTELPRO. Epstein wanted to know if any COINTELPRO information regarding King or SCLC was included in this information and he was informed Haynes had no knowledge of such, but the details of the project were handled by another Agent under Haynes' supervision. Haynes was requested to identify the Agent and replied he would have to have a few minutes to consult with an FBIHQ representative in the FBI Office prior to answering this question. Epstein contacted the FBIHQ representative in the Atlanta Office telephonically, requesting him to come down to Senator Talmadge's office and conferred with him for approximately five minutes, during which time Haynes was not present. At the conclusion of this conference, upon advice of the FBIHQ representative Haynes informed Epstein the Agent who handled the above-mentioned project was SA Edward A. Shea.

Epstein terminated the interview at 3:10 P. M.



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Atlanta, Georgia

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INTERVIEW OF FBI SPECIAL AGENT (SA)
ALDEN F. MILLER BY SSC STAFF MEMBERS

The following information has been furnished by SA Alden F. Miller concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The interview of SA Alden F. Miller commenced at 4:50 P. M. and was terminated at 5:29 P. M., July 22, 1975, with the statement that consideration would be given overnight as to whether additional questions would be directed on the following morning to SA Miller. At the outset Staff Member Michael Epstein advised SA Miller of his rights, stating he did not have to answer any questions, that he had the right to legal counsel, and further, that anything he said might be used in a criminal proceeding against him.

The following questions and the responses of SA Miller to these questions are set forth hereinafter in narrative form to the best of his recollection, utilizing verbiage nearly as possible synonymous with statements made. The context of this question and answer interrogation is not necessarily in chronological order. All questions were directed to SA Miller by Staff Member Michael Epstein.

SA Miller was asked concerning his employment and assignment to the Federal Bureau of Investigation (FBI) Atlanta Office. SA Miller replied that he first was assigned to the Atlanta Office in 1947, was transferred to New York

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in 1948, and returned to the Atlanta Office in 1951. SA Miller was further asked when he was assigned to the Security Squad in the Atlanta FBI Office, to which he replied June of 1951. Inquiry was further made as to whether still assigned to the Security Squad and SA Miller replied that as of March, 1975, he was no longer assigned security matters and that he was presently assigned to work in conjunction with the General Accounting Office review of matters in the Atlanta Office.

SA Miller was asked when a technical installation or telephone tap was placed on the Southern Christian Leadership Conference (SCLC) and Martin Luther King. SA Miller replied that it was impossible for him at this date to recall specifically when such an installation was made, but by citing civil rights activities with particular emphasis in Albany, Georgia, in 1962, was reasonably sure that the technical installation was made sometime subsequent to that date. When asked how long the technical installation remained in effect, SA Miller replied that he could not recall the exact duration of the telephone tap, however, was of the opinion it was in effect for several years, possibly three. When asked what telephone facilities were covered, SA Miller replied that telephone service to the offices of SCLC and to the residence of Martin Luther King were covered in this telephone tap.

SA Miller was asked what was the justification or purpose of this technical installation, to which he replied that it was to determine the degree of subversive influence, if any, over the activities of the SCLC sponsored civil rights demonstrations and programs.

Inquiry was made as to who instructed the installation of such technical coverage and SA Miller replied that he undoubtedly received these instructions from his immediate supervisor and/or the Special Agent in Charge of the Atlanta Office at that time. When asked whether these instructions were written or verbal, SA Miller replied that he could not specifically recall, but was reasonably sure that if written they would have also been discussed verbally, both with his supervisor and the Special Agent in Charge.

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SA Miller was asked whether a feasibility study was made prior to the actual installation or a survey conducted. SA Miller replied that he did not recall at this late date whether such a feasibility study was made prior to the installation. SA Miller was asked whether if such a study or survey was made whether it was reviewed by high officials prior to ordering such an installation. SA Miller replied that he did not specifically recall whether such a review as that was made on a feasibility or survey, as if this were done, it would have been done in Washington, and SA Miller would not have been in a position to know of such a review.

SA Miller was asked in making the telephone tap did the Atlanta Office have sufficient equipment here and if not, where did we get such equipment to make this installation. SA Miller replied that the Atlanta Office did not have equipment available for such an installation and at this date it is unknown where the equipment came from, however, a request for such equipment would have been made of FBI Headquarters in Washington, D. C. SA Miller was asked whether he dealt with the phone company in conjunction with this installation and he replied that he undoubtedly had requested line information which relates to pair and cable data for phones to be covered in this technical installation. Inquiry was made of SA Miller as to the identity of the person at the Southern Bell Telephone Company who provided such information and it was stated that at this late date it was impossible to say definitely who furnished this data as the phone company during this era was in the process of setting up a security office who would normally provide such information under the proper circumstances and that if such an office were then in existence Mr. Theodore King would have provided the line information desired.

SA Miller was asked whether leased lines were obtained from the phone company in conjunction with this installation, to which he replied he did not specifically recall whether leased lines were utilized or whether other telephone service was ordered with subsequent adaptation enabling the use of this service for the technical installation.

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SA Miller was asked whether charges were incurred for such service, to which he replied payments were made for all services rendered by the Southern Bell Telephone Company, whether it be leased lines or other telephone-type service. SA Miller was asked whether he had issued the orders for leased lines or other service and if so, what name was utilized in issuing such orders, to which SA Miller replied that if leased lines or other service was ordered through the Security Office of Southern Bell Telephone Company, that he had ordered same, however, he could not recall at this time the name utilized for such service.

SA Miller was asked further did he issue the order for having a private working number installed in the monitoring plant, to which he replied he could not recall whether such an order was issued or given by him and if it was, whether it was done through the Security Office or done in a routine fashion like any person requesting normal telephone service.

SA Miller was asked if he recalled where the technical installations were made, to which he replied he did recall and could point out the locations, however, could not recall the addresses of these locations. SA Miller was asked the location of the monitoring point, to which he replied an apartment in an apartment building located diagonally across the street from the Federal Building housing the offices of the FBI.

SA Miller was asked whether he was responsible for renting the apartment which was used for monitoring this technical installation, to which he replied he did not think that he was, but was of the opinion that the case Agent rented the apartment. SA Miller was asked where in the apartment building was the apartment located, to which he replied he could only recall it was in the upper portion of the building, probably above the tenth or twelfth floor and that it was located immediately adjacent to a wire closet. SA Miller was asked the cover name used in renting this apartment, to which he replied at this late date he could not recall the exact name utilized, but was of the opinion

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it was some sort of engineering company, but at any rate, it would have been the same name utilized in requesting telephone service. SA Miller was asked further whether the owners of this building and top management were cognizant of the real identity of the renters of this apartment, to which he replied he had no way of knowing but was of the opinion for security reasons no one knew or was aware that this apartment was being utilized by the FBI.

SA Miller was asked further whether he had anything to do with the installation of utilities and furnishing of this apartment used in the monitoring operation, to which he replied he had nothing to do with this other than the installation of certain wooden shelves utilized for equipment necessary to such monitoring and neither did he have anything to do as it related to the utilities.

SA Miller was asked whether he ever actually monitored this installation, to which he replied that on several occasions when regular monitors were ill and there were other technical needs at the facility, he would serve as a monitor. SA Miller was asked whether he had ever furnished supplies to this facility, to which he replied the only kind of supplies he would have taken to the facility were those necessary to insure a trouble free technical monitoring. SA Miller was specifically asked whether he ever replenished the supplies or tapes for recording purposes, to which he replied he did not recall such, other than at the initial inception when a sufficient supply of tapes were made available and these tapes were used over and over.

SA Miller was asked specifically whether he ever made any technical installation on phone service at the Ebenezer Baptist Church, the church where Martin Luther King was on the staff, to which he replied that no such installation to his knowledge was ever made. SA Miller further informed that he did not know whether city police authorities or state authorities had made such an installation and further, he was not in a position to be aware of any such activities on the part of these law enforcement agencies.

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- SA Miller was asked whether he had ever discussed Martin Luther King with Eugene Patterson, Editor of the Atlanta Constitution, to which he replied that to the best of his knowledge he had never discussed this matter with Mr. Patterson. SA Miller did point out that he was acquainted with Mr. Patterson professionally and socially as previous investigations had brought him in contact with Mr. Patterson and that they were both members of the same church and served jointly on various committees and boards for several years. SA Miller replied further that during this era Mr. Patterson may have directed questions to him regarding Martin Luther King, as it was a timely subject and one receiving considerable newspaper publicity; however, all such inquiries were parried or handled in a non-committal and non-revealing manner. SA Miller further replied that numerous civil rights cases were being conducted by the Atlanta Office of the FBI, which was public knowledge and subject of news coverage by the newspaper of which Mr. Patterson served as Editor, however, to the best of SA Miller's knowledge no revelation was made indicating the FBI had an unusual interest in the activities of Martin Luther King. SA Miller further advised that even though socially acquainted with Mr. Patterson, he did not agree with Mr. Patterson's publicly espoused political position on many and varied interests of the times.

SA Miller was specifically asked that while the Staff Member did not desire to place SA Miller in a bind, did a superior of his at any time ever instruct him to contact Eugene Patterson regarding Martin Luther King, to which SA Miller replied that at no time had any superior of his, or for that matter, any other FBI employee, ever ask that Eugene Patterson be contacted in regard to Martin Luther King.

The interview was terminated at 5:29 P. M. with Mr. Epstein stating that he would like to think overnight regarding the questions and answers as set forth above and would on the following morning advise as to whether he desired to ask additional questions.

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On the morning of July 23, 1975, Mr. Epstein communicated to SA Miller that no further questioning of SA Miller was necessary.

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DONALD P. BURGESS BY SSC STAFF MEMBERS

The following information has been furnished by SA Donald P. Burgess concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The interview of SA Donald P. Burgess commenced at approximately 3:45 P.M. and terminated at approximately 4:45 P.M. At no time during the interview was any mention made to SA Burgess regarding his rights by SSC Staff Members Michael Epstein and Mary DeOreo.

The results of this interview will not necessarily be in chronological order, but will be to the best recollection of SA Burgess.

At the outset of the interview, SA Burgess was asked when he was assigned to the Atlanta Office of the FBI and SA Burgess replied to the best of his recollection it was at the end of July or the first part of August, 1964. SA Burgess was also asked how long he had been in the FBI, to which he replied since January, 1951.

SA Burgess was asked what his duties were and to what squad he was assigned when he first arrived in the Atlanta Division of the FBI. SA Burgess advised he had been

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immediately assigned to the Security Squad. In reply to a question as to what type of investigations he handled, SA Burgess replied that he was mainly involved in civil rights type investigations.

Mr. Epstein asked SA Burgess when he was assigned to monitoring the telephone tap of Doctor Martin Luther King, Jr. SA Burgess replied to the best of his recollection he was assigned to these duties from the end of November, 1965, until sometime in June, 1966. SA Burgess was asked if he could pin down exactly the date of his assignment to this monitoring duty and SA Burgess replied that he recalled the general time period quite well as he had recently undergone surgery before this assignment and after extensive sick leave, went almost immediately on the monitoring duty.

Mr. Epstein asked SA Burgess what his understanding was as to why this telephone tap on Doctor Martin Luther King, Jr. was being used. SA Burgess replied that it was his understanding and recollection that three or four individuals who had heavy and extensive Communist Party or Marxist affiliations and connections had an inordinate influence and control over Doctor Martin Luther King, Jr. insofar as policies, objectives and activities of the Southern Christian Leadership Conference (SCLC). SA Burgess replied it was his understanding that these three or four aforementioned individuals' influence over King extended so far as preparing his speeches and public statements and that it was also his understanding that the Attorney General at the time the telephone tap was instituted, Robert Kennedy, had approved of and insisted upon this investigative technique.

SA Burgess was then asked if he thought the telephone tap on Doctor King was justified and SA Burgess replied that he thought it was fully justified in light of the time and circumstances and the position of Doctor King.

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SA Burgess was then asked about the personal type information regarding personal misconduct, whether or not he felt the collecting of this type of information was justified. SA Burgess replied that information regarding personal misconduct or immoral activities on the part of King was not the prime purpose or interest of the telephone monitoring, but that he did feel that evidence of gross personal misconduct and completely amoral activities was significant in this particular case, bearing in mind the original justification for the telephone monitor and the fact that Doctor Martin Luther King, Jr. was a moral leader of world stature and a religious personality. SA Burgess said that he therefore felt a complete double standard of personal conduct as opposed to public image was significant inasmuch as such behavior would make Doctor King subject to pressure or blackmail by the worst criminal or subversive elements in our society.

SA Burgess was asked if the type of information regarding Doctor King's personal misconduct was disseminated to other agencies or the press and SA Burgess replied that he did not know. SA Burgess was asked if he ever disseminated any information regarding the personal misconduct on the part of Doctor King to the press or others, and SA Burgess replied he had not.

Mr. Epstein said that he assumed that SA Burgess was aware of some of the allegations that had appeared in the press regarding FBI dissemination of this type of information, and SA Burgess replied that he was aware of some of these allegations but he had no specific knowledge regarding these matters.

SA Burgess was asked if he ever reviewed the communications regarding Doctor King based upon information monitored, and SA Burgess replied that he merely recorded the results of the interception of telephone conversations.

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SA Burgess was then asked for the physical location from which the telephones were monitored and if this physical location was an apartment in the Peachtree Towers. SA Burgess replied in the affirmative, but said he could not recall the exact apartment number or the floor on which it was located.

SA Burgess was asked if the apartment from which the telephones were monitored was a one or two bedroom apartment and if he knew any of the neighbors or if he recalled maid service to the apartment. SA Burgess replied that he believed it was a one bedroom apartment, did not recall any of the neighbors and insofar as he recalled, there was no maid or janitorial service.

In response to a question as to where the monitoring equipment was located, SA Burgess replied to his recollection it was in the bedroom of the apartment.

SA Burgess was asked if inspectors were at the apartment and if odd-hour shifts were maintained. SA Burgess advised that he recalled that odd-hour shifts were maintained, but he did not recall any inspection of the apartment.

Mr. Epstein asked SA Burgess if he recalled what his duties were prior to the time that he was assigned to the aforementioned monitoring and SA Burgess replied, general security work and particularly civil rights cases which included the observation of civil rights demonstrations in various locations.

Mr. Epstein then asked about general policy regarding observation of demonstrations, whether it came from Washington or originated in the field, and whether the instructions to observe demonstrations came by SAC letter to the field. SA Burgess replied that insofar as he knew it was the general policy of the Bureau for a number of years to observe at any type of demonstration involving civil rights type matters

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where the possibility of violence existed so that firsthand observation of any possible violation of Federal statutes could be had by impartial observers, and that any subsequent investigation would not be dependent upon the sometimes impassioned observations of persons on either side of a controversial issue.

At this point in the conversation, Mr. Epstein was reminded by SA Burgess that the purpose of the interview was the investigation of Doctor Martin Luther King, Jr., and Mr. Epstein replied that he was interested in observations of civil rights matters insofar as Doctor King was involved.

SA Burgess replied that the only specific demonstration or civil rights activity he recalled in which he acted as an observer where Doctor Martin Luther King, Jr. or SCLC was involved was in Americus, Georgia, in 1965, and he could recall very little regarding this matter.

SA Burgess was asked at one point during the interview if, during the time he served as a monitor on the telephone tap of Doctor King, there was a tap on SNCC. SA Burgess replied that he had no recollection of a telephone tap on SNCC, (Student Nonviolent Coordinating Committee).

Mr. Epstein asked why SA Burgess was removed from monitoring telephones mentioned above. SA Burgess said that it was at his request as he had completely recovered from a debilitating illness and was very frankly quite bored with an inactive assignment.

Mr. Epstein asked if SA Burgess remained on the Security Squad in the Atlanta Office and what type of cases he handled after that period. SA Burgess replied that he did remain on the Security Squad until December, 1966 or January, 1967, and that he had handled general security matters, but not the investigation of Doctor Martin Luther King, Jr.

Mr. Epstein asked why SA Burgess was reassigned and was advised it was a routine administrative reassignment.

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Mr. Epstein then asked SA Burgess if he was quite certain of his period of assignment to monitoring the telephones of Doctor King and SA Burgess replied that he was virtually certain that assignment to these duties was from within ten days before or after Thanksgiving, 1965, until sometime during June, 1966, because of the aforementioned surgery approximately six weeks prior to his assignment on these duties.

Mr. Epstein asked if SA Burgess could ascertain the date of his surgery from his doctor or hospital records. SA Burgess replied that surgery had taken place at St. Joseph's Infirmary immediately adjacent to the FBI office and he would attempt to ascertain the date. Mr. Epstein asked if SA Burgess would be willing to telephone the hospital at that time in an attempt to verify this date. SA Burgess replied that old hospital records are sometimes difficult to locate and from experience, it would probably take two or three days.

In response to a question as to whether anyone else immediately available could recall the date of this surgery, SA Burgess replied that his wife might recall. Mr. Epstein then asked SA Burgess if he would be willing to telephone his wife in an attempt to determine the date of his surgery. At that point in the interview, SA Burgess did telephone his wife who informed SA Burgess that she thought SA Burgess had undergone surgery during mid-September, 1965. This was communicated to Mr. Epstein.

Mr. Epstein also asked SA Burgess whether or not any record in the Atlanta Office would pin down the exact dates of his assignment to monitor the King telephones. SA Burgess replied that he knew of no such record.

Mr. Epstein asked if an annual fitness or performance report would show his assignment at that time, and SA Burgess

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replied that he believed these performance reports merely stated general assignments, such as general security, etc., and the location of these reports were unknown to him. Mr. Epstein asked if SA Burgess had seen his annual performance reports and SA Burgess replied that he had.

At the conclusion of the interview, Mr. Epstein asked if he might have SA Burgess' home telephone number and if he might call him at a later date to obtain from SA Burgess the date of the aforementioned surgery, if SA Burgess was able to ascertain this date. SA Burgess did furnish Mr. Epstein his home telephone number and advised he would attempt to determine the date of this surgery.



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INTERVIEW OF FBI SPECIAL AGENT (SA)
ROBERT W. THOMSON BY SSC STAFF MEMBERS

The following information has been furnished by SA Robert W. Thomson concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

No mention was made at the outset of this interview by either Michael Epstein or Mary DeOreo as to any Constitutional rights of SA Thomson.

The interview commenced at approximately 3:15 P. M. and was terminated at approximately 3:32 P. M. Set forth as follows are the results of this interview which are not necessarily in chronological order:

SA Thomson was requested to furnish the approximate date of his assignment to Atlanta as well as his assignment to other divisions. SA Thomson advised that he entered on duty with the FBI in July, 1947, and was assigned to FBI Headquarters, New York City and Albany, New York as both a clerical employee and as a special employee. SA Thomson was appointed an Agent in 1962 and was assigned to the Little Rock Office until approximately the middle of May, 1964, when he was assigned to the Atlanta Office.

SA Thomson was asked if he worked security matters in Little Rock, which was answered no and he was then asked if his assignment upon reporting to Atlanta was in the security

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66-2854-21

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TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC)

INTERVIEW OF FBI SPECIAL AGENT (SA)
ROBERT W. THOMSON BY SSC STAFF MEMBERS

field. SA Thomson advised that he was assigned to the security squad and upon questioning stated that the nature of this security assignment was to monitor the telephones of Martin Luther King, Jr., both at his residence and his office. SA Thomson advised that he continued in this assignment until approximately August, 1964, when he was transferred to the Columbus, Georgia, Resident Agency.

SA Thomson was asked the reason for his transfer from Little Rock to Atlanta and thereafter to the Columbus, Georgia, Resident Agency, at which time SA Thomson replied that both transfers were routine transfers, the transfer to Columbus due to the fact an opening had been created in the Resident Agency.

SA Thomson further advised that in 1969 he was transferred from the Columbus, Georgia, Resident Agency back to Atlanta, Georgia and that for a short period of time in 1971 was assigned to security work in the Atlanta Office.

SA Thomson was asked that upon his return to Atlanta and engaged in security work in 1971, if he was aware of any pending investigation concerning SCLC and SA Thomson advised he could not recall any investigation of SCLC but could state that he was not involved in any if there was such an investigation.

SA Thomson was asked if he had any knowledge as to when this telephone monitoring of Martin Luther King was instituted or when it was discontinued. SA Thomson replied that he had no such knowledge.

SA Thomson was further questioned as to what pertinent instructions were furnished him in regard to his monitoring of Martin Luther King's telephones and who gave these instructions. SA Thomson advised that the supervisor at that time was Special Agent Charles S. Harding and that SA Thomson was advised that the monitoring of these telephones was being done because of national security and information was to be obtained concerning King's contacts and associates, and the reason for such contacts.

SA Thomson was questioned if he ever questioned himself at any time as to the morality or justification for this monitoring. SA Thomson replied that after having only worked on such monitoring for two months he had no question in his mind as to the reason for this telephone monitoring.

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SA Thomson was asked how many telephone lines were monitored or if he knew the exact location of the telephones being monitored at which time SA Thomson stated he could not recall exactly how many telephones were being monitored but that they were at the residence of Martin Luther King and SCLC, and that he could not furnish the addresses of either of these locations. In addition, SA Thomson was asked if he typed logs or handwrote them. SA Thomson replied that he utilized both methods.

SA Thomson was asked if he was furnished any list of names of certain individuals to be on the lookout for in contacts by Martin Luther King. SA Thomson stated he could not recall any such list. In addition, when asked where the physical location of this telephone monitoring was accomplished, SA Thomson advised that it was at the Peachtree Towers Apartments but that he could not furnish the exact room or floor utilized.

SA Thomson was asked if he ever highlighted or placed additional emphasis on any of the telephone calls that he monitored. SA Thomson replied that no such emphasis was placed on any such call, and when asked if SA Thomson prepared any other forms or memoranda or communications regarding any of the telephone calls, he monitored, SA Thomson replied in the negative.

SA Thomson was asked if he could recall Martin Luther King or any of the other persons monitored being in any telephone contact with any public officials. SA Thomson replied that he could not specifically recall any such telephone conversations, however, during the time SA Thomson was assigned these monitoring duties Martin Luther King was traveling to other cities and it is entirely possible that Martin Luther King could have been in contact with some officials.

SA Thomson was asked for the identities of other persons also assigned monitoring duties during the time he was so engaged. SA Thomson stated that he recalled that SAs John Benton, O. Richard Hamilton, Don Burgess and Brian O'Shea also were engaged in monitoring of the telephones.

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SA Thomson was asked if any stenographic personnel were utilized at the monitoring site. SA Thomson replied in the negative.

SA Thomson was asked for the procedure utilized in handling the logs and tapes used to record the telephone conversations. SA Thomson stated that to the best of his recollection the logs were delivered by the Agent on duty each morning to the office and that the tapes were utilized over and over again for recording telephone calls.

At this point both Michael Epstein and Mary DeOreo stated that they had no further questions of SA Thomson and the interview was concluded.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
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Atlanta, Georgia

July 22, 1975

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

INTERVIEW OF FBI SPECIAL AGENT (SA)
O. RICHARD HAMILTON BY SSC STAFF MEMBERS

The following information has been furnished by SA O. Richard Hamilton concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The above-mentioned interview commenced at 10:38 a.m. and concluded at 11:54 a.m. SA Hamilton was not advised of his rights by the SSC Staff Members. The following information is not necessarily in chronological order.

Regarding the period of time of SA Hamilton's FBI employment and period of assignment in Atlanta, Georgia, SA Hamilton advised he became a Special Agent in September, 1951, and has been assigned to the Atlanta Office since February, 1961. SA Hamilton was questioned regarding the period of time he was assigned to the Security Squad in Atlanta. SA Hamilton advised that according to his best recollection, he was assigned to the Security Squad shortly after his arrival in Atlanta in 1961, and continued that assignment until approximately sometime in 1962. At that time he was assigned to a road

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U.S. SENATE SELECT COMMITTEE TO
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trip involving investigations of any FBI matter occurring within that road trip and such assignments were not necessarily connected with the Security Squad. SA Hamilton advised he was reassigned to the Security Squad in Atlanta during the Spring or early Summer of 1964 or 1965, and he believed that, according to his best recollection, this was in 1964.

The SSC Staff Members questioned SA Hamilton as to what, if any, assignment he had regarding the investigation of Dr. Martin Luther King, Jr., or with the Southern Christian Leadership Conference (SCLC). SA Hamilton advised that upon his reassignment to the Security Squad, he was assigned to monitor a wiretap on SCLC and on the residence of King. The Staff Members inquired as to the number of lines monitored and as to the location of the technical installation. SA Hamilton recalled that lines on the SCLC switchboard and SCLC Wide Area Telephone Service (WATS) as well as the residence telephone of King were monitored. The Staff Members inquired whether tapes of conversations were made from the technical installation and SA Hamilton replied that occasionally when it was necessary to record more than one telephone conversation occurring at the same time, that he occasionally would tape one conversation while preparing a handwritten log of another, that thereafter the conversation recorded on tape was reduced to a handwritten log when time permitted. The Staff Members asked what was done with the recorded tapes following the completion of the recording and Hamilton advised that when the conversation had been reduced to writing on a log and the tape was used up, that as best as he could recall, the tape was erased and then reused. The Staff Members asked whether such tapes were reviewed by other FBI personnel and SA Hamilton stated he could not recall any situation where this occurred. The Staff Members inquired as to whether such tapes were further maintained or placed

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somewhere else and SA Hamilton replied he was not aware of any instance where this was done. The Staff Members asked to whom the case on King was assigned and who was the supervisor of the squad at the time that SA Hamilton was assigned to the monitoring of the installation. They were advised the agent assigned to the case was former SA Robert Nichols and the supervisor was Charles Harding. At that point the Staff Members inquired as to who was the supervisor of the Security Squad when SA Hamilton was first assigned to Atlanta and who were the succeeding supervisors on that squad. They were advised that Mr. Henry Rowse was the supervisor when Hamilton was first assigned to Atlanta and that upon Rowse's transfer to FBI Headquarters, Harding became the supervisor. Thereafter, in approximately 1968, Charles Haynes replaced Harding as supervisor of the Security Squad in Atlanta. The Staff Members inquired as to the reason for the replacement of Harding by Haynes. Hamilton advised that was an administrative decision made by FBI Headquarters and since that did not relate to the investigation pertaining to Doctor Martin Luther King, Jr., he would respectfully decline to discuss that matter. The Staff Members subsequently asked if SA Nichols was subsequently assigned to the Valdosta, Georgia, Resident Agency of the Atlanta Office and, then transferred to another field office. SA Hamilton advised that was correct. The Staff Members inquired as to the reason for SA Nichols' transfer to another field office, to which SA Hamilton replied he felt that question did not relate to the investigation of King and involved an administrative decision by FBI Headquarters; and, therefore, declined to answer.

The Staff Members, after being advised by SA Hamilton that he was assigned to monitoring the technical installation for a period of approximately four months, inquired as to whether he was ever subsequently assigned to any investigation relating to King or SCLC. Hamilton advised the case concerning SCLC was assigned to him

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upon the retirement of former SA Alan Sentinella in approximately 1970. The Staff Members inquired as to the period of time thereafter that SCLC remained under investigation and what basis if any there was for closing the case. SA Hamilton pointed out that since the re-assignment of the case to him occurred after the death of King, he felt that question did not directly relate to the investigation of King and that prior to furnishing an answer to that question, he felt he should confer with a FBI Headquarters representative who was then present in the Atlanta Office of the FBI. The Staff Members advised they did desire an answer to that question and approved of a consultation between SA Hamilton and the FBI Headquarters representative. SA Hamilton conferred with the FBI Headquarters representative then in the Atlanta Office of the FBI and it was agreed the question regarding the closing of SCLC and the assignment of that case to SA Hamilton was outside the parameter of the authority given to SA Hamilton by FBI Headquarters regarding discussion of Doctor Martin Luther King, Jr. However, in the spirit of cooperation, it was agreed that SA Hamilton would answer the question of the Staff Members in this regard. Thereafter, SA Hamilton advised the FBI investigation regarding SCLC was closed about 1972 or 1973 since a review of the case file failed to reflect any influence by individuals or organizations having affiliations with communist background. In view of that, it was felt the SCLC case should be closed.

The Staff Members inquired as to who made the decision regarding closing of SCLC and whether the matter was first discussed with FBI Headquarters or other individuals within the Atlanta Office of the FBI or if it was a decision made by SA Hamilton alone. Hamilton advised that as he recalled, he reviewed the SCLC case file from that time to a substantial period in the past and that he recommended to the supervisor of the Security

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Squad that the case be closed since there had been no known communist influence upon the activities of the SCLC organization for a long period of time. In response to the mechanics of closing the case they were advised that SA Hamilton dictated a letter to FBI Headquarters from the Special Agent in Charge of the Atlanta Office, advising that a review of the file reflected no communist influence upon the activities of SCLC and that unless advised to the contrary by FBI Headquarters, the case was being closed. The Staff Members asked if a form letter was used whereby blanks were filled in and they were advised this was not the case. The Staff Members inquired if FBI Headquarters agreed with the closing and SA Hamilton advised that to his knowledge, no communication was thereafter received from Headquarters which would disagree with the closing of that case. The Staff Members inquired as to whether SA Hamilton or anyone in Atlanta conferred with any persons in the New York Office of the FBI prior to closing the case and SA Hamilton advised that to his knowledge this did not occur. The Staff Members then inquired as to the basis for closing the case on SCLC as compared with the basis for opening the case originally. Hamilton advised he did not specifically recall the wording of any communications upon which the case was originally opened, however, a review of the case at the time it was closed did not indicate that SCLC might be involved in any activities which could constitute a violation of the Internal Security Statutes. The Staff Members inquired as to whether the investigation was based upon the Smith Act and SA Hamilton stated he did not recall specifically seeing the words "Smith Act", however, FBI investigations regarding communist influence was based upon the communist goal of forceable overthrow of the U.S. Government.

The Staff Members asked if, after the death of King, whether Stanley Levison was in contact with Reverend

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Ralph Abernathy, President of SCLC. They were advised by Hamilton that that question was not related to the FBI's investigation of Doctor Martin Luther King, Jr., and he would decline to discuss that matter without further consultation with FBI Headquarters representative in the Atlanta Office. The Staff Members did not ask that Hamilton then discuss that point with the Headquarters representative.

The Staff Members inquired as to the identities of other FBI personnel assigned to the monitoring of the technical installation and SA Hamilton advised he recalled that at that time SA Robert Thomson and SA John Benton were assigned to monitoring, however, SA Hamilton could not recall the identities of other agents assigned during the period of time he was assigned to the monitoring of the installation. Staff Members inquired as to the reason for SA Hamilton being removed from the assignment of monitoring the installation and Hamilton replied that he requested he be removed for the purpose of being reassigned to security investigative matters. Hamilton stated that shortly after discussing this desire with Supervisor Harding, he was taken off the assignment and was given other investigative assignments. They inquired as to whether Hamilton questioned the propriety of the technical installation regarding King and SCLC and Hamilton replied that he did not question such propriety. The Staff Members inquired as to the names Hamilton was instructed to listen for on the installation and Hamilton replied he recalls being instructed to listen for conversations of individuals by the names of Stanley Levison and Harry Wachtel. They asked if he was instructed to listen for conversations of individuals by the names of Helstein and O'Dell. Hamilton advised the name Helstein was familiar although he could not recall specific instructions regarding him but recalled that he was instructed and did listen for conversations of Hunter Pitts O'Dell.

Staff Members asked whether the Atlanta FBI Office maintained subfiles regarding Doctor Martin Luther

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King, Jr., or SCLC or whether the Atlanta Office or FBI Headquarters maintained a JUNE file regarding King. SA Hamilton advised he could not recall the maintaining of subfiles and could not recall a JUNE file relating to King. They asked if the FBI maintained a case regarding Mrs. Martin Luther King, Jr., and SA Hamilton advised he could not recall at this time whether such a file was maintained on Mrs. King.

During the interview the Staff Members asked who handled the arrangements for renting the apartment where the technical installation was located and where it was located. Hamilton advised the installation was located in an apartment at 300 West Peachtree Street, but he could not recall in which apartment it was located. They inquired as to the identities of the individuals who handled the rental and who made the rent payments and SA Hamilton advised he did not know that information. They asked whether or not FBI inspectors ever inspected the installation or if during the course of an inspection of the FBI Office in Atlanta whether they visited the installation. Hamilton advised he was not aware of any inspection of the installation or visit of it by inspectors.

The Staff Members asked if Hamilton could recall any contact with King by any political personalities, public officials, or officeholders, to which Hamilton replied he could not at that time recall any such contacts.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Atlanta, Georgia

July 22, 1975

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File No.

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W. JOHN BENTON BY SSC STAFF MEMBERS

The following information has been furnished by SA W. John Benton concerning an interview of him by SSC Staff Members Michael Epstein and Mary DeOreo, which took place on July 22, 1975, in the office of Senator Herman E. Talmadge in Atlanta, Georgia.

The interview of SA W. John Benton began at 9:45 A. M. and terminated at 10:32 A. M., July 22, 1975. At the outset of the interview no mention was made of SA Benton's rights by SSC Staff Members Michael Epstein and Mary DeOreo.

SA Benton was asked how long he had served with the Federal Bureau of Investigation (FBI). SA Benton advised from December, 1956 to the present time.

SA Benton was asked what offices he had been assigned to. SA Benton advised the FBI Identification Division, Washington, D. C.; the Atlanta Field Division, Atlanta, Georgia; FBI Agents Training at Washington, D. C.; Oklahoma City Field Division, Oklahoma City, Oklahoma; Indianapolis Field Division, Indianapolis, Indiana; and the Knoxville Field Division, Knoxville, Tennessee, having current assignment in the Chattanooga Resident Agency, Chattanooga, Tennessee.

SA Benton was asked how long he had been assigned at Chattanooga, Tennessee. SA Benton advised from March 15, 1974 to the present date.

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SA Benton was asked the period of time he was assigned to the Atlanta Field Division. SA Benton advised from 1959 until August 22, 1966.

SA Benton was asked during what period of time he was assigned to the King investigation. SA Benton advised from his best recollection during the year 1964. SA Benton was asked if he conducted any investigation regarding the King case prior to his assignment during 1964 and SA Benton answered in the negative.

SA Benton was asked what his job responsibilities were concerning the monitoring of the Southern Christian Leadership Conference (SCLC) headquarters and King telephones. SA Benton advised his job responsibilities dealt with the monitoring of incoming and outgoing telephone calls.

SA Benton was asked what did he do when receiving or intercepting incoming or outgoing calls. SA Benton advised a written log was maintained of incoming and outgoing calls and only the pertinent facts of the calls were written on the log. SA Benton further advised the incoming and outgoing calls were tape recorded. SA Benton was asked how many telephones were monitored at the SCLC headquarters and at the King residence. SA Benton advised he did not recall the exact number of telephone lines monitored; however, there were several lines.

SA Benton was asked the names of Agents assigned with him to monitor telephone calls. SA Benton advised his best recollection was that SA Hamilton, SA Burgess and SA Thomson were assigned at the location during the period SA Benton monitored the telephones.

SA Benton was asked the location of the plant, the floor and room number where the plant was located. SA Benton advised the plant was located in an apartment building directly across the street from the FBI Atlanta Field Division, and he does not recall the floor or room number of the plant.

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SA Benton was asked who directed him to monitor the telephones. SA Benton advised the Special Agent in Charge, Mr. Joseph K. Ponder, directed him to his job assignment on the King investigation.

SA Benton was asked what did he do with the logs and tapes at the end of each day's work. SA Benton advised the logs and tapes were handled by other Special Agents of the FBI assigned to the case.

SA Benton was asked who the supervising or case Agent was in the King investigation. SA Benton advised SA Robert Nichols was the case Agent in charge of the King investigation.

SA Benton was asked how many squads were located in the Atlanta Division at the time the telephones were being monitored. SA Benton advised there were four squads in the Atlanta Division at that time. SA Benton was asked which squad handled the investigation of the King matter and SA Benton advised the Number 3 Squad handled the King investigation.

SA Benton was asked who furnished supplies such as tapes and logs to the plant where the monitoring took place. SA Benton advised the supplies were brought to the location by other Special Agents assigned to the case.

SA Benton was asked what happened to the tapes and logs at the end of the day or when a day's work was completed. SA Benton advised to his best knowledge the tapes and logs were turned over to the supervising Agent of the case.

SA Benton was asked whether he dictated any daily summaries or memoranda regarding the monitoring of the telephones. SA Benton advised that he did not dictate any summaries or memoranda at any time regarding the monitoring of the telephones.

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SA Benton was asked who handled the repairs of the equipment if there was a malfunction of the equipment. SA Benton advised the equipment and any repairs to the equipment was handled by SA Miller who was assigned to the Atlanta Field Division.

SA Benton was asked how many files were involved in the King investigation. SA Benton advised to his best recollection there was only one file involved. SA Benton was asked if there were other files where investigation was being conducted regarding SCLC and SCLC members other than the King file. SA Benton advised he did not have any knowledge of any other FBI investigations regarding SCLC or SCLC members.

SA Benton was asked who were some of the named individuals that he was told to listen for and the basis for listening for these particular individuals. SA Benton advised he was instructed to monitor incoming and outgoing calls and that to the best of his knowledge several individuals were of interest to the investigation. These individuals were Stan Levison, Harry Wachtel, Ralph Helstein and Hunter Pitts O'Dell. SA Benton was asked why these individuals or any other named individuals might be of interest to the FBI. SA Benton advised the FBI had developed information that certain individuals that had contact with Martin Luther King, Jr. and SCLC headquarters were either sympathizers to the Communist Party of the United States or possibly members of the Communist Party of the United States.

SA Benton was asked if he received any mail at the plant where the telephones were monitored and if there was a mail box in the apartment complex where mail could be received. SA Benton advised he did not receive any mail at the apartment complex and did not have any knowledge of any mail boxes.

SA Benton was asked if there was a telephone located at the plant and if this telephone was assigned an FBI telephone number. SA Benton advised there was one

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telephone at the plant and he does not recall the telephone number or in what name this telephone number was assigned.

SA Benton was asked what name the apartment was rented in and who paid the apartment rent. SA Benton advised he did not have any knowledge as to the name the apartment was rented in and he did not know who paid the rent on the apartment.

SA Benton was asked who cleaned up the apartment since it was their understanding that this location was manned by Agents 24 hours a day. SA Benton advised the apartment complex was kept in a clean and orderly manner by Agents assigned to the monitoring operations. SA Benton was asked to give a description of the layout of the apartment. SA Benton advised the apartment contained a kitchen, a living room, a bedroom, and one bathroom.

SA Benton was asked which room the monitoring took place in and SA Benton advised the equipment was located in the bedroom of the apartment.

SA Benton was asked if he had knowledge of any telephone calls intercepted of high elected Government officials and the approximate date these calls might have been intercepted. SA Benton advised to the best of his recollection and while assigned to the monitoring operation there was one telephone call intercepted of a high elected Government official. SA Benton was asked the name of the Government official and the parties involved in the telephone conversation. SA Benton advised the intercepted telephone call was between President Lyndon B. Johnson and Martin Luther King, Jr. SA Benton was asked when this telephone conversation took place and SA Benton advised it took place sometime in 1964 to the best of his recollection. (At no time did SSC Staff Members Michael Epstein and Mary DeOreo ask the contents of the telephone conversation between President Lyndon B. Johnson and Martin Luther King, Jr.)

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SA Benton was asked if he had any knowledge of any telephone calls intercepted between Martin Luther King, Jr. and the Attorney General of the United States during the period of time he monitored the telephone. SA Benton advised he did not have any knowledge of any calls intercepted between Martin Luther King and the Attorney General of the United States.

SA Benton was asked if he had any knowledge of any telephone calls to the Democratic Convention in 1964 by Martin Luther King, Jr. that were intercepted during the monitoring operation. SA Benton advised he did not have any knowledge of any intercepted calls made by Martin Luther King to the Democratic Convention during 1964.

SA Benton was asked at the time he was assigned to the monitoring of the King telephones by the Special Agent in Charge of the Atlanta Field Division did he question his assignment. SA Benton answered absolutely not.

SA Benton was asked that during the period he monitored the King telephones did he ask to be relieved of his assignment. SA Benton answered absolutely not.

SA Benton was asked at this time does he question his assignment to the monitoring of the King telephones and SA Benton answered absolutely not.

The interview was terminated at 10:32 A. M. this date, July 22, 1975.

7/24/75

AIRTEL

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

FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

Enclosed are the original and seven copies of seven LHM's prepared at Atlanta and captioned "U. S. Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (SSC)," subcaptioned and dated as follows:

1. "Interview of FBI Special Agent (SA) W. John Benton by SSC Staff Members" - 7/22/75;
2. "Interview of FBI Special Agent (SA) O. Richard Hamilton by SSC Staff Members" - 7/22/75;
3. "Interview of FBI Special Agent (SA) Robert W. Thomson by SSC Staff Members" - 7/22/75;
4. "Interview of FBI Special Agent (SA) Donald P. Burgess by SSC Staff Members" - 7/23/75;
5. "Interview of FBI Special Agent (SA) Alden F. Miller by SSC Staff Members" - 7/23/75;
6. "Interview of FBI Special Agent (SA) Charles T. Haynes by SSC Staff Members" - 7/23/75;
7. "Interview of FBI Special Agent (SA) Edward A. Shea by SSC Staff Members" - 7/24/75.

The FBI representative who was available in the Atlanta FBI Office for consultation during the interviews was Bureau Supervisor SEYMOR F. PHILLIPS.

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NR012 WA CODE

4:50PM NITEL 7/25/75 PLD

TO ATLANTA

FROM DIRECTOR (62-116395)

SENSTUDY '75, BUDED: 7/31/75.

FBIHQ IS PRESENTLY COMPILING PERTINENT DOCUMENTS PERTAINING TO CAPTIONED MATTER AT THE REQUEST OF THE UNITED STATES SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC).

INCLUDED IN THE SSC'S REQUEST IS ONE CONCERNING ALL MEMORANDA AND ANY OTHER MATERIALS INDICATING OR REFLECTING THE INCEPTION OF (A) ALL HEADQUARTERS FILES AND (B) ALL ATLANTA DIVISION FILES CONCERNING MARTIN LUTHER KING AND ORGANIZATIONAL FILE CAPTIONED "COMINFIL OF SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE," (SCLC), TOGETHER WITH THE BASIS AND AUTHORITY FOR OPENING SUCH FILES.

SSC STAFF PERSONNEL HAVE ADVISED THE ABOVE REQUEST REFERS NOT ONLY TO COMMUNICATIONS WHICH INITIATED ACTIVE INVESTIGATION OF KING AND THE SCLC, BUT SHOULD INCLUDE SUCH ITEMS, WHETHER THEY BE OFFICE MEMORANDA OR OTHER MATERIALS (I.E.,

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NEWSPAPER CLIPPINGS) WHICH FORMED THE BASIS FOR ESTABLISHING THESE FILES PRIOR TO THE TIME ACTIVE INVESTIGATION WAS INITIATED.

ATLANTA DIVISION PROMPTLY REVIEW ABOVE MATTERS AND FURNISH FBIHQ WITH THREE CLEAR XEROXES OF ITEMS WHICH ARE RESPONSIVE TO THE SSC'S REQUEST. THESE ITEMS SHOULD BE XEROXED AS THEY APPEAR IN YOUR FILES. ANY EXCISIONS OF DATA APPEARING THEREIN WILL BE HANDLED BY FBIHQ PRIOR TO THE TIME THESE MATERIALS ARE MADE AVAILABLE TO THE SSC.

IT WILL NOT BE NECESSARY TO FURNISH HEADQUARTERS WITH COPIES OF ANY INSTRUCTIONS RELATIVE TO INSTITUTING ACTIVE INVESTIGATION IN THESE CASES WHICH EMANATED FROM FBIHQ. WHERE SUCH IS THE CASE A SIMPLE STATEMENT TO THAT EFFECT SHOULD BE MADE AND THE DATE AND CAPTION OF THE HEADQUARTERS COMMUNICATION SHOULD BE FURNISHED.

EXPEDITE AND SUBMIT BY COVER AIRTEL IN ABOVE CAPTION
BY CLOSE OF BUSINESS 7/31/75

PEND

X

FBI AT LHM

NR012 WA CODE

4:50PM NITEL 7/25/75 PLD

TO ATLANTA

FROM DIRECTOR (62-116395)

SENSTUDY '75, BUDED: 7/31/75.

FBIHQ IS PRESENTLY COMPILING PERTINENT DOCUMENTS PERTAINING TO CAPTIONED MATTER AT THE REQUEST OF THE UNITED STATES SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC).

INCLUDED IN THE SSC'S REQUEST IS ONE CONCERNING ALL MEMORANDA AND ANY OTHER MATERIALS INDICATING OR REFLECTING THE INCEPTION OF (A) ALL HEADQUARTERS FILES AND (B) ALL ATLANTA DIVISION FILES CONCERNING MARTIN LUTHER KING AND ORGANIZATIONAL FILE CAPTIONED "COMINFIL OF SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE," (SCLC), TOGETHER WITH THE BASIS AND AUTHORITY FOR OPENING SUCH FILES.

SSC STAFF PERSONNEL HAVE ADVISED THE ABOVE REQUEST REFERS NOT ONLY TO COMMUNICATIONS WHICH INITIATED ACTIVE INVESTIGATION OF KING AND THE SCLC, BUT SHOULD INCLUDE SUCH ITEMS, WHETHER THEY BE OFFICE MEMORANDA OR OTHER MATERIALS (I.E.,

62-2854-25

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 25 1975	
FBI - ATLANTA	

148

PAGE TWO

NEWSPAPER CLIPPINGS) WHICH FORMED THE BASIS FOR ESTABLISHING
THESE FILES PRIOR TO THE TIME ACTIVE INVESTIGATION WAS
INITIATED.

ATLANTA DIVISION PROMPTLY REVIEW ABOVE MATTERS AND
FURNISH FBIHQ WITH THREE CLEAR XEROXES OF ITEMS WHICH ARE
RESPONSIVE TO THE SSC'S REQUEST. THESE ITEMS SHOULD BE
XEROXED AS THEY APPEAR IN YOUR FILES. ANY EXCISIONS OF
DATA APPEARING THEREIN WILL BE HANDLED BY FBIHQ PRIOR TO
THE TIME THESE MATERIALS ARE MADE AVAILABLE TO THE SSC.

IT WILL NOT BE NECESSARY TO FURNISH HEADQUARTERS WITH
COPIES OF ANY INSTRUCTIONS RELATIVE TO INSTITUTING ACTIVE
INVESTIGATION IN THESE CASES WHICH EMANATED FROM FBIHQ.
WHERE SUCH IS THE CASE A SIMPLE STATEMENT TO THAT EFFECT
SHOULD BE MADE AND THE DATE AND CAPTION OF THE HEADQUARTERS
COMMUNICATION SHOULD BE FURNISHED.

EXPEDITE AND SUBMIT BY COVER AIRTEL IN ABOVE CAPTION
BY CLOSE OF BUSINESS 7/31/75

PEND

X

FBI AT LHM

CLR

KRC12 WA CODE

4:50PM NITEL 7/25/75 FLD

TO ATLANTA

FROM DIRECTOR (62-116395)

SENSTUDY '75, BUDED: 7/31/75.

FBIHQ IS PRESENTLY COMPILING PERTINENT DOCUMENTS PERTAINING TO CAPTIONED MATTER AT THE REQUEST OF THE UNITED STATES SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES (SSC).

INCLUDED IN THE SSC'S REQUEST IS ONE CONCERNING ALL MEMORANDA AND ANY OTHER MATERIALS INDICATING OR REFLECTING THE INCEPTION OF (A) ALL HEADQUARTERS FILES AND (B) ALL ATLANTA DIVISION FILES CONCERNING MARTIN LUTHER KING AND ORGANIZATIONAL FILE CAPTIONED "CONFIL OF SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE," (SCLC), TOGETHER WITH THE BASIS AND AUTHORITY FOR OPENING SUCH FILES.

SSC STAFF PERSONNEL HAVE ADVISED THE ABOVE REQUEST REFERS NOT ONLY TO COMMUNICATIONS WHICH INITIATED ACTIVE INVESTIGATION OF KING AND THE SCLC, BUT SHOULD INCLUDE SUCH ITEMS, WHETHER THEY BE OFFICE MEMORANDA OR OTHER MATERIALS (I.E.,

62-2854-25

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 25 1975	
FBI-ATLANTA	

PAGE TWO

(NEWSPAPER CLIPPINGS) WHICH FORMED THE BASIS FOR ESTABLISHING THESE FILES PRIOR TO THE TIME ACTIVE INVESTIGATION WAS INITIATED.

ATLANTA DIVISION PROMPTLY REVIEW ABOVE MATTERS AND FURNISH FBIHQ WITH THREE CLEAR XEROXES OF ITEMS WHICH ARE RESPONSIVE TO THE SSC'S REQUEST. THESE ITEMS SHOULD BE XEROXED AS THEY APPEAR IN YOUR FILES. ANY EXCISIONS OF DATA APPEARING THEREIN WILL BE HANDLED BY FBIHQ PRIOR TO THE TIME THESE MATERIALS ARE MADE AVAILABLE TO THE SSC.

IT WILL NOT BE NECESSARY TO FURNISH HEADQUARTERS WITH COPIES OF ANY INSTRUCTIONS RELATIVE TO INSTITUTING ACTIVE INVESTIGATION IN THESE CASES WHICH EMANATED FROM FBIHQ. WHERE SUCH IS THE CASE A SIMPL STATEMENT TO THAT EFFECT SHOULD BE MADE AND THE DATE AND CAPTION OF THE HEADQUARTERS COMMUNICATION SHOULD BE FURNISHED.

EXPEDITE AND SUBMIT BY COVER AIRTEL IN ABOVE CAPTION BY CLOSE OF BUSINESS 7/31/79
FEND

X

FBI AT LAM

CLR

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, ATLANTA (62-2854)

DATE: 7/30/75

FROM : SUPV. CHARLES T. HAYNES

SUBJECT: SENSTUDY '75
BUDED: 7/31/75

Re Bureau nitel to Atlanta, 7/25/75.

On 7/30/75, referenced teletype was discussed in detail with Bureau Supervisor, P. E. NUGENT, Unit Chief, Black Nationalist and White Hate - East Unit, Division 5 at FBIHQ. NUGENT stated he prepared referenced teletype and he did want Xerox copies of serials used by Atlanta to establish the KING and SCLC files and that he did not want copies of serials between the inception, or first serial, used as a basis for establishing these files; and the serials which would be the communication from the Bureau to Atlanta with instructions to initiate active investigation in the KING or SCLC cases.

② - Atlanta
CTH:pab
(2) *pch*



5010-110

62-2854-26

SEARCHED	INDEXED
SERIALIZED <i>ml</i>	FILED <i>ml</i>
JUL 30 1975	
FBI — ATLANTA	

GA

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

SAG, ATLANTA (62-2854)

7/30/75

SUPV. CHARLES T. HAYNES

SENSTUDY '75

BUDED: 7/31/75

Re Bureau nitel to Atlanta, 7/25/75.

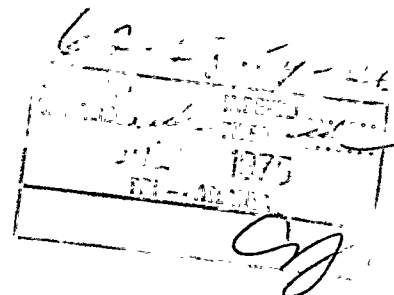
On 7/30/75, referenced teletype was discussed in detail with Bureau Supervisor, P. E. NUGENT, Unit Chief, Black Nationalist and White Hate - East Unit, Division 5 at FBIHQ. NUGENT stated he prepared referenced teletype and he did want Xerox copies of serials used by Atlanta to establish the KING and SCLC files and that he did not want copies of serials between the inception, or first serial, used as a basis for establishing these files; and the serials which would be the communication from the Bureau to Atlanta with instructions to initiate active investigation in the KING or SCLC cases.

② - Atlanta

CTH:pab

(2)

pab



F B I

Date: 7/30/75

Transmit the following in CODED
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)TO: DIRECTOR, FBI (62-116395) *SJP*

FROM: ATLANTA (62-2854)

SENSTUDY '75, BUDED: 7/31/75.

RE BUREAU NITEL TO ATLANTA, JULY 25, 1975.

IN RESPONSE TO REQUEST SET FORTH, EXTENSIVE FILE REVIEW
AND RELATED ADMINISTRATIVE PROCEDURE WILL ENTAIL TIME WHICH
WILL NOT ALLOW ATLANTA TO MEET THE JULY 31, 1975 DEADLINE.

ATLANTA ANTICIPATES RECOVERY AND XEROXING OF MATERIAL
REQUESTED AND SUBMISSION OF AIRTEL TRANSMITTING SAME BY THE
CLOSE OF BUSINESS, JULY 31, 1975, WHICH SHOULD REACH THE
BUREAU BY AUGUST 2, 1975.

END

P - Atlanta
CTH:pab
(1)
[Signature]

62-2854-27

Approved: *[Signature]*
Special Agent in ChargeSent *10:16* PM Per *TLL*

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

URGENT A1 CODED

12:16 PM NITEL JULY 30, 1975 WGS

TO: DIRECTOR (62-116399)

FROM: ATLANTA (62-2854)

SUBJECT: '75, BUDED: JULY 31, 1975.

RE BUREAU NITEL TO ATLANTA, JULY 29, 1975.

IN RESPONSE TO REQUEST SET FORTH, EXTENSIVE FILE REVIEW AND RELATED ADMINISTRATIVE PROCEDURE WILL ENTAIL TIME WHICH WILL NOT ALLOW ATLANTA TO MEET THE JULY 31, 1975, DEADLINE.

ATLANTA ANTICIPATES RECOVERY AND XEROXING OF MATERIAL REQUESTED AND SUBMISSION OF AIRTEL TRANSMITTING SAME BY THE CLOSE OF BUSINESS, JULY 31, 1975, WHICH SHOULD REACH THE BUREAU BY AUGUST 2, 1975.

END

FLC HOLD FOR ONE MORE

62-2854-27

NR007 AT CODED

10:16 PM NITEL JULY 30, 1975 WCG

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY '75, BUDED: JULY 31, 1975.

RE BUREAU NITEL TO ATLANTA, JULY 25, 1975.

IN RESPONSE TO REQUEST SET FORTH, EXTENSIVE FILE REVIEW AND RELATED ADMINISTRATIVE PROCEDURE WILL ENTAIL TIME WHICH WILL NOT ALLOW ATLANTA TO MEET THE JULY 31, 1975, DEADLINE.

ATLANTA ANTICIPATES RECOVERY AND XEROXING OF MATERIAL REQUESTED AND SUBMISSION OF AIRTEL TRANSMITTING SAME BY THE CLOSE OF BUSINESS, JULY 31, 1975, WHICH SHOULD REACH THE BUREAU BY AUGUST 2, 1975.

END

PLS HOLD FOR ONE MORE

ml
ml
62-2854-27

7/31/75

AIRTEL

TO: DIRECTOR, FBI (62-116395)
FROM: SAC, ATLANTA (62-2854) (RUC)
SUBJECT: SENSTUDY '75
BUDED: 7/31/75

7/30/75. Re Bureau nitel, 7/25/75, and Atlanta nitel,

Enclosed are three Xerox copies of the following:

1. Memorandum dated 1/6/56, to SAC from Clerk JEAN B. HEARN, captioned "MARTIN LUTHER KING, was, M. L. King, Martin King, Martin L. King, M. King, Jr. & Sr., SM - C" (Serial in AT File 100-5586).

2. Newspaper article from 8/17/57 issue of Pittsburgh Courier captioned "New Rights Group Launched in Dixie!" (Serial 1 of AT File 100-5718).

A review of AT File 100-5586 (Bufile 100-106670), captioned "MARTIN LUTHER KING, JR., SM - C", in response to referenced Bureau teletype revealed the file was established in Atlanta with a correlation memorandum dated 1/6/56, which is enclosed and identified as Serial 1 of AT File 100-5586. The correlation memorandum was prepared for the purpose of administratively bringing together in one file a summary of pertinent information regarding KING from other files in the Atlanta Office.

The first instructions from FBIHQ relative to instituting active investigation in the KING case appear

2 - Bureau (Enc. 6)

① - Atlanta

GTH:pab

(3)

DESTROY FILE IN ☐ 5 YRS.; ☒ 10 YRS.;

☒ RETAIN (JUSTIFY)

Historical

AT 62-2854

in Bureau letter to Atlanta, 2/27/62, captioned "MARTIN LUTHER KING, JR., SECURITY MATTER - C" (Bufile 100-106670).

A review of above-mentioned KING file reveals that between Serials 1 and 256 of the file 100-5586 appears miscellaneous newspaper clippings, memoranda and communications from other offices.

A review of AT File 100-5718 (Bufile 100-438794) reveals this file was established upon receipt of Bureau letter to Atlanta, 9/20/57, captioned "SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, INFORMATION CONCERNING - INTERNAL SECURITY", which is identified as Serial 2 in AT File 100-5718. Serial 1 of AT File 100-5718 is a newspaper article from the 8/17/57 issue of the Pittsburgh Courier (Xerox copy enclosed herewith), which was received in Atlanta on 9/21/57, having been received at FBIHQ on 9/4/57 and thereafter forwarded to Atlanta.

Instructions from FBIHQ as to the extent of investigation regarding the SCLC are reflected in Bureau letter to Atlanta, 10/23/62, captioned "COMMUNIST INFILTRATION OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE, INTERNAL SECURITY - C" (Bufile 100-438794 and AT File 100-5718).

Other serials appearing between Serials 2 and 165 in AT File 100-5718 are primarily newspaper articles and communications from other offices.

SAC (100-2162)

January 6, 1956

JEAN B. HEARI, Clerk

MARTIN LUTHER KING, was [✓] L. L. King, Martin King,
Martin L. King, M. King, Jr. & Sr. [✓]
SM-C

Following is a summary of file references on subjects other than their main files 100-2162 and 100-5586, as of instant date.

X 100-2162* File entitled MARTIN LUTHER KING, SR., was., IS-C.

100-5586* File entitled MARTIN LUTHER KING, Jr., was., IS-C.

44-50-6. Memo for the file from SA ALFRED I. MEANS, dated 8/3/43 entitled AGITATION AMONG NEGROES IN THE ATLANTA FIELD DIVISION. Instant memo reflects in part the following information:

"Mrs. JOHN GRONLUND, 2337 Hirsch Drive, NE, Atlanta, Ga., telephonically communicated with this office on August 2 and advised that she had a nurse by the name of RUTH E. ALLEN, who lived at 229 Chestnut Street, NW, who advised her that Rev. M. L. KING of the Auburn Avenue Church, who was a Southern negro, had been in Detroit at the time of the race riot in that city, and that he was circulating stories to the effect that white people had taken a negro baby away from a negro woman and killed the woman and threatened to kill the baby, and other stories of atrocities."

X 65-102-138. Report by SA S. D. DURFEE, Atlanta, dated 1/17/42 entitled HARDY LEE SCOTT, Espionage-C. Instant report reflects that on 11/24/41 AT-85 gave SA DURFEE a list of names in which letters were mailed out to these people asking them to sign the petition to Roosevelt to free Earl Browder. The name Rev. M. L. KING, 501 Auburn Ave., NE, appeared on the list.

X 65-102-1A28. Is above list of names and copies of letters mailed to individuals.

CC: 100-5586 ✓

jbh. [✓]

100-5586-1

SEARCHED [✓]	INDEXED [✓]
SERIALIZED [✓]	FILED [✓]
JAN 6 1956	
FBI - ATLANTA	
Miller	At

MARTIN LUTHER KING, Jr. & Sr. (continued.)

100-301-262 page #11. Report by SA MILTON R. KAACK, New Orleans, dated 5/12/55 entitled SOUTHERN CONFERENCE EDUCATIONAL FUND, INC., IS-C. Instant report reflects in part the following information:

"The January 1955 issue of 'The Southern Patriot' on page 1, columns 2 and 3, under the heading, 'SOUTHWIDE CONFERENCE ON INTEGRATION PLANNED' reported that a committee from twelve Southern states met recently in Atlanta, Ga., to plan for a Southwide conference on compliance with the Supreme Court decision on segregation in public schools. The article states that the following persons attended the conference:

"GEORGIA

"Rev. M. L. KING, SR., pastor, Ebenezer Bapt. Church, Atlanta," etal.

x 100-873-32 page #23. Report by SA MARCUS B. CALHOUN, Atlanta, dated 8/20/42 entitled CP, USA, DISTRICT SEVENTEEN, ATLANTA FIELD DIVISION, IS-R. Instant report reflects in part the following information:

"KNOWN NEGRO COMMUNIST SYMPATHIZERS IN CITY OF ATLANTA

"MARTIN LUTHER KING. KING is the subject of Atlanta file 100-2162, entitled MARTIN LUTHER KING, IS-C. A review of this file indicates that KING resides at 501 Auburn Ave., NE, Atlanta, and is the pastor of the Ebenezer Baptist Church of Atlanta. He was born in Henry County, Ga., on December 19, 1899."

100-1352-90. Clipping from THE ATLANTA WORLD, April 9, 1950 captioned, MORRIS ABRAM NAACP SPEAKER TUESDAY NIGHT. Clipping reflects in part the following information:

! "Attorney MORRIS ABRAM Counsel in the suit against the Georgia County Unit System will be the principal speaker at the April Branch meeting of the Atlanta Branch, NAACP Tuesday night at Big Bethel AME Church, Rev. Dwight V. Kyle, pastor. The Executive Committee of the Branch will meet in the same place at 6:00 P.M.

"Delegates to the recent Southeastern Regional Conference of the organization, which was held in Chatt., Tenn. Mar. 17-19 makes their reports. Rev. M. L. KING, chairman of the Citizens Committee on Equalization of Teachers' Salary, will also be invited to speak."

DATED Sept. 17, 1950,

100-1352-100. Clipping from THE ATLANTA DAILY WORLD entitled NAACP LEADERS TO CONFER WITH ATTORNEY CARTER. Instant clipping reflects the following information:

~~XXXXXXXXXX~~

"Robert L. Carter of New York City, Assistant Special Counsel of the National Association for the Advancement of Colored People, will meet with the Education and Legal Redress Committee of the Atlanta Branch today at 5:00 PM in the West Mitchell C.M.E. Church. Rev. L. C. Jones, pastor. Attorney A. T. Walden, chairman, Legal Redress Committee and Dr. B. E. Mays of Morehouse College, heads the Education Committee of the Local branch. Other members of the committees include:

"EDUCATION: Rev. M. L. KING," etal.

100-1352-109. Clipping from THE ATLANTA DAILY WORLD, dated January 2, 1951, entitled NAACP RECEIVES OVER \$3,200 IN BIG GIFTS HERE. Instant clipping reflect the following information:

"Preparatory to Dr. B. E. MAYS' appeal for contributions to the NAACP's Advanced Big Gifts, J. B. Blayton, Pres. of Blayton's Accounting Firm, gave a summary of last year's receipts and expenditure, embracing the period Nov. 28, 1949 through November 30, 1950. Within that period a total of \$17,000 was received. Of that amount \$16,980.36 was spent for all purposes, leaving a balance for all purposes of \$519.55.

"Below are names and amounts contributed in Monday's appeal, including \$100, \$50, \$40, \$25 and \$10 contributors. Quite a number of \$5 and below contributions were made but we list here only \$10 contributors and up:

"\$50 CONTRIBUTORS

"DR. M. L. KING," etal.

100-2366-743. Clipping from ATLANTA DAILY WORLD, dated March 16, 1947 entitled ATLANTA NAACP YOUTH MAP PLANS. Instant clipping reflects in part the following information:

"At a reorganization meeting on Wednesday night, March 12, on Morehouse College campus, the Atlanta NAACP Youth Council elected the following officers: M. L. KING, Jr., chairman of Membership Committee and Howard Everett, chairman of Press and Publicity Committee."

100-2366-829. Clipping from ATLANTA DAILY WORLD, dated Sept. 4, 1947, entitled KING HEADS EASTSIDE POLITICAL LEAGUE; WESTSIDE MEETS TONIGHT. Instant clipping reflects the following information:

"A new organization entered the fight to get ~~XXXXXX~~ 40,000 Negro citizens on the election rolls Tuesday, when the Eastside Civic and Political League was organized at the Ebenezer Baptist Church, pastored by Rev. M. L. KING.

MARTIN LUTHER KING, Jr. & Sr. (continued.)

"John Wesley Dobbs Presided over the meeting, which was the forerunner to similar gatherings to be held in strategic community areas all over Atlanta.

"The group elected Rev. M. L. KING, president.

"Short speeches were made by Mr. DOBBS, Mr. W. W. ROURK, Rev. M. L. KING, and C. A. SCOTT, editor of the Atlanta Daily World."

X 100-873A-7. Memo for the file 100-873A, from SA S. D. DURFEE, entitled COMMUNIST ACTIVITIES IN THE ATLANTA FIELD DIVISION, IS(R). Page 7 of instant memo reflects that VERA SCOTT gave the following names to AT-85 as members of the CP:

"Rev. M. L. KING, Ebenezer Baptist Church on Auburn Avenue," etal.

X 100-392-7. Report by SA S. DONALD DURFEE, Atlanta, dated 8/7/41 entitled WHITMAN DAY alias John Day, IS-R. Instant report reflects in part the following information:

"The following information is being taken from the report of SA T. B. WHITE, Jr., Atlanta, Ga., dated 10/18/40 in Atlanta file 65-102 entitled 'HARDY LEE SCOTT, was., etal; Espionage, C.' Conf. Inf. M-1, whose identity has been made known to the Bureau by a previous letter, contacted this office and advised that he had received a list of the following named persons from a negro JOHN DAY: JOHN D. LEE, Rev. M. L. KING, etal. Photostatic copies of this list were made and are being included in the Atlanta file. On the reverse side of this list of names there was noted a letter written July 16, 1940, directed to 'Dear John', and signed 'Charlie'. Informant M-1 advised that it was his belief that JOHN was JOHN DAY, a known Communist leader among the negroes, and that CHARLIE was believed to be HARDY SCOTT, who used the name CHARLIE as a Communist name. The last paragraph in this letter is of interest to the Bureau and is therefore being set out: 'Don't worry, don't get excited, don't get anxious. Keep cool, calm, and collected. Don't let rumors disturb you. Remember there is no fortress that the people cannot take provided they are properly led, properly equipped, and properly organized when they struggle on their own grounds, etc. This is your job: to see that things go properly. We never die out. The people go on forever. To the people belong the victory!'"

Above confidential informant M-1 is identified as being MACEO BLACKSHEAR.
(For authorization see 65-102-36.)

100-5267-2. Clipping from THE ATLANTA DAILY WORLD, dated 1/10/45 entitled LEAGUE OFFICERS ARE RE-ELECTED. Clipping reflects the following information:

"JOHN WESLEY DOBBS, Prince Hall Masonic Grand Master, was reelected president of the Atlanta Civic and Political League, Tuesday night at the January session held in the Masonic Temple, and named as vice-presidents to serve with him for the ensuing year were Rev. M. L. KING, pastor of the Ebenezer

MARTIN LUTHER KING, Jr. & Sr. (continued.)

Baptist Church, first vice, and C. A. SCOTT, editor and manager of the Atlanta Daily WORLD, second vice both who were renamed to the post."

100-4082-51. Clipping from THE ATLANTA DAILY WORLD, Wednesday, Dec. 8, 1948, captioned, INTERRACIAL UNIT MEETS DEC. 17. Instant clipping reflects the following information:

"The Fulton County Interracial Committee will hold its annual meeting on the work of the committee. Speakers will be DR. NAT LONG, Southern Regional Council; Dr. George Mitchell, Southern Regional Council, Dr. R. L. Russell, Georgia Interracial Committee; Mrs. W. B. Suddeth, Atlanta Council of Church Women; Mrs. Marion Taylor, YMCA and Dr. M. L. KING, pastor of Ebenezer Baptist Church."

61-566-222. Clipping from THE ATLANTA DAILY WORLD, SUNDAY, December 19, 1948 captioned, INTERRACIAL GROUP ASKS FOR MEASURES UNMASKING KLAN. Clipping reflects the following information:

"The Georgia Interracial Committee in its Friday's meeting called for city, county and state legislation to unmask the Ku Klux Klan. In addition, the organization denounced the proposed attempt by state legislators to disfranchise the Negro voter in the democratic primary.

"Among those in attendance at the meeting were Dr. R. L. RUSSELL, president of the organization; C. L. HARPER, president of the local branch NAACP; C. A. SCOTT, of the Atlanta World; Mrs. M. E. TILLY, a member of President Truman's Civil Rights committee; JOHN WESLEY DOBBS; Grand Master of the Prince Hall Masons of Georgia; Warren R. Cochrane, Executive Secretary of the Butler St., YMCA; Rev. M. L. KING, pastor of Ebenezer Baptist church; and Rev. WILLIAM HOLMES BORDERS, pastor of Wheat Street Baptist church."

X 100-2989-56 page #13.

X 100-2366-743

DATE January 6, 1956

ALIASES M. L. King, Martin King, Martin L. King, M. King.

ADDRESS Born 12/19/1899

DATE & PLACE OF BIRTH Negro

☐ Exact Spelling
☐ All References
☐ Subversive References
☐ Main File
☐ Restricted to Locality of

Jr - Born age 27 in 1956

FILE & SERIAL NO.	REMARKS	FILE & SERIAL NO.	REMARKS
100-55867 (Gr.)			
100-2162* (Sr.)			

44-50-6 (Memo to the File from SA Alfred I. Means, dated 8/3/43, entitled AGITATION
AMONG NEGROES IN THE ATLANTA FIELD DIVISION.)

65-102-138 page #10. (Rep. by SA S. D. DURFEE, Atlanta, dated 1/17/42 entitled HARDY LEE SCOTT, ESPIONAGE-C.)

100-301-262 page #11 (Rep. by SA MILTON R. KAACK, New Orleans, dated 5/12/55
entitled SOUTHERN CONFERENCE EDUCATIONAL FUND, INC., IS-C.)

100-873-32 page #23. (Rep. by SA MARCUS B. CALHOUN, Atlanta, dated 8/20/42,
entitled CP. USA, DISTRICT SEVENTEEN, ATLANTA FD. IS-R.)

100-1352-90. (Clipping from the ATLANTA WORLD, dated April 9, 1950 captioned MORRIS ABRAM NAACP SPEAKER TUESDAY NIGHT.)

100-1352-100. (Clipping from the ATLANTA DAILY WORLD, dated Sept. 17, 1950, captioned
NAACP LEADERS TO CONFER WITH ATTORNEY CARTER.)

100-1352-109. (Clipping from the ATLANTA DAILY WORLD, dated Jan 2, 1951, captioned
NAACP RECEIVES OVER \$3,200 IN BIG GIFTS HERE.)

KMOH2866-258XXXXXXMEASXTSKXHXEXFIEIXTFEXXIXXXXRCSXBXXCALNOUNXXMAKKAXX/K/MHXERX
XXEEXFOREIGNXINXKXREXXAGIATIONXXMONEXTHEXXAMTXCANXXGEROEXKXTHE
ATLANTAAXELDIVISIONXISX

XK0C-7866E-7U XXXXX(KXXXXXXX)FWXAXIANTA DAILY WORLD, dsted March 16, 1947 cxxxxxxcmx
KKKKXTX XNNG CFX XXTHXXAB PLANS IX

100-2366-829. (Clipping from the ATLANTA DAILY WORLD, dated Sept. 4, 1947 captioned
KING HEADS EASTSIDE POLITICAL LEAGUE; WESTSIDE MEETS TONIGHT.)

100-873A-7. (Memo for file #100-873A from SA S. D. DURFEE, entitled COMMUNIST ACTIVITIES IN THE ATLANTA FD, IS-R., dated Sept 9, 1941.)

Searched by Jean B. Flannery
Clerk Agent

References Reviewed by

(continued on second page.)

Squad

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 6 1956	
FBI - BIL	

INDICES SEARCH SLIP

TO CHIEF CLERK:

DATE _____

SUBJECT MARTIN LUTHER KING (continued.)

ALIASES _____

ADDRESS _____

DATE & PLACE OF BIRTH _____

☐ Exact Spelling☐ All References☐ Subversive References☐ Main File☐ Restricted to Locality of _____

FILE & SERIAL NO.

REMARKS

FILE & SERIAL NO.

REMARKS

100-392-7 (Rep. SA S. DONALD DUFFEE, Atlanta, dated 8/7/41, entitled WHITMAN DAY,
wa. John Day, IS-R.)

100-5267-2. (Clipping from the ATLANTA DAILY WORLD, Atlanta, Ga., dated 1/10/45,
entitled LEAGUE OFFICERS ARE RE-ELECTED.)

100-4082-51. (Clipping from the ATLANTA DAILY WORLD, Wednesday, December 8, 1948,
entitled INTERRACIAL UNIT MEETS Dec. 17.)

61-566-222. (Clipping from the ATLANTA DAILY WORLD, Sunday, December 19, 1948,
entitled INTERRACIAL GROUP ASKS FOR MEASURES UNMASKING KLAN.)

100-2989-56. (A Brief Statement on the History and Aims of The Southern Regional
Council October, 1955, entitled THE ATTACK ON THE SOUTHERN REGIONAL
page #13. COUNCIL AND THE GEORGIA COMMITTEE ON INTERRACIAL OPERATION.)

X 100-2366-743 (ju.)

Searched by _____

Clerk

Agent

Squad

References Reviewed by _____

King Named President

New Rights Group Launched in Dixie!

By TREZZ ANDERSON

MONTGOMERY, Ala.—Climaxed by a mass meeting attended by over 2,000 persons, the Southern Christian Leadership Conference was officially launched here with Dr. Martin L. King Jr. as president.

Registration lists compiled by hostesses Helen Goldston and Mentha Johnson listed persons registered from 12 states and the District of Columbia, in answer to the call of the Southern Leadership Conference formed last year at New Orleans.

THREE LABOR leaders, a New York woman and the Rev. Russell Roberts, Atlantic City, N. J. preacher, were guests of the meeting.

The labor leaders were: Theodore Brown, AFL-CIO, Washington, D. C.; Chris Hayes, United Packinghouse Workers, and Russell R. Lashley, international vice president of the UPW, both of Chicago, and Ella J. Baker of New York City, of the In Fellowship organization.

Purpose of the conference is to organize a Southwide register-and-vote campaign among Negroes, Dr. King explained. A national office will be set up in Atlanta, Ga. to coordinate the programs of the conference, Dr. King said. This office will have a full-time director, two assistants and a secretary. It is expected to be in operation before the end of this year.

Funds for the new organization will come from church contributions, trade unions, foundations and other areas, Dr. King said at a press conference following the organization meeting.

THE VOTING GOALS will be sought for the 1958 and 1960 elections, Dr. King said. The organization will also put on a public relations program to educate the

Negro public, and conduct voting clinics around the South.

No date was set for the next meeting, but it will be held in Memphis, Tenn., Dr. King announced.

Officers of the Conference are: Dr. King, president; Rev. C. K. Steele, Tallahassee, first vice president; Rev. A. L. Davis, New Orleans, second vice president; Rev. Samuel W. Williams, Atlanta, third vice president; Rev. Theodore J. Jemison, Baton Rouge, secretary; Rev. F. L. Shuttlesworth, Birmingham, corresponding secretary; Medgar Evers, Jackson, Miss., assistant secretary; Rev. Ralph D. Abernathy, Montgomery, treasurer; Dr. Lawrence Reddick, Montgomery, historian; Rev. Kelley Miller Smith, Nashville, chaplain; Atty. Louis Berry, parliamentarian.

The Conference adopted three resolutions. One called for a strong civil rights bill and decried intimidations of Negroes in the South. Another deplored the "gestapo-type suppression of the Tuskegee Civic Association," and urged "more adequate federal protection for citizens in the pursuit of their fundamental rights."

*Ross
Wichman
Chambers
King*

Pittsburgh, Pa.

PRESS

SUN-TELEGRAPH

POST-GAZETTE

COURIER

Date 8-17-57

Edition New York

Page 2

Column 445

Author of Article

Trezz Anderson
Editor (on editorials)

Title of case

SEP 9 1957

Miller

F B I

Date: 7/31/75

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

TO: DIRECTOR, FBI (62-116395)
ATTN: INTD, (W. O. CREGAR), and *551*
Legal Counsel Division
FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

ON JULY 30, 1975, THEODORE A. KING, DIRECTOR OF SECURITY, SOUTHERN BELL TELEPHONE COMPANY, ATLANTA, GA., ADVISED THAT SOMETIME AFTER THE INTERVIEW OF JERRY D. ROSEBURY ^{ERRY} BY SSC STAFF MEMBER MICHAEL EPSTEIN IN ATLANTA ON OR ABOUT JULY 14, 1975, EPSTEIN SUBMITTED A LIST OF INTERROGATORIES TO THE LEGAL DEPARTMENT OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY IN NEW YORK REQUESTING ANSWERS FROM THEODORE KING REGARDING CERTAIN INFORMATION FURNISHED BY ROSEBURY ^{ERRY} REGARDING SOUTHERN BELL TELEPHONE COMPANY POLICY.

KING EXPLAINED THE LIST OF QUESTIONS WAS SENT FROM AT&T IN NEW YORK TO KING AT THE SBT COMPANY IN ATLANTA WHERE KING ANSWERED THESE QUESTIONS WITH THE AID OF SOUTHERN BELL ATTORNEYS AND RETURNED THEM TO AT&T LEGAL DEPT. IN NEW YORK, WHO TRANSMITTED THEM TO EPSTEIN IN WASHINGTON, D.C.

SINCE THAT TIME EPSTEIN RECONTACTED AT&T IN NEW YORK

CTH:prl
(1)Approved: *[Signature]*

Special Agent in Charge

Sent *8:26* M Per *[Signature]*

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

F B I

Date:

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

AT 62-2854

PAGE TWO

REQUESTING THEODORE KING BE MADE AVAILABLE TO ANSWER QUESTIONS IN WASHINGTON, D. C. AND AT&T HAS AGREED TO MAKE KING AVAILABLE IN WASHINGTON ON AUGUST 7, 1975. KING DOES NOT KNOW WHETHER HE WILL BE EXPECTED TO TESTIFY BEFORE THE COMMITTEE OR BE QUESTIONED UNDER OATH. THE TELEPHONE COMPANY HAS OFFERED HIM LEGAL COUNSEL IF HE SO DESIRED AND HE IS UNDECIDED AT THE PRESENT TIME AS TO WHETHER HE WILL SEEK THEIR COUNSEL.

KING STATED HE INTENDS TO CONTACT THE ~~OFFICE OF~~
~~THE~~ LEGAL COUNSEL ^{Division} AT FBIHQ ON AUGUST 1, 1975, FOR THE PURPOSE OF ADVISING THEM OF THE ABOVE. ~~AND SEEKING ANY GUIDANCE.~~

He understands that if he is to be interviewed as an Ex Agent LCD will make some one available to him for consultation purposes; ~~however, he is~~ King does not know the intention regarding the pending interview but will attempt to resolve prior to contacting LCD
8-1-75.

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

NR011 AT CODE

8:26 PM NITEL JULY 31, 1975 SCP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

ATTN: LEGAL COUNSEL DIVISION AND INTD, (J. O. OREGAR)

RE: STUDY 75

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SINCE THAT TIME EPSTEIN RECONTACTED AT&T IN NEW YORK REQUESTING THEODORE KING MADE AVAILABLE TO ANSWER QUESTIONS IN WASHINGTON, D.C.

62-2854-29

PAGE TWO AT 62-2854

AID AT&T HAS AGREED TO MAKE KING AVAILABLE IN WASHINGTON ON AUGUST 7, 1975. KING DOES NOT KNOW WHETHER HE WILL BE EXPECTED TO TESTIFY BEFORE THE COMMITTEE OR BE QUESTIONED UNDER OATH. THE TELEPHONE COMPANY HAS OFFERED HIM LEGAL COUNSEL IF HE SO DESIRED AND HE IS UNDECIDED AT THE PRESENT TIME AS TO WHETHER HE WILL SEEK THEIR COUNSEL.

KING STATED HE INTENDS TO CONTACT THE LEGAL COUNSEL DIVISION AT FBIHQ ON AUGUST 1, 1975, FOR THE PURPOSE OF ADVISING THEM OF THE ABOVE. HE UNDERSTANDS THAT IF HE IS TO BE INTERVIEWED AS AN EX-AGENT LCD WILL MAKE SOME ONE AVAILABLE TO HIM FOR CONSULTATION PURPOSES. KING DOES NOT KNOW THE INTENTION REGARDING THE PENDING INTERVIEW BUT WILL ATTEMPT TO RESOLVE PRIOR TO CONTACTING LCD AUGUST 1, 1975.

E E D

SJP FBIHQ ACK FOR TWO

NR011 AT CODE

8:26 PM NITEL JULY 31, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

ATTN: LEGAL COUNSEL DIVISION AND INTD, W. O. CREGAR)

SENSTUDY 75

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PAGE TWO AT 62-2854

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E N D

SJP FBIHQ ACK FOR TWO

NR011 AT CODE

8:26 PM NITEL JULY 31, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

ATTN: LEGAL COUNSEL DIVISION AND INTD, (W. O. CREGAR)

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SINCE THAT TIME EPSTEIN RECONTACTED AT&T IN NEW YORK REQUESTING THEODORE KING MADE AVAILABLE TO ANSWER QUESTIONS IN WASHINGTON, D.C.

SEARCHED *ml*
SERIALIZED *ml*
INDEXED *ml*
FILED *ml*

62-2854-29

PAGE TWO AT 62-2834

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E N D

SJP FBIHQ ACK FOR TWO

9

F B I

Date: 8/11/75

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

TO: DIRECTOR, FBI (62-116395) *Agf*
 FROM: SAC, ATLANTA (62-2854)
 ATTN: LEGAL COUNSEL DIVISION AND INTD, (W. O. CREGAR)
 SENSTUDY '75

ON AUGUST 11, 1975, THEODORE A. KING, DIRECTOR OF
 SECURITY, SOUTHERN BELL TELEPHONE COMPANY, ATLANTA, GEORGIA, *AND* *HER*
FBI AGENT, ADVISED HE WAS INTERVIEWED BY SSC STAFF MEMBER MICHAEL EPSTEIN
 IN THE EVERETT DIRKSEN OFFICE BUILDING IN WASHINGTON, D. C.,
 ON AUGUST 7, 1975, BETWEEN 10:00 AM AND 10:45 AM, AT WHICH
 TIME THE FOLLOWING TRANSPIRED:

AT THE BEGINNING OF THE INTERVIEW, WHICH WAS NOT UNDER
 OATH, KING WAS FURNISHED A FORM WARNING HIM OF HIS RIGHTS,
 WHICH HE SIGNED. EPSTEIN WAS THE ONLY OTHER INDIVIDUAL PRESENT
 DURING THE INTERVIEW. EPSTEIN STATED THE INTERVIEW CONCERNED
 THE ACTIVITIES OF MARTIN LUTHER KING, JR. AND THE SOUTHERN
 CHRISTIAN LEADERSHIP CONFERENCE (SCLC) DURING THE EARLY 1960'S.
 EPSTEIN ASKED THE NAME OF THE EMPLOYEE IN THE TELEPHONE COMPANY
 WHO WAS THE CONTACT WITH THE FBI IN THE 1960'S AND KING
 ADVISED IT WAS CHARLES EBERHART. KING EXPLAINED HE TOOK

END PAGE ONE

1 - Atlanta
 CTH:pab

Approved: *[Signature]*Sent *555* M Per *558*

Special Agent in Charge

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

F B I

Date:

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

AT 62-2854, PAGE TWO

OVER THE SECURITY DIVISION OF THE SOUTHERN BELL TELEPHONE COMPANY IN 1961, AND HE HANDLED THE CONTACTS WITH THE FBI AFTER THAT TIME. KING STATED THAT ALDEN MILLER WAS THE CONTACT MAN ^{AT} ~~WITH~~ THE FBI AT THE TIME.

KING WAS ASKED IF HE PROVIDED ASSISTANCE TO THE FBI ON NATIONAL SECURITY INFORMATION AT ANY TIME AND HE STATED HE DID NOT RECALL.

KING WAS ASKED IF THE SOUTHERN BELL TELEPHONE COMPANY PROVIDED ANY LEASED CABLE OR LEASED LINE TO THE FBI AT ANY TIME AND KING STATED HE DID NOT RECALL. KING STATED HE HAD SEVERAL CONVERSATIONS WITH FBI INDIVIDUALS REGARDING THE PROCEDURE FOR OBTAINING LEASED LINES AND HE ADVISED THEM TO FOLLOW THE NORMAL CHANNELS THROUGH THE COMPANY TO MAKE APPLICATION FOR LEASED LINES THE SAME AS ANY OTHER CUSTOMER.

KING WAS ASKED IF ANY OTHER AGENT MIGHT HAVE HAD CONTACT WITH THE TELEPHONE COMPANY IN CONNECTION WITH OBTAINING LEASED LINES AND HE STATED IT WAS ENTIRELY POSSIBLE.

KING WAS ASKED IF HE COULD RECALL ANY LEASED LINES BEING OBTAINED UNDER FICTITIOUS NAMES AND HE ADVISED HE KNEW OF NONE.

END PAGE TWO

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

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

F B I

Date:

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

AT 62-2854, PAGE THREE

KING WAS ASKED IF HE WAS EVER GIVEN ANY NAMES OR NUMBERS TO FURNISH INFORMATION REGARDING, AND HE STATED THAT HE DID NOT RECALL. HE WAS ASKED IF HE EVER RECEIVED ANY REQUEST IN WRITING REGARDING SUCH AND HE STATED HE KNEW OF NONE.

KING WAS ASKED IF HE ASSISTED IN ANY WAY IN FURNISHING INFORMATION ABOUT THE TELEPHONE SERVICE OF MARTIN LUTHER KING, JR. OR THE SCLC AND HE ADVISED HE COULD NOT RECALL.

KING WAS ASKED IF HE KNEW MARTIN LUTHER KING, JR. OR THE SCLC WAS UNDER INVESTIGATION AT THE TIME, AND HE STATED HE DID NOT KNOW IT FOR A FACT.

KING WAS ASKED IF THE SOUTHERN BELL TELEPHONE COMPANY HAD ANY WRITTEN POLICY ABOUT GIVING OUT INFORMATION AT THE TIME AND HE REPLIED THERE WAS NO WRITTEN POLICY UNTIL AFTER 1968, WHICH STATED IN SUBSTANCE THAT NO INFORMATION WOULD BE GIVEN OUT WITHOUT A SUBPOENA.

END

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

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

NR009 AT CODE

5:55 PM NITEL AUGUST 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

ATTN: LEGAL COUNSEL DIVISION AND INTD, (W.O. CREGAR)

SENSTUDY '75

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SEARCHED

SERIALIZED *ml*

INDEXED

FILED *ml*

62-2854-30

PAGE TWO AT 62-2854

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KING WAS ASKED IF HE WAS EVER GIVEN ANY NAMES OR NUMBERS TO FURNISH INFORMATION REGARDING, AND HE STATED THAT HE DID NOT RECALL. HE WAS ASKED IF HE EVER RECEIVED ANY REQUEST IN WRITING REGARDING SUCH AND HE STATED HE KNEW OF NONE.

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PAGE THREE AT 62-2854

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E N D

QWKEO1974:BLI ZCDVQXIRIT

WA DE AT PLS ACK AGAIN ALL I GOT WAD WAS GABBLE

SJP FBING CLR

NR009 AT CODE

5:55 PM NITEL AUGUST 11, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

ATTN: LEGAL COUNSEL DIVISION AND INID, (J.O. CREGAR)

SENSTUDY '75

ON AUGUST 11, 1975, THEODORE A. KING, DIRECTOR OF SECURITY, SOUTHERN BELL TELEPHONE COMPANY, ATLANTA, GEORGIA, AND FORMER FBI AGENT, ADVISED HE WAS INTERVIEWED BY SSC STAFF MEMBER MICHAEL EPSTEIN IN THE EVERETT DIRKSEN OFFICE BUILDING IN WASHINGTON, D.C., ON AUGUST 7, 1975, BETWEEN 10:00 AM AND 10:45 AM, AT WHICH TIME THE FOLLOWING TRANSPIRED:

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PAGE TWO AT 62-2854

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PAGE THREE AT 62-2854

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E N D

QHEEDCSTFULT ZCDVGXIRIT

WA DE AT PLS ACK AGAIN ALL I GOT WAD WAS GARELE

SJP FBING CLR

NR035 WA CODE

7:14PM URGENT 8/14/75 VLJ

TO ATLANTA

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SE"STUDY 75

NEW YORK OFFICE HAS ADVISED THAT FORMER SA JOHN G. WILLIS WAS RECENTLY CONTACTED BY SENATE SELECT COMMITTEE (SSC) STAFF MEMBER PATRICK SHEA WHO INTERVIEWED HIM RELATIVE TO HIS KNOWLEDGE OF FORMER BUREAU SOURCE SAM JAFFE WHO ALLEGEDLY HAS BEEN IN CONTACT WITH SSC. JAFFE ALLEGEDLY ADVISED SSC THAT HE FORMERLY ENJOYED A PLEASANT RELATIONSHIP WITH FORMER SA WILLIS AND FORMER SA EDWARD F. GAMBER WITH REGARD TO SOVIET INTELLIGENCE MATTERS. JAFFE ALLEGEDLY STATED TO SSC THAT BUREAU PERSONNEL BECAME COOL TOWARD HIM IN APPROXIMATELY 1966-1968 AFTER JAFFE RETURNED FROM HONG KONG AND THAT SINCE THAT TIME JAFFE HAS BEEN UNABLE TO HOLD A JOB AND BELIEVES THAT THE FBI IS BEING VINDICTIVE TOWARD HIM AND IS DEPRIVING HIM OF A MEANS OF MAKING A LIVELIHOOD.

FORMER SA WILLIS ADVISED THAT HE TOLD SHEA THAT HE KNEW NOTHING OF THE FBI'S ATTITUDE TOWARD JAFFE AFTER 1964.

8/14
ASAC advised
ums

Thombs advised
by ASAC 8/15/75
see DT
8/15/75

62-2854-31

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 14 1975	
FBI-ATLANTA	

SAC [initials]

PAGE TWO

SINCE HE RETIRED FROM THE BUREAU THAT YEAR. SHEA INDICATED TO WILLIS THAT HE HAD NOT YET TALKED TO FORMER SA GAMBER BUT MAY INTERVIEW HIM IN THE FUTURE.

FORMER SA GAMBER IS CURRENTLY EMPLOYED BY THE WELLS FARGO ARMORED CAR DIVISION AND RESIDES IN THE ATLANTA AREA.

YOU SHOULD IMMEDIATELY ATTEMPT TO CONTACT GAMBER AND ALERT HIM THAT HE MAY BE APPROACHED FOR INTERVIEW BY SSC STAFF. HE SHOULD BE ADVISED THAT IN THE EVENT HE IS INTERVIEWED AND, DURING THE COURSE OF THE INTERVIEW, QUESTIONS ARE ASKED WHICH RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS, TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), HE MAY REQUEST AN FBI AGENT TO BE AVAILABLE FOR CONSULTATION. BUREAU WILL PROVIDE AGENT IF REQUESTED. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING HIS 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

PAGE THREE

COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACT WITH FORMER SA GAMBER SHOULD BE HANDLED PERSONALLY BY SAC OR ASAC, OR IF THIS IS NOT FEASIBLE BY A SENIOR SPECIAL AGENT OF YOUR OFFICE.

SUTEL RESULTS OF CONTACT WITH GAMBER AS SOON AS POSSIBLE IN ABOVE CAPTION. IF HE IS NO LONGER LOCATED IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO RESPONSIBLE OFFICE WITH COPY TO BUREAU.

END

ACK FOR THREE TELS

SSP FBI ATLANTA

TKS/CLR

NR035 WA CODE

7:14PM URGENT 8/14/75 VLJ

TO ATLANTA

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

NEW YORK OFFICE HAS ADVISED THAT FORMER SA JOHN G. WILLIS WAS RECENTLY CONTACTED BY SENATE SELECT COMMITTEE (SSC) STAFF MEMBER PATRICK SHEA WHO INTERVIEWED HIM RELATIVE TO HIS KNOWLEDGE OF FORMER BUREAU SOURCE SAM JAFFE WHO ALLEGEDLY HAS BEEN IN CONTACT WITH SSC. JAFFE ALLEGEDLY ADVISED SSC THAT HE FORMERLY ENJOYED A PLEASANT RELATIONSHIP WITH FORMER SA WILLIS AND FORMER SA EDWARD F. GAMBER WITH REGARD TO SOVIET INTELLIGENCE MATTERS. JAFFE ALLEGEDLY STATED TO SSC THAT BUREAU PERSONNEL BECAME COOL TOWARD HIM IN APPROXIMATELY 1966-1968 AFTER JAFFE RETURNED FROM HONG KONG AND THAT SINCE THAT TIME JAFFE HAS BEEN UNABLE TO HOLD A JOB AND BELIEVES THAT THE FBI IS BEING VINDICTIVE TOWARD HIM AND IS DEPRIVING HIM OF A MEANS OF MAKING A LIVELIHOOD.

FORMER SA WILLIS ADVISED THAT HE TOLD SHEA THAT HE KNEW NOTHING OF THE FBI'S ATTITUDE TOWARD JAFFE AFTER 1964,

62-2854-31

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 14 1975	
FBI - ATLANTA	

PAGE TWO

SINCE HE RETIRED FROM THE BUREAU THAT YEAR. SHEA INDICATED TO WILLIS THAT HE HAD NOT YET TALKED TO FORMER SA GAMBER BUT MAY INTERVIEW HIM IN THE FUTURE.

FORMER SA GAMBER IS CURRENTLY EMPLOYED BY THE WELLS FARGO ARMORED CAR DIVISION AND RESIDES IN THE ATLANTA AREA. YOU SHOULD IMMEDIATELY ATTEMPT TO CONTACT GAMBER AND ALERT HIM THAT HE MAY BE APPROACHED FOR INTERVIEW BY SSC STAFF. HE SHOULD BE ADVISED THAT IN THE EVENT HE IS INTERVIEWED AND, DURING THE COURSE OF THE INTERVIEW, QUESTIONS ARE ASKED WHICH RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS, TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), HE MAY REQUEST AN FBI AGENT TO BE AVAILABLE FOR CONSULTATION. BUREAU WILL PROVIDE AGENT IF REQUESTED. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING HIS 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

PAGE THREE

COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACT WITH FORMER SA GAMBER SHOULD BE HANDLED PERSONALLY BY SAC OR ASAC, OR IF THIS IS NOT FEASIBLE BY A SENIOR SPECIAL AGENT OF YOUR OFFICE.

SUTEL RESULTS OF CONTACT WITH GAMBER AS SOON AS POSSIBLE IN ABOVE CAPTION. IF HE IS NO LONGER LOCATED IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO RESPONSIBLE OFFICE WITH COPY TO BUREAU.

END

ACK FOR THREE TELS

SSP FBI ATLANTA

TKS/CLR

NR035 WA CODE

7:14PM URGENT 8/14/75 VLJ

TO ATLANTA

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

STUDY 75

NEW YORK OFFICE HAS ADVISED THAT FORMER SA JOHN G. WILLIS WAS RECENTLY CONTACTED BY SENATE SELECT COMMITTEE (SSC) STAFF MEMBER PATRICK SHEA WHO INTERVIEWED HIM RELATIVE TO HIS KNOWLEDGE OF FORMER BUREAU SOURCE SAM JAFFE WHO ALLEGEDLY HAS BEEN IN CONTACT WITH SSC. JAFFE ALLEGEDLY ADVISED SSC THAT HE FORMERLY ENJOYED A PLEASANT RELATIONSHIP WITH FORMER SA WILLIS AND FORMER SA EDWARD F. GANDER WITH REGARD TO SOVIET INTELLIGENCE MATTERS. JAFFE ALLEGEDLY STATED TO SSC THAT BUREAU PERSONNEL BECAME COOL TOWARD HIM IN APPROXIMATELY 1966-1968 AFTER JAFFE RETURNED FROM HONG KONG AND THAT SINCE THAT TIME JAFFE HAS BEEN UNABLE TO HOLD A JOB AND BELIEVES THAT THE FBI IS BEING VINDICTIVE TOWARD HIM AND IS DEPRIVING HIM OF A MEANS OF MAKING A LIVELIHOOD.

FORMER SA WILLIS ADVISED THAT HE TOLD SHEA THAT HE KNEW NOTHING OF THE FBI'S ATTITUDE TOWARD JAFFE AFTER 1964,

62-116395-100
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Jaff

PAGE TWO

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FORMER SA GAMBER IS CURRENTLY EMPLOYED BY THE WELLS FARGO ARMORED CAR DIVISION AND RESIDES IN THE ATLANTA AREA. YOU SHOULD IMMEDIATELY ATTEMPT TO CONTACT GAMBER AND ALERT HIM THAT HE MAY BE APPROACHED FOR INTERVIEW BY SSC STAFF. HE SHOULD BE ADVISED THAT IN THE EVENT HE IS INTERVIEWED AND, DURING THE COURSE OF THE INTERVIEW, QUESTIONS ARE ASKED WHICH RELATE TO SENSITIVE BUREAU OPERATIONS (SOURCES, METHODS, TECHNIQUES, THIRD AGENCY RULE AND ONGOING INVESTIGATIONS), HE MAY REQUEST AN FBI AGENT TO BE AVAILABLE FOR CONSULTATION. BUREAU WILL PROVIDE AGENT IF REQUESTED. AS A PRELUDE TO INTERVIEW, THE FORMER EMPLOYEE MAY, AFTER BEING CONTACTED BY SSC STAFF, CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT CALL FOR FULL INFORMATION TO ASSIST HIM, INCLUDING HIS 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

PAGE THREE

COOPERATIVE GESTURE AND TO SAFEGUARD SENSITIVE BUREAU INFORMATION. CONTACT WITH FORMER SA GAMBER SHOULD BE HANDLED PERSONALLY BY SAC OR ASAC, OR IF THIS IS NOT FEASIBLE BY A SENIOR SPECIAL AGENT OF YOUR OFFICE.

GUTEL RESULTS OF CONTACT WITH GAMBER AS SOON AS POSSIBLE IN ABOVE CAPTION, IF HE IS NO LONGER LOCATED IN YOUR TERRITORY OR TEMPORARILY AWAY, SET OUT LEAD TO RESPONSIBLE OFFICE WITH COPY TO BUREAU.

END

ACK FOR THREE TELS

ESP FDI ATLANTA

TKS/CLR

008

F B I

Date: 8/15/75

Transmit the following in ~~PLAINTEXT~~ CODE
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)TO: DIRECTOR, FBI (62-116395) *ATN*

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BUREAU TELETYPE TO ATLANTA, AUGUST 14, 1975.

FORMER SA EDWARD F. GAMBER, HOME ADDRESS 2861 GANT
QUARTERS DRIVE, MARIETTA, GEORGIA, 30062, WAS CONTACTED BY
ASAC THIS DATE AND ADVISED CONCERNING CAPTIONED MATTER
IN ACCORDANCE WITH REBUTEL.

END.

SEARCHED _____
SERIALIZED *up* _____
INDEXED _____
FILED *mc* _____

AT 62-2854
JO'K:mrc
(1) *mc*

62-2854-32

Approved: *[Signature]*
Special Agent in Charge

Sent *Wa* *4:15* / *P* M Per *Woj*

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

INR005 AT CODE

4:10 PM URGENT AUGUST 15, 1975 L03

TO: DIRECTOR (62-116399)

FROM: ATLANTA (62-2854)

CLUSTUDY 75

RE BUREAU TELETYPE TO ATLANTA, AUGUST 14, 1975.

FORMER SA EDWARD F. GAMBLER, HOME ADDRESS 2661 GANT
QUARTERS DRIVE, MARILITA, GEORGIA, 30066, WAS CONTACTED BY
ASAC THIS DATE AND ADVISED CONCERNING CAPTIONED MATTER
IN ACCORDANCE WITH REQUEST.

END

AJL FBINC CLR TU

SEARCHED _____
SERIALIZED my _____
INDEXED _____
FILED ef _____

62-2854-32

NR008 AT CODE

4:15 PM URGENT AUGUST 15, 1975 WCG

TO: DIRECTOR (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BUREAU TELETYPE TO ATLANTA, AUGUST 14, 1975.

FORMER SA EDWARD F. GAMBER, HOME ADDRESS 2861 GANT
QUARTERS DRIVE, MARIETTA, GEORGIA, 30062, WAS CONTACTED BY
ASAC THIS DATE AND ADVISED CONCERNING CAPTIONED MATTER
IN ACCORDANCE WITH REBUTEL.

END

AJN FBIHQ CLR TU

62-2854-3

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 12, 1975

PERSONAL ATTENTION
MEMORANDUM 35-75

MEMORANDUM TO ALL SPECIAL AGENTS IN CHARGE:

(A) INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL STAFF MEMBERS -- In accordance with a recently adopted suggestion, you are to insure that all new employees who enter on duty in your field office are fully apprised of the contents of the Memorandum to All Employees, dated May 28, 1975, dealing with captioned matter. This should be done at the time they execute the FBI Employment Agreement, FD-291, regarding the unauthorized disclosure of information.

This practice can, of course, be discontinued upon the completion of the inquiry that Congress has instituted.

Chief Clerk JAD
Chief Stern

62-2854-33

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FBI - ATLANTA	

1 May

10

F B I

Date: 8/21/75

Transmit the following in CODE
(Type in plaintext or code)Via TELETYPE URGENT
(Priority)TO: DIRECTOR, FBI (62-116395) *351*

FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

RE BUTEL TO ATLANTA, AUGUST 14, 1975, AND ATLANTA TEL
TO BUREAU, AUGUST 15, 1975.

FORMER SA EDWARD F. GAMBER, MARIETTA, GEORGIA, ADVISED
THIS DATE HE HAS BEEN CONTACTED BY PAUL WALLACH, SSC STAFF
MEMBER, WHO HAS ARRANGED AN INTERVIEW WITH GAMBER IN THE
ATLANTA AREA AT TEN A.M., SEPTEMBER 2, 1975. SA GAMBER
INTENDS TO CONTACT THE OFFICE OF LEGAL COUNSEL BY COLLECT
CALL AUGUST 22, 1975.

JO'K:rrl

(1)

SEARCHED _____
SERIALIZED *ml*
INDEXED _____
FILED *ml*

62-2854-34

Approved: *[Signature]*
Special Agent in ChargeSent *9:45* M Per *[Signature]*

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

NR010 AT CODE

9:49 PM URGENT AUGUST 21, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BUTEL TO ATLANTA, AUGUST 14, 1975, AND ATLANTA TEL TO BUREAU,
AUGUST 15, 1975.

FORMER SA EDWARD F. GAMBER, MARIETTA, GEORGIA, ADVISED THIS DATE
HE HAS BEEN CONTACTED BY PAUL WALLACH, SSC STAFF MEMBER, WHO HAS
ARRANGED AN INTERVIEW WITH GAMBER IN THE ATLANTA AREA AT TEN A.M.,
SEPTEMBER 2, 1975. SA GAMBER INTENDS TO CONTACT THE OFFICE OF LEGAL
COUNSEL BY COLLECT CALL AUGUST 22, 1975.

E " D

SJP FBIHQ CLR

SEARCHED _____
SERIALIZED *sch* _____
INDEXED _____
FILED *ml* _____

62-2854-34

NR010 AT CODE

9:45 PM URGENT AUGUST 21, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2854)

SENSTUDY 75

RE BUTEL TO ATLANTA, AUGUST 14, 1975, AND ATLANTA TEL TO BUREAU,
AUGUST 15, 1975.

FORMER SA EDWARD F. GAMBER, MARIETTA, GEORGIA, ADVISED THIS DATE
HE HAS BEEN CONTACTED BY PAUL WALLACH, SSC STAFF MEMBER, WHO HAS
ARRANGED AN INTERVIEW WITH GAMBER IN THE ATLANTA AREA AT TEN A.M.,
SEPTEMBER 2, 1975. SA GAMBER INTENDS TO CONTACT THE OFFICE OF LEGAL
COUNSEL BY COLLECT CALL AUGUST 22, 1975.

E N D

SJP FBIHQ CLR

66-2854-24



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Atlanta, Georgia
September 5, 1975

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

INTERVIEW OF FORMER FBI SPECIAL AGENT (SA)
EDWARD F. GAMBER BY SSC STAFF MEMBER

The following information was furnished voluntarily to the Atlanta Office of the Federal Bureau of Investigation by former Special Agent Edward F. Gamber, Atlanta, Georgia, concerning interview of him conducted by SSC Staff Member Paul G. Wallach on September 2, 1975:

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.

7-Bureau
①-Atlanta
JOK:rrl
(8)

uf

ul

62-2854-35

September 3, 1975
Atlanta, Georgia


On September 2, 1975, Mr. Paul G. Wallach, Counsel to the Select Committee to Study Governmental Operations with Respect to Intelligence Activities of the United States Senate arrived at my office located at 6165 Barfield Road, Atlanta, Georgia 30302, at approximately 10:10 a.m. His interview with me commenced at approximately 10:15 a.m. and lasted until approximately 10:50 a.m. This interview was not conducted under oath. Mr. Wallach did not advise me of my rights. I drove Mr. Wallach to Perimeter Mall where he caught the 11:00 a.m. bus to the Airport.

During the interview Mr. Wallach asked how long I had served in the Federal Bureau of Investigation and what areas I worked in during my FBI career. He was told that my FBI career started on March 19, 1951, and ended with my retirement on January 27, 1973. During this time I was assigned to criminal work for two years, worked in the Soviet Intelligence field for approximately 17 years, and again handled criminal work for the last three years of my Bureau career.

Wallach wanted to know if I worked with James Kehoe. I told him that for the most part Kehoe and I were on different squads, although we both worked in the Soviet Intelligence field. We did work on the same squad during the first years of our assignment to this type of work.

Wallach wanted to know if I was aware of the operation involving the mail at Kennedy Airport and at other post offices in the New York area. I told him that officially I was not aware of these operations but that in fact I knew of the operations. Wallach wanted to know if I had ever been assigned to work in a post office and my answer was "no".

Wallach then wanted to know if I was acquainted with Sam Jaffee. After my affirmative answer he wanted to know how I met him, why I interviewed him, whether I had to have permission to interview him, what kind of information he furnished, whether I had ever asked him to do anything, and whether Jaffee was an informant. He also wanted to know when I first met Jaffee, how frequently I saw him, over what period of time I was seeing him, and when I last saw him.



I told Wallach that I could not remember dates and other details of my relationship with Jaffee, but that information responsive to his questions could be found recorded in FBI files as I had prepared detailed memos reflecting all of my contacts with Jaffee. I told Wallach that if he were entitled to the information he was seeking, I'd suggest that he get hold of the file on Jaffee. Wallach said he understood my position, but that before going through the process of getting a file "they" liked to talk to a few individuals to see if information the Committee had was worth pursuing.

Wallach acknowledged that it would not be possible for me to furnish specific information, such as dates, after the passage of such a long period of time. Thereafter, in response to inquiry, he was told that Jaffee was in contact with many diplomatic officials, including Soviets, in his capacity as a CBS newsman. I could not specifically remember how this information came to the Bureau's attention. I did have some background information on Jaffee and it was necessary for me to get permission before I could interview him. He was told that I did not know specifically who authorized the interview.

Wallach wanted to know what approach was used during the initial interview with Jaffee. He was told that I could not specifically recall this information, but that John Willis and I conducted the interview. Both of us were keenly aware of the FBI's policy of not interfering with the Freedom of the Press and we wanted to make sure that Jaffee understood this. We also wanted to make sure that Jaffee understood that we did not want to place him in a difficult or embarrassing position by talking to him and that if he found our presence to be a problem we would leave immediately. He was told that Jaffee proved to be most cooperative and that thereafter we were in contact with Jaffee frequently. Wallach wanted to know how often and he was told that sometimes we were in contact with him two or three times a week, once every two weeks, or perhaps once a month. He was told that all contacts were recorded in writing in the file, along with the results of the contact.

Concerning information which Jaffee furnished, Wallach was told that Jaffee furnished information concerning current events of major and minor importance on the international scene, which came to his attention as a result of

his contacts with numerous individuals in diplomatic circles. He was again told that all of this information was reduced to writing and I understood that it was disseminated to other government agencies, including the U. S. Mission to the UN and the State Department. Wallach wanted to know how I knew this to be the case. I explained that FBI policy required dissemination of information to other government agencies and I felt certain that this policy was followed in the case of memoranda prepared as a result of my contacts with Jaffee.

Wallach asked if Jaffee was an informant and I told him that Jaffee might more properly be called a Source of Information.

Wallach then wanted to know if I requested Jaffee to do anything in the course of contacts with him. Wallach was told that Jaffee may have been asked to follow up on information which he furnished or make contact with a specific individual but that this did not occur very often, if at all, since Jaffee was a free spirit, who usually did as he pleased. I then explained that during my contacts with Jaffee I received frequent calls from other FBI Agents who said that Jaffee was using my name in order to cross police lines or get information while covering a story of major importance, such as airplane hijacking. This in spite of repeated requests on my part that he cease doing this.

Wallach asked if I knew whether Jaffee had ever been followed by FBI Agents. I pointed out that Jaffee had been followed by FBI Agents and, in fact, talked to Agents who were following him, as well as Agents going about their business. He often mentioned my name to these Agents.

Wallach asked if I was aware that Jaffee did a television program on the FBI. I said that I was aware of this and in fact, at his request, arranged to have him visit Camp Smith with a camera crew to cover our firearms training program.

Wallach was told that I could not remember when I last saw Jaffee, but that I last talked to him when he returned from Hong Kong. At this time Jaffee called my home from Washington, D. C. and told my daughter that he had to talk to me immediately about an urgent problem. When I

returned Jaffee's call I listened to him for about five to ten minutes repeatedly telling me how the FBI or CIA or some individual had furnished information to ABC-TV which cost him his job. Jaffee would not listen to me as I tried to explain that he had to be mistaken. I then got sick of listening to him and hung up on him.

Wallach was told that this was typical of Jaffee who often thought that there was something personal involved when he failed to get an assignment or a news item, which he covered, was not shown on the evening news program. Wallach was told that Jaffee was an intelligent and personable guy with a burning ambition, who wanted to become a Walter Cronkite or a Marvin Kalb overnight. Wallach was told that I did not believe that Jaffee completed college and he was probably not otherwise qualified for some of these positions, which he would like to have had immediately. I then told Wallach that in my opinion Jaffee had the same problem at ABC that he had at CBS and at both places he was probably overly aggressive and not amenable to direction.

Wallach was also told that Willis and I found Jaffee to be an interesting guy who we enjoyed talking to but that he positively would not accept advice or direction.

Wallach wanted to know if I was acquainted with Special Agents Reeves, Winton or Graves and I gave a negative reply. It should be noted that Wallach had a first name for each of these individuals but I do not recall these names. He then wanted to know if I knew Bert Turner. I did know Bert Turner as a Supervisor in WFO and possibly at the Bureau.

Wallach wanted to know if I would be surprised to learn that Jaffee had been interviewed by Bureau Agents for four days upon his return from Hong Kong. I said that I would be surprised.

He also wanted to know if I would be surprised to learn that the FBI or CIA had furnished information to ABC-TV which cost Jaffee his job. I said that I would be most surprised and that I did not believe there was any possibility that this could happen. I told Wallach that in my opinion Jaffee was perfectly capable of losing his job on his own.

Wallach then asked if I had ever talked to any other newspaper people. I told him that I once talked to Irving R. Levine many years ago. He wanted to know if I knew of any other Agents of the FBI who were talking to people in the news media. I said that I did not.

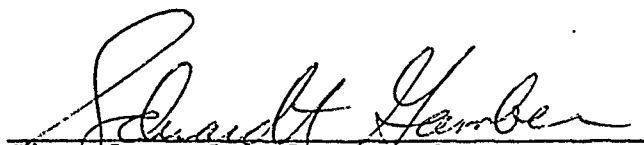
Wallach then made reference to newspaper articles of recent date concerning the FBI's relationship with newspaper people friendly to the FBI. In response to inquiry I told him that I knew absolutely nothing about this.

At the outset of the interview Wallach asked if I told the FBI about his visit and I said that I had called the Atlanta FBI Office and that as soon as he left I would again call the Atlanta FBI Office and give an Agent a rundown on the interview. He said that the FBI had notified the Select Committee about my call.

He wanted to know if I had called the FBI in Washington and I gave a negative reply. He also wanted to know if I had talked to John Willis. I had not.

Before leaving Wallach commented that he did not know who cost Jaffee his job, but that he, Wallach, was certain someone caused Jaffee to lose his job.

I believe I have covered the interview in its entirety, however, I did not make any notes and the possibility of some minor omission does exist.


Signed Edward F. Gamber
9/3/75

9/5/75

AIRTEL

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

FROM: SAC, ATLANTA (62-2854)




SENSTUDY 75

Re Bureau teletype 8/14/75 and Atlanta teletypes 8/15/75 and 8/21/75.

Enclosed are the original and six copies of an LHM prepared at Atlanta, Georgia, concerning an interview with former SA EDWARD F. GAMBER by SSC Staff Member PAUL G. WALLACH, which took place at Atlanta on 9/2/75.

Mr. GAMBER has no objection to this material being disseminated to the White House and the Department; however, he specifically requested that it not be disseminated to the SSC Staff. Former SA GAMBER was contacted in connection with this matter in accordance with instructions set forth in referenced Bureau teletype. He subsequently advised on 8/21/75 that he was contacted on that date by SSC Staff Member WALLACH and at that time arrangements were made for an interview to take place in Atlanta on 9/2/75. At this time SA GAMBER stated he intended to contact the Office of Legal Counsel by collect call 8/22/75. SA GAMBER has advised that he inadvertently failed to make this call due to the pressure of business. He has advised that he certainly intends to keep the Bureau advised of any further developments in connection with this matter.

2-Bureau (Enc. 7)
1-Atlanta
JO'K:rrl
(3)



62-2854-36

NR033 WA CODE

034PM NITEL 9/3/75 VLL

TO ALEXANDRIA

ATLANTA

JACKSON

RICHMOND

FROM DIRECTOR (62-116335)

SENSTUZY 75.

SENATE SELECT COMMITTEE (SSC) HAS REQUESTED IDENTITIES
OF ALL SUPERVISORS AND COORDINATORS FOR WHITE HATE COINTELPRO
FOR 1964 THROUGH 1971 IN RECIPIENT OFFICES.

BY NITEL SEPTEMBER 5, 1975; TO ATTENTION ITO,
W. O. CREGAR; FURNISH IDENTITIES OF SUCH PERSONNEL AND DATES
OF PERTINENT COINTEL ASSIGNMENTS. IF INDIVIDUAL IS STILL
ASSIGNED TO YOUR OFFICE, SO STATE.

END

BSP FBI ATLANTA

THG/CLR

No Action
9/3/75
RZ

62-2164-37

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NR333 WA CODE

634PM NITEL 9/3/75 VLJ

TO ALEXANDRIA

ATLANTA

JACKSON

RICHMOND

FROM DIRECTOR (62-116395)

SENSTUDY 75.

SENATE SELECT COMMITTEE (SSC) HAS REQUESTED IDENTITIES OF ALL SUPERVISORS AND COORDINATORS FOR WHITE HATE COINTELPROG FOR 1964 THROUGH 1971 IN RECIPIENT OFFICES.

BY NITEL SEPTEMBER 5, 1975; TO ATTENTION INTD, W. O. CREGAR; FURNISH IDENTITIES OF SUCH PERSONNEL AND DATES OF PERTINENT COINTEL ASSIGNMENTS. IF INDIVIDUAL IS STILL ASSIGNED TO YOUR OFFICE, SO STATE.

END

SSP FBI ATLANTA

TKS/CLR

62-2854-37

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FBI-ATLANTA	

NR033 WA CODE

604PM NITEL 9/3/75 VLJ

TO ALEXANDRIA

ATLANTA

JACKSON

RICHMOND

FROM DIRECTOR (62-116395)

SENSTUDY 75.

SENATE SELECT COMMITTEE (SSC) HAS REQUESTED IDENTITIES OF ALL SUPERVISORS AND COORDINATORS FOR WHITE HATE COINTELPROS FOR 1964 THROUGH 1971 IN RECIPIENT OFFICES.

BY NITEL SEPTEMBER 5, 1975; TO ATTENTION INTD, W. O. CREGAR; FURNISH IDENTITIES OF SUCH PERSONNEL AND DATES OF PERTINENT COINTEL ASSIGNMENTS. IF INDIVIDUAL IS STILL ASSIGNED TO YOUR OFFICE, SO STATE.

END

SSP FBI ATLANTA

TKS/CLR

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F B I

Date: SEPTEMBER 5, 1975

Transmit the following in _____ CODED
(Type in plaintext or code)Via TELETYPE _____ NITEL _____
(Priority)

TO: DIRECTOR, FBI (62-116395) 8:03/FOF
FROM: SAC, ATLANTA (62-2854)
ATTENTION: INTD, W. O. GREGAR.
SENSTUDY 75.

RE FBIHQ NITEL TO ALEXANDRIA, ATLANTA, JACKSON, AND
RICHMOND, SEPTEMBER 3, 1975.

REFERENCED NITEL POINTED OUT THAT THE SENATE SELECT COM-
MITTEE (SSC) HAD REQUESTED THE IDENTITIES OF ALL SUPERVISORS
AND COORDINATORS FOR WHITE HATE COINTELPROS FOR THE YEARS
1964 THROUGH 1971 IN RECIPIENT OFFICES. ATLANTA HAS REVIEWED
ITS FILE ON THE WHITE HATE COINTELPRO AND NOTED THE FOLLOWING
INDIVIDUALS WERE SUPERVISORS AND COORDINATORS (CASE AGENTS)
OF THIS COINTELPRO CASE, ALONG WITH THE DATES OF SUCH ASSIGN-
MENT:

SUPERVISORS: SA CHARLES S. HARDING, FROM SEPTEMBER 4, 1964
(THE INCEPTION OF THE WHITE HATE COINTELPRO CASE) TO AUGUST
29, 1968 ~~██████████~~; SA CHARLES T. HAYNES, FROM AUGUST 29,

END PAGE ONE

① - Atlanta
EAS/lru
(1)

lru

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62-2854-38

Approved: *CJ*
Special Agent in Charge

Sent 8:03 M Per *ul*

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

F B I

Date:

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

AT 62-2854

PAGE TWO

1968, TO APRIL 28, 1971 (PRESENTLY ASSIGNED TO THE ATLANTA OFFICE).

COORDINATORS: SA CARL E. CLAIBORNE, FROM SEPTEMBER 4, 1964, TO DECEMBER 21, 1964, AND FROM JULY 10, 1969, TO JANUARY 21, 1970 (RETIRED); SA DONALD P. BURGESS, FROM DECEMBER 21, 1964, TO MARCH 4, 1965 (CURRENTLY ASSIGNED TO THE ATLANTA OFFICE); SA O. RICHARD HAMILTON, FROM MARCH 4, 1965, TO AUGUST 16, 1967, AND FROM MARCH 8, 1968, TO JULY 10, 1969 (PRESENTLY ASSIGNED TO THE ATLANTA OFFICE); SA JAMES J. ROSE, FROM AUGUST 16, 1967, TO MARCH 8, 1968 (CURRENTLY ASSIGNED TO THE NEW YORK OFFICE); AND SA RICHARD H. DAVIS, FROM JANUARY 21, 1970, TO APRIL 28, 1971 (RETIRED).

END.

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

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

"R021 AT CODE

8:03 PM NITEL SEPTEMBER 5, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2845)

ATTENTION: INTO, W.O. CREGAR.

SE"STUDY 75.

RE FBIHQ NITEL TO ALEXANDRIA, ATLANTA, JACKSON, AND RICHMOND,
SEPTEMBER 3, 1975.

REFERENCED NITEL POINTED OUT THAT THE SENATE SELECT COMMITTEE
(SSC) HAD REQUESTED THE IDENTITIES OF ALL SUPERVISORS AND COORDIN-
ATORS FOR WHITE HATE COINTELPROS FOR THE YEARS 1964 THROUGH 1971 IN
RECIPIENT OFFICES. ATLANTA HAS REVIEWED ITS FILE ON THE WHITE
HATE COINTELPRO AND NOTED THE FOLLOWING INDIVIDUALS WERE SUPERVISORS
AND COORDINATORS (CASE AGENTS) OF THIS COINTELPRO CASE, ALONG WITH
THE DATES OF SUCH ASSIGNMENT:

SUPERVISORS: SA CHARLES S. HARDING, FROM SEPTEMBER 4, 1964
(THE INCEPTION OF THE WHITE HATE COINTELPRO CASE) TO AUGUST 29, 1969;
SA CHARLES T. HAYNES, FROM AUGUST 29, 1969, TO APRIL 23, 1971 (PRE-
SENTLY ASSIGNED TO THE ATLANTA OFFICE).

ml

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62-2854-38

PAGE TWO

AT 62-2854

COORDINATORS: SA CARL E. CLAIBORNE, FROM SEPTEMBER 4, 1964, TO DECEMBER 21, 1964, AND FROM JULY 13, 1969, TO JANUARY 21, 1970 (RETIRED); SA DONALD P. BURGESS, FROM DECEMBER 21, 1964, TO MARCH 4, 1965 (CURRENTLY ASSIGNED TO THE ATLANTA OFFICE); SA O. RICHARD HAMILTON, FROM MARCH 4, 1965, TO AUGUST 16, 1967, AND FROM MARCH 8, 1968, TO JULY 13, 1969 (PRESENTLY ASSIGNED TO THE ATLANTA OFFICE); SA JAMES J. ROSE, FROM AUGUST 16, 1967, TO MARCH 2, 1968 (CURRENTLY ASSIGNED TO THE NEW YORK OFFICE); AND SA RICHARD H. DAVIS, FROM JANUARY 21, 1970, TO APRIL 28, 1971 (RETIRED).

E N D

SRI ABOUT THE BREAD

BREAK BUT GOT ALL THREE AND HAVE ONE FOR U
EJF FBIHQ 3.

NR021 AT CODE

8:03 PM NITEL SEPTEMBER 5, 1975 SSP

TO: DIRECTOR, FBI (62-116395)

FROM: ATLANTA (62-2845)

ATTENTION: INTD, W.O. GREGAR.

SENSTUDY 75.

RE FBIHQ NITEL TO ALEXANDRIA, ATLANTA, JACKSON, AND RICHMOND,
SEPTEMBER 3, 1975.

REFERENCED NITEL POINTED OUT THAT THE SENATE SELECT COMMITTEE
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SA CHARLES T. HAYNES, FROM AUGUST 29, 1968, TO APRIL 28, 1971 (PRE-
SENTLY ASSIGNED TO THE ATLANTA OFFICE).

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62-2854-28

PAGE TWO AT 62-2854

COORDINATORS: SA CARL E. CLAIBORNE, FROM SEPTEMBER 4, 1964, TO DECEMBER 21, 1964, AND FROM JULY 10, 1969, TO JANUARY 21, 1970 (RETIRED); SA DONALD P. BURGESS, FROM DECEMBER 21, 1964, TO MARCH 4, 1965 (CURRENTLY ASSIGNED TO THE ATLANTA OFFICE); SA O. RICHARD HAMILTON, FROM MARCH 4, 1965, TO AUGUST 16, 1967, AND FROM MARCH 8, 1968, TO JULY 10, 1969 (PRESENTLY ASSIGNED TO THE ATLANTA OFFICE); SA JAMES J. ROSE, FROM AUGUST 16, 1967, TO MARCH 3, 1968 (CURRENTLY ASSIGNED TO THE NEW YORK OFFICE); AND SA RICHARD H. DAVIS, FROM JANUARY 21, 1970, TO APRIL 28, 1971 (RETIRED).

E M D

SRI ABOUT THE BREAD

BREAK BUT GOT ALL THREE AND HAVE ONE FOR U

EJF FBIHQ 3.

NR233 WA CODE

4:52PM 9/4/75 NITEL AJN

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSIUDY 75

62-2854

REBUTEL MAY 2, 1975.

PURPOSES 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

ASAC

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[Handwritten initials and signatures over the list]

Cochran
Toole *(DAP)*

No Action
9/4/75
[Signature]

62-2854-39

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[Handwritten initials and signatures]

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 YOUR 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

PLS HOLD FOR ONE MORE

NR553 SA CODE

4:53PM 5/4/75 NITEL AJR

TO ALL SACS

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSUITY 75

REBUTEL MAY 2, 1975.

PURPOSES OF INSTANT TELETYPE ARE TO (1) REITERATE THAT FBI HAS PLEDGED FULL COOPERATION WITH THE SENATE SELECT COMMITTEE (SSC) AND WISHED 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.

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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.

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EFFECTIVE IMMEDIATELY, BUREAU WILL NO LONGER PROVIDE

PAGE THREE

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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. E.
WAMMALL, OR, IN HIS ABSENCE, SECTION CHIEF U. O. CREGAN.

THIS CHANGE IN PROCEDURE SHOULD NOT BE CONSTRUED AS
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FORMER EMPLOYEES.

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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.

EID

A

PLS HOLD FOR ONE MORE

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.

PURPOSES OF INSTANT TELETYPE ARE TO (1) REITERATE THAT FBI HAS FLEDGED 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.

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PAGE TWO

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PAGE THREE

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END

K

FLS HOLD FOR ONE MORE

NR063 WA CODE

935 PM NITEL 9/17/75 MEB

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

SENETUDY 75

62-2854

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.

NOTE: Contacts handled by Supv. CHARLES T. HAYNES in view of fact SAC occupied with special assignment and ASAC on Annual Leave.

Haynes
permissible

62-2854-40

SEARCHED <i>mk</i>	INDEXED <i>mk</i>
SERIALIZED <i>mk</i>	FILED <i>mk</i>
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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 PINECLIFF 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, 167 SWALLOW DRIVE BRANDON, MISSISSIPPI
JACKSONVILLE:

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

KNOXVILLE:

PAGE FIVE

IRVING R. ANDERSON, 1929 PERCH DRIVE, CONCORD, TENNESSEE

LOS ANGELES:

JOHN KEARNEY, 4140 MAYFIELD STREET, NEWBURY PARK,

CALIFORNIA

RICHARD J. STILLING, 11640 AMSTOY 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. MCMAHUS, 25 MICHAEL STREET, FORDS, NEW JERSEY

NEW YORK:

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

JOHN J. DUNLEAVY, 10 SOUTHVIEW CT., CARLE PLACE, NEW YORK

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

NEW YORK

RICHMOND:

CHARLES F. HEINER, 25 TWIN

LAKE LANE, RICHMOND, VIRGINIA

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

PAGE SIX

JOHN H. WAGNER, 8228 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, 4268 HORTENSIA, SAN DIEGO, CALIFORNIA

SEATTLE:

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

WASHINGTON

END

HOLD

NR063 WA 0024

935 PM LITEL 9/17/75 RLB

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

FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTEDY 75

REBUTELS MAY 2, 1975, AND SEPTEMBER 4, 1975, TO ALL OFFICES AND BUREAUS 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.

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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.

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PAGE THREE

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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

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CHARLES S. HARDING, 2245 PINECLIFF DRIVE, N. E., ATLANTA,

GEORGIA

BOSTON:

RICHARD H. ELASSER, 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. MCMAHUS, 25 MICHAEL STREET, FORDS, NEW JERSEY

NEW YORK:

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

JOHN J. DUNLEAVY, 10 SOUTHVIEW CT., CARLE PLACE, NEW YORK

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

NEW YORK

RICHMOND:

CHARLES F. HEINER, 25 TWIN

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, 4268 HORTENSIA, SAN DIEGO, CALIFORNIA

SEATTLE:

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

WASHINGTON

END

HOLD

NR063 WA CODE

935 PM NITEL 9/17/75 MEB

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

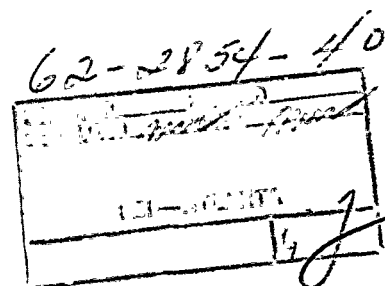
FROM DIRECTOR (62-116395)

PERSONAL ATTENTION

SENSTUDY 75

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, TELETYPES, AND LATEST INFORMATION IN FBIHQ FILES HAS BEEN FURNISHED TO SSC.



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 MCMAHUS 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 MCMAHUS, 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 MCMAHUS 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 MCMAHUS 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 PINECLIFF DRIVE, N. E., ATLANTA,

GEORGIA

BOSTON:

RICHARD H. ELASSER, 129 ACADEMY AVENUE, WEYMOUTH,

MASSACHUSETTS

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MASSACHUSETTS

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MASSACHUSETTS

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

DETROIT:

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JACKSON:

ROY K. MOORE, 107 SWALLOW DRIVE BRANDON, MISSISSIPPI

JACKSONVILLE:

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

FLORIDA

KNOXVILLE:

PAGE FIVE

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CALIFORNIA

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TENNESSEE

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ARE LANE, RICHMOND, VIRGINIA

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MISSOURI

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

SAN DIEGO:

ROBERT S. BAKER, 4268 HORTENSIA, SAN DIEGO, CALIFORNIA

SEATTLE:

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

WASHINGTON

END

HOLD

F B I

Date: SEPTEMBER 18, 1975 7

Transmit the following in ~~PLAIN~~ CODED
(Type in plaintext or code)Via TELETYPE URGENT
(Precedence)TO: DIRECTOR, FBI (62-116395) 3¹⁰/p MKA
SAC, KNOXVILLE 3¹⁵/p WEHFROM: SAC, ATLANTA (62-2854)
ATTENTION: INTD, W. O. CREGAR
SENSTUDY 75RE BUREAU NITEL TO ATLANTA, KNOXVILLE, AND OTHER OFFICES,
SEPTEMBER 17, 1975.FORMER SPECIAL AGENT, CARL E. CLAIBORNE, MOVED FROM
ATLANTA, GEORGIA, TO KNOXVILLE, TENNESSEE, IN APRIL, 1975,
AND CAN BE LOCATED THROUGH HIS PARENTS AT 7840 CEDAR CREST
ROAD, KNOXVILLE, TENNESSEE 37918.KNOXVILLE CONTACT CLAIBORNE IN ACCORDANCE WITH INSTRUCTIONS
IN REFERENCED BUREAU TELETYPE.
END.① - Atlanta
CTH:lr
(1) lruREC- *[Signature]*
62-2854-41Approved: *[Signature]*
Special Agent in Charge

Sent SEE ABV M Per Lmm

NR007 AT CODE

3:10 PM URGENT SEPTEMBER 18, 1975 LHM

TO DIRECTOR (62-116395)

KNOXVILLE

FROM ATLANTA (62-2854)

ATTN: INTD, W. O. GREGAR

SENSTUDY 75

RE BUREAU NITEL TO ATLANTA, KNOXVILLE, AND OTHER OFFICES,
SEPTEMBER 17, 1975.

FORMER SPECIAL AGENT, CARL E. CLAIRBORNE, MOVED FROM ATLANTA,
GEORGIA, TO KNOXVILLE, TENNESSEE, APRIL, 1975, AND CAN BE LOCATED
THROUGH HIS PARENTS AT 7840 CEDAR CREST ROAD, KNOXVILLE TENNESSEE
37918.

KNOXVILLE CONTACT CLAIRBORNE IN ACCORDANCE WITH INSTRUCTIONS
IN REFERENCED BUREAU TELETYPE.

END

MKA FBIHQ CLR

SEARCHED _____
SERIALIZED *[initials]*
INDEXED _____
FILED *[initials]*

62-2854-41

IR007 AT CODE

3:10 PM URGENT SEPTEMBER 18, 1975 LHM

TO DIRECTOR (62-116395)

KNOXVILLE

FROM ATLANTA (62-2854)

ATTN: INID, W. O. GREGAR

SENSTUDY 75

RE BUREAU NITEL TO ATLANTA, KNOXVILLE, AND OTHER OFFICES,
SEPTEMBER 17, 1975.

FORMER SPECIAL AGENT, CARL L. CLAIRBORNE, MOVED FROM ATLANTA,
GEORGIA, TO KNOXVILLE, TENNESSEE, APRIL, 1975, AND CAN BE LOCATED
THROUGH HIS PARENTS AT 7840 CEDAR CREST ROAD, KNOXVILLE TENNESSEE
37916.

KNOXVILLE CONTACT CLAIRBORNE IN ACCORDANCE WITH INSTRUCTIONS
IN REFERENCED BUREAU TELETYPE.

EAD

WNA FBING CLR

SEARCHED _____
SERIALIZED mm
INDEXED _____
FILED mm

62-2854-41

F B I

Date: SEPTEMBER 18, 1975

Transmit the following in CODED
(Type in plaintext or code)Via TELETYPE NITEL
(Precedence)

8

TO: DIRECTOR, FBI (62-116395) *PAW*
FROM: SAC, ATLANTA (62-2854)

ATTENTION: INTD, W. O. CREGAR

SENSTUDY 75

RE BUREAU NITEL TO ALEXANDRIA, ATLANTA, AND OTHER OFFICES,
SEPTEMBER 17, 1975, AND ATLANTA URGENT TELETYPE TO DIRECTOR
AND KNOXVILLE, SEPTEMBER 18, 1975.

FORMER SPECIAL AGENT, RICHARD H. DAVIS, ATLANTA, GEORGIA,
WAS NOTIFIED IN ACCORDANCE WITH INSTRUCTIONS IN REFERENCED
BUREAU TELETYPE AND HIS REACTION IS COOPERATIVE.

FORMER SA, CARL E. CLAIBORNE, NOW LOCATED IN KNOXVILLE
DIVISION, AND KNOXVILLE SO NOTIFIED IN REFERENCED ATLANTA
TELETYPE.

FORMER SA CHARLES S. HARDING PRESENTLY TRAVELING AND
UNAVAILABLE BUT WILL RETURN TO ATLANTA ON LATE EVENING OF
SEPTEMBER 19, 1975. HARDING WILL BE NOTIFIED IN ACCORDANCE
END PAGE ONE

(1) - Atlanta
CTH:lru
(1) *lru*

62-2854-42
[Signature]
[Signature]

Approved: *[Signature]*
Special Agent in ChargeSent *7:18 P* M Per *SP*

F B I

Date:

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

Via _____
(Precedence)

AT 62-2854

PAGE TWO

WITH BUREAU INSTRUCTIONS IMMEDIATELY AFTER HIS RETURN TO
ATLANTA AND THE BUREAU WILL BE NOTIFIED WHEN CONTACT
COMPLETED.

END.

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

NR008 AT CODE

7:18 PM NITELSEPTEMBER 18, 1975 LMM

TO DIRECTOR (62-116395)

FROM ATLANTA (62-2854)

ATTN: INTD, U. O. GREGAR

SENSTUDY 75

RE BUREAU NITEL TO ALEXANDRIA, ATLANTA, AND OTHER OFFICES
SEPTEMBER 17, 1975, AND ATLANTA URGENT TELETYPE TO DIRECTOR AND
KNOXVILLE, SEPTEMBER 18, 1975.

FORMER SPECIAL AGENT, RICHARD H. DAVIS, ATLANTA, GEORGIA,
WAS NOTIFIED IN ACCORDANCE WITH INSTRUCTIONS IN REFERENCED BUREAU
TELETYPE AND HIS REACTION IS COOPERATIVE.

FORMER SA, CARL E. CLAIRBORNE, NOW LOCATED IN KNOXVILLE
DIVISION, AND KNOXVILLE SO NOTIFIED IN REFERENCED ATLANTA TELETYPE.

FORMER SA CHARLES S. HARDING PRESENTLY TRAVELING AND UNAVAIL-
ABLE BUT WILL RETURN TO ATLANTA ON LATE EVENING OF SEPTEMBER
19, 1975. HARDING WILL BE NOTIFIED IN ACCORDANCE WITH BUREAU
INSTRUCTIONS IMMEDIATELY AFTER HIS RETURN TO ATLANTA AND THE
BUREAU WILL BE NOTIFIED WHEN CONTACT COMPLETED.

END

HOLD

SEARCHED

SERIALIZED

INDEXED

FILED

NR008 AT CODE

7:18 PM NITEL SEPTEMBER 18, 1975 LMM

TO DIRECTOR (62-116395)

FROM ATLANTA (62-6854)

ATTN: INTD, W. O. CREGAR

SENSTUDY 75

RE BUREAU NITEL TO ALEXANDRIA, ATLANTA, AND OTHER OFFICES
SEPTEMBER 17, 1975, AND ATLANTA URGENT TELETYPE TO DIRECTOR AND
KNOXVILLE, SEPTEMBER 18, 1975.

FORMER SPECIAL AGENT, RICHARD H. DAVIS, ATLANTA, GEORGIA,
WAS NOTIFIED IN ACCORDANCE WITH INSTRUCTIONS IN REFERENCED BUREAU
TELETYPE AND HIS REACTION IS COOPERATIVE.

FORMER SA, CARL E. CLAIRBORNE, NOW LOCATED IN KNOXVILLE
DIVISION, AND KNOXVILLE SO NOTIFIED IN REFERENCED ATLANTA TELETYPE.

FORMER SA CHARLES S. HARDING PRESENTLY TRAVELING AND UNAVAIL-
ABLE BUT WILL RETURN TO ATLANTA ON LATE EVENING OF SEPTEMBER
19, 1975. HARDING WILL BE NOTIFIED IN ACCORDANCE WITH BUREAU
INSTRUCTIONS IMMEDIATELY AFTER HIS RETURN TO ATLANTA AND THE
BUREAU WILL BE NOTIFIED WHEN CONTACT COMPLETED.

END

HOLD

SEARCHED

SERIALIZED

INDEXED

FILED

62-2854-42

NR008 AT CODE

7:18 PM NITEL SEPTEMBER 18, 1975 LMM

TO DIRECTOR (62-116395)

FROM ATLANTA (62-2854)

ATTN: INTD, W. O. CREGAR

SENSTUDY 75

RE BUREAU NITEL TO ALEXANDRIA, ATLANTA, AND OTHER OFFICES SEPTEMBER 17, 1975, AND ATLANTA URGENT TELETYPE TO DIRECTOR AND KNOXVILLE, SEPTEMBER 18, 1975.

FORMER SPECIAL AGENT, RICHARD H. DAVIS, ATLANTA, GEORGIA, WAS NOTIFIED IN ACCORDANCE WITH INSTRUCTIONS IN REFERENCED BUREAU TELETYPE AND HIS REACTION IS COOPERATIVE.

FORMER SA, CARL E. CLAIRBORNE, NOW LOCATED IN KNOXVILLE DIVISION, AND KNOXVILLE SO NOTIFIED IN REFERENCED ATLANTA TELETYPE.

FORMER SA CHARLES S. HARDING PRESENTLY TRAVELING AND UNAVAILABLE BUT WILL RETURN TO ATLANTA ON LATE EVENING OF SEPTEMBER 19, 1975. HARDING WILL BE NOTIFIED IN ACCORDANCE WITH BUREAU INSTRUCTIONS IMMEDIATELY AFTER HIS RETURN TO ATLANTA AND THE BUREAU WILL BE NOTIFIED WHEN CONTACT COMPLETED.

END

HOLD

RECEIVED

FILED

62-2854-42

NR009 KX PLAIN

5:36 PM NITEL 9-18-75 RCC

TO: DIRECTOR (62-116395)

ATLANTA (62-2854)

(ATTN: INTD, W. O. GREGAR)

FROM: KNOXVILLE (62-1109)

SENSTUDY 75

RE BUREAU NITEL SEPT. 17, 1975, AND ATLANTA TEL
SEPT. 18, 1975

FORMER SA CARL E. CLAIRBORNE WAS CONTACTED THIS
AFTERNOON AND ADVISED OF INFORMATION SET FORTH IN REFERENCED
TEL. MR. CLAIRBORNE'S INITIAL REACTION WAS QUITE STRONG
AND HE INDICATED THAT IF CONTACTED BY THE SENATE SELECT COMMITTEE
STAFF FOR INTERVIEW HE WOULD HESITATE TO TELL THEM ANYTHING.
HE STATED THAT HIS POSTURE IN THIS REGARD WAS BASED ON THE
FACT THAT HE DID NOT WANT TO TELL THEM ANYTHING THAT WOULD
HURT THE BUREAU. HE INDICATED THAT HIS FEELING AT THIS TIME
WAS THAT HE WOULD NOT SUBMIT TO INTERVIEW UNLESS SUBPOENAED;
HOWEVER, MR. CLAIRBORNE STATED THAT IF HE WAS CONTACTED BY
THE COMMITTEE STAFF HE WOULD IMMEDIATELY ADVISE ME AND THERE-
AFTER CONTACT THE LEGAL COUNSEL DIVISION OF THE BUREAU FOR
FURTHER ADVICE.

END.

ACK FOR TWO TELS

SSP FBI ATLANTA

IKS/CLR

62-2854-43

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 18 1975	
FBI - ATLANTA	

H. J. [Signature]

IR009 RX PLAIN

5:36 PM NITEL 9-18-75 RCC

TO: DIRECTOR (62-116399)

1 ATLANTA (62-2854)

(ATTN: INTD, W. O. GREGG)

FROM: KNOXVILLE (62-1169)

SENSTUDY 75

RE BUREAU NITEL SEPT. 17, 1975, AND ATLANTA TEL
SEPT. 18, 1975

FORMER SA CARL E. CLAIBORNE WAS CONTACTED THIS
AFTERNOON AND ADVISED OF INFORMATION SET FORTH IN REFERENCED
TEL. MR. CLAIBORNE'S INITIAL REACTION WAS QUITE STRONG
AND HE INDICATED THAT IF CONTACTED BY THE SENATE SELECT COMMITTEE
STAFF FOR INTERVIEW HE WOULD HESITATE TO TELL THEM ANYTHING.
HE STATED THAT HIS POSTURE IN THIS REGARD WAS BASED ON THE
FACT THAT HE DID NOT WANT TO TELL THEM ANYTHING THAT WOULD
HURT THE BUREAU. HE INDICATED THAT HIS FEELING AT THIS TIME
WAS THAT HE WOULD NOT SUBMIT TO INTERVIEW UNLESS SUBPOENAED;
HOWEVER, MR. CLAIBORNE STATED THAT IF HE WAS CONTACTED BY
THE COMMITTEE STAFF HE WOULD IMMEDIATELY ADVISE ME AND THERE-
AFTER CONTACT THE LEGAL COUNSEL DIVISION OF THE BUREAU FOR
FURTHER ADVICE.

END.

ACK FOR TWO TELS

SEP FBI ATLANTA

TRE/CLR

62-2854-46
[Signature]

[Signature]

WELLS HA FLAIN

5:06 PM ULL 9-18-75 RCC

TO: DIRECTOR (62-116395)

1 ATLANTA (62-2854)

ATTN: INFO, U. S. GRASSY)

FROM: MONVILLE (62-1119)

RE: STUDY 75

RE BUREAU LITEL SEP. 17, 1975, AND ATLANTA TEL
SEP. 18, 1975

FORMER SA CARL L. CLAIRBORNE WAS CONTACTED THIS
AFTERNOON AND ADVISED OF INFORMATION SET FORTH IN REFERENCED
TEL. MR. CLAIRBORNE'S INITIAL REACTION WAS QUITE STRONG
AND HE INDICATED THAT IF CONTACTED BY THE SENATE SELECT COMMITTEE
STAFF FOR INTERVIEW HE WOULD REFUSE TO TELL THEM ANYTHING.
HE STATED THAT HIS POSTURE IN THIS REGARD WAS BASED ON THE
FACT THAT HE DID NOT WANT TO TELL THEM ANYTHING THAT WOULD
HURT THE BUREAU. HE INDICATED THAT HIS FEELING AT THIS TIME
WAS THAT HE WOULD NOT AGREE TO INTERVIEW UNLESS SUBPOENAED;
HOWEVER, MR. CLAIRBORNE STATED THAT IF HE WAS CONTACTED BY
THE COMMITTEE STAFF HE WOULD IMMEDIATELY ADVISE ME AND THERE-
AFTER CONTACT THE LEGAL COUNSEL DIVISION OF THE BUREAU FOR
FURTHER ADVICE.

END.

ACK FOR TWO TELS

CCP FBI ATLANTA

TRE/CLR

62-2854-43

SEARCHED	INDEXED
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FBI - ATLANTA	
SAC	my

F B I

Date: 9/22/75

2

Transmit the following in _____

CODED

(Type in plaintext or code)

Via TELETYPE _____

NITEL

(Precedence)

TO: DIRECTOR, FBI (62-116395) *MMW*

FROM: SAC, ATLANTA (62-2854)

ATTENTION: INTD, W. O. CREGAR

SENSTUDY 75

RE ATLANTA NITEL TO DIRECTOR, SEPTEMBER 18, 1975, AND
BUREAU NITEL TO ALEXANDRIA AND OTHER OFFICES, SEPTEMBER 17,
1975.

FORMER SA CHARLES S. HARDING WAS NOTIFIED IN ACCORDANCE
WITH INSTRUCTIONS IN BUREAU NITEL SEPTEMBER 17, 1975, AND HIS
REACTION WAS COOPERATIVE.

END.

① - Atlanta
CTH:pab
(1)

pat

Handwritten signature
SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____

62-2854-44

Approved: _____

Special Agent in Charge

Sent _____

11/20

Handwritten initials

M

Per

THL

WGLE AT CODE

10:22 PM NITEL SEPTEMBER 22, 1975 LMA

TO DIRECTOR (62-116399)

FROM ATLANTA (62-2854)

ATTN: IMD, W. O. CREGAR

ELSTUDY 75

RE ATLANTA NITEL TO DIRECTOR, SEPTEMBER 18, 1975, AND
BUREAU NITEL TO ALEXANDRIA AND OTHER OFFICES, SEPTEMBER 17, 1975.

FORMER SA CHARLES S. MARDINE WAS NOTIFIED IN ACCORDANCE
WITH INSTRUCTIONS IN BUREAU NITEL SEPTEMBER 17, 1975, AND HIS
REACTION WAS COOPERATIVE.

END

FILE HOLD FOR SIX MORE TELS

SEARCHED _____
SERIALIZED mc
INDEXED _____
FILED mc

62-2854-44

NR002 AT CODE

10:20 PM NITEL SEPTEMBER 22, 1975 LMM

TO DIRECTOR (62-116395)

FROM ATLANTA (62-2854)

ATTN: INID, W. O. CREGAR

SENSTUDY 75

RE ATLANTA NITEL TO DIRECTOR, SEPTEMBER 18, 1975, AND
BUREAU NITEL TO ALEXANDRIA AND OTHER OFFICES, SEPTEMBER 17, 1975.

FORMER SA CHARLES S. HARDING WAS NOTIFIED IN ACCORDANCE
WITH INSTRUCTIONS IN BUREAU NITEL SEPTEMBER 17, 1975, AND HIS
REACTION WAS COOPERATIVE.

END

FLS HOLD FOR SIX MORE TELS

SEARCHED _____
SERIALIZED *ms* _____
INDEXED _____
FILED *ms* _____

62-2554-44

NR 053 WA FLAIN

1100PM NITEL 9/26/75 PMJ

TO ALL SACS

FROM DIRECTOR

LEGAL ADVICE FOR PRESENT OR FORMER BUREAU EMPLOYEES.

IN RESPONSE TO OUR REQUEST, THE ATTORNEY
GENERAL ADVISED THAT LEGAL REPRESENTATION FOR EMPLOYEES WOULD
BE MADE AVAILABLE FOR PRELIMINARY ADVICE. SHOULD CASES ARISE
WHERE A FORMER OR PRESENT EMPLOYEE REQUIRES MORE PROTRACTED
AND SUBSTANTIAL LEGAL REPRESENTATION, IT IS THE POSITION OF THE
DEPARTMENT THAT SPECIAL COUNSEL MAY BE RETAINED FOR SUCH
EMPLOYEES AT DEPARTMENT EXPENSE. GUIDELINES ARE BEING
DRAWN BY THE DEPARTMENT TO GOVERN THESE MATTERS.

HOWEVER, SHOULD THE DEPARTMENT SUBSEQUENTLY CONCLUDE THAT
SUCH CASES INVOLVE MATTERS OUTSIDE THE SCOPE OF A PRESENT OR
FORMER EMPLOYEE'S DUTIES, OTHER CONSIDERATIONS WOULD APPLY.

ALL LEGATS ADVISED SEPARATELY.

END.

SSP FBI ATLANTA

TKS/CLR

62-66-737
62-66-737

62-2854-45
ml ml

my

King use only
100-6520-2

ALL MATERIALS RELATING TO THE 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 ARRANGEMENT, USE AND/OR OCCUPANCY.

62-2854-46

Haynes

6

F B I

Date: 10/6/75

Transmit the following in _____

CODE

(Type in plaintext or code)

Via _____

TELETYPE

URGENT

(Precedence)

TO: DIRECTOR, FBI *5 JP*
FROM: ATLANTA (62-2854)
ATTN: W. O. GREGAR, INTD.
SENSTUDY 75.

JUNE

RE TELEPHONE CALL FROM SECTION CHIEF, J. G. DEEGAN,
FBIHQ, TO SAC, ATLANTA, OCTOBER 3, 1975.

REFERENCED TELEPHONE CALL INSTRUCTED ATLANTA TO REVIEW
PERTINENT FILES AND FURNISH FBIHQ ALL MATERIALS RELATING
TO THE RENTAL OR OTHER ARRANGEMENTS MADE BY THE FBI IN
ATLANTA FOR THE USE OF AN APARTMENT OR PREMISES LOCATED IN
THE PEACHTREE TOWERS, ATLANTA, GEORGIA, IN THE 1960s, TO
BE USED AS A LISTENING POST FOR MONITORING A TECHNICAL
SURVEILLANCE (TESUR) ON MARTIN LUTHER KING, JR. IN ADDITION,
FBIHQ WANTED ALL MATERIALS RELATING TO THE TERMINATION OF
SUCH AN ARRANGEMENT, USE AND/OR OCCUPANCY.

ATLANTA FILES SHOWED THAT ON OCTOBER 21, 1963, FBIHQ
AUTHORIZED THE ATLANTA OFFICE TO RENT AN APARTMENT FOR
\$250.00 PER MONTH WHICH THE ATLANTA OFFICE HAD PREVIOUSLY

END PAGE ONE

1 - Atlanta
EAS/pab
(1)

SEARCHED _____

SERIALIZED _____

INDEXED _____

62-2854-47

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

SSP

F B I

Date:

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

JUNE

PAGE TWO, AT 62-2854

SURVEYED TO BE USED AS A LISTENING POST IN CONNECTION WITH TESURS ON KING AND THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE (SCLC). FBIHQ ALSO AUTHORIZED ATLANTA TO PROCEED WITH THE NECESSARY INSTALLATION OF SEVERAL LEASED LINES ON THE SCLC, ATLANTA, GEORGIA, AND ONE LINE ON THE RESIDENCE OF MARTIN LUTHER KING, JR. FOR THE TESURS ON KING AND SCLC.

AS A RESULT ON OCTOBER 23, 1963, SA ROBERT R. NICHOLS RENTED THE ABOVE MENTIONED APARTMENT, NUMBER TWENTY K (20-K) IN THE PEACHTREE TOWERS APARTMENTS, ON THE TWENTIETH FLOOR, 300 WEST PEACHTREE STREET, ATLANTA, GEORGIA. THE APARTMENT HAD A LIVING ROOM AND ONE BEDROOM AND RENTED FOR \$250.00 PER MONTH FURNISHED. SA NICHOLS IN RENTING THIS APARTMENT USED THE COVER OF RICHARD NICHOLS, SOUTHEASTERN ENGINEERING COMPANY, 106 HAMPTON STREET, COLUMBIA, SOUTH CAROLINA.

ON NOVEMBER 8, 1963, THE INSTALLATION FOR THE ABOVE TESURS ON SCLC HEADQUARTERS AND THE RESIDENCE OF MARTIN LUTHER KING, JR., BOTH IN ATLANTA, WERE COMPLETED AND

END PAGE TWO

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

F B I

Date:

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(Type in plaintext or code)Via _____
(Precedence)

JUNE

PAGE ~~THREE~~ ^{THREE}, AT 62-2854

MONITORING COMMENCED IN THE RENTED APARTMENT IN THE PEACHTREE TOWERS. FOUR LINES WERE MONITORED AT SCLC HEAD-QUARTERS AND ONE AT THE RESIDENCE OF REVEREND KING.

ON JUNE 21, 1966, THE TESURS FURNISHING COVERAGE ON SCLC AND MARTIN LUTHER KING, JR. WERE DISCONTINUED ON INSTRUCTIONS FROM FBIHQ. AS A RESULT, ATLANTA VACATED THE APARTMENT IN THE PEACHTREE TOWERS, WHICH HAD BEEN USED FOR MONITORING PURPOSES, ON JULY 27, 1966, AFTER GIVING THE REQUIRED 30-DAY NOTICE TO THE PEACHTREE TOWERS MANAGEMENT.

XEROX COPIES OF PERTINENT MEMOS, LETTERS AND THE LEASE FOR THE ABOVE MENTIONED APARTMENT ARE BEING SENT TO FBIHQ BY AIRTEL. ^{THIS DATE.}

ABOVE INFORMATION WAS REFLECTED IN ATLANTA FILES 100-6670-E AND 100-6520-E. THESE FILES ALSO CONTAIN NUMEROUS BILLS RENDERED BY SOUTHERN BELL TELEPHONE COMPANY FOR TELEPHONE SERVICE TO SOUTHEASTERN ENGINEERING COMPANY, POST OFFICE BOX 583, ATLANTA, GEORGIA 30301, AS WELL AS TO RICHARD NICHOLS, APARTMENT 20-K, 300 WEST PEACHTREE STREET, END PAGE THREE

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

F B I

Date:

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

JUNE

PAGE FOUR, AT 62-2854

N. W., ATLANTA, GEORGIA 30308, FROM DECEMBER, 1963 TO
AUGUST 4, 1966. ALSO ATTACHED TO THESE TELEPHONE BILLS
IS FD-221A REQUESTING MONEY TO PAY THESE TELEPHONE BILLS.
THESE TELEPHONE BILLS AND THE FD-221AS ARE NOT BEING
SUBMITTED TO THE BUREAU.

END

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

TR036 AT CODE

4:50 PM URGENT OCTOBER 6, 1975 SSP

TO: DIRECTOR, FBI

JUNE

FROM: ATLANTA (62-2354)

ATTN: J.O. CREGAR, INFO.

RE STUDY 75.

RE TELEPHONE CALL FROM SECTION CHIEF, J.G. DEEGAN, FBIHQ, TO SAC, ATLANTA, OCTOBER 3, 1975.

REFERENCED TELEPHONE CALL INSTRUCTED ATLANTA TO REVIEW PERTINENT FILES AND FURNISH FBIHQ ALL MATERIALS RELATING TO THE RENTAL OR OTHER ARRANGEMENTS MADE BY THE FBI IN ATLANTA FOR THE USE OF AN APARTMENT OR PREMISES LOCATED IN THE PEACH-TREE TOWERS, ATLANTA, GEORGIA, IN THE 1960S, TO BE USED AS A LISTENING POST FOR MONITORING A TECHNICAL SURVEILLANCE (TESUR) ON MARTIN LUTHER KING, JR. IN ADDITION, FBIHQ WANTED ALL MATERIALS RELATIVES TO THE TERMINATION OF SUCH AN ARRANGEMENT, USE AND/OR OCCUPANCY.

ATLANTA FILES SHOWED THAT ON OCTOBER 21, 1963, FBIHQ AUTHORIZED THE ATLANTA OFFICE TO RENT AN APARTMENT FOR \$250.00 PER MONTH WHICH THE ATLANTA OFFICE HAD PREVIOUSLY SURVEYED TO BE USED AS A LISTENING POST IN CONNECTION WITH TESURS ON KING AND

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62-2854-47

*Print Copy
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PAGE TWO AT 62-2854

THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE (SCLC). FBIHQ ALSO AUTHORIZED ATLANTA TO PROCEED WITH THE "NECESSARY INSTALLATION" OF SEVERAL LEASED LINES ON THE SCLC, ATLANTA, GEORGIA, AND ONE LINE ON THE RESIDENCE OF MARTIN LUTHER KING, JR. FOR THE TESSRS OF KING AND SCLC.

AS A RESULT ON OCTOBER 23, 1963, SA ROBERT R. "NICHOLS" RENTED THE ABOVE MENTIONED APARTMENT, NUMBER TWENTY K (2C-K) IN THE PEACHTREE TOWERS APARTMENTS, ON THE TWENTIETH FLOOR, 300 WEST PEACHTREE STREET, ATLANTA, GEORGIA. THE APARTMENT HAD A LIVING ROOM AND ONE BEDROOM AND RENTED FOR \$250.00 PER MONTH FURNISHED. SA NICHOLS IN RENTING THIS APARTMENT USED THE COVER OF RICHARD NICHOLS, SOUTHEASTERN ENGINEERING COMPANY, 100 HAMPTON STREET, COLUMBIA, SOUTH CAROLINA.

ON NOVEMBER 8, 1963, THE INSTALLATION FOR THE ABOVE TESSRS ON SCLC HEADQUARTERS AND THE RESIDENCE OF MARTIN LUTHER KING, JR., BOTH IN ATLANTA, WERE COMPLETED AND MONITORING COMMENCED IN THE RENTED APARTMENT IN THE PEACHTREE TOWERS. FOUR LINES WERE MONITORED AT SCLC HEADQUARTERS AND ONE AT THE RESIDENCE OF REVEREND KING.

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PAGE THREE AT 62-2654

FBIHQ. AS A RESULT, ATLANTA VACATED THE APARTMENT IN THE PEACH-TREE TOWERS, WHICH HAD BEEN USED FOR MONITORING PURPOSES, ON JULY 27, 1966, AFTER GIVING THE REQUIRED 30-DAY NOTICE TO THE PEACH-TREE TOWERS MANAGEMENT.

XEROX COPIES OF PERTINENT FILES, LETTERS AND THE LEASE FOR THE ABOVE MENTIONED APARTMENT ARE BEING SENT TO FBIHQ BY AIRTEL THIS DATE.

ABOVE INFORMATION WAS REFLECTED IN ATLANTA FILES 100-6670-E AND 100-6520-E. THESE FILES ALSO CONTAIN "NUMEROUS BILLS RENDERED BY SOUTHERN BELL TELEPHONE COMPANY FOR TELEPHONE SERVICE TO SOUTHEASTERN ENGINEERING COMPANY, POST OFFICE BOX 583, ATLANTA, GEORGIA 30301, AS WELL AS TO RICHARD NICHOLS, APARTMENT 22-N, 300 WEST PEACHTREE STREET, N.W., ATLANTA, GEORGIA 30306, FROM DECEMBER, 1963 TO AUGUST 4, 1966. ALSO ATTACHED TO THESE TELEPHONE BILLS IS FD-221A REQUESTING MONEY TO PAY THESE TELEPHONE BILLS. THESE TELEPHONE BILLS AND THE FD-221AS ARE NOT BEING SUBMITTED TO THE BUREAU.

E N D

SJP FBIHQ CLR

URGENT AT 0000

4:53 PM URGENT OCTOBER 3, 1975 SSP

TO: DIRECTOR, FBI

JUNE

FROM: ATLANTA (62-2854)

ATTN: W.O. CREGAR, INFO.

SENSTUDY 75.

RE TELEPHONE CALL FROM SECTION CHIEF, J.G. BEING, FBIHQ, TO SAC, ATLANTA, OCTOBER 3, 1975.

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PAGE TWO AT 62-2354

THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE (SCLC). FBIHQ ALSO AUTHORIZED ATLANTA TO PROCEED WITH THE NECESSARY INSTALLATION OF SEVERAL LEASED LINES ON THE SCLC, ATLANTA, GEORGIA, AND ONE LINE ON THE RESIDENCE OF MARTIN LUTHER KING, JR. FOR THE TESSRS ON KING AND SCLC.

AS A RESULT ON OCTOBER 23, 1963, SA ROBERT R. NICHOLS RENTED THE ABOVE MENTIONED APARTMENT, NUMBER TWENTY K (22-K) IN THE PEACHTREE TOWERS APARTMENTS, ON THE TWENTIETH FLOOR, 342 WEST PEACHTREE STREET, ATLANTA, GEORGIA. THE APARTMENT HAD A LIVING ROOM AND ONE BEDROOM AND RENTED FOR \$250.00 PER MONTH FURNISHED. SA NICHOLS IN RENTING THIS APARTMENT USED THE COVER OF RICHARD NICHOLS, SOUTHEASTERN ENGINEERING COMPANY, 106 HAMPTON STREET, COLUMBIA, SOUTH CAROLINA.

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PAGE THREE AT 62-2854

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THIS DATE.

ABOVE INFORMATION WAS REFLECTED IN ATLANTA FILES 123-6673-E
AND 123-6625-F. THESE FILES ALSO CONTAIN NUMEROUS BILLS RENDERED
BY SOUTHERN BELL TELEPHONE COMPANY FOR TELEPHONE SERVICE TO SOUTH-
EASTERN ENGINEERING COMPANY, POST OFFICE BOX 583, ATLANTA, GEORGIA
30301, AS WELL AS TO RICHARD NICHOLS, APARTMENT 20-K, 300 WEST
PEACHTREE STREET, N.W., ATLANTA, GEORGIA 30308, FROM DECEMBER,
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TELEPHONE BILLS AND THE FD-221AS ARE NOT BEING SUBMITTED TO THE
BUREAU.

T M R

SJP EBING CLR

NR006 AT CODE

4:58 PM URGENT OCTOBER 6, 1975 SSP

TO: DIRECTOR, FBI

JUNE

FROM: ATLANTA (62-2854)

ATTN: W.O. GREGAR, INTD.

SENSTUDY 75.

RE TELEPHONE CALL FROM SECTION CHIEF, J.G. DEEGAN, FBIHQ,
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PAGE TWO AT 62-2354

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E M D

SJP FBIHQ CLR

SOUTHEASTERN ENGINEERING COMPANY

Post Office Box 583
Atlanta, Georgia 30301
July 27, 1966

Peachtree Towers, Inc.
300 West Peachtree, N. W.
Atlanta, Georgia 30303

Gentlemen:

Re my letter July 1, 1966, concerning apartment
20 K.

Enclosed herewith are two keys to apartment 20 K
and one key to corresponding mailbox.

Please be advised we have vacated the apartment
as of this date.

In the event you find subsequent correspondence
necessary, kindly direct same to my attention at the above
address.

Your gracious service during our occupancy has
been appreciated.

Yours truly,



R. J. Nichols
Representative

Enclosures 3

Mailed 7/27/66 via Registered Mail,
Return Receipt Requested, Registered #

1359 (Submitted 1A Section)
100-6670 E-042

62-2854-48
100-6670 E-111

SOUTHEASTERN ENGINEERING COMPANY

Post Office Box 583
Atlanta, Georgia - 30301

July 1, 1966

Peachtree Towers, Inc.
300 West Peachtree, N. W.
Atlanta, Georgia 30308

Gentlemen:

Enclosed herewith is cashier's check in amount of \$250.00 covering rent due July 1, 1966 for apartment 20 K.

This letter will also confirm my telephone call to Miss Jesse Abercrombie June 30, 1966 advising as of that date we were furnishing 30 days notice of vacating the aforementioned apartment. This notice is given pursuant to item 20 of lease dated October 23, 1963.

I will personally see that you are subsequently advised of the exact date of our departure and that keys are returned to you.

Yours truly,

R. J. Nichols
Representative

Enclosure - 1

*Mailed 7/1/66 via Reg. mail
Return Receipt Requested
Registered No. 170
Receipt submitted to I-A
Section of 100-6670-E*

isw

62-2854-48A

100-6670-E-108

SAC (66-293)

6/29/66

ASAC EUGENE H. STEWART

AT 1380-S*

This is to record that I talked with Inspector JOSEPH A. SIZOO, Domestic Intelligence Division, today at 11:45 a.m., and he verified that there had been no change in the discontinuance of this coverage as outlined by him on 6/21/66. He stated that after conferring with Assistant Director SULLIVAN that we should discontinue completely and that there were no current plans to reinstitute this coverage. I informed him that we would make a clean break and would give proper notice for the physical space and return personnel to other duties as soon as possible.

I informed Supervisor HARDING of the above and, it being noted that SA MILLER is in Cordele, Ga., physical arrangements will be made as soon as possible. Notice concerning the premises are to be given immediately on a 30-day vacating basis.

1 - 66-293

① - 100-6670-E

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62-2854-48B
100-6670E-107

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MA

FILE (66-293)

6/23/66

SAC JOSEPH K. PONDER

AT 1380-S*

Inspector JOSEPH A. SIZOO, Domestic Intelligence Division, called at 11:45 a.m. on 6/21/66. He instructed that our technical coverage on SCLC and MARTIN LUTHER KING, JR. be discontinued immediately. He said this coverage should be discontinued in such a way that it can be re-established on short notice, but it is not to be re-established without specific Bureau instructions.

I told SIZOO we would discontinue this operation at once, but that we would not remove any of our equipment from the plant, and that we would leave an Agent on duty round the clock to insure the security of the installation. We will continue to man the plant for security reasons for about a week at the end of which time we will check with the Bureau for further instructions if none have been received in the meantime.

I called SA DAVIS then on duty at the plant at 11:55 AM and he at that time discontinued this source. The Bureau was subsequently advised by teletype that this source was discontinued at 11:55 a.m. 6/21/66.

1 - 66-293

① - 100-6670-E

JKP:hld

(2)

hld

62-2854-48C
100-6670E-106

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11/12/63

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI
FROM: SAC, ATLANTA
RE: COMINFIL
RM
ATLANTA DIVISION

JUNE

(PERSONAL ATTENTION
ASST. DIRECTOR SULLIVAN
OR INSPECTOR SIZOO)

Installation completed this matter
November 8 last.

Hou
Symbol AT 1379-S* assigned telephone number
522-4596 and leased line obtained from Houston Street
and Boulevard, Atlanta, to 300 West Peachtree Street, N.W.

5
Symbol AT 1380-S* assigned telephone number
524-1378 and leased line obtained from 328 Auburn Avenue,
N. E., to 300 West Peachtree Street, N. W.

Symbol AT 1381-S* assigned telephone number
524-1379, leased line obtained from 328 Auburn Avenue,
N. E., to 300 West Peachtree Street, N. W.

*my pre
SLH*
Symbol AT 1382-S* assigned telephone number
524-1370, leased line obtained from 328 Auburn Avenue,
N. E., to 300 West Peachtree Street, N. W.

On
Symbol AT 1383-S* assigned telephone number
524-3151, leased line obtained from 328 Auburn Avenue,
N. E., to 300 West Peachtree Street, N. W.

Monitoring operations instituted, results of
which will be furnished Bureau.

AFM:CM

(4)

3 - Bureau (RM)

1 - Atlanta

UNITED STATES GOVERNMENT

Memorandum

TO : FILE

J U N E

DATE: 11/4/63

FROM : SAC JAMES E. McMAHON

SUBJECT: COMINFIL
RM

On 10/21/63 Inspector JOE SIZOO telephonically contacted the Atlanta Office and advised that it was o.k. for us to rent the apartment which we had surveyed for \$250.00 per month and to go ahead with the necessary installation of the five leased lines on the SCLC and one line on the residence of MARTIN LUTHER KING, JR. He said that when all of this had been done and the leased lines had been connected, Atlanta should call Miami and request them to send SA BILL HEIST to make the final installation. Mr. SIZOO said that the additional equipment which we had previously requested was being forwarded separately to Atlanta. He further stated that when this installation is made we should furnish the Bureau immediately the date and time of installation, symbols for the five lines, and at the end of thirty days submit an evaluation with recommendations for its continuance or discontinuance. He further stated that any mail sent to the Bureau should bear the caption, "COMINFIL, RACIAL MATTER, ATLANTA DIVISION," Personal Attention Asst. Director W. C. SULLIVAN or Inspector JOSEPH SIZOO, Domestic Intelligence Division.

I told him we would go ahead in accordance with his instructions.

JEM:CM
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62-2854-48E
100-6520-E-20
~~100-6520-E-20~~

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FBI-ATLANTA	

UNITED STATES GOVERNMENT

Memorandum

TO : FILE

J U N E

DATE: 11/4/63

FROM : SAC JAMES E. McMAHON

SUBJECT: COMINFIL
RM

Remymemo dated 10/17/63 captioned, "MARTIN LUTHER KING, JR," which relates to a confidential technical installation.

On 10/17/63 SA ROBERT R. NICHOLS ascertained that he could rent an apartment in the Peachtree Towers Apartments, 300 West Peachtree Street, Atlanta, Apartment 20-K, on the 20th floor. The apartment has a living room and one bedroom and rents for \$250.00 per month furnished. SA NICHOLS has been given the cover of RICHARD NICHOLS, Southeastern Engineering Company, 106 Hampton Street, Columbia, S. C. He has been given the names of two references if it is necessary to supply references to the apartment manager. They are Mr. JACK GILLESPIE and ASA CANDLER.

The above two references are individuals in the city of Atlanta who are very reliable and are close to the FBI. Both of these references know nothing whatsoever about this matter but both readily agreed that if they are contacted concerning Mr. RICHARD NICHOLS of Southeastern Engineering Company, Columbia, S. C., they will give the necessary recommendations.

Pertinent information above concerning the apartment rental, the fact that we need several days to obtain five leased lines from the Telephone Company, plus one additional telephone in the apartment, was telephonically furnished to Inspector JOE SIZOO at the Bureau on 10/17/63, at which time authority was requested to rent the apartment and order the leased lines from the Telephone Company. Inspector SIZOO said he would let us know when this was approved.

JEM:CM
(1)

~~100-6520-E-19~~
~~100-6520-E-11~~

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62-2854-48 F

PEACHTREE TOWERS APARTMENT LEASE

STATE OF GEORGIA
COUNTY OF FULTON

THIS AGREEMENT OF LEASE made this 23 day of OCTOBER, 1963, between PEACHTREE TOWERS, INC., hereinafter referred to as Landlord, and SOUTHEASTERN ENGINEERING COMPANY

hereinafter referred to as Tenant;

WITNESSETH: That Landlord hereby leases to Tenant and Tenant hereby hires from Landlord the premises designated as Apartment No. 1 located on the 20th floor of Peachtree Towers Apartments, 300 West Peachtree Street, in the City of Atlanta, County of Fulton, State of Georgia; for a term of ONE YEAR, commencing on the 24th day of OCTOBER, 1963, and ending on the 23rd day of OCTOBER, 1964, at and for the agreed monthly rental of TWO-HUNDRED-FIFTY & NO/100 Dollars, which Tenant agrees to pay in advance on the 1st day of each month during the term of this lease at the office of Landlord located in the building or at such other place as Landlord may designate, without any set-off or deduction whatsoever.

Landlord and Tenant, for themselves, their heirs, executors, administrators, successors and assigns, hereby covenant as follows:

PAYMENT
OF
RENT

1. Tenant shall pay the specified rent above provided and such additional rent as shall become payable hereunder on the date due. No bill or demand for said rent shall be required before payment, and any bill therefor shall be deemed a convenience and not a condition precedent to payment.

USE OF
DEMISED
PREMISES

2. The demised premises and any part thereof shall be used and occupied solely as a private apartment dwelling by Tenant and the immediate family of Tenant as listed on application for Apartment Lease. Tenant shall not use the demised premises in violation of any law, order, or regulation of any governmental authority having jurisdiction; nor in such manner as to create or cause a nuisance, it being understood that the use of profanity or the engaging in any loud or boisterous conduct that disturbs the peace and quiet of other tenants of the building shall, among other things, constitute such a nuisance; nor in such manner as to vitiate or increase the rate of insurance on the premises.

POSSESSION
OF
DEMISED
PREMISES

3. If the demised premises are available for occupancy prior to the date above specified for commencement of the term, Tenant may then take possession thereof upon the condition that Landlord consent in writing to the taking of such possession by Tenant, and in such event the term of this lease shall be deemed to commence from the time of the taking of such possession by Tenant and the provisions of this lease, including the payment of rent, shall be applicable to such period of occupancy. If the demised premises are not ready for occupancy on the date above specified for the commencement of the term, then the date of the commencement of the term shall be postponed until Landlord shall be able to so give possession and rent shall accrue as of the date that Landlord shall notify Tenant that the demised premises are ready for occupancy. Landlord assumes no responsibility to Tenant for delay in giving possession due to the failure of the previous occupant of the demised premises to vacate upon termination of the lease or for delay caused by any other reason not within the control of the Landlord.

RIGHT
OF
ENTRY

4. Landlord and the Landlord's agents shall have the right to enter the demised premises during all reasonable hours to examine the same, to make such repairs, additions or alterations as may be deemed necessary for the safety, comfort or preservation thereof, or of the building of which the demised premises are a part, or to exhibit the demised premises upon advance notice to Tenant at any time within thirty (30) days prior to the expiration of the term of this lease. The right of entry shall further exist for the purpose of removing placards, signs, fixtures, alterations or additions which are displayed or installed in violation of the terms of this lease.

MAINTENANCE 5.
AND UPKEEP

Tenant shall maintain the demised premises in as good a state of condition, order and repair as existed on the date of the commencement of the term of this lease, excepting only reasonable wear and tear arising from the use thereof. Tenant further agrees to be responsible for and to pay to Landlord immediately upon demand any damage to the heating or water apparatus, electric lights or wires, or any fixtures, appliances or appurtenances to the demised premises or the building caused by the act or neglect of Tenant, or any person or persons in the employ or under the control of Tenant. In the event of any damage to the demised premises resulting from the carelessness, neglect, or improper conduct of Tenant, its employees, agents, visitors or licensees, Landlord at the expense of Tenant may make such repairs as may be necessary to restore the demised premises to a good state of order and condition.

ALTERATIONS 6.

Tenant shall make no alterations, decorations, additions or improvements in or to the demised premises without the prior written consent of Landlord, and then only by contractors and mechanics approved by Landlord and performed at such times and in such manner as Landlord may from time to time designate. All such alterations, decorations, additions or improvements shall become the sole and absolute property of Landlord and shall remain upon and be surrendered with the demised premises as a part thereof upon the termination or expiration of the term of this lease.

UTILITIES
AND
SERVICES

7. As long as Tenant shall not be in default under any of the provisions of this lease Landlord without charge to Tenant shall provide the following utilities and services: (a) electric current in reasonable quantities, (b) hot and cold water in reasonable quantities, (c) heat and air conditioning at reasonable hours during the proper seasons, and (d) passenger elevator service to and from the floor of the building upon which the demised premises are located. Any interruption or curtailment of the foregoing services shall not constitute a constructive or partial

eviction nor, unless caused by the gross negligence of Landlord, entitle Tenant to any compensation or abatement of rent. It is expressly understood and agreed that the foregoing agreement of Landlord to furnish the designated services shall not be deemed breached and Landlord shall incur no liability therefor if any such interruption or curtailment of service shall be caused by the occurrence of some event beyond the reasonable control of Landlord.

FIXTURES
AND
FURNITURE

8. As long as Tenant shall not be in default under any of the provisions of this lease Tenant upon termination of this lease may remove all movable fixtures or equipment which Tenant has placed within the demised premises, provided Tenant restores the demised premises to the condition existing prior to the installation thereof. Landlord shall not be liable for any loss or damage to any personal property of Tenant placed within the demised premises which loss or damage is caused by the negligence of any co-tenant or other occupant of the building of which the demised premises form a part, or by any other person whomsoever other than Landlord or its agents.

FIRE
OR
CASUALTY

9. If the demised premises or the building of which the demised premises form a part shall be partially damaged by fire or other casualty, necessary repairs shall be made by and at the expense of Landlord, and in case such damage shall render the demised premises untentable in whole or in part, then the rent until the demised premises have been repaired shall cease if wholly untentable or be apportioned if partially untentable based on the part of the demised premises which is usable by Tenant. If, however, said building shall be totally destroyed or the demised premises damaged to the extent that repairs cannot in Landlord's opinion be completed within a period of ninety days, or if Landlord shall decide to remodel or reconstruct said building, then and in any of such events this lease shall terminate effective on the date of such destruction or damage.

EMINENT
DOMAIN

10. If the whole or any part of the demised premises shall be taken or condemned by any competent authority for any public or quasi public use, then the term of this lease shall cease and terminate effective on the date when the possession of the part so taken or condemned shall be required for such use or purpose. All damages awarded for the taking of the demised premises or any part thereof shall be the sole property of Landlord.

DEFAULT

11. If Tenant shall default in fulfilling any of the covenants and conditions of this lease (other than the covenant for the payment of rent) or in complying with any of the Rules and Regulations herein contained, or if Tenant shall make any misrepresentation in the Application for Apartment Lease, or if the Tenant or any authorized occupant of the demised premises shall engage in any conduct or activity deemed in the opinion of Landlord objectionable or improper, then and in any of such events Landlord may, at its option, terminate the term of this lease by giving to Tenant five days notice of its intention to so terminate, and thereupon at the expiration of said five days, the term of this lease shall expire as fully and completely as if that day were the date fixed for the expiration of said term.

RIGHTS
UPON
DEFAULT

12. If Tenant shall default in the payment of the specified rent or additional rent reserved hereunder, or if the notice of termination provided for under preceding paragraph 11, hereof shall have been given and said five days notice period shall have elapsed, or if the demised premises have become vacant or deserted, Landlord shall have the right to re-enter the demised premises and remove all persons and property there from, either by summary dispossession proceedings, or by any suitable action or proceeding at law, or otherwise without being liable to indictment, prosecution or damages therefor, and Tenant, whether or not the demised premises shall be relet as hereinafter provided shall be and remain liable to Landlord for damages equivalent to the amount of the specified rent reserved hereunder to the date when the term of this lease would have expired but for the prior termination thereof, and the same shall be due and payable by Tenant to Landlord on the dates hereinabove provided. In the event of any such re-entry Landlord may, at its option, relet the demised premises for the remainder of the term, or any part or parts thereof, or for the period which may extend beyond the date provided for the expiration of the term, and the rents collected on any such reletting may be applied to the fulfillment of any covenants to be performed by Tenant hereunder and the balance of rents to be applied by Landlord on account of any rent unpaid by Tenant for the remainder of the term, with Tenant continuing to be liable for any resulting deficiency in rent.

REIMBURSE-
MENT OF
EXPENSES

13. If Tenant shall default in the performance of any of the covenants or conditions of this lease Landlord may, at its option, perform the same for the account of Tenant, and any amount paid or expenses incurred by Landlord in the performance of such covenants or conditions shall be deemed to be additional rent for the demised premises, and same shall be due and payable by Tenant to Landlord on the first day of the next following month, or, at the option of Landlord, on the first day of any succeeding month as may be specified in writing by Landlord.

SUBORDI-
NATION

14. This lease and the rights of Tenant conferred thereunder shall at all times be subject and subordinate to the lien of any mortgage, deed of trust or other security instrument now or hereinafter placed on the land and building of which the demised premises form a part, and to any and all advances heretofore made or hereinafter to be made upon the security of said mortgage, deed of trust or other security instrument, and to any and all extensions, modifications, replacements thereof and changes therein, and Tenant in confirmation of such subordination shall on demand execute and deliver any further instrument that may be required by any mortgagee or by Landlord for the purpose of subordinating this lease to the lien of any such mortgage, deed of trust or other security instrument.

ASSIGNMENT
AND
SUBLETTING

15. Tenant shall not assign this lease or in any manner transfer any interest or benefit thereunder, or sublet the demised premises or any part or parts thereof, or permit the use of same by anyone other than an authorized occupant as reflected by Application for Apartment Lease, without the prior written consent of Landlord, and any such consent shall be limited to the instance stated therein and shall not be deemed to constitute a release, waiver or consent to any other assignment, transfer of interest or subletting.

SURRENDER
OF
POSSESSION

16. Tenant shall quietly and peaceably surrender the possession of and vacate the demised premises upon the termination or expiration of the term of this lease.

HOLDING
OVER

17. If Tenant shall continue to remain in the occupancy of the demised premises after the expiration of the term of this lease, there shall be thereby created a tenancy from month to month and all of the terms and conditions of this lease shall be applicable to such tenancy.

SECURITY
DEPOSIT

18. Simultaneously with the execution of this lease Tenant shall deposit with Landlord the sum of \$100.00, which deposit shall be without interest, as security for the faithful performance by Tenant of all of the terms, conditions and provisions of this lease. If upon expiration of the term of this lease Tenant shall have fully performed all obligations required hereunder, such deposit shall be promptly refunded by Landlord.

RULES
AND
REGULATIONS

19. Tenant and other authorized occupants of the demised premises shall observe and comply with the Rules and Regulations hereinafter set forth and such other and further Rules and Regulations as Landlord may from time to time prescribe for the safety, care and cleanliness of the building and the preservation of good order therein, and such Rules and Regulations hereinafter set forth or hereinafter prescribed are hereby made a part of this lease as if fully incorporated herein.

SERVICE
OF
NOTICE

20. Any notice by Landlord to Tenant shall be deemed duly given if either delivered personally to Tenant, or left at the demised premises, or mailed by registered letter in a postpaid envelope addressed to Tenant in the building of which the demised premises form a part. Any notice by Tenant to Landlord shall be deemed duly given only if in writing and either delivered personally to an office of Landlord, or other agent of Landlord charged with the management of the building of which the demised premises are a part, or mailed by registered letter in a postpaid envelope addressed to Landlord at the address of said building as hereinabove stated. Tenant shall give Landlord 30 days notice prior to the date of vacating the premises.

QUIET
ENJOYMENT

21. Landlord covenants that so long as Tenant shall pay the rent hereunder reserved and shall perform the terms, conditions and provisions of this lease, Tenant shall quietly and peaceably enjoy the demised premises subject to the terms of this lease and to the mortgage, deed of trust or security document to which this lease was hereinabove made subordinate.

BINDING
EFFECT

22. The terms, covenants, conditions and provisions of this lease shall bind and insure to the benefit of Landlord and Tenant, and their respective heirs, executors, administrators, successors and, whenever herein authorized, their assigns.

IN WITNESS WHEREOF, Landlord and Tenant have respectively signed and sealed this lease as of the day and year first above written.

PEACHTREE TOWERS, INC.

By

Manion G. Monahan
MANAGER

RJ Nichol
TENANT

for
Southeastern Engineering Co.

THE LESSEE, FOR SUFFICIENT REASON, MAY TERMINATE THIS
LEASE BY GIVING THIRTY DAYS WRITTEN NOTICE.

PEACHTREE TOWERS, INC.

BY: *N. M. L. Mason*

SOUTHEASTERN ENGINEERING COMPANY

BY: *R. J. Nichols*
for
Southeastern Engr. Co.

UNITED STATES GOVERNMENT

Memorandum

TO : FILE

DATE: 10/17/63

FROM : SAC JAMES E. McMAHON

J U N E

SUBJECT: MARTIN LUTHER KING, JR.

At 5:00 P.M. on 10/15/63 Asst. Director WILLIAM C. SULLIVAN telephonically contacted me in Atlanta. SULLIVAN stated that in connection with our recent request for a tesur on MARTIN LUTHER KING it had been decided by the Bureau that a clandestine tesur should be placed on him for a trial period of 60 days.

SULLIVAN stated that this must be maintained in absolute and strict confidence and that only the minimum number of employees necessary to handle the matter should have knowledge of it. He stated that mature, experienced agents should monitor the tech and no Investigative Clerks should be permitted to handle it. He stated nothing should be placed in file concerning this particular phase of the investigation of KING. He stated that all mail, memos, etc., should be personally handled by the SAC and should not be serialized, indexed or filed.

He stated that at the appropriate time the Bureau will send a sound trained Agent to Atlanta to complete the installation inasmuch as the Atlanta sound man is known to KING as an FBI Agent.

I requested SULLIVAN to advise me prior to sending the sound man to Atlanta in order that all other work could be completed and in order that the Bureau sound man would only have to be here for a minimum period of time. I further suggested to SULLIVAN that in view of his above instructions that no Investigative Clerks monitor the installation, and that information concerning this tech be limited to the minimum number of personnel, it would be better for the monitoring point to be other than the FBI field office, due to the fact that we have another similar installation on another individual that is being monitored in the field.

JEM:CM
(1)

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office and there is no other space within the confines of the office for complete security to be assured. SULLIVAN agreed and I told him we would attempt to obtain a suitable monitoring point and I would let him know.

Information concerning this matter has been furnished only to the ASAC, Supervisor HENRY G. ROWSE, SA's ALDEN F. MILLER and FRANK R. SOUTHERLAND, the two Atlanta sound men, and Miss MAXWELL, SAC's secretary. They have been instructed that this must be maintained in complete confidence.

10/6/75

AIRTEL

TO: DIRECTOR, FBI JUNE
ATTN: W. O. GREGAR, INTD

FROM: SAC, ATLANTA (62-2854)

SUBJECT: SENSTUDY 75

Re telephone call from Section Chief, J. G. DEEGAN, FBIHQ, to SAC, Atlanta, 10/3/75, and Atlanta teletype to FBIHQ, 10/6/75.

As requested by FBIHQ in referenced telephone call, Atlanta is enclosing two (2) Xerox copies each of the following communications for the Bureau in connection with the renting of an apartment for technical surveillances of MARTIN LUTHER KING, JR. by the Atlanta Office:

1. Memo of SAC JAMES E. MC MAHON dated 10/17/63, captioned "MARTIN LUTHER KING, JR. (JUNE)". 100-6520 E-18
2. Memo of SAC JAMES E. MC MAHON, 11/4/63, captioned "COMINFIL, RM" (JUNE). 100-6520 E-19
3. Memo of SAC JAMES E. MC MAHON, 11/4/63, captioned "COMINFIL, RM" (JUNE). 100-6520 E-20
4. A lease for an apartment in the Peachtree Towers Apartments. 100-6520 E-1A-4

2 - Bureau (Enc. 18)
1 - Atlanta
EJS/pab
(3)

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AT 62-2854

5. Atlanta airtel to FBIHQ, 11/12/63, captioned "COMINFIL, RM, ATLANTA DIVISION" (JUNE). 100-6520 E-23

6. Memo of SAC JOSEPH K. PONDER, 6/23/66, captioned "AT 1380-S:". 100-6670 E-106

7. Memo of ASAC EUGENE H. STEWART, 6/29/66, captioned "AT 1380-S:". 100-6670 E-107

8. A letter from the Southeastern Engineering Company, Atlanta, Georgia, to the Peachtree Towers, Inc., Atlanta, Georgia, dated 7/1/66. 100-6670 E-108

9. A letter from the Southeastern Engineering Company, Atlanta, Georgia, to the Peachtree Towers, Inc., Atlanta, Georgia, 7/27/66. 100-6670 E-11

The above information was reflected in Atlanta files 100-6670-E and 100-6520-E. These files also contain numerous bills rendered by Southern Bell Telephone Company for telephone service to Southeastern Engineering Company, P. O. Box 583, Atlanta, Georgia 30301, as well as to RICHARD NICHOLS, Apartment 20-K, 300 West Peachtree Street, N. W., Atlanta, Georgia 30308, from December, 1963 to 8/4/66. Also attached to these telephone bills is FD-221a requesting money to pay these telephone bills. These telephone bills and the FD-221a's are not being submitted to the Bureau.

NR045 WA FLAIN

713PMDTEL 10/9/75 GHS

TO ALL SACS

FROM DIRECTOR

INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL COMMITTEES

BY MEMORANDUM TO ALL EMPLOYEES DATED MAY 28, 1975, CAPTIONED "INTERVIEWS OF FBI EMPLOYEES," ALL EMPLOYEES WERE ADVISED OF THE NECESSITY OF SECURING FBI HEADQUARTERS APPROVAL PRIOR TO SUBMITTING TO INTERVIEWS BY REPRESENTATIVES OF CONGRESSIONAL COMMITTEES. THE NECESSITY OF SECURING THIS APPROVAL IS PROMPTED BY THE EMPLOYMENT AGREEMENT ALL EMPLOYEES HAVE SIGNED.

YOU WERE ADVISED THAT CONGRESSIONAL STAFF MEMBERS WERE CONDUCTING INTERVIEWS OF FORMER AND/OR CURRENT EMPLOYEES AND THAT THIS BUREAU HAD PLEDGED ITS COOPERATION WITH CONGRESS. OUR COOPERATIVE EFFORTS, OF COURSE, MUST BE CONSISTENT WITH BUREAU PROCEDURES.

RECENTLY, WE HAVE HAD ATTEMPTS BY CONGRESSIONAL COMMITTEE STAFF MEMBERS TO INTERVIEW CURRENT EMPLOYEES WITHOUT PRIOR CONTACT WITH FBI HEADQUARTERS. YOU ARE AGAIN REMINDED

62-2854-49

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[Handwritten signature/initials over the stamp]

PAGE TWO

THAT IF A REPRESENTATIVE OF A CONGRESSIONAL COMMITTEE SHOULD
CONTACT A BUREAU EMPLOYEE, THAT EMPLOYEE SHOULD DECLINE TO
RESPOND TO QUESTIONS POSED TO HIM AND ADVISE THE CONGRES-
SIONAL STAFF MEMBER OF THE NECESSITY OF RECEIVING FBI
HEADQUARTERS APPROVAL BEFORE RESPONDING TO QUESTIONS.

END

SSP FBI ATLANTA FOR TWO

TKS/CLR

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713PMITLL 12/9/75 GHS

TO ALL SACS

FROM DIRECTOR

INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL COMMITTEES

BY MEMORANDUM TO ALL EMPLOYEES DATED MAY 20, 1975,
CAPTIONED "INTERVIEWS OF FBI EMPLOYEES," ALL EMPLOYEES WERE
ADVISED OF THE NECESSITY OF SECURING FBI HEADQUARTERS APPROVAL
PRIOR TO SUBMITTING TO INTERVIEWS BY REPRESENTATIVES OF CON-
GRESSIONAL COMMITTEES. THE NECESSITY OF SECURING THIS AP-
PROVAL IS PROMPTED BY THE EMPLOYMENT AGREEMENT ALL EMPLOYEES
HAVE SIGNED.

YOU WERE ADVISED THAT CONGRESSIONAL STAFF MEMBERS
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10/9
No Action
GHS

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PAGE TWO

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HEADQUARTERS APPROVAL BEFORE RESPONDING TO QUESTIONS.

END

SEP FBI ATLANTA FOR TWO

TMS/CLR

NR 45 WA PLAIN

WFOPMTEL 10/9/75 GHS

TO ALL SACS

FROM DIRECTOR

INTERVIEWS OF FBI EMPLOYEES BY CONGRESSIONAL COMMITTEES

BY MEMORANDUM TO ALL EMPLOYEES DATED MAY 28, 1975,
CAPTIONED "INTERVIEWS OF FBI EMPLOYEES," ALL EMPLOYEES WERE
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62-2854-48

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PAGE TWO

THAT IF A REPRESENTATIVE OF A CONGRESSIONAL COMMITTEE SHOULD
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SIONAL STAFF MEMBER OF THE NECESSITY OF RECEIVING FBI
HEADQUARTERS APPROVAL BEFORE RESPONDING TO QUESTIONS.

END

SSP FBI ATLANTA FOR TWO

TKS/CLR

UNITED STATES GOVERNMENT

Memorandum

TO : ALL EMPLOYEES

DATE: 10/10/75

FROM: SAC JAMES J. DUNN, JR.

SUBJECT: INTERVIEWS OF FBI EMPLOYEES
BY CONGRESSIONAL COMMITTEES

All employees have previously been advised of the necessity of securing FBI Headquarters approval prior to submitting to interviews by representatives of Congressional Committees. The necessity of securing this approval is prompted by the Employment Agreement all employees have signed.

You were advised that Congressional staff members were conducting interviews of former and/or current employees and that this Bureau had pledged its cooperation with Congress. Our cooperative efforts, of course, must be consistent with Bureau procedures.

Recently, we have had attempts by Congressional Committee staff members to interview current employees without prior contact with FBI Headquarters. You are again reminded that if a representative of a Congressional Committee should contact a Bureau employee, that employee should decline to respond to questions posed to him and advise the Congressional staff member of the necessity of receiving FBI Headquarters approval before responding to questions.

In the event any employee is contacted by a Congressional staff member in the above regard, the employee should adhere to the above instructions and immediately advise SAC.

62-2854
1-Each Employee
JO'K/rrl
(220)

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SAC [initials]



F B I

Date: 11/12/75

Transmit the following in _____

CODE

(Type in plaintext or code)

Via NITEL _____

(Priority)

TO: DIRECTOR, FBI (62-116395) 5:20 PM J
(ATTN: INTD, W. O. CREGAR)

FROM: SAC, ATLANTA (62-2854)

SENSTUDY 75

REBUTELCALL TO SAC, ATLANTA, FROM SUPV. SEYMOR PHILLIPS
NOVEMBER 11, 1975.

FORMER SA, J. BROOKE BLAKE, DIRECTOR OF BANK SECURITY,
TRUST COMPANY BANK, ATLANTA, TELEPHONICALLY CONTACTED BY
SAC NOVEMBER 11, 1975, AND WAS ADVISED OF CONTEMPLATED CONTACT
OF HIM BY SENATE SELECT COMMITTEE (SSC).

MR. BLAKE ADVISED THAT IF CONTACTED BY REPRESENTATIVE SSC
HE WOULD CONTACT BUREAU'S LEGAL COUNSEL DIVISION BY COLLECT
CALL PRIOR TO INTERVIEW.

JJD:rrl

(1)

Approved: _____

Special Agent in Charge

Sent

5:20p

M

Per

10/11

NR004 AT CODED

5:20 PM NITEL NOVEMBER 12, 1975 LMM

TO DIRECTOR (62-116395)

FROM ATLANTA (62-2854)

ATTN: INTD, W. O. CREGAR

SENSTUDY 75

REBUTELCALL TO SAC, ATLANTA, FROM SUPV. SEYMOR PHILLIPS
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CALL PRIOR TO INTERVIEW.

END

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Bank Security

November 25, 1975

Special Agent Seymour Phillips
Federal Bureau of Investigation
506 Old Post Office Building
Washington, D. C. 20535

RE: Testimony before Senate Select
Committee on Governmental Operations
with Respect to Intelligence Activities
by J. Brooke Blake, November 21, 1975

Dear Mr. Phillips:

On November 21, 1975, I met Committee attorney-investigator, Robert K. Kelly at Room G-308, Dirksen Senate Office Building, Washington, D. C. He suggested we have lunch in the building cafeteria. During those thirty minutes he spoke in generalities about the Committee's work and I was able to keep the conversation on a theme of my asking about his background and current activities. He did ask if I knew Roy Moore. He was informed I knew Roy in Birmingham and that he was one of a very few "trouble shooting" inspectors who traveled throughout the United States as agent in charge of major case investigations. He asked my opinion on why Roy and I answered my guess was his experience and ability to rally agents. I explained the latter as Roy Moore being the type boss for whom most agents enjoyed working.

Throughout lunch and the deposition Kelly seemed infatuated with informant, Tom Rowe.

Kelly took me to Room 155, of the Russell Building, where he introduced a Committee contract court reporter, Fred Ward. The room contained many empty conference tables and chairs and is one used by Senators' wives for some program they have with the Red Cross.

Ward and Kelly were the only persons present throughout the deposition which was taperecorded, and by Ward using the court reporter's transcribing equipment. The official deposition started at 2:07 p.m. and ended at 2:52 p.m. (Kelly gave me the attached subpoena before being questioned.) There was an approximate 4 minute interruption by a telephone call for Kelly, which I had to answer, and then he politely asked me to leave the room. The informal way

*Copy furnished by Brooke Blake
for SAC Atlanta 12/1/75*

62-2854-52

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Trust Company of Georgia / P. O. Box 4418 / Atlanta, Georgia 30302 / (404) 588-8216



Special Agent Seymour Phillips
November 25, 1975
Page Three

Q - Any directions I had given to Rowe to attend political campaigns and/or disrupt them?

A - Did not recall such.

Q - Knowledge of any Klan violence in which Rowe participated?

A - None recalled but explained that due to his personality he could not look like an angel.

Q - Did I ever tell Rowe that the FBI had declared war on the Klan?

A - No, but elaborated he was well aware of the FBI's interest in solving the various bombings throughout Alabama.

Q - My reaction to the fact that Rowe was a member of the Klan's Security Detail and one of Bobby Shelton's bodyguards?

A - Explained that the fact that he elevated in the Klan's ranks was a concern of mine and the FBI's. We wanted him put where he would be able to furnish valuable information, but restrained him from rising to any executive position in the Klan.

Q - Testimony that Rowe had given the Committee that there were certain Birmingham police officers who were involved with the Klan?

A - Because of the general possibilities, any information he furnished was disseminated only to certain known reliable police contacts. I pointed out to them the delicate nature of most of Rowe's information and the fact that it could not be disseminated by memo form to all department employees of any agency.

Q - Another question regarding attendance at political meetings with the direction that Rowe persuade the Klan to take a certain position for candidates?

A - No such directions ever made.

Q - What was the scope of Rowe's assignment as a Klan informant?

A - To obtain and report any or all intelligence information he could determine.

Q - Any directions given Rowe about Matt Murphy, a candidate for police commissioner in Birmingham?

A - Was not at all familiar with Murphy other than hearing the name by Kelly who commented from his memo that the question pertained to something that occurred after I left the FBI.

Q - When I was assigned to handle Rowe what was my recollection of his reputation and value to the FBI?

A - That he was known to the Department of Justice and the FBI as the top Klan informant and that he was in the position to furnish vital information to the government.



Special Agent Seymour Phillips
November 25, 1975
Page Two

the deposition was taken surprised, but didn't bother me. It could catch someone off guard if strong cross examination developed.

Kelly informed me of my constitutional rights, the right to have a senator present and the right to request a senator and/or attorney at any time throughout the deposition. He had hinted while walking to the room of an interest in how Klan informants are developed and Bureau policy. He did not have a form on my rights or any form for me to sign. After his advisement, I advised him I had been briefed by the FBI only on procedure and the limitation of the waiver of oath as pertained to information only on Tom Rowe. He was informed I would not answer policy questions because I had been out eleven years, and of the availability of the Bureau executives to answer those questions. He explained a notary would be waiting to notarize my deposition when we returned to Room G-308. I stated that I would only allow the oath she gave me to apply to the fact I was the person who gave the deposition. He agreed. The preliminary conversation and advisement of my rights was not recorded to my knowledge. Apparently he predicated the inquiry as the result of Rowe's testimony and to corroborate same. He made it clear Rowe was most complimentary to the Bureau and all agents he knew.

Set forth below are briefs of his questions and my answers:
(He was using a statement or memo of about six pages which recorded testimony from Rowe.)

Q - Manner of reporting from Informant Rowe?

A - He reported in person, in writing, and by telephone depending on the urgency of the information. All information received from him was recorded in FBI files and disseminated to local, state and federal authorities on a "need to know" basis.

Q - Instructions by me to Rowe as to what information he should report?

A - All information, with main interest in intelligence activities discussed by action groups.

Q - My knowledge of any interest regarding an arrest record for Rowe?

A - None recalled nor did I ever recall seeing a rap sheet on him.

Q - Any actions of violence which were planned which he reported to me and what was done with the information?

A - None recalled, only evidence recalled was a report of another Klansman carrying blasting caps on his person while at a Klan convention. This information was disseminated to fellow agents on the scene with me surveilling the convention.

Q - Rowe claimed that I had told him about the Bureau's activities in "Cointel".

A - His statement had to be false because I had never heard of the code word until used recently in newspaper reports covering the Church Senate Subcommittee on intelligence activities.



Special Agent Seymour Phillips
November 25, 1975
Page Four

Q - Any special instructions I recalled on how I was to handle him?

A - I was to maintain control over him and recognize that by his personality that if his control was not maintained that he was the type that would run off because of his enthusiasm and put his safety in jeopardy. He was also the type who would try to run the show if you let him.

Q - Any recollections I had to the "Mother's Day" incident?

A - I had only heard of the incident, but was not with the Bureau in Birmingham.

Q - Did I ever direct Rowe while he was in the homes of Klansmen to attempt to steer them to certain rooms in the house while they engaged in conversation.

A - No and commented that they rarely discussed anything of value in homes or Klan meeting halls, but did so in small action groups.

Q - A general question on the problem of handling a Klan informant as opposed to a criminal informant with Kelly setting an example of an informant in a bank robbery?

A - I did not see any particular difference from his example and that of a Klansman planning to bomb a building.

These were the only questions I recorded in note form as he asked them. There may have been a few others, but none of any significance and Kelly appeared very cooperative and matter of fact throughout the deposition. Ward and Kelly escorted me back to Room G-308 where I was asked to swear to the deposition by a Notary Public, Audrey Hatry. I informed Kelly that I hoped this would be the last time I would see him on this matter and he responded he was "pretty sure it was".

Please express my appreciation of the manner in which the FBI helped me after I secured assistance, particularly the people in the Congressional Affairs and the staff in your division.

Yours very truly,

J. Brooke Blake
Second Vice President and
Director of Security

JBB:mrp

Copies to: Special Agent In Charge, James Dunn
A-5.1

12/10/75

TELETYPE

URGENT

TO DIRECTOR, FBI (134-6502)

FROM SAC, ATLANTA (P)

LESLEY E. ROGERS, FORMER EXTREMIST INFORMANT; AT FILE
134-190. SENSTUDY 75; AT FILE 62-2854.

RE ATLANTA AIRTEL TO BUREAU, MARCH 5, 1973,
AND BUREAU AIRTEL TO ATLANTA, MARCH 14, 1973.

FOR THE INFORMATION OF THE BUREAU, REFERENCED
COMMUNICATIONS ARE CONCERNED WITH PREVIOUS COMPLAINTS FROM
SUBJECT, ROGERS, CONCERNING HIS ALLEGED MISTREATMENT BY
THE FBI. ATLANTA FILES REVEAL THAT ROGERS TESTIFIED IN A
STATE OF GEORGIA TRIAL CONCERNING THE BOMBING OF A JEWISH
TEMPLE WHICH OCCURRED IN 1959. SUBSEQUENT TO THE TRIAL,
HOWEVER, ROGERS HAS COMPLAINED ON NUMEROUS OCCASIONS THAT
THE FBI "ABANDONED" HIM. DUE TO TRIAL PUBLICITY, ROGERS HAS
CONTENDED THAT HE AND HIS FAMILY HAVE SUFFERED EMBARRASSMENT

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PAGE TWO; AT 134-190; AT 62-2854

AND HARASSMENT PRIMARILY DUE TO HIS INABILITY TO OBTAIN
GAINFUL EMPLOYMENT.

ON THE EVENING OF DECEMBER 9, 1975, ROGERS
TELEPHONICALLY CONTACTED THE ATLANTA DIVISION AND ADVISED
HE WAS FILING A BRIEF BEFORE THE "CHURCH COMMITTEE" (U. S.
SENATE SELECT COMMITTEE). ROGERS STATED THAT WHILE HE HOLDS
THE FBI IN HIGH ESTEEM, HE STILL FEELS HE WAS TREATED
IMPROPERLY BY THE BUREAU FOLLOWING HIS TESTIMONY AT THE TRIAL.
ROGERS STATED THAT HE RECENTLY TELEPHONICALLY CONTACTED THE
CHURCH COMMITTEE REGARDING HIS COMPLAINT AND THE COMMITTEE
REQUESTED THAT HE SUBMIT A BRIEF PROVIDING DETAILS OF HIS
ALLEGATIONS AGAINST THE FBI.

THE ABOVE IS BEING FURNISHED FOR THE INFORMATION
OF THE BUREAU.

E N D

"R050 PLAIN

10:58PM NITEL 12/10/75 GHS

TO ALL SACS

FROM DIRECTOR

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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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

FBI AT ACK FOR ONE

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"R050 HA PLAT"

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FBI AT ACK FOR ONE

HLF THANKS A LOT CLR

Vol. 20

Copy 5

The United States Senate

Report of Proceedings

Hearing held before

Select Committee to Study Governmental Operations
With Respect to Intelligence Activities

INTELLIGENCE INVESTIGATION

Wednesday, December 10, 1975

Washington, D. C.

WARD & PAUL
410 FIRST STREET, S. E.
WASHINGTON, D. C. 20003

(202) 544-6000

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C O N T E N T

STATEMENT OF:

PAGE

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

2451

1 INTELLIGENCE INVESTIGATION

2 - - -

3 Wednesday, December 10, 1975

4 - - -

5 United States Senate,

6 Select Committee to Study Governmental

7 Operations with Respect to

8 Intelligence Activities,

9 Washington, D. C.

10 The Committee met, pursuant to notice, at 10:10
11 o'clock a.m., in Room 318, Russell Senate Office Building,
12 the honorable Frank Church (Chairman of the Committee)
13 presiding.

14 Present: Senators Church (presiding), Hart of Michigan,
15 Mondale, Huddleston, Hart of Colorado, Baker, Goldwater and
16 Mathias.

17 Also present: William G. Miller, Staff Director; Frederick
18 A. O. Schwarz, Jr., Chief Counsel; Curtis R. Smothers, Minority
19 Counsel; Paul Michel, Joseph diGenova, Barbara Banoff, Frederick
20 Baron, Mark Gitenstein, Loch Johnson, David Bushong, Charles
21 Lombard, John Bayly, Charles Kirbow, Michael Madigan, Bob
22 Kelley, John Elliff, Elliot Maxwell, Andy Postal, Pat Shea,
23 Michael Epstein and Burt Wides, Professional Staff Members.

24 - - -

25 The Chairman. The Committee's witness this morning is

1 the Honorable Clarence M. Kelley, the Director of the Federal
2 Bureau of Investigation.

3 Mr. Kelley was appointed Director in July of 1973 in a
4 troubled time for the FBI. His experience as an innovative
5 law enforcement administrator in charge of the Kansas City
6 Police Department for over ten years, and his previous work as
7 a Special Agent of the FBI have made him uniquely qualified
8 to lead the Bureau.

9 The Select Committee is grateful for the cooperation
10 extended by Director Kelley in the course of its inquiry over
11 the past months. The Committee is also impressed by the
12 openness of the FBI's witnesses before this Committee, and
13 their willingness to consider the need for legislation to
14 clarify the Bureau's intelligence responsibility.

15 It is important to remember from the outset that this
16 Committee is examining only a small portion of the FBI's
17 activities. Our hearings have concentrated on FBI domestic
18 intelligence operations. We have consistently expressed our
19 admiration and support for the Bureau's criminal investigative
20 and law enforcement work, and we recognize the vital importance
21 of counterespionage in the modern world. But domestic
22 intelligence has raised many difficult questions.

23 The Committee has also concentrated on the past rather
24 than on present FBI activities. The abuses brought to light
25 in our hearings occurred years and even decades before Director

1 Kelley took charge.

2 The Staff has advised the Committee that under Director
3 Kelley the FBI has taken significant steps to rethink previous
4 policies and to establish new safeguards against abuse. The
5 FBI is now placing greater emphasis on foreign related intelli-
6 gence operations, and less on purely domestic surveillance.
7 The FBI is working more closely with the Justice Department in
8 developing policies and standards for intelligence. These
9 are welcome developments.

10 Nevertheless, many important issues remain unresolved.
11 Therefore, we have invited Director Kelley to share with the
12 Committee his views on some of the considerations the Congress
13 should take into account in thinking about the future of
14 FBI intelligence. Among these issues are whether FBI surveil-
15 lance should extend beyond the investigation of persons
16 likely to commit specific crimes; whether there should be
17 outside supervision or approval before the FBI conducts certain
18 types of investigations or uses certain surveillance techniques;
19 whether foreign related intelligence activities should be
20 strictly separated from the FBI's domestic law enforcement
21 functions, and what should be done to the information already
22 in the FBI files and that which may go into those files in
23 the future.

24 The Committee looks forward to a constructive exchange
25 of views with Director Kelley this morning, with Attorney

1 General Levi tomorrow, and with both the FBI and the Justice
2 Department in the next months as the Committee considers
3 recommendations that will strengthen the American people's
4 confidence in the Federal Bureau of Investigation. That
5 confidence is vital for the effective enforcement of Federal
6 law and for the security of the nation against foreign
7 espionage.

8 Director Kelley, we are pleased to welcome you, and if
9 you would have a prepared statement you would like to lead off
10 with, please proceed.

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1 STATEMENT OF THE HONORABLE CLARENCE M. KELLEY,
2 DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
3 Mr. Kelley. Thank you very much, Senator Church and
4 gentlemen.

5 I welcome the interest which this Committee has shown in
6 the FBI and most particularly in our operations in the intelli-
7 gence and internal security fields.

8 I share your high regard for the rights guaranteed by the
9 Constitution and laws of the United States. Throughout my
10 35 year career in law enforcement you will find the same insis-
11 tence, as has been expressed by this Committee, upon programs
12 of law enforcement that are themselves fully consistent with
13 law.

14 I also have strongly supported the concept of legislative
15 oversight. In fact, at the time my appointment as Director of
16 the FBI and was being considered by the Senate Judiciary
17 Committee two and one half years ago, I told the members of
18 that Committee of my firm belief in Congressional oversight.

19 This Committee has completed the most exhaustive study
20 of our intelligence and security operations that has ever been
21 undertaken by anyone outside the FBI other than the present
22 Attorney General. At the outset, we pledged our fullest
23 cooperation and promised to be as candid and forthright as
24 possible in responding to your questions and complying with your
25 requests.

1 I believe we have lived up to those promises.

2 The members and staff of this Committee have had unprece-
3 dented access to FBI information.

4 You have talked to the personnel who conduct security-type
5 investigations and who are personally involved in every facet
6 of our day-to-day intelligence operations.

7 You have attended numerous briefings by FBI officials who
8 have sought to familiarize the Committee and its staff with
9 all major areas of our activities and operations in the national
10 security and intelligence fields.

11 In brief, you have had firsthand examination of these
12 matters that is unmatched at any time in the history of the
13 Congress.

14 As this Committee has stated, these hearings have, of
15 necessity, focused largely on certain errors and abuses. I
16 credit this Committee for its forthright recognition that the
17 hearings do not give a full or balanced account of the FBI's
18 record of performance.

19 It is perhaps in the nature of such hearings to focus
20 on abuses to the exclusion of positive accomplishments of the
21 organization.

22 The Counterintelligence Programs which have received the
23 lion's share of public attention and critical comment constituted
24 an infinitesimal portion of our overall work.

25 A Justice Department Committee which was formed last year

1 to conduct a thorough study of the FBI's Counterintelligence
2 Programs has reported that in the five basic ones it found
3 3,247 Counterintelligence Programs were submitted to FBI
4 Headquarters from 1956 to 1971. Of this total, 2,370,
5 less than three fourths, were approved.

6 I repeat, the vast majority of those 3,247 proposals were
7 being devised, considered, and many were rejected, in an era
8 when the FBI was handling an average of 700,000 investigative
9 matters per year.

10 Nonetheless, the criticism which has been expressed
11 regarding the Counterintelligence Programs is most legitimate
12 and understandable.

13 The question might well be asked what I had in mind when
14 I stated last year that for the FBI to have done less than it
15 did under the circumstances then existing would have been an
16 abdication of its responsibilities to the American people..

17 What I said then, in 1974, and what I believe today, is
18 that the FBI employees involved in these programs did what they
19 felt was expected of them by the President, the Attorney General,
20 the Congress, and the people of the United States.

21 Bomb explosions rocked public and private offices and
22 buildings; rioters led by revolutionary extremists laid seige
23 to military, industrial, and educational facilities; and
24 killings, maimings, and other atrocities accompanied such
25 acts of violence from New England to California.

1 The victims of these acts were human beings, men, women,
2 and children. As is the case in time of peril, whether real or
3 perceived, they looked to their Government, their elected and
4 appointed leadership, and to the FBI and other law enforcement
5 agencies to protect their lives, their property, and their
6 rights.

7 There were many calls for action from Members of Congress
8 and others, but few guidelines were furnished. The FBI and other
9 law enforcement agencies were besieged by demands, impatient
10 demands, for immediate action.

11 FBI employees recognized the danger; felt they had a
12 responsibility to respond; and in good faith initiated actions
13 designed to counter conspiratorial efforts of self-proclaimed
14 revolutionary groups, and to neutralize violent activities.

15 In the development and execution of these programs,
16 mistakes of judgment admittedly were made.

17 Our concern over whatever abuses occurred in the Counter-
18 intelligence Programs, and there were some substantial ones,
19 should not obscure the underlying purpose of those programs.

20 We must recognize that situations have occurred in the
21 past and will arise in the future where the Government may well
22 be expected to depart from its traditional role, in the FBI's
23 case, as an investigative and intelligence-gathering
24 agency, and take affirmative steps which are needed to meet
25 an imminent threat to human life or property.

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410 First Street, S.E., Washington, D.C. 20003

1 In short, if we learn a murder or bombing is to be carried
2 out now, can we truly meet our responsibilities by investigating
3 only after the crime has occurred, or should we have the
4 ability to prevent? I refer to those instances where there is
5 a strong sense of urgency because of an imminent threat to
6 human life.

7 Where there exists the potential to penetrate and disrupt,
8 the Congress must consider the question of whether or not such
9 preventive action should be available to the FBI.

10 These matters are currently being addressed by a task
11 force in the Justice Department, including the FBI,
12 and I am confident that Departmental guidelines and controls can
13 be developed in cooperation with pertinent Committees of Congress
14 to insure that such measures are used in an entirely responsible
15 manner.

16 Probably the most important question here today is what
17 assurances I can give that the errors and abuses which arose
18 under the Counterintelligence Programs will not occur again?

19 First, let me assure the Committee that some very sub-
20 stantial changes have been made in key areas of the FBI's
21 methods of operations since I took the oath of office as
22 Director on July 9, 1973.

23 Today we place a high premium on openness, openness
24 both within and without the service.

25 I have instituted a program of open, frank discussion

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1 in the decision-making process which insures that no future
2 program or major policy decision will ever be adopted without a
3 full and critical review of its propriety.

4 Participatory management has become a fact in the FBI.

5 I have made it known throughout our Headquarters and
6 Field Divisions that I welcome all employees, regardless of
7 position or degree of experience, to contribute their thoughts
8 and suggestions, and to voice whatever criticisms or
9 reservations they may have concerning any area of our operations.

10 The ultimate decisions in the Bureau are mine, and I take
11 full responsibility for them. My goal is to achieve maximum
12 critical analysis among our personnel without in any manner
13 weakening or undermining our basic command structure.

14 The results of this program have been most beneficial, to
15 me personally, to the FBI's disciplined performance, and to
16 the morale of our employees.

17 In addition, since some of the mistakes of the past
18 were occasioned by direct orders from higher authorities outside
19 the FBI, we have welcomed Attorney General Edward Levi's
20 guidance, counsel, and his continuous availability, in his
21 own words, "as a 'lightning rod' to deflect improper requests."

22 Within days after taking office, Attorney General Levi
23 instructed that I immediately report to him any requests
24 or practices which, in my judgment, were improper or which,
25 considering the context of the request, I believed presented

1 the appearances of impropriety.

2 I am pleased to report to this Committee as I have to the
3 Attorney General that during my nearly two and one half years as
4 Director under two Presidents and three Attorneys General, no
5 one has approached me or made overtures, directly or otherwise,
6 to use the FBI for partisan political or other improper
7 purposes.

8 I can assure you that I would not for a moment consider
9 honoring any such request.

10 I can assure you, too, in my administration of the FBI
11 I routinely bring to the attention of the Attorney General and
12 the Deputy Attorney General major policy questions, including
13 those which arise in my continuing review of our operations and
14 practices. These are discussed openly and candidly in order
15 that the Attorney General can exercise his responsibilities
16 over the FBI.

17 I am convinced that the basic structure of the FBI today
18 is sound. But it would be a mistake to think that integrity
19 can be assured only through institutional means..

20 Integrity is a human quality. It depends upon the
21 character of the person who occupies the office of the
22 Director and every member of the FBI under him.

23 I am proud of the 19,000 men and women with whom it is
24 my honor to serve today. Their dedication, their professionalism,
25 their standards, and the self-discipline which they personally

1 demand of themselves and expect of their associates are the
2 nation's ultimate assurance of proper and responsible conduct
3 at all times by the FBI.

4 The Congress and the members of this Committee in
5 particular have gained a great insight into the problems
6 confronting the FBI in the security and intelligence fields,
7 problems which all too often we have left to resolve without
8 sufficient guidance from the Executive Branch or the Congress
9 itself.

10 As in all human endeavors, errors of judgment have been
11 made. But no one who is looking for the cause of our
12 failures should confine his search solely to the FBI, or even
13 to the Executive Branch.

14 The Congress itself has long possessed the mechanism for
15 FBI oversight; yet, seldom has it been exercised.

16 An initial step was taken in the Senate in 1973 when the
17 Committee on the Judiciary established a Subcommittee on FBI
18 Oversight. Hearings had been commenced, and we were fully
19 committed to maximum participation with the members of that
20 Subcommittee.

21 I laud their efforts. However, those efforts are of very
22 recent origin in terms of the FBI's history.

23 One of the greatest benefits of the study this Committee
24 has made is the expert knowledge you have gained of the complex
25 problems confronting the FBI. But I respectfully submit that

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1. those benefits are wasted if they do not lead to the next step,
2. a step that I believe is absolutely essential, a legislative
3. charter, expressing Congressional determination of intelligence
4. jurisdiction for the FBI.

5. Action to resolve the problems confronting us in the
6. security and intelligence fields is urgently needed; and it
7. must be undertaken in a forthright manner. Neither the Congress
8. nor the public can afford to look the other way, leaving it to
9. the FBI to do what must be done, as too often has occurred in
10. the past.

11. This means too that Congress must assume a continuing role
12. not in the initial decision-making process but in the review of
13. our performance.

14. I would caution against a too-ready reliance upon the
15. courts to do our tough thinking for us. Some proposals that
16. have been advanced during these hearings would extend the role
17. of the courts into the early stages of the investigative
18. process and, thereby, would take over what historically have
19. been Executive Branch decisions.

20. I frankly feel that such a trend, if unchecked, would
21. seriously undermine the independence of the Judiciary and cast
22. them in a role not contemplated by the authors of our
23. Constitution. Judicial review cannot be a substitute for Con-
24. gressional oversight or Executive decision.

25. The FBI urgently needs a clear and workable determination

of our jurisdiction in the intelligence field, a jurisdictional statement that the Congress finds to be responsive to both the will and the needs of the American people.

Senators, first and foremost, I am a police officer, a career police officer. In my police experience, the most frustrating of all problems that I have discovered facing law enforcement in this country, Federal, state, and local, is when demands are made of them to perform their traditional role as protector of life and property without clear and understandable legal bases to do so.

I recognize that the formulation of such a legislative charter will be a most precise and demanding task.

It must be sufficiently flexible that it does not stifle the FBI's effectiveness in combating the growing incidence of crime and violence across the United States. That charter must clearly address the demonstrated problems of the past; yet, it must amply recognize the fact that times change and so also do the nature and thrust of our criminal and subversive challenges.

The fact that the Department of Justice has commenced the formulation of operational guidelines governing our intelligence activities does not in any manner diminish the need for legislation. The responsibility for conferring jurisdiction resides with the Congress.

In this regard, I am troubled by some proposals which

1 question the need for intelligence gathering, suggesting that
2 information needed for the prevention of violence can be
3 acquired in the normal course of criminal investigations.

4 As a practical matter, the line between intelligence
5 work and regular criminal investigations is often difficult
6 to describe. What begins as an intelligence investigation may
7 well end in arrest and prosecution of the subject. But there
8 are some fundamental differences between these investigations
9 that should be recognized, differences in scope, in objective
10 and in the time of initiation. In the usual criminal case, a
11 crime has occurred and it remains only for the Government to
12 identify the perpetrator and to collect sufficient evidence
13 for prosecution. Since the investigation normally follows
14 the elements of the crime, the scope of the inquiry is
15 limited and fairly well defined.

16 By contrast, intelligence work involves the gathering of
17 information, not necessarily evidence. The purpose may well be
18 not to prosecute, but to thwart crime or to insure that the
19 Government has enough information to meet any future crisis
20 or emergency. The inquiry is necessarily broad because it
21 must tell us not only the nature of the threat, but also whether
22 the threat is imminent, the persons involved, and the
23 means by which the threat will be carried out. The ability
24 of the Government to prevent criminal acts is dependent on
25 our anticipation of those criminal acts. Anticipation,

1 in turn, is dependent on advance information, that is, intelli-
2 gence.

3 Certainly, reasonable people can differ on these issues.
4 Given the opportunity, I am confident that the continuing need
5 for intelligence work can be documented to the full satisfaction
6 of the Congress. We recognize that what is at stake here is not
7 the interests of the FBI, but rather the interests of every
8 citizen of this country. We recognize also that the resolution
9 of these matters will demand extensive and thoughtful
10 deliberation by the Congress. To this end, I pledge the
11 complete cooperation of the Bureau with this Committee or
12 its successors in this important task.

13 In any event, you have my unqualified assurance as
14 Director that we will carry out both the letter and the spirit
15 of such legislation as the Congress may enact.

16 That is the substance of my prepared statement.

17 I would also like to say extemporaneously that I note
18 that on this panel are some gentlemen who were on the Judiciary
19 Committee which heard my testimony at the time I was presented
20 to them for candidacy as Director of the FBI. At that time
21 I took very seriously the charge which may possibly result
22 in the deliberation of this Committee and of the full Senate.
23 I have been well aware of the problems of the FBI since that
24 time. I have also been well aware of the capabilities of
25 the FBI to discharge those responsibilities. I don't take

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1 them lightly. I am of sufficient experience and age that I
2 have pledged myself to do what is good and proper. I say this
3 not as a self-serving statement but in order that we might
4 place in context my position within the FBI. I could seek
5 sanctuary and perhaps a safe sanctuary by saying during the
6 period these things occurred I was with the local police
7 department in Kansas City, Missouri. Prior to that time,
8 however, I was in the FBI.

9 During the time I was with the FBI, during the time I
10 was with the police department, I continued throughout that
11 period a close acquaintance with and a strong affection for
12 the FBI.

13 I only want to point out that based on those years, based
14 on those observations, we have here a very fine and very
15 sensitive and a very capable organization. I feel that there
16 is much that can still be done. I know that we are not without
17 fault. I know that from those experiences I have had. We
18 will not be completely without fault in the future. But I
19 assure you that we look upon this inquiry, we look upon any
20 mandate which you may feel you have, that you should look at --
21 this is good and proper, and we do not intend -- I only want
22 to place in your thinking the fact that you have here a
23 matchless organization, one which I continue to say was
24 not motivated in some of these instances, and in most of
25 them, and I cannot justify some, that the motivation was of the

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1 best. I am not pleading, as does a defense attorney. I am
2 only putting in your thinking my objective observations as
3 a citizen who is somewhat concerned about the future of this
4 organization. It is too precious for us to have it in
5 a condition of jeopardy.

6 Thank you very much.

7 The Chairman. Thank you, Director Kelley.

8 I want to turn first to Senator Hart who won't be able
9 to remain through the whole morning. I think he has one
end t. 1 10 question he would like to ask.

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1 Senator Hart of Michigan. Thank you, Mr. Chairman.

2 Senator Mathias and I have Judiciary Committee hearings at 10:30.

3 I have several questions, and I'm sure they'll be
4 covered by others, but the ones that I have is a result of
5 reading your testimony and listening to it this morning, and
6 it relates to your comment at the foot of page 10 and at the
7 top of 11.

8 There you are indicating that you caution us about
9 extending the court's role in the early stages of investigations
10 suggesting that this might take us beyond the role contemplated
11 for the courts under the Constitution.

12 Now as you have said, aside from the so-called national
13 security wiretap problem, the main focus of our discussions
14 and concern has been on the possibility requiring court
15 approval for the use of informants, informants directed to
16 penetrate and report on some group.

17 And one of the witnesses yesterday, Professor Dorsen,
18 pointed out that really those informants are the most pervasive
19 type of an eavesdropping device. It is a human device. It's
20 really, an informant is really more intrusive on my privacy
21 than a bug or a tap because he can follow me anywhere. He
22 can ask me questions to get information the government would
23 like to have.

24 Now we certainly involve the courts in approval of the
25 wiretaps for physical searches with the intent of the drafters

1 of the Constitution to have a neutral third party magistrate
2 screen use of certain investigative techniques. And the
3 informant is such a technique. He functions sort of like a
4 general warrant, and I don't see why requiring court approval
5 would violate the role envisaged for the courts.

6 And as I leave, I would like to get your reactions to
7 my feelings.

8 Mr. Kelley. I do not feel that there is any use of the
9 informant in intrusion, which is to this extent objectionable.
10 It has of course been approved, the concept of the informant,
11 by numerous court decisions.

12 Let us go down not to the moral connotation of the use
13 of the informant.

14 I think, as in many cases, that is a matter of balance.
15 You have only very few ways of solving crimes. You have
16 basically in the use of the informant, I think, the protection
17 of the right of the victim to be victimized. You have within
18 the Constitution certain grants that are under ordinary
19 circumstances abrogation of rights. The right of search and
20 seizure, which, of course, can't be unreasonable, but none-
21 theless, you have the right.

22 I think that were we to lose the right of the informant,
23 we would lose to a great measure our capability of doing our
24 job.

25 Now I'm not arguing with you, Senator, that it is not an

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1 unusual procedure. I'm not even going to say that it is not
2 an intrusion, because it is. But it has to be one I think
3 that is by virtue of the benefits must be counted.

4 We don't like to use it. We don't like the problems that
5 are attendant. We take great care.

6 Now you say about the court having possibility taking
7 jurisdiction over them and guiding. I think that possibly we
8 could present the matter to the court but what are they going
9 to do insofar as monitoring their effort? Are they going to
10 have to follow it all the way through?

11 Also, there is, of course, urgency in the other contacts.
12 Must the court be contacted for each and approval of the court
13 given for each contact?

14 There are a great many problems insofar as administration
15 of it.

16 I frankly feel, and again, all I can do is give you my
17 idea -- I frankly feel that there is a satisfactory control over
18 the informants as we now exercise it today. Yes, there are
19 going to be some who will get beyond our control, but this
20 is going to happen no matter what you do.

21 Senator Hart of Michigan. Well, I appreciate your
22 reaction.

23 I was not suggesting that there is consideration here to
24 prohibit informants. I was reflecting a view that I felt and
25 hold that the use of an informant does require some balance, as

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1 you yourself said, and I would be more comfortable with a
2 third party making a judgment as to whether the intrusion is
3 warranted by the particular circumstance. But I do understand
4 your position.

5 Thank you, Mr. Chairman.

6 The Chairman. Thank you, Senator Hart.

7 (Senator Hart leaves the hearing room.)

8 The Chairman. Senator Baker, do you have questions?

9 Senator Baker. Mr. Chairman, thank you very much.

10 Mr. Kelley, I have a great respect for you and your
11 organization and I personally regret that the organization is
12 in political distress, but we've both got to recognize that
13 it is, along with other agencies and departments of the
14 government.

15 I think you probably would agree with me that even though
16 that is extraordinarily unpleasant and in many respects
17 unfortunate, that it also has a plus side. That is, it gives
18 us an indication of our future direction and the opportunity,
19 at least, to improve the level of competency and service of
20 the government itself.

21 With that hopeful note, would you be agreeable then to
22 volunteering for me any suggestions you have on how to improve
23 the responsiveness of the Federal Bureau of Investigation, or
24 indeed, for any other law enforcement agencies of the government,
25 to the Congress, to the Attorney General, to the President, and

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1 beyond that, would you give me any suggestions you have on
2 how you would provide the methods, the access, the documents,
3 the records, the authority, for the Congress to perform its
4 essential, I believe, essential oversight responsibility to
5 see that these functions, these delicate functions are being
6 undertaken properly?

7 And before you answer, let me tell you two or three things
8 I am concerned about.

9 It hasn't been long ago that the FBI Director was not
10 even confirmed by the Senate of the United States. I believe
11 you are the first one to be confirmed by the Senate of the
12 United States. I think that is a movement in the right
13 direction. I think the FBI has taken on a stature that, an
14 additional importance that requires it to have closer supervision
15 and scrutiny by us.

16 At the same time I rather doubt that we can become
17 involved in the daily relationship between you and the Attorney
18 General.

19 Therefore, I tend to believe that the Attorney General
20 needs to be more directly involved in the operations of the
21 FBI.

22 I would appreciate any comments on that.

23 Second, I rather believe that major decisions of the
24 intelligence community and the FBI ought to be in writing, so
25 that the Congress can, if it needs to in the future, take a

1 look at these decisions and the process by which they were
2 made to decide that you are or you are not performing your
3 services diligently.

4 I don't think you can have oversight unless you have
5 access to records, and in many cases records don't exist
6 and in some cases the people who made those decisions are now
7 departed and in other cases you have conflicts.

8 How would you suggest then that you improve the quality
9 of service of your agency? How would you propose that you
10 increase the opportunity for oversight of the Congress of the
11 United States? What other suggestions do you have for improving
12 the level of law enforcement in the essential activity that
13 is required?

14 Mr. Kelley. I would possibly be repetitious in answering
15 this Senator, but I get a great deal of pleasure from telling
16 what I think is necessary and what I hope that I have followed,
17 one which is beyond my control, but which I think is very
18 important is that the position of Director, the one to which
19 great attention should be paid in choosing the man who will
20 properly acquit himself.

21 I feel that the Judiciary Committee, at least in going
22 over me, did a pretty good job. I feel that it is most
23 necessary that care be taken that his philosophy, his means
24 of management, his facility to adapt to change, his tendency
25 toward consulting with other members of the official family,

1 that he be willing to, for example, go through oversight with
2 no reticence, and that I think that he should be chosen very
3 carefully.

4 I think further that he should be responsible for those
5 matters which indicate impropriety or illegality.

6 Senator Baker. Could you stop for just a second? Who
7 does he work for? Does the Director, in your view, work for
8 the President of the United States, for the Attorney General,
9 for the Justice Department, for the Executive Branch?

10 Who does the executive of the FBI, the Director of the
11 FBI, be responsible to, who should he be responsible to?

12 Mr. Kelley. Jurisdictionally, to the Attorney General,
13 but I think this is such an important field of influence that
14 it is not at all unlikely that we can expand it to the
15 judiciary, the legislative, and of course, we are under the
16 Attorney General.

17 Senator Baker. Do you have any problems with the idea
18 of the President of the United States calling the Director of
19 the FBI and asking for performance of a particular task?

20 Does that give you any difficulty? Or do you think that
21 the relationship between the FBI Director and the President
22 is such that that is desirable, or should it be conduited
23 through the Attorney General?

24 Mr. Kelley. I think it should be in the great majority
25 of the cases conduited through the Attorney General. There

1 has been traditionally some acceptance of the fact that if
2 the President wants to see and talk with the Director, he
3 may do so, call him directly.

4 It has been my practice in such an event to thereafter
5 report to the Attorney General, whoever it might be, that I
6 have been called over and I discussed and was told. And this
7 was revealed in full to them.

8 Senator Baker. I suppose we could pass a statute that
9 says the President has to go through the Attorney General,
10 although I rather suspect it would be a little presumptuous.

11 But to go the next step, do you think it is necessary
12 for the pursuit of effective oversight on the part of the
13 Congress, to have some sort of document written, or at least
14 some sort of account of a Presidential order or an order of
15 the Attorney General given to a Director of the FBI?

16 Do you think that these things need to be handled in
17 a more formal way?

18 Mr. Kelley. Personally, it would be my practice in
19 the event I receive such an order, to request that it be
20 documented. This is a protection as well as a clarification
21 as to whether or not it should be placed as part of legislation.
22 I frankly would like to reserve that for some more considera-
23 tion.

24 I don't know whether it would be, but I think that it
25 can be worked very easily.

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1 Senator Baker. Mr. Kelley, Attorney General Levi, I
2 believe, has already established some sort of agency or
3 function within the Department that is serving as the equivalent,
4 I suppose, of an Inspector General of the Justice Department,
5 including the FBI.

6 Are you familiar with the steps that Mr. Levi has
7 taken in that respect? I think he calls it the Office of
8 Professional Responsibility.

9 Mr. Kelley. Yes, sir, I'm familiar with it.

10 Senator Baker. Do you have any comment on that? Will
11 you give us any observations as to whether you think that
12 will be useful, helpful, or whether it will not be useful or
13 helpful, how it affects the FBI, how you visualize your
14 relationship to it in the future?

15 Mr. Kelley. I don't object to this, which is to some
16 extent an oversight within the Department of Justice under the
17 Attorney General.

18 Frankly, it just came out. I have not considered it
19 completely, but to the general concept, yes, I very definitely
20 subscribe.

21 Senator Baker. How would you feel about extending that
22 concept of government-wide operation, a national Inspector
23 General who is involved with an oversight of all of the
24 agencies of government as they interface with the Constitutionally
25 protected rights of the individual citizen? Would you care

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1 to comment on that, or would you rather save that for a while?

2 Mr. Kelley. I would like to reserve that one.

3 Senator Baker. I'm not surprised. Would you think about
4 it and let us know what you think about it?

5 Mr. Kelley. I will..

6 Senator Baker. All right. Mr. Chairman, thank you very
7 much.

8 The Chairman. Senator Huddleston.

9 Senator Huddleston. Thank you, Mr. Chairman.

10 Mr. Kelley, you describe on page 4 the conditions that
11 existed when much of the abuse that we have talked about during
12 this inquiry occurred, indicating that the people within the
13 Bureau felt like they were doing what was expected of them
14 by the President, by the Attorney General, the Congress and
15 the people of the United States.

16 Does not this suggest that there has been a reaction
17 there to prevailing attitudes that might have existed in the
18 country because of certain circumstances rather than any
19 clear and specific direct instructions that might have been
20 received from proper authorities? And if that is the case,
21 is it possible in developing this charter, this guideline,
22 to provide for that kind of specific instruction?

23 Mr. Kelley. I think so, yes. I think that they can
24 logically be incorporated and that --

25 Senator Huddleston. You can see there would be a continuing

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1 danger if any agency is left to simply react to whatever the
2 attitudes may be at a specific time in this country because --

3 Mr. Kelley. Senator, I don't contemplate it might be
4 a continuing danger, but it certainly would be a very acceptable
5 guidepost whereby we can, in the event such a need seems
6 to arise, know what we can do.

7 Senator Huddleston. Well, in pursuing the area which
8 Senator Hart was discussing, that is whether or not we can
9 provide sufficient guidelines would replace a decision by the
10 court in determining what action might be proper and specific-
11 ally in protecting individual's rights, can't we also
12 provide the restrictions and guidelines and the various
13 techniques that might be used?

14 For instance, supposing we do establish the fact, as
15 has already been done, that informants are necessary and
16 desirable. Now do we keep that informant operating within the
17 proper limits so that he in fact is not violating individual
18 rights?

19 Mr. Kelley. Well, of course, much of the reliance must
20 be placed on the agent and the supervision of the FBI to assure
21 that there is no infringement of rights.

22 Senator Huddleston. But this is an aware we've gotten
23 into some difficulty in the past. We have assumed that the
24 particular action was necessary, that there was a present
25 threat that some intelligence programs should be initiated, but

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1 in many cases it has gone beyond what would appear to have been
2 necessary to have addressed the original threat.

3 How do we keep within the proper balance there?

4 Mr. Kelley. Well, actually, it's just about like any
5 other offense. It is an invasion of the other individual's
6 right and it is by an officer and an FBI agent is an officer.
7 There's the possibility of criminal prosecution against him.

8 This is one which I think might flow if he counsels
9 the informant.

10 Now insofar as his inability to control the informant,
11 I don't suppose that would warrant prosecution, but there is
12 still supervisory control over that agent and over that
13 informant by insisting that control is exercised on a continuing
14 basis.

15 Senator Huddleston. It brings up an interesting point
16 as to whether or not a law enforcement agency ought to be
17 very alert to any law violations of its own members or anyone
18 else.

19 If a White House official asks the FBI or someone to do
20 something unlawful, the question seems to me to occur as to
21 whether or not that is not a violation that should be reported
22 by the FBI.

23 Mr. Kelley. I think that any violation which comes to
24 our attention should either be handled by us or the proper
25 authority.

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1 Senator Huddleston. But that hasn't been the case in the
2 past.

3 Mr. Kelley. Well, I don't know what you're referring
4 to but I would think your statement is proper.

5 Senator Huddleston. Well, we certainly have evidence
6 of unlawful activity taking place in various projects that
7 have been undertaken, which certainly were not brought to
8 light willingly by the FBI or by other law enforcement agencies.

9 The question that I'm really concerned about is as
10 we attempt to draw a guideline and charters that would give
11 the Agency the best flexibility that they may need, a wide
12 range of threats, how do we control what happens within each
13 of those actions to keep them from going beyond what
14 was intended to begin with?

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1 Mr. Kelley. You're still speaking of informants.

2 Senator Huddleston. Not only informants but the agents
3 themselves as they go into surveillance, wiretaps, or whatever
4 intelligence gathering techniques.

5 The original thrust of my question was, even though we
6 may be able to provide guidelines of a broad nature, how do
7 we control the techniques that might be used, that in themselves
8 might be used, that in themselves might be a serious violation
9 of the rights.

10 Mr. Kelley. Well, first, I don't know whether it's
11 germane to your question but I do feel that it should be pointed
12 out that the association to, the relationship between the
13 informant and his agent handler is a very confidential one,
14 and I doubt very seriously whether we could have any guide-
15 lines, where there might be an extension of any monitors here
16 because thereby you do have a destruction of that relationship.
17 Insofar as the activities of agents, informants or others
18 which may be illegal, we have on many occasions learned of
19 violations of the law on the part of informants, and either
20 prosecuted ourselves, through the reporting of it to the
21 United States Attorney, or turned it over to the local authority.
22 We have done this on many a time, many occasions. Insofar
23 as our own personnel, we have an internal organization, the
24 Inspection Division, which reviews this type of activity, and
25 if there be any violation, yes, no question about it, we would

1 pursue it to the point of prosecution.

2 Senator Huddleston. But it could be helped by periodic
3 review.

4 Mr. Kelley. We do, on an annual basis, review the
5 activities of our 59 offices through that same Inspection
6 Division, and they have a clear charge to go over this as well
7 as other matters.

8 Senator Huddleston. Mr. Kelley, you pointed out the
9 difference in the approaches when gathering intelligence, in
10 gathering evidence after a crime has been committed.

11 Would there be any advantage, or would it be feasible to
12 attempt to separate these functions within the Agency, in the
13 departments, for instance, with not having a mixing of
14 gathering intelligence and gathering evidence? Are the techniques
15 definable and different?

16 Mr. Kelley. Senator, I think they are compatible. I
17 see no objection to the way that they are now being handled
18 on a management basis. I think, as a matter of fact, it is
19 a very fine association whereby the intelligence, stemming as
20 it does from a substantive violation, is a natural complement.

21 Senator Huddleston. Now, another area, the FBI furnishes
22 information to numerous government agencies.

23 Is this properly restricted and controlled at the present
24 time in your judgment as to just who can ask the FBI for
25 information, what kind of information they can ask for, and

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1 who might also be inclined to call the Director and ask him
2 to do specific things?

3 Could there be some clearcut understanding as to whether
4 or not the Director would be obligated to undertake any such
5 project, that just anybody at the White House might suggest?

6 Mr. Kelley. It's very clear to me that any request must
7 come from Mr. Buchen's office, and that it be, in any case,
8 wherein it is a request for action, that it be followed with
9 a letter so requesting.

10 This has come up before during the Watergate hearings, as
11 I think it has been placed very vividly in our minds, in
12 take care that you just don't follow the request of some
13 underling who does not truly reflect the desire of the President.

14 Senator Huddleston. Just one more question about
15 techniques, aside from the guidelines of authority on broad
16 projects undertaken.

17 Would it be feasible from time to time in a Congressional
18 oversight committee, would be able to discuss with the Department,
19 with the Bureau various techniques so that they could have
20 some input as to whether or not these actions are consistent
21 with the overall guidelines, to start with, and consistent
22 with the very protections?

23 Mr. Kelley. Senator, I have already said to the
24 oversight committee of the Senate that so far as I can now
25 see, the only thing that would be withheld is the identity of

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1 probably even more importantly, what restrictions can be put
2 on the use of that information once it has been supplied by
3 the FBI?

4 Mr. Kelley. I think so, Senator.

5 Senator Huddleston. You think there are proper restrictions
6 now?

7 Mr. Kelley. I don't know that we can ourselves judge
8 in all cases whether or not there is good and sufficient reason
9 for an Agency to inquiry. I think that there should be a
10 very close delineation by the agencies as to what they're
11 going to ask for, but I think that we do have sufficient rules
12 that at least to us we are satisfied.

13 Senator Huddleston. You're confident that the information
14 your agency supplies is not being misused, to the detriment
15 of the rights of any individuals.

16 Mr. Kelley. Senator, I'm only confident in what I
17 do myself. I would say that I am satisfied.

18 Senator Huddleston. I was wondering whether some
19 inclusion ought to be made in whatever charter is made as to
20 who specifically can request, what limits ought to be placed
21 on what the request, and what they can do with it after they
22 get it.

23 Mr. Kelley. Yes.

24 Senator Huddleston. I have some concern about the fact
25 that in intelligence gathering, you gather, you are just

1 bound to gather a great deal of information about some
2 individual that is useless as far as the intent of the intelli-
3 gence gathering is concerned, but might be in some way embarrass-
4 ing or harmful to the individual, whether or not there's any
5 effort to separate this kind of information out of a person's
6 file that is really initiated for a purpose, for a specific
7 purpose unrelated to this information.

8 Is there any effort, or could any direction be given to
9 doing that?

10 Mr. Kelley. We would be very happy to work under the
11 guidelines or rules or anything else to purge material which
12 is extraneous, irrelevant, or for any other reason objection-
13 able.

14 Senator Huddleston. And how about the length of time
15 that these files are kept in the agency?

16 Mr. Kelley. We are willing to work within that framework,
17 too.

18 Senator Huddleston. I think that might be done.

19 Now, I think in developing the chain of command, so to
20 speak, it certainly would be very difficult to prevent the
21 President of the United States from calling up the head of
22 the FBI or anyone else and discussing any law enforcement
23 problem he might so desire, and perhaps even give direction
24 to the agency.

25 But how about that? What about White House personnel

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1 informants. We'll discuss techniques, we'll discuss our
2 present activities. I think this is the only way that we can
3 exchange our opinions and get accomplished what you want to
4 accomplish and what I want to accomplish.

5 Senator Huddleston. I feel that is an important aspect
6 of it because even though you have a charter which gives broad
7 direction for all the guidelines and to the types of projects
8 that enter into it, if we don't get down to specifics, such
9 things as how intelligence is to be collected, how evidence
10 is to be collected, what is done after it is collected, this
11 type of thing, it seems to me we are leaving a wide gap
12 again for the Bureau to assume that it has total instruction
13 and total permission to move in a certain direction and go
14 beyond what is intended or what was authorized.

15 Thank you, Mr. Chairman, and Mr. Director.

16 The Chairman. Senator Goldwater?

17 Senator Goldwater. Mr. Kelley, as part of the FBI
18 electronic surveillance of Dr. King, several tapes of
19 specific conversations, and later a composite King tape were
20 produced.

21 Are these tapes still in the possession of the FBI?

22 Mr. Kelley. Yes, sir.

23 Senator Goldwater. Have they been reviewed by you?

24 Mr. Kelley. No, sir.

25 Senator Goldwater. Have they been reviewed by any of your

1 staff, to your knowledge?

2 Mr. Kelley. Senator, I think that they have been reviewed.
3 I know that at least some have reviewed it within the area of
4 this particular section. There has been no review of them
5 since I came to the FBI, I can tell you that.

6 Senator Goldwater. Would these tapes be available to
7 the Committee if the Committee felt they would like to hear
8 them?

9 Mr. Kelley. This, Senator Goldwater, is a matter which is
10 of, as I said before, some delicacy, and there would have to
11 be a discussion of this in an executive session.

12 The Chairman. I might say in that connection that the
13 Committee staff gave some consideration to this matter and
14 decided that it would compound the original error for the
15 staff to review the tapes, because that would be a still
16 further invasion of privacy, and so the staff refrained from
17 insisting on obtaining the tapes, believing that it was
18 unnecessary, and quite possibly improper, in order to get at
19 what we needed to know about the King case.

20 So the staff did refrain, and for that reason the issue
21 never came to a head. I just wanted to lay that information
22 before the Senator.

23 Senator Goldwater. I realize that's a prerogative of
24 the staff, but it's also the prerogative of the Committee if,
25 and I'm not advocating it, if we wanted to hear them to

1 ourselves whether Mr. Hoover was off on a wild goose chase
2 or whether there was, in effect, some reason. Again, I am
3 not advocating it, I am merely asking a question. They would
4 be available if the Committee took a vote to hear them and
5 decided on it.

6 Mr. Kelley. I don't think it would be within my juris-
7 diction to respond to this, Senator. It would have to be the
8 Attorney General.

9 Senator Goldwater. I see.

10 Now, are these tapes and other products of surveillance
11 routinely retained even after an individual ceased to be a
12 target of inquiry?

13 Mr. Kelley. They are retained usually for ten years.

14 Senator Goldwater. Ten years.

15 Mr. Kelley. Yes, sir.

16 Senator Goldwater. What is the future value, if any,
17 to the Bureau of retaining such information?

18 Mr. Kelley. If there be guidelines that set out a
19 destruction or erasure, we will abide by it. We will, on those
20 occasions where we think that matters might come up within
21 that period of time which may need the retention of them, we
22 will express our opinion at that time, but other than that
23 we would be guided by guidelines.

24 Senator Goldwater. Is it your view that legitimate
25 law enforcement needs should outweigh privacy considerations

1 with respect to retention of such information, or do we need
2 the clear guidelines on the destruction of these materials
3 when the investigation purposes for which they were collected
4 have been served?

5 Mr. Kelley. We feel that there should be a good close
6 look at the retention of material, and we would of course like
7 to have an input. But we welcome consideration of this.

8 Senator Goldwater. That is all I have, Mr. Chairman. Thank
9 you very much.

10 The Chairman. Thank you, Senator.

11 Senator Mondale?

12 Senator Mondale. Mr. Director, it seems to me that the
13 most crucial question before the Congress is to accept the
14 invitation of the FBI to draw Congressionally imposed lines,
15 limits of authority so the FBI will know clearly what you can
16 and cannot do, so you will not be subject to later judgments,
17 and the question is, where should that line be drawn?

18 As you know, in 1924 when the FBI was created, and
19 Mr. Stone later became the Chief Justice, he drew the line at
20 criminal law enforcement. He said that never again will we
21 go beyond the authority-imposed upon us to get into political
22 ideas. We will stay in the area of law enforcement.

23 Would you not think it makes a good deal of sense to
24 draw the guidelines in a way that your activities are
25 restricted to the enforcement of the law, investigations of

1 crime, investigations of conspiracies to commit crime rather
2 than to leave this very difficult to define and control area
3 of political ideas?

4 Mr. Kelley. I don't know whether I understand your last
5 statement of involving the area of political ideas. I say that
6 I feel that certainly we should be vested and should continue
7 in the field of criminal investigations as an investigatory
8 objective. These are conclusions, of course, which are based
9 on statutes in the so-called security field, national or
10 foreign.

11 These are criminal violations. I feel that they should
12 be in tandem. I feel, having worked many years in this
13 atmosphere, that you have more ears and eyes and you have
14 more personnel working together, covering the same fields..
15 I do not think there should be a separation of the intelligence
16 matters, because it is a concomitant. It naturally flows
17 from the investigation of the security matters and the
18 criminal.

19 Senator Mondale. Mr. Kelley, what Mr. Stone said was
20 this, that the Bureau of investigation is not concerned
21 with political or other opinions of individuals. It is
22 concerned only with such conduct as is forbidden by the laws
23 of the United States. When the police system goes beyond
24 these limits, it is dangerous to proper administration of
25 justice and human liberty.

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1 Do you object to that definition?

2 Mr. Kelley. I think that life has become much more
3 sophisticated and we have added to the so-called policeman's
4 area of concern some matters which were probably not as important
5 at that time. I think that the fact that the FBI has been in
6 touch with the security investigations and the gathering of
7 intelligence is something which has proved to be at times
8 troublesome and given us great concern, but it is a viable,
9 productive procedure.

10 I don't know what Mr. Stone was thinking of entirely
11 of this course, but I can tell you about the procedure today.

12 Senator Mondale. You see, I think you recognize, if
13 that further step is taken, as you're recommending here, that
14 at that point it becomes so difficult to guarantee, and in
15 fact, in my opinion, impossible to guarantee that we won't
16 see a recurrence of some of the abuses that we've seen in
17 the past, and I don't know how you establish any kind of
18 meaningful oversight on a function as nebulous as the one
19 you've just defined.

20 If the FBI possesses the authority to investigate
21 ideas that they consider to be threats to this nation's
22 security, particularly in the light of the record that we have
23 seen how that definition can be stretched to include practi-
24 cally everybody, including moderate civil rights leaders,
25 war dissenters and so on, how on earth can standards be developed

1 that would provide any basis for oversight?

2 How can you, from among other things, be protected from
3 criticism later on that you exceeded your authority or didn't
4 do something that some politician tried to pressure you into
5 doing?

6 Mr. Kelley. It might well be, Senator, that ten years
7 from now a Director of the FBI will be seated here and will be
8 criticized for doing that which today is construed as very
9 acceptable.

10 Senator Mondale. Correct. And I have great sympathy
11 for the predicament the FBI finds itself in.

12 Mr. Kelley. And the Director.

13 Senator Mondale. And the Director especially, and that is
14 why I think it's in the interest of the FBI to get these lines
15 as sharply defined as possible, so that when you are pressured
16 to do things, or when, after the fact, people with good 20/20
17 hindsight can criticize you or the Bureau, that you can say
18 well, here are the standards that you gave us, and they specific-
19 ally say this, and that is your answer. We have to live by
20 the law. If we don't define it specifically, it seems to me
21 that these excesses could reoccur, because I don't think it's
22 possible to define them, and the FBI is inevitably going to
23 be kicked back and forth, depending on personal notions of what
24 you should have done.

25 Don't you fear that?

1 Mr. Kelley. Not too much, Senator. I think we learned a
2 great lesson by virtue of Watergate, the revelations that have
3 come up as a result of this Committee's inquiries, the fact
4 that I think that we have a different type of spirit today
5 in the Bureau, the fact that, as I said before, you came in,
6 that I think the Bureau is a matchless organization, and they
7 are eager to do that which is vital and proper, and the fact
8 that we are getting a number of very fine young people in the
9 organization, people of the other ethnic backgrounds than we
10 had years ago. I think there is a greater understanding in
11 the Bureau today of what is the proper type of conduct.

12 We may not be able to project this on all occasions,
13 because we must equate this with the need and with our
14 experience, but if the precise guidelines be the goal, you're
15 going to have trouble. If, on the other hand, there be a
16 flexibility, I think that we can work very well within those
17 guidelines.

18 Senator Mondale. I think, as you know, I don't think
19 there is a better trained or higher professionally qualified
20 law enforcement organization in the world than the FBI. I
21 think we all agree it is superb. But the problem has been,
22 from time to time, that when you go beyond the area of
23 enforcing the law into the area of political ideas, that you
24 are subject to and in fact you leave the criminal field, you
25 get into politics. And that is where, it seems to me, that the

1 great controversy exists, and where you are almost inevitably
2 going to be subjected to fierce criticism in the future, no
3 matter how you do it. Once you get into politics, you get
4 into trouble.

5 Mr. Kelley. I agree to that, and I point out that in almost
6 every branch of the government and in every part, as a matter
7 of fact, every segment of our society, there are some who deviate
8 from the normal course. I feel that within the Bureau there is
9 less likelihood of this to happen, and I think that working
10 with you we can at least make some achievements that will be
11 significant.

12 Now, whether it be lasting, I don't think so, but I
13 think we've made a good start.

14 Senator Mondale. In your speech in Montreal on August
15 9th, you said we must be willing to surrender a small measure
16 of our liberties to preserve the great bulk of them.

17 Which liberties did you have in mind?

18 Mr. Kelley. Well, of course, this speech has been mis-
19 understood many, many times.

20 Senator Mondale. Well, I want you to have a chance to
21 clear it up.

22 Mr. Kelley. All that was intended here was a restatement
23 of the approach which the courts historically have used in
24 resolving most issues of Constitutional importance, and its
25 recognition that rights are not susceptible to absolute

1 protection. It's a matter of balance. Even in the Fourth
2 Amendment, for example, which protects the right of privacy, it
3 does not prohibit searches and seizures. I mention, it only
4 refers to those that are unreasonable.

5 I came from the police field. What is more restrictive
6 to more people than traffic regulation? But what would be
7 more chaotic is if you did not have traffic regulation. We
8 do have to , in order to live in the complexities and
9 intricacies of today's life, have to give up some of our
10 rights.

11 Some may construe this as an extravagant statement. If it
12 is so, I wish to say that I only was pointing out that there
13 has to be a balance.

14 Senator Mondale. So that when you say we have to give
15 up some liberties, or as you just said, some rights, what you
16 mean -- let me ask. Let me scratch that and ask again, you
17 have to give up some tights. Which rights would you have us
18 give up?

19 Mr. Kelly. Well, under the Fourth Amendment you would
20 have the right for search and seizure.

21 Senator Mondale. You wouldn't give up the Fourth Amend-
22 ment right.

23 Mr. Kelley. Oh, no not the right.

24 Senator Mondale. What right do you have in mind?

25 Mr. Kelley. The right to be free from search and seizure.

1 Senator Mondale. There's no such right in the Consti-
2 tution. You can have such seizures, but they must be reasonable,
3 under court warrant.

4 Did you mean to go beyond that?

5 Mr. Kelley. That's right.

6 Senator Mondale. That you should be able to go beyond
7 that?

8 Mr. Kelley. No, no. I do not mean that we should ever
9 go beyond a Constitutional right guarantee.

10 Senator Mondale. Well, would you say, Mr. Kelley, that
11 that sentence might have been inartful in your speech?

12 Mr. Kelley. I said that if it was misunderstood, I
13 made a mistake, because I should never make a statement which
14 yes, it was inartful.

15 Senator Mondale. I think I know about your record in
16 law enforcement well enough to tell you that I think you were
17 saying something different, that it was taken to mean something
18 different than I think you intended.

19 What you are saying is that in the exercise of your law
20 enforcement powers, the rights of individuals is determined
21 by the laws and the courts, but the courts, in the handling
22 of those issues, have to balance rights and other values.

23 That's what you're essentially saying, is that correct?

24 Mr. Kelley. Senator, I ought to have you write my
25 speeches so that I don't have any misunderstandings. I didn't

1 understand that to be at the time anything that was unusual.

2 I have to admit that maybe I made a mistake.

3 Senator Mondale. What you are saying in effect is that
4 in effect, the rights of the American people can be determined
5 not by the Director of the FBI but by the courts and by the
6 law.

7 You meant that.

8 Mr. Kelley. Indeed, yes, sir.

9 Senator Mondale. All right.

10 Thank you.

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1 The Chairman. Senator Hart.
2 Senator of Colorado. Mr. Kelley, in response to
3 a question by Senaotr Mondale, one of his first questions about
4 laying down guidelines, it seems to me what you were saying was
5 we could work together. That is to say the Bureau and the
6 Congress, lay down guidelines that would not unreasonably
7 hamper you from investigations of crime control in the
8 country.

9 But I think implicit in his question was also an area
10 that you didn't respond to, and that is how do you, what kind
11 of guidelines do you lay down to protect you and the Bureau
12 from political pressure, the misuse of the Bureau by political
13 figures, particularly in the White House?

14 And we've had indications that at least two of your
15 predecessors, if not more, obviously were corrupted and Mr.
16 Gray was under great pressure from the White House to use
17 the facilities of the Bureau and their capabilities to accomplish
18 some plititcal end.

19 Well, it seems to me you were arguing in favor of fewer
20 restrictions so you could get on with your job, but that is
21 not what Senator Mondale and the rest of us are interested in.

22 What kind of restrictions can we lay down to protect you
23 from political pressures? I'd be interested in that sign of the
24 coin, if you would.

25 Mr. Kelley. I would welcome any guidelines which would

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1 protect me or any successor from this type of thing. I think
2 that would be splendid. I have not reviewed the guidelines
3 as prepared to the present date by the Department. It might
4 be that they are well defined in there. But I welcome any
5 consideration of such directives.

6 Senator Hart of Colorado. Do you think this is a problem?

7 Mr. Kelley. No, sir, not with me.

8 Senator Hart of Colorado. Do you think that it has been
9 a problem for the people that preceded you?

10 Mr. Kelley. I think so.

11 Senator Hart of Colorado. And that's a problem the
12 Congress ought to address?

13 Mr. Kelley. I think so.

14 Senator Hart of Colorado. The Committee received a
15 letter from the Department of Justice a couple of days, the
16 Assistant Attorney General asking our cooperation in carrying
17 out the investigation or their efforts to review the investi-
18 gation conducted by the FBI into the death of Martin Luther
19 King, Jr., in order to determine whether that investigation
20 should be re-opened. They asked our cooperation, they asked
21 for our transcripts, the testimony before the Committee, all
22 material provided to the Committee by the FBI which relates
23 to Dr. King and the Southern Christian Leadership Conference.

24 I guess my question is this: Why is the Justice Depart-
25 ment asking this Committee for FBI files?

1 Mr. Kelley. I don't think they're asking for files.
2 I think they're asking for what testimony was given by
3 witnesses whose testimony has not been given up. I don't know.

4 Senator Hart of Colorado. I'll quote it. "And all
5 material provided to the Committee by the FBI which relates
6 to Dr. King and the Southern Christian Leadership Conference."

7 I repeat the question. Why is the Justice Department
8 asking this Committee for material provided to us by the
9 FBI?

10 Mr. Kelley. Frankly, I don't know. Do you mind if I
11 just ask --

12 (Pause)

13 Mr. Kelley. I am informed, and I knew this one.
14 Everything that was sent to you was sent through them. Did
15 they have a copy also? Yes, they had a retained copy. I
16 don't know why.

17 Senator Hart of Colorado. So there's nothing you
18 provided us that's not available to the Justice Department?

19 Mr. Kelley. That's right.

20 Senator Hart of Colorado. And you can't account for why
21 an official of the Justice Department would ask this Committee
22 for your records?

23 Mr. Kelley. No, sir.

24 Senator Hart of Colorado. You released a statement on
25 November the 18th of '74 regarding the FBI's counter-intelligence

4 1 program and you said you made a detailed study of COINTELPRO
2 activities and reached the following conclusions, and I quote:

3 "The purpose of these counter-intelligence programs was
4 to prevent dangerously and potentially deadly acts against
5 individuals, organizations and institutions both public
6 and private across the United States."

7 Now we had an FBI informant in the other day before this
8 Committee and he stated he told the FBI on a number of
9 occasions he planned violent acts against black people in
10 groups. And yet, he said few, if any, instances in which the
11 FBI actually prevented violence from taking place.

12 How does his testimony square with your statement that
13 I have quoted?

14 Mr. Kelley. It doesn't, and I don't know if any of
15 his statements contrary to what we have said is the truth.
16 We don't subscribe to what he said. We have checked into it
17 and we know of no instances where, for example, 15 minutes
18 and that type of thing has been substantiated.

19 Senator Hart of Colorado. You're saying the testimony
20 he gave us under oath was not accurate?

21 Mr. Kelley. Right.

22 Senator Hart of Colorado. You also said in that statement,
23 and I quote: "I want to assure you that Director Hoover did
24 not conceal from superior authorities the fact that the FBI
25 was engaged in neutralizing and disruptive tactics against

1 revolutionary and violence-prone groups.

2 Now the Committee has received testimony that the New
3 Left COINTELPRO programs was not in fact told to higher
4 authorities, the Attorney General and Congress.

5 Do you have any information in this regard?

6 I know in that statement you cite onw or two instances,
7 but in terms of the bulk of COINTEL programs, the record
8 seems to date at least to be clear that there was not systematic
9 information flowing upward through the chain of command to
10 Director Hoover's superiors?

11 Mr. Kelley: May I ask that I be given the opportunity
12 to substantiate that with documentation?

13 Senator Hart of Colorado. Sure.

14 Mr. Kelley: Or respond to it.

15 Senator Hart of Colorado. Dorector Kelley, just in
16 passing, do you agree with the statement made by President
17 Ford that those responsible for harassing and trying to destroy
18 Dr. King should be brought to justice.

19 Mr. Kelley. Those who directly responsible and upon whcse orders
20 the activities were taken responsible. I don't know if he intended to say
21 that, but if he did not, I would say that it would be more proper. Insofar
22 as my own opinion is concerned, that it be centered on those who said
23 to do it and those who are responsible.

24 I took the responsibility for any such program and I
25 don't expect that those under me would be not acting in

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1 accordance with what they think is proper and may even have
2 some reservation, but they do it on my orders. I accept that
3 responsibility.

4 I think that it should rest on those who instructed that
5 that be done.

6 Senator Hart of Colorado. But you agree that the people
7 who give the orders should be brought to justice.

8 Mr. Kelley. I do.

9 The Chairman. Aren't they all dead?

10 Mr. Kelley. No.

11 The Chairman. Not quite?

12 Mr. Kelley. Not quite.

13 Senator Hart of Colorado. That's all, Mr. Chairman.

14 The Chairman. Thank you, Senator.

15 Director Kelley, in the Committee's review of the
16 COINTELPRO program and other political involvements of the
17 FBI, it seems to me that we have encountered two or three
18 basic questions.

19 Since the investigation is over insofar as the Committee
20 is concerned, we're now turning our attention to remedies for
21 the future, what I would think would be our constructive
22 legislative work, it is very important that we focus on what
23 we learned in that investigation.

24 And one thing that we have learned is that Presidents of
25 the United States have from time to time ordered the FBI to

1 obtain for them certain kinds of information by exercising the
2 necessary surveillance to obtain and to have a purely
3 political character, that they simply wanted to have for their
4 own personal purposes.

5 I think that you would agree that that is not a proper
6 function of the FBI, and you agree.

7 Yet it's awfully difficult for anyone in the FBI,
8 including the Director, to turn down a President of the United
9 States if he receives a direct order from the President. It
10 is always possible, of course, to say no, and if you insist,
11 I will resign. But that puts a very hard burden on any man
12 serving in your position, particularly if the President puts
13 a good face on the request and makes it sound plausible or
14 even invents some excuse. It is always easy for him to say,
15 you know, I am considering Senator White for an important
16 position in my administration, and I need to know more about
17 his activities, particularly of late. I've had some cause
18 for concern and I want to be certain that there is nothing in
19 his record that would later embarrass me, and I just want you
20 to keep careful track of him and report to me on what he's
21 been doing lately.

22 It's difficult for you to say back to the President, Mr.
23 President, that's a very questionable activity for the FBI,
24 and I frankly don't believe that you've given me the real
25 reason why you want this man followed. I think his opposition

1 to your current policy is politically embarrassing to you and
2 you want to get something on him.

3 I mean, you know, the Director can hardly talk back that
4 way, and I'm wondering what we could do in the way of protecting
5 your office and the FBI from political exploitation in this
6 basic charter that we write.

7 Now, I want your suggestions, but let's begin with one
8 or two of mine. I would like your response.

9 If we were to write into the law that any order given you
10 either by the President or by the Attorney General should be
11 transmitted in writing and should clearly state the objective
12 and purpose of the request and that the FBI would maintain
13 those written orders and that furthermore they would be
14 available to any oversight committee of the Congress. If the
15 joint committee on intelligence is established, that committee
16 would have access to such a file.

17 So that the committee itself would be satisfied that
18 orders were not being given to the FBI that were improper or
19 unlawful.

20 What would you think of writing a provision of that kind
21 into a charter for the FBI?

22 Mr. Kelley. I would say writing into the law any order
23 issued by the President that is a request for action by the
24 Attorney General should be in writing, is certainly, in my
25 opinion, is a very plausible solution. I'm sure that in

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1 contemplation of this there would be some that will say yes
2 or some that will say no, but I think we could define an
3 area where you are trying to cure the abuses and we could
4 do that.

5 Now as to the availability to any oversight committee
6 of Congress, I would say generally that I certainly would have
7 no objection to this, but I again, there may be some request
8 for something of high confidentiality that the President might
9 put in writing such as some national or foreign security
10 matter.

11 I would like to have such a consideration be given a
12 great deal of thought and that the oversight committee review
13 be conditioned with that possibility. I don't think it would
14 present a problem.

15 I have said previously that I feel I can discuss every-
16 thing except the identity of the informants to the oversight
17 committee. I welcome that.

18 The Chairman. Well, that has been of course the way we
19 proceeded with this Committee. It has worked pretty well,
20 I think.

21 Now Senator Goldwater brought up a question on the
22 Martin Luther King tapes. I would like to pursue that question.

23 If these tapes do not contain any evidence that needs
24 to be preserved for ongoing criminal investigations, and since
25 Dr. King has long since been violently removed from the scene,

10 1 why are they preserved? Why aren't they simply destroyed?
2 Is there a problem that we can help through new law to enable
3 the FBI to remove from its files so much of this information
4 that is has collected that it is no longer needed or may never
5 have connected the person with any criminal activity? And
6 yet, all of that information just stays there in the files
7 year after year.

8 What can we do? How can a law be changed? If that's
9 not the problem, then what is? Why are these tapes still down
10 there at the FBI?

11 Mr. Kelley. Well, of course, we do have the rule that
12 they are maintained ten years. Now why the rule is your
13 question and why right now are they maintained? Since we
14 do maintain everything since the inquiry has started and until
15 that's lifted, we can't destroy anything.

16 I would say that this is a proper area for guidelines
17 or legislation and again, as I have said, there should be
18 some flexibility and I know that's a broad statement but there
19 might be some areas wherein that the subject of the investigation
20 himself may want them retained because it shows his innocence.

21 I think you have to deliberate this very carefully, but
22 it can be done and we are willing to be guided by those
23 rules.

24 The Chairman. Let me ask you this. The FBI is conducting
25 thousands of investigations every year on possible appointees

1 to Federal positions. As a matter of fact, the only time I
2 ever see an FBI agent is when he comes around and flashes his
3 badge and asks me a question or two about what I know of Mr.
4 so and so, who's being considered for an executive office.
5 And we have a very brief conversation in which I tell him that
6 as far as I know, he's a loyal and patriotic citizen, and that
7 is about the extent of it.

8 Then when this file is completed and the person involved
9 is either appointed or not appointed, what happens to that
10 file? I know it's full of all kinds of gossip because it is
11 in the nature of the investigation to go out to his old
12 neighborhoods and talk to everybody who might have known him.

13 What happens to the file? Is that just retained forever?

14 Mr. Kelley. We have some capability of destroying some
15 files and they are rather lengthy insofar as retention. We
16 have some archival rules which govern the retention of material
17 and is developed in cases involving certain members of the
18 Executive Branch of the government.

19 I see no reason why this would not be a proper area
20 for consideration of legislation.

21 The Chairman. Can you give me any idea of how much --
22 do you have records that would tell us how much time and money
23 is being spent by the FBI just in conducting these thousands
24 of routine investigations on possible Presidential appointments
25 to Federal offices?

1 Mr. Kelley. I feel confident we can get it. I do not
2 have it now, but if you would like to have the annual cost
3 for the investigation of Federal appointees --

4 The Chairman. Yes. Plus, you know, plus any other
5 information that would indicate to us what proportion of the
6 time and effort of the FBI was absorbed in this kind of
7 activity.

8 Mr. Kelley. I can tell you it is relatively small, but
9 I can get you, I think, the exact amount of time and the
10 approximate expense.

11 The Chairman. I wish you would do that because this is
12 a matter we need more information about. And when you supply
13 that data to the Committee, would you also supply the number
14 of such investigations each year?

15 You know, I don't expect you to go back 20 or 25 years,
16 but give us a good idea of the last few years. For example,
17 enough to give us an idea of how much time and how broad the
18 reach of these investigations may be.

19 Mr. Kelley. Through '70?

20 The Chairman. That would be sufficient, I would think.

21 The other matter that is connected to this same subject
22 that I would like your best judgment on is whether these
23 investigations could not be limited to offices of sensitivity.
24 That is to say where legitimate national security interest might
25 be involved so that there is a reason to make a close check on

1 past associations, attitudes and expressions of belief.

2 I have often wondered whether we couldn't eliminate
3 routine Federal offices that are not particularly sensitive
4 in the national security sense from the reach of these FBI
5 checks.

6 And so when you respond to the series of questions, I
7 wish you would include the offices that are now covered by
8 such checks and give us an idea of how far down into the
9 Federal bureaucracy this extends.

10 Could you do that?

11 Mr. Kelley. Yes, sir.

12 The Chairman. Fine.

13 Now there is a vote. The vote always comes just at
14 the wrong time, but Mr. Schwarz wants to ask you some additional
15 questions for the record, and there may be other questions,
16 too that would be posed by the staff, after which I will ask
17 Mr. Schwarz to adjourn the hearings. It looks like we're going
18 to be tied up on the floor with votes.

19 But before I leave I want to thank you for your testimony,
20 Mr. Kelley, and to express my appreciation to you for the
21 way you have cooperated with the Committee in the course of
22 its investigation during the past months.

23 Mr. Kelley. Thank you.

24 The Chairman. And I hope, as you do, that as a result
25 of the work of the Committee we can write a generic law for

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End Tape 4

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the FBI that will help to remedy many of the problems we'll
encounter in the future.

Thank you.

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1 Mr. Schwarz. Mr. Kelley, I'll try to be very brief.

2 On page 5 of your statement --

3 Mr. Kelley. What?

4 Mr. Schwarz. On page 5 of your statement, the third
5 full paragraph, you said the following, and I would like then
6 to question about what you said. "We must recognize that
7 situations have occurred in the past and will arise in the
8 future where the Government may well be expected to depart from
9 its traditional role, in the FBI's case, as an investigative
10 and intelligence-gathering agency, and take affirmative steps
11 which are needed to meet an imminent threat to human life or
12 property."

13 Now, by that you mean to take what kind of steps in what
14 kind of situation?

15 And can you give some concrete examples under your general
16 principles statement?

17 Mr. Kelley. I think that Mr. Adams addressed himself to
18 that the other day, where you have an extremist who is an
19 employee at the waterworks, and he makes a statement that he's
20 going to do something which is devastating to the city, and you
21 have no way to attack this under the ordinary procedures, and
22 so therefore you must take some steps to meet that imminent
23 threat to human life or property.

24 Mr. Schwarz. So let us take that case as a test of the
25 principle. You are saying the extremist has said he is going

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1 to do something to the waterworks, poison it or something, and
2 he is on the way down there with the poison in his car.

3 Is that the presumption?

4 Mr. Kelley. We hadn't gone that far, but all right, you
5 can extent it.

6 Mr. Schwarz. All right, now, in that case you have the
7 traditional law enforcement tool, which is the power of arrest.

8 Mr. Kelley. Not under probable cause where he has not
9 gone down there. The hypothetical we gave was one where he had
10 not taken any overt acts in perpetration of this.

11 Mr. Schwarz. Well, if he hasn't taken any overt acts,
12 are you then in what you would call in imminent threat of
13 human life or property?

14 Mr. Kelley. I think so.

15 Mr. Schwarz. How so? Unless he has taken an overt act
16 to buy the poison or to get in the car with the poison, there
17 is not by definition any threat to life or property.

18 Mr. Kelley. Mr. Schwarz, I've been around in this business
19 a long time. I've heard a number of threats which were issued,
20 and they thereafter materialized into actions. I don't think --
21 take these threats as being empty ones, because so many times
22 they have been acted upon.

23 I was criticized one time when there was a threat made to
24 kill me, and it was said later on, it's not rhetoric, it's
25 not rhetoric to me, because when they say they're going to

1 kill me, that just means one thing.

2 Mr. Schwarz. But I'm not disagreeing with you.

3 Mr. Kelley. But you are disagreeing with me. You're saying
4 on the basis of experience that you cannot detect a possible
5 threat. That's the whole area of concern that we have here, where
6 we don't lose the capability of doing something. We don't
7 say we should initiate ourselves. We say that we should go to
8 the Attorney General. We do not subscribe to the idea that
9 we should act independently because maybe we don't have the
10 judicial review, the capability of determining, but we do
11 think that we should report it and thereafter see what can
12 be done.

13 Mr. Schwarz. Well, have you changed in the course of
14 our discussion the standard on page 5.

15 On page 5 you're talking about an imminent threat.

16 Mr. Kelley. Yes.

17 Mr. Schwarz. And I hear you now as saying a possible
18 threat.

19 Mr. Kelley. An imminent possible threat.

20 Mr. Schwarz. An imminent possible threat. All right.

21 Now, would a fair standard for either action, other than
22 arrest, I don't know what you have in mind, but something to
23 prevent the person from carrying out his activities, other
24 than arrest, for instance, what is an example of what you have
25 in mind?

1 Mr. Kelley. Removing him from his position or whatever
2 is necessary in order to make it impossible or at least as
3 impossible as possible to perpetuate this thing.

4 Mr. Schwarz. You mean have him lose his job or --

5 Mr. Kelley. I don't know what it would be.

6 Mr. Schwarz. Isolate him in some fashion.

7 Mr. Kelley. In some fashion perhaps.

8 Mr. Schwarz. Now, for such activity and for opening
9 an investigation into a domestic group, could you live with
10 a standard which said you would have to have an immediate
11 threat that someone was likely to commit a serious federal
12 crime involving violence?

13 Mr. Kelley. I think that this thing could be worked out
14 so that there could be an adequate basis for an evaluation.

15 Mr. Schwarz. So those words, without trying to commit
16 you entirely to them, do not seem to you to depart far from
17 what you think would be an acceptable standard.

18 Mr. Kelley. Well, an imminent, immediate threat might
19 be, by virtue of the word "immediate" that he's going to
20 do it the next minute. In that case it may be necessary for
21 you to, not with the presence or the possibility, not able
22 to do anything except put him under arrest or anything.

23 Mr. Schwarz. Of course, of course.

24 And nobody would at all disagree with that kind of action.

25 Mr. Kelley. I don't think they would either.

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Room 4

1 Mr. Schwarz. But on the question, let's take the opening
2 of an investigation into a domestic group.

3 Is it basically consistent with practicality to make the
4 test immediate threat of a serious Federal crime involving
5 violence?

6 Mr. Kelley. To open a domestic security case.

7 Mr. Schwarz. Yes.

8 Mr. Kelley. It appears to me that this is a terrorist
9 activity, in effect. We certainly have terrorist activities
10 under our jurisdiction as a threat against the United States.

11 Mr. Schwarz. Now, are there other circumstances where
12 it is justifiable to open an investigation of the domestic
13 group where you do not have an immediate threat of serious
14 federal crime involving violence?

15 Mr. Kelley. Oh, I think there are other criteria, and
16 they have been well defined as to what is the possible
17 opening, the basis for a possible opening. We haven't been
18 discussing that, we have been discussing particular instances,
19 but there are other criteria that are used, yes.

20 Mr. Schwarz. What would the other criteria be?

21 Mr. Kelley. Well, the possible statutory violations
22 over which we have jurisdiction are, generally speaking, the
23 most used of the basis, and then you have, of course, some
24 intelligence investigations which should, of course, be of
25 short duration. If there is no showing of this into action

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1 or a viable intent.

2 Mr. Schwarz. So that's what you're looking for in the
3 intelligence investigation?

4 Mr. Kelley. By intelligence investigation, yes, you
5 are looking to prevent.

6 Mr. Schwarz. And what you are looking to prevent, and
7 what you're looking to find is a likelihood of action combined
8 with an intent to take an issue?

9 Mr. Kelley. And the capability.

10 Mr. Schwarz. And the capability.

11 All right. I just have two other lines, Mr. Kelley, and
12 I appreciate very much your time.

13 Mr. Kelley. That's all right.

14 Mr. Schwarz. Assuming a legitimate investigation has
15 been started into a domestic intelligence matter, is it legiti-
16 mate for the FBI, in addition to obtaining information that
17 relates to what we've just been talking about, the likelihood
18 of violent action, is it also legitimate for the FBI to
19 collect, A, retain, B, disseminate, C, information concerning
20 let's say the sex life of a person on the one hand, and the
21 political views of a person on the other?

22 Mr. Kelley. I think, Mr. Schwarz, that this is just what
23 many of our problems and perhaps the guidelines can define
24 this type of thing. I think probably you will agree that
25 within the determination of the deviations possibly of sex

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1 lives, there might be something that is relevant. I would say
2 ordinarily it's not. And so far as political views, yes, I
3 think that this could be, if he is espousing some cause or
4 some view that advocates violence or the overthrow of the
5 government.

6 Mr. Schwarz. Would those be the two limits on political
7 views?

8 Mr. Kelley. What?

9 Mr. Schwarz. Would those be the only limits on political
10 views that you think are okay to collect, advocants of violence
11 or advocants of overthrow?

12 Mr. Kelley. Well, I don't think because he's a Democrat
13 or a Republican it would be anything that would be damaging,
14 but it might on the other hand counter the report that he's
15 a member of some other organization.

16 Mr. Schwarz. Is the standard you used on collection of
17 sex life information, might be relevant? I suppose anything
18 might be relevant, but don't you think that as a function of
19 balance, it has to have a high degree of relevance before it's
20 justifiable to collect that kind of information on American
21 citizens who are not suspected of having committed crimes?

22 Mr. Kelley. Insofar as doing it presently, it has been
23 included in some reports as a result of the requirement that
24 that is what is required by our rules, that when a person
25 reports something to us, we do a report of the complaint. Insofar

1 as a determination by guidelines that might be prepared later,
2 I think that we can certainly deliberate on this to see whether
3 or not this is something we should retain, and we would not
4 object to anything reasonable in that regard.

5 Mr. Schwarz. I just have one final question.

6 Taking the current manual and trying to understand its
7 applicability laid against the facts in the Martin Luther King
8 case, under Section 87 there is a -- permission is granted to
9 open investigations of the infiltration of non-subversive
10 groups, and the first sentence reads: "When information is
11 received indicating that a subversive group is seeking to
12 systematically infiltrate and control a non-subversive group
13 or organization, an investigation can be opened."

14 Now, I take it that is the same standard that was used
15 in opening the investigation of the Southern Christian Leadership
16 Conference in the 1960s, so that investigation could still be
17 open today under the FBI manual, the current FBI manual.

18 Mr. Kelley. We are interested in the infiltration of
19 clearly subversive groups into non-subversive groups inasmuch
20 as this is a ploy that is used many times, and having infil-
21 trated, they then get control, and they have a self-laundered
22 organization which they can use, and not, certainly, to the
23 benefit of the country.

24 Mr. Schwarz. But is the answer to my question yes, that
25 under that standard, the SCLC investigation could still be

1 opened today?

2 Mr. Kelley. I think so.

3 Mr. Schwarz. All right, then, just one final question.

4 Do you agree that special care needs to be taken not only
5 of the standards for initially opening an investigation of a
6 group, but perhaps extra care needs to be taken when the investi-
7 gation goes beyond the initial target group to individuals
8 or people who come into contact with it?

9 Mr. Kelley. I don't know if I agree with that entirely. If
10 you mean that we go into the non-subversive group, that we
11 then investigate people in that non-subversive group, not the
12 infiltrators, but the non, that we conduct a lengthy investigation
13 of them without any basis for doing so other than that they
14 are in an infiltrated group, I would likely have said -- but
15 off the top of my head I would say probably that's not necessary.

16 Mr. Schwarz. Thank you very much.

17 Mr. Smothers. Just a couple of very brief lines of
18 inquiry, Mr. Kelley.

19 I think that the questions of the Chief Counsel was
20 raising is one that goes further into your statement, when you
21 talk about the difficulty of setting out the line between
22 intelligence gathering and law enforcement kinds of functions..
23 Nevertheless, though, I think that you have made an effort,
24 indeed, the Bureau's organizational scheme reflects an effort
25 to distinguish some of this has been made.

1 Putting aside for one moment the counterespionage
2 effort, and looking strictly at what we have been calling the
3 Domestic Intelligence, is it your view that the retention of
4 this function in the Bureau is critical to the Bureau's
5 law enforcement position?

6 Mr. Kelley. My personal opinion is that the Bureau does
7 a splendid job in this area. I feel further that the background
8 of criminal investigatory activities and experiences which
9 all counterintelligence people have is very helpful. It is help-
10 ful not only in gathering knowledge and experience, it also
11 enters into this field, a person with a broad understanding
12 of the rights and privileges, and you don't have so much that
13 spy type, that cloak and dagger, that very, very secret type
14 of an operation.

15 I subscribe to the present system heartily.

16 Mr. Smothers. Would it be of assistance to your mission
17 if within the Bureau guidelines were established that
18 effectively limited access or controlled dissemination of
19 the intelligence product? In other words, if we had a
20 situation where the intelligence product is critical to assist
21 the law enforcement effort, I don't think there's any question
22 that there should be access to it.

23 Isn't our problem one of controlling the use of that
24 intelligence product and preventing the kind of murky crossing
25 of lines there with the information legitimately needed for

1 law enforcement?

2 Mr. Kelley. There is always a problem when there is wide
3 dissemination, because that just numerically increases the
4 possibility of misuse, abuse or slander, libel, or anything
5 of that matter, and I think that it would be well worthwhile
6 to review the dissemination rules to make them subject to
7 close guidance in the guidelines that we're speaking of.

8 Mr. Smothers. Let me just raise one final area with you.

9 We talked a little bit about, or a question was raised about
10 the investigation now being conducted by the Justice Department
11 regarding the improper actions on the COINTELPRO, and the
12 King case in particular.

13 As we look at allegations of impropriety by your personnel,
14 I think it would be helpful for our record here to have some
15 insight into the procedure the Bureau would normally follow.

16 What does the Bureau do when you get an allegation that
17 an agent or administrative official in the Bureau has behaved
18 improperly?

19 Is an investigation conducted internally, or is it
20 routinely referred to the Justice Department?

21 Mr. Kelley. There may be a revision in this type of
22 procedure as a result of the establishment of the Council for
23 Professional Responsibility. At present it would be in the
24 great majority of the cases turned over to our Investigative
25 Division for investigation. There might, on some unusual

1 occasion, be a designation of a special task force made up,
2 perhaps, of division heads. That is most unlikely, but it is
3 handled internally at present.

4 Mr. Smothers. Would these internal determinations be
5 reviewed by Justice, or do you think that is a necessary
6 step?

7 I guess what we are searching for here is, first of all,
8 I think you answered that, well, to what extent does the
9 Bureau police itself, and then secondly, is the Department of
10 Justice involved in the police determinations?

11 For instance, what if the Attorney General disagreed with
12 the assertion that only the higher up officials who ordered
13 the action against King should be the subject of investigation
14 and maybe prosecution?

15 How does the interplay work there between you and Justice?

16 Mr. Kelley. We do report to the Attorney General those
17 activities which we construe as improper or possibly illegal.
18 There is a possibility that the Department, having been advised
19 of the situation, might take it on their own to do their own
20 investigating, and this is something that we feel is a
21 decision to be made only rather rarely, because we feel we
22 have within our own organization sufficient capability to
23 handle that. But we do not protest it. It is handled
24 independently of us.

25 Mr. Smothers. Thank you.

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That is all I have.

Mr. Schwarz. Thank you.

(Whereupon, at 12:12 o'clock p.m., the Committee recessed
subject to the call of the Chair.)

- - -

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RE:

Date 12/30/75

DIRECTORS APPEARANCE BEFORE SENATE SELECT
COMMITTEE ON INTELLIGENCE ACTIVITIES,
DECEMBER 10, 1975

☐ For information ☐ Retention optional ☐ For appropriate 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:

ReButel to all SACs and Legats, 12/10/75.

Enclosed for each Office and Legat is one copy of the transcript of questions which were asked Mr. Kelley during captioned appearance, along with Mr. Kelley's answers to those questions.

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RE: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

Date 11/21/75

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☐ Enclosed are corrected pages from report of SA _____ dated _____

Remarks:

Enclosed for your information is a copy of an article by Mr. William Safire entitled "Mr. Church's Cover-Up" that appeared in the November 20, 1975, issue of "The New York Times."

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Mr. Church's Cover-Up

By William Safire

WASHINGTON, Nov. 19—On Oct. 10, 1963, the then-Attorney General of the United States put his personal signature on a document that launched and legitimized one of the most horrendous abuses of Federal police power in this century.

In Senator Frank Church's subcommittee hearing room this week, the authorized wiretapping and subsequent unauthorized bugging and attempted blackmailing of Martin Luther King Jr. is being gingerly examined, with the "investigation" conducted in such a way as not to unduly embarrass officials of the Kennedy or Johnson Administrations.

With great care, the committee has focused on the F.B.I. Yesterday, when the committee counsel first set forth the result of shuffling through press clips, it seemed as if no Justice Department had existed in 1962; today, an F.B.I. witness pointed out that it was Robert Kennedy who authorized the wiretap of Dr. King, and that "the President of the United States and the Attorney General specifically discussed their concern of Communist influence with Dr. King."

But the Church committee showed no zest for getting further to the Kennedy root of this precedent to Watergate eavesdropping. If Senator Church were willing to let the chips fall where they may, he would call some knowledgeable witnesses into the glare of the camera lights and ask them some questions that have gone unasked for thirteen years.

For example, he could call Nicholas Katzenbach, Attorney General Kennedy's deputy and successor, and ask what he knows of the Kennedy decision to wiretap Dr. King. Who at Justice concurred in the recommendation? How does the F.B.I. know the President was consulted or informed?

After Mr. Katzenbach assumed office, and the wiretapping continued, he was told by angry newsmen that the F.B.I. was leaking scurrilous information about Dr. King. Why did he wait for four months, and for a thousand telephonic interceptions, to discontinue the officially approved tap?

Of course, this sort of testimony would erode Senator Church's political base. That is why we do not see former Assistant F.B.I. director Cartha (Deke) DeLoach, Lyndon Johnson's personal contact with the F.B.I. in the witness chair. What did President Johnson know about the character-assassination plot and when did he know it? What conversations took place between Mr. DeLoach and President Johnson on the tapping of Dr. King, or about the use of the F.B.I. in any other intrusions into the lives of political figures?

The committee is not asking embarrassing questions even when answers are readily available. A couple of weeks ago, at an open hearing, an F.B.I. man inadvertently started to blurt out an episode about newsmen who were wiretapping in 1962 with the apparent knowledge of Attorney General Kennedy. The too-willing witness was promptly shooshed into silence, and told that such information would be developed only in executive session. Nobody raised an eyebrow.

That pattern of containment by the Church committee is vividly shown by the handling of the buggings at the 1964 Republican and Democratic con-

ESSAY

ventions which were ordered by Lyndon Johnson. Such invasions of political headquarters were worse than the crime committed at Watergate, since they involved the use of the F.B.I., but the Church investigators seem to be determined not to probe too deeply.

If F.B.I. documents say that reports were made to specific Johnson aides, why are those men not given the same opportunity to publicly tell their story so avidly given the next President's men? If Lyndon Johnson committed this impeachable high crime of using the F.B.I. to spy on political opponents, who can be brought forward to tell us all about it?

But that would cause embarrassment to Democrats, and Senator Church wants to embarrass professional employees of investigatory agencies only. A new sense of Congressional decorum exists, far from the sense of outrage expressed in the Senate Watergate committee's hearing room. When it is revealed that the management of NBC News gave press credentials to L.B.J.'s spies at the 1964 convention, everybody blushes demurely—and nobody demands to know which network executive made what decision under what pressure.

I have been haranguing patient readers for years about the double standard applied to Democratic and Republican political crimes, and had hoped the day would come when the hardball precedents set by the Kennedy and Johnson men would be laid before the public in damning detail.

Obviously, Democrat Frank Church is not the man to do it. His jowling indignation is all too selective: the trail of high-level responsibility for the crimes committed against Dr. King and others is evidently going to be allowed to cool.

Pity. You'd think that after all the nation has been through in the past few years, our political leaders would have learned that the one thing that brings you down is the act of covering up.

THE NEW YORK TIMES
THURSDAY, NOVEMBER 20th, 1975
PAGE C-41

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Blacks, socialists targeted

Hearings

put FBI crimes on trial

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

MILITANT

PAGE 1, 6

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By Cindy Jaquith

WASHINGTON—The FBI was placed on trial this week as congressional committees held public hearings on the secret Cointelpro operations. The verdict in the minds of millions of Americans was "Guilty."

Confronted by testimony from victims of its secret war against the rights of the American people, and questioned sharply by hostile members of Congress, FBI representatives could offer nothing but the most feeble justifications for their massive campaign of disruption against the civil rights, antiwar, women's, and socialist movements.

The Senate Select Committee on Intelligence made public new documentary proof of the FBI's attacks on Martin Luther King, including plans made against the Black leader just a few days before his assassination. According to committee counsel F.A.O. Schwarz, the bureau's goal was to "discredit or destroy" King.

In November 1964, FBI agents tried to force King to commit suicide by sending him an anonymous letter along with a tape recording it hoped would humiliate him. "King, there is only one thing left for you to do. . . . You are done. There is but one way out for you," the note said.

The revelation of this operation adds substantial new evidence to the widespread belief that the FBI was involved in the assassination of King four years later.

Continued on page 6

Schwarz emphasized that the FBI had not one shred of evidence of any illegal activity by King.

In addition, the committee said, the FBI established a network of 7,500 "ghetto informants" in the late 1960s.

The investigators also made public documents detailing extensive spying on a group called the Women's Liberation Movement in Baltimore, which the FBI described as "a group therapy session with young women who were

For editorial on King assassination, see page 10.

either lonely or confined to the home with small children, getting together to talk out their problems."

At hearings sponsored by the House Select Committee on Intelligence on November 18, FBI officials were confronted by Socialist Workers party presidential candidate Peter Camejo and other victims of government disruption efforts, invited by the committee to testify on the crimes of the FBI.

In response to questioning, the FBI officials were forced to concede that the SWP does not advocate violence, that it does not engage in illegal acts, and that there is no law authorizing the FBI to continue its harassment and disruption under the guise of "investigating" the party.

The SWP and the Young Socialist Alliance have filed a \$27 million suit against the FBI and other government agencies charging them with burglary, wiretapping, bombing, police infiltration, and harassment of individual members. The government has justified its spying on the SWP on the grounds that the SWP is "subversive."

Preview of trial

The lawsuit is scheduled to come to trial sometime in 1976. The November 18 hearings may preview what this unprecedented trial will be like.

"The FBI had their chance today to justify why they have spied on the SWP ever since its founding in 1938," said Syd Stapleton, national secretary of the Political Rights Defense Fund. The PRDF is organizing support for the suit.

"These officials could not produce a shred of evidence that the SWP is guilty of any crimes," Stapleton explained. "Their testimony proved our case—that they are the guilty ones, guilty of trying to destroy a legal political party."

Testifying on harassment of socialists, in addition to Camejo, were Lori Paton, who was investigated for writing a letter to the SWP as part of a high school project, and Kathy Sledge, a member of the Seattle YSA whom the FBI tried to get fired. Robert Silverman, a Chicago businessman who once employed an SWP member, told the committee of FBI attempts to get the socialist employee fired.

All these incidents happened after 1971, when the FBI supposedly ended its attempts at disruption of the SWP and YSA.

The committee also heard from FBI provocateur Robert Hardy, who helped stage the Camden 28 draft board raid; and Marcus Raskin, codirector of the Institute for Policy Studies, another victim of FBI spying.

Former agent testifies

Another witness was former FBI agent Arthur Murtaugh, who testified about the harassment of King and of Rep. Andrew Young (D-Ga.). Murtaugh testified that he had been ordered to obtain handwriting samples of associates of King, including Andrew Young, and to obtain copies of stationery and envelopes of the Southern Christian Leadership Conference.

Appearing at the hearings to defend these crimes were James Adams and W. Raymond Wannall, top FBI officials.

"Your rationale for investigating the SWP would be based either on a violation of law or a threat to the United States?" asked committee counsel A. Searle Field.

"Yes," replied Wannall.

"In the last thirty years you've found no violations by the SWP. Could you say the same about the Democratic and Republican parties?" demanded Field, as laughter broke out in the hearing room.

Ominously, the FBI claimed the right to investigate groups that, in its opinion, *might* advocate terrorism or other illegal acts in the future.

Some people, FBI official Adams warned, "publicly state that they consider terrorist activity 'counterproductive' in today's political climate. Nevertheless, they by no means renounce its use at the right moment to attain their political objectives."

This is the FBI's cheap argument in the SWP's suit: that the party only "pretends" to oppose terrorism, but is secretly plotting violence "when the time is right."

This slander was ripped to shreds at the hearings by Camejo and the majority of members of the House committee.

"For thirty years you've been follow-

Revolution of 1776

ing these people. Why do you stay after them if you don't have any convictions?" asked Rep. James Johnson (R-Colo.) impatiently.

"We have no evidence of a statutory violation," admitted Adams. But, he insisted, "we feel that when an organization states publicly that they don't engage in violence, but also states to its members, 'Wait until the time is right,' . . . we feel we have to monitor that situation."

The SWP, he suggested, might become "violent" in the event of "a hostile attack by the Soviet Union or others."

"Are you aware that SWP members have never advocated violence?" asked counsel Field. He went on to point out that provisions of the Smith Act, which made it illegal to advocate revolutionary change, have long been ruled unconstitutional by the U.S. Supreme Court.

"So you're continuing to surveil under something that's been ruled unconstitutional?" he demanded.

"We surveil on the basis of activity in which [the SWP] has engaged," replied Wannall.

"Has it engaged in any activities that are violent . . . ?" asked Field.

"Not violent," said Wannall.

Camejo responded to the "terrorist" charge. "The FBI knows what our real position is," he told the committee. That position is to win the majority of the American people over to the need to replace the capitalist system with socialism.

"The Declaration of Independence says we have a right to do that," he noted.

"After we win a majority," he continued, "we do not intend to use violence." Those who will use bloodshed, he predicted, are "a small minority," the capitalist class.

"What more could we ask than that we be treated like any other party, and that the Watergating of my campaign be ended?" he finished.

The only member of Congress to attack Camejo was Rep. Robert McClory (R-Ill.) who bristled at the socialist's examples from the American Revolution. McClory asked Camejo if he favored "violent" revolutions like those in 1776 and 1861.

Camejo offered the representative a short lesson in history. "The American people chose in 1776 that they didn't want taxation without representation. . . . There was a tyranny that was opposed to that. There was a revolution. The entire nation is celebrating it next year," he concluded, as spectators and reporters laughed.

At the end of the hearing, the committee offered the FBI a chance to rebut the testimony of victims. Hoping to avoid putting his foot in his mouth once again, Wannall declined to take up the charges of the SWP, claiming he couldn't comment on a matter in litigation. "I think the courts themselves are going to make the decision" as to whether the FBI is going to continue to spy on the SWP, he said.

Pressed to justify his contention that the SWP does pose a threat "to national security," Wannall said, "It's my recollection that Leon Trotsky established the Fourth International in 1938 and the party here in the United States was established at the same time. . . . I regard [the SWP] as a party that follows the doctrine of Marxism-Leninism as interpreted by Leon Trotsky."

The SWP, as Camejo had explained, is in fraternal solidarity with the world Trotskyist movement, the Fourth International, but is not affiliated with it because of the reactionary Voorhis Act.

Dellums accuses FBI

Rep. Ronald Dellums (D-Calif.) pointed this out and blasted Wannall for trying to use this excuse. "As I understand, the SWP was affiliated with the Fourth International back in the late 1930s which was not illegal," he said.

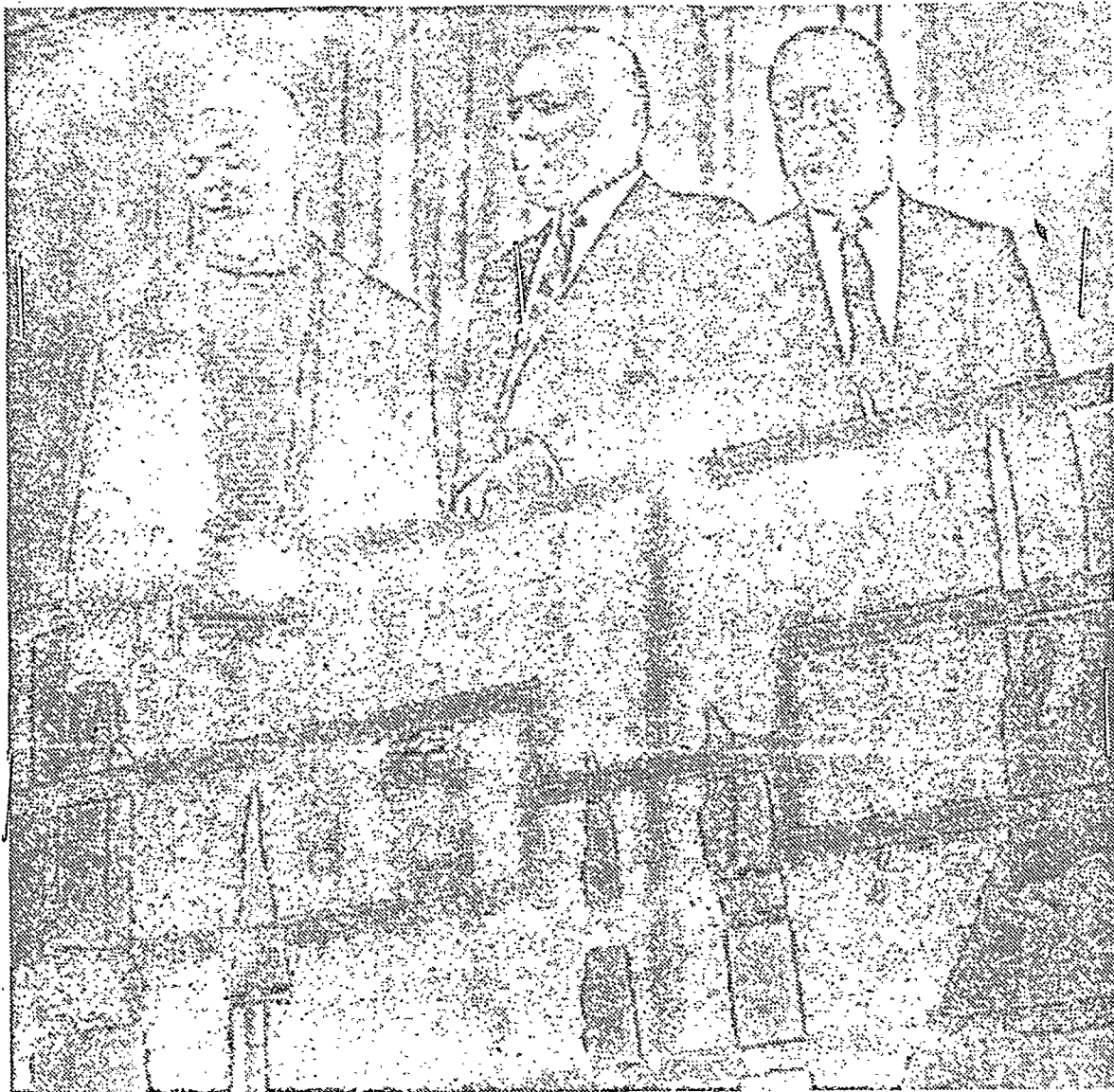
"With the passage of the Voorhis Act they disaffiliated," he explained. This fact "flies in the face of your justification for surreptitious entries, wiretaps, and all the rest under the absurd nomenclature of Cointelpro!"

Dellums went on to accuse the FBI of burglarizing the SWP, citing the 1971 break-in at the Detroit office of the party. A letter stolen in that burglary later appeared in civil service files and was used to harass a former member of the SWP seeking a job.

Wannall stonewalled the question, claiming he had "no knowledge" of FBI involvement in the break-in and that "there is nothing" in the files on the matter.

Rep. Philip Hayes (D-Ind.) told Wannall he was incensed that a legal political organization should be disrupted solely because of the ideas it advocates.

As the hearings drew to a close, one of the FBI's few friends on the committee that day, Rep. Dale Milford (D-Tex.) glumly summed up the demoralizing events of the day. "The FBI," he sadly predicted, "is probably going to flunk out as a TV star on tonight's news."



Martin Luther King and co-workers at Memphis motel day before assassin's bullet struck. New evidence of FBI's plots against King points to government role in murder.

...FBI: no evidence SWP violates law



Peter Camejo, Socialist Workers party presidential candidate, details FBI attempts to disrupt Black and socialist movements. To his left is Lori Paton, who was investigated by FBI because she wrote to SWP for high school research project. Militant/Cindy Jaquith



Militant/Cindy Jaquith

Under questioning from House Intelligence Committee, FBI men were forced to admit SWP does not advocate violence or engage in illegal acts

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

Date 1/5/76

62-2854-57

☒ For information ☐ Retention optional ☐ For appropriate action

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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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RE: HEARINGS BEFORE THE SENATE
SELECT COMMITTEE

Date December 4, 1975

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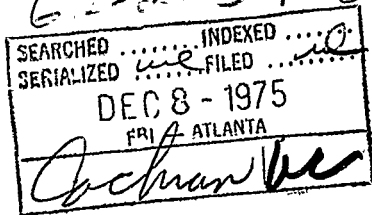
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Remarks:

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.

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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 Lemuel 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.