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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *JAM*

SUBJECT: SENSTUDY 75

- 1 - Mr. Mintz - Encs. (2)
- 1 - Mr. Adams - Encs. (2)
- 1 - Mr. Bassett - Encs. (2)
- 1 - Mr. Wannall - Encs. (2)
- 1 - Mr. Cregar - Encs. (2)
- 1 - Mr. Hotis - Encs. (2)
- 1 - Mr. Daly - Encs. (2)

DATE: 12/5/75

MDR-16
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On 12/4/75, a meeting was held with the following representatives of captioned Committee: Chief Counsel F.A.O. Schwartz; Assistant Counsel Paul Michel; Staff Member Mark Gitenstein; Staff Director of the Domestic Task Force John T. Elliff; and Staff Member John Bayley. Representing the Bureau at this meeting were Deputy Associate Director James B. Adams, Assistant Director John A. Mintz, Inspector John B. Hotis, and SA Paul V. Daly.

The meeting discussed the forthcoming testimony on 12/9/75 of the Director before that Committee and Elliff furnished the Bureau two draft papers discussing the Bureau's investigative jurisdiction and issues the Committee Staff feels the Senate Select Committee must address from a legislative standpoint. Copies of these papers are attached.

The first paper which consists of six pages discusses in Part 1 what the Committee sees as problems arising out of the FBI's domestic intelligence investigations. This portion highlights the fact that these investigations may be overbroad in scope, collect irrelevant information, and continue the investigations beyond what the Committee sees as their normal investigative conclusion. This portion also addresses the investigative techniques used during these investigations and the resultant dissemination of information collected.

Under Part 2, the document discusses options available to the Committee. These options run the gamut from abolition of the Bureau's domestic intelligence functions to administrative oversight by the Attorney General or Congressional oversight or enacting legislation providing for domestic intelligence investigations with legislative limits imposed on such investigations. Included is the consideration of creating an independent Inspector General.

Enclosures (2)

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Legal Counsel to Mr. Adams
RE: SENSTUDY 75

The second position paper which was prepared by John T. Elliff begins by a six-page statement and analysis of the Bureau's current authority to conduct domestic intelligence investigations. He then lists four options for the Committee.

Option 1 is for Congress to pass legislation ratifying the existing FBI authority as set forth by Presidential directives and Executive Orders.

Option 2 suggests Congress might give serious consideration to creating a separate Security Intelligence Agency within the Department of Justice. In this Option, Elliff suggests that the FBI itself has considered this Option as part of the larger question of separating all FBI intelligence functions from law enforcement functions of the Bureau.

Option 3 considers the elimination of FBI domestic intelligence. In his analysis of this position, it might be possible for the Bureau to develop the necessary intelligence information through its normal criminal investigations and thus remove the necessity for domestic intelligence investigations as presently conducted.

Option 4 considers setting standards for domestic intelligence investigations. In this Option, Elliff states that the FBI should be authorized by statute to conduct domestic intelligence investigations only as Congress finds that regular criminal investigations would not provide information to anticipate or prevent the use of violence in violations of Federal law and that incidents of the use of violence in such violations are of a serious nature and threaten the security of the country.

For purposes of the Director's appearance on 12/9/75 before the Senate Select Committee, it is believed his response to questions concerning the aforementioned position papers should be that the Bureau has received copies and is reviewing the various proposals and that it would not be appropriate at this time for the Director to comment regarding the substance of the proposals.

CONTINUED - OVER



Legal Counsel to Mr. Adams
RE: SENSTUDY 75

Elloff indicated during this meeting that the Director during his appearance may anticipate being asked a question by one of the Senators relating to his statement before the American Bar Association in Montreal concerning the necessity for the sacrifice of certain individual rights at the expense of investigations. He also anticipated the Director might be asked a question concerning his position on COINTELPRO. Regarding the question concerning the Director's statement before the American Bar Association in Montreal, the Legal Counsel Division will draft a proposed response. Concerning COINTELPRO, a response has been prepared and will be put together with the briefing material for the Director.

This memorandum in general highlights the Options presented in the attached papers. A more detailed analysis should be prepared by the Intelligence Division and existing documents addressing these proposals should be made available for the Director's briefing book for his testimony.

RECOMMENDATIONS:

(1) That the Director respond to questions concerning the attached position papers as set forth above.

Done.

(2) That the Legal Counsel Division draft a proposed response concerning the Director's statement made in Montreal relating to the sacrifice of certain individual rights.

Done.

(3) That the Intelligence Division make a detailed review of the various Options set forth in the two attached position papers. (FOR SUBSEQUENT STAFF CONFERENCE AFTER 12/19)

*See memo
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Issues and Options for Discussion with
Former Attorneys General Rogers, Katzenbach, and Clark

MDR-116
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I. Background

In the past few weeks the staff has presented the Committee with evidence suggesting the following about the FBI's internal security intelligence program:

- A. The program is massive, involving the collection of information on the activities of thousands of innocent, law-abiding American citizens.
- B. These individuals were not alleged espionage agents, but citizens who fall within the FBI's vague definitions of "subversion" and "extremism" -- purely homegrown "threats to the national security".
- C. That FBI policy on "subversive" and "extremist" investigations was vague and subject to the following abuses:
 1. overbreadth in scope in that groups were investigated whose threats to the national security were tenuous, if not non-existent.
 2. collection of information on the personal life and political views of subjects unrelated to the national security.
 3. the continuance of investigations well after it should have become obvious that there was no legitimate predicate.
- D. Particularly invasive collection techniques were used, including electronic surveillance, mail opening, and surreptitious entries. Although these have been terminated, the predominant and perhaps most insidious continues today through the FBI's huge informant/confidential source network.
- E. Information collected in the course of these investigations is disseminated regularly throughout the federal government and to local law enforcement.
- F. Until 1971, information collected through these investigations was disseminated as part of the COINTELPRO program to the subjects' friends, relatives, employers, and others in an effort to discredit or "neutralize" alleged "subversives" or "extremists".

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- G. The FBI's internal security intelligence program was used by Presidents from Franklin Roosevelt to Richard Nixon to serve their political interests, usually by collecting information on critics or political opponents.
- H. The program was conceived and implemented in secrecy, and although parts of the program were shared with outside authorities from time to time, until now no President, Attorney General, or Congressional committee has been exposed to the entire program in detail.
- I. The program is not authorized by statute but is founded on a series of secret or ambiguous Presidential orders, which in turn are based upon a questionable assertion of "inherent constitutional authority".
- J. The program continues today, albeit on a much more limited basis than in the late 1960's and early 1970's, and the basic machinery for the program -- the huge informant/confidential source network -- is still operating.
- K. There is no statute or internal Bureau or Justice Department policy prohibiting a new Director, Attorney General, or President from ordering the Bureau to expand the program to its earlier dimensions.

II. Issues and Options

Among the issues and options which might be discussed with former Attorneys General in response to what the Committee has learned are the following:

- A. Abolition. Elimination of the FBI internal security intelligence program as Attorney General Harlan Stone ordered in 1924 when confronted with abuses growing out of the FBI's first internal security intelligence program, such as the infamous Palmer raids.

In weighing this option, the Committee should consider the following issues:

- 1. Whether there are not some functions (e.g., protecting the President, preventing or at least predicting violence by terrorist organizations, or predicting civil disorders) which require intelligence collection.

2. Whether FBI intelligence reports are valuable in that respect, especially in light of a recent GAO report suggesting that such reports are rarely useful in predicting violent activity.
 3. Whether such information, assuming it is valuable, could not be obtained through more traditional criminal investigations.
 4. Whether the value of the information, marginal or otherwise, justifies the risk to civil liberties inherent in such intelligence collection.
 5. Whether, given the way in which limited and ambiguous grants of authority have been expanded into major authorizations, any statute short of a total prohibition of all non-law enforcement intelligence activities in the domestic sector will be adequate to prevent the recurrences of the kinds of abuses uncovered by this Committee. (Or, conversely, whether it is possible to draft a law authorizing a limited civil disturbance and counter-terrorist intelligence mission that will not eventually evolve, like the National Security Act of 1947, into a charter for unanticipated and unwanted covert activities.)
 6. Whether it would be sufficient to restrict the FBI to criminal investigations without also (a) placing limits upon the length of investigations, (b) the kinds of information which can be collected and disseminated on the subject irrelevant to the alleged criminal act, (c) the utilization of warrantless electronic surveillance and other particularly invasive collection techniques, and (d) the utilization of a huge informant/confidential source network without judicial or Justice Department supervision.
- B. Authorizing Statute. Recognition of the value of internal security intelligence, but placing limits upon the program designed to minimize the infringement upon civil liberties, an option being actively considered by the present Attorney General.

In weighing this option, the Committee should consider many of the issues set out under the first option and, in addition:

1. Whether meaningful and stringent guidelines can be written which do not so hamper the administration of an internal security intelligence program as to make the product not just marginal, as GAO suggests, but worthless.*
 2. In light of the possibility that the present Attorney General may address this matter via internal Justice Department guidelines, whether this approach does not ignore the legal authority question which can only be resolved by statute.
 3. Whether or not Congress could draft a statutory version of the guidelines which could be flexible enough to meet an evolving threat and at the same time place meaningful restrictions upon the program.
 4. Even assuming there is no absence of legal authority, is it safe to leave these guidelines in the form of a departmental order which can be rescinded by the next Attorney General?
- C. Delegation of Authority to Attorney General. Simply ratifying the present program via enactment of a statutory charter which grants the FBI authority to conduct an internal security intelligence program subject to its own internal guidelines or departmental guidelines as proposed by the Attorney General.

In weighing this option, the Committee should consider many of the issues set out above and:

1. Whether such a statute would not be an unconstitutional delegation of powers to the Executive Branch.
2. Whether enactment of such a statute would not represent a failure by the Congress to confront the issues raised above.

*A preliminary staff analysis of the Attorney General's draft guidelines suggests that, despite months of conscientious and painstaking work by a departmental task force, the guidelines are not adequate. This analysis, which will be presented when Attorney General Levi testifies on December 10, indicates that several of the more questionable FBI investigations (e.g., of Dr. King and the women's liberation movement) would still be permissible under these proposed guidelines.

- D. Legislative Inaction. Enact no new statute affecting the FBI's legal authority or the internal security intelligence program.

In weighing this option, the Committee should consider many of the issues set out above and, in addition:

1. Whether this failure to act might not leave the status of the program in doubt and subject to court challenge.
2. Whether this failure to act after full disclosure by the Bureau might not be taken by the FBI and the courts as a ratification of the program.

- E. Administrative Oversight by the Attorney General. The Justice Department should be required to exercise greater administrative oversight over the FBI's internal security intelligence program by Attorney General Levi, regardless of whatever other options Congress accepts.

In weighing this option, the Committee should consider the following issues:

1. Whether it is practical for the Attorney General or his staff to review thousands of such investigations each year.
2. Whether the Attorney General or his staff should review all or just the so-called "full" investigations.
3. Whether, to facilitate the conduct of such reviews, the Attorney General or his staff should be given "complete" access to Bureau files, including information regarding the identity and reliability of informants and confidential sources.
4. Whether it is possible to develop a staff of career attorneys within the Department with both the access and independence essential to the conduct of searching reviews.
5. Whether the Attorney General or his staff should not also be required to review various informant and so-called "intensification" programs, and the establishment of specialized indices (which have a significant impact upon which cases are opened) instead of just reviewing individual investigations in a vacuum as provided by the Attorney General's draft guidelines.

- F. An Inspector General. In addition to the above options, an independent Inspector General should be created to investigate improprieties by the FBI. This option is advanced by those concerned about the inadequacy of the FBI's investigation of the disappearance of former Director Hoover's personal files, its limited inquiry into the so-called Atlantic City convention case, and the absence of any internal investigation of the abuses in the King case.

In weighing this option, the Committee should consider the following issues:

1. Whether it is possible to maintain the independence of an Inspector General within the Department of Justice when both the Inspector General and the Director of the FBI will be responsible to the same official, the Attorney General.
 2. Whether the Inspector General should have "complete" access to Bureau files, including information pertaining to the identity and reliability of informants and confidential sources.
 3. Whether an Inspector General with access to extremely sensitive information might not become a serious threat to the independence of the Bureau from political influence and to the civil liberties of American citizens.
- G. Congressional Oversight. In addition to the above options, the creation of an oversight committee(s) in the Congress, to which the Bureau would be required to report and which would have the power to investigate abuses.

In weighing this option, the Committee should consider the kinds of problems posed by the Justice Department oversight and Inspector General options discussed above to the independence of the FBI and the confidentiality of its files.

- H. Public Reporting and Disclosure to Subjects. In addition to the above options, the requirement that the FBI make frequent public reports on the details of its internal security intelligence programs and policies and reveal the details of improper intelligence investigations to the subjects of those investigations.

In weighing this option, the Committee should consider the following issues:

1. Whether it is possible to reveal the essence of some programs and policies and the details of some investigations without jeopardizing the effectiveness of legitimate programs.
2. Whether such disclosure might not increase the number of law suits filed against the FBI alleging illegal activities.

December 4, 1975.

FBI LEGISLATION - PROPOSED OPTIONS

In preparation for the testimony of FBI Director Kelley and Attorney General Levi on December 9 and 10, the Domestic Intelligence Task Force is pulling together various proposals for legislation dealing with FBI intelligence. This paper sets forth some of the basic options.

A: Current Statutes and Executive Orders

The basic statute governing the FBI is 18 U.S.C. 533, which reads as follows:

The Attorney General may appoint officials: (1) to detect and prosecute crimes against the United States, (2) to assist in the protection of the person of the President, and (3) to conduct such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General.

Clauses (2) and (3) are a possible statutory basis for intelligence investigations going beyond the investigation of specific federal crimes. Under (2), the FBI may "assist" the Secret Service in the protection of the President by providing

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intelligence on persons or groups who may endanger the President's safety. A formal agreement between the FBI and the Secret Service sets forth the types of intelligence information provided by the Bureau. However, this agreement states that:

The FBI will not conduct investigation of individuals or groups solely for the purpose of establishing whether they constitute a threat to the safety of the President and certain other persons unless there is an indication of a violation of Title 18, U. S. Code, Section 1751, or other statute over which the FBI has jurisdiction. (Tab A)

Clause (3) recognizes that the Attorney General may direct the FBI to conduct investigations, other than criminal investigations, regarding certain undefined "official matters under the control of the Department of Justice." This is a possible statutory basis for at least two broad areas of FBI intelligence investigations -- civil disturbance intelligence and intelligence for the Federal Employee Security Program.

The most recent legal advice to the FBI from the Justice Department on the gathering and reporting of data regarding civil disturbances notes that on April 1, 1969, the President designated the Attorney General as chief civilian officer to coordinate the government's response to civil disturbances. The FBI is instructed to gather and report on "all significant incidents of civil unrest" and on "all disturbances where there are indications that extremist organizations . . . are believed to be involved in efforts to instigate or exploit them." The

FBI is specifically advised to make reports "even when no specific violation of federal law is indicated." On the other hand, the FBI is instructed not to report "every relatively insignificant incident of a strictly local nature coming to its attention." (Tab B)

The Justice Department has given the following recent instructions to the FBI regarding intelligence for the Federal Employee Security Program. Executive Order 10450, as amended by Executive Order 11785, is interpreted as requiring an FBI investigation of organizations "with a potential" of violating federal or state statutes prohibiting unlawful advocacy of violence or the commission of any unlawful act of violence. The FBI is advised that "it is not possible to set definite parameters covering the initiation of investigations of potential organizations falling within the Order." The FBI is instructed to apply "the same yardstick" to investigations of individuals who are affiliated with such organizations. The FBI is specifically advised that "it is not necessary that a crime occur before the investigation is initiated." (Tab C)

Clause (3) also recognizes that the Attorney General may direct the FBI to conduct investigations, other than criminal investigations, regarding certain undefined "official matters under the control of the Department of State." This is a possible statutory basis for FBI intelligence investigation of foreign intelligence activities within the United States or to

collect positive foreign intelligence. The best example is the Attorney General's authorization of warrantless FBI electronic surveillance for foreign intelligence purposes. However, there is apparently no instruction from the Justice Department to the FBI directing the Bureau to initiate investigations of individuals or organizations which have a marked potential for use by a foreign intelligence service, but about which there is no information indicating intelligence activity. (See Staff Report, "Counterintelligence/Counterespionage: The Law and the Philosophy", October 14, 1975.)

In his testimony before the Committee, Deputy Associate FBI Director James Adams made no reference to clauses (2) and (3) as a possible legal basis for FBI intelligence investigations going beyond the investigation of specific federal crimes. Instead, he placed sole reliance on a series of Presidential directives extending from 1936 until the 1960's which the FBI interprets as authorizing it to engage in "domestic security intelligence investigations". The Attorney General has codified these directives in a Justice Department regulation instructing the FBI to:

Carry out the Presidential directive of September 6, 1939, as reaffirmed by Presidential directives of January 8, 1943, July 24, 1950, and December 15, 1953, designating the [FBI] to take charge of investigative work in matters relating to espionage, sabotage, subversive activities, and related matters. 28 C.F.R., Section 0.85(d).

The FBI also cites directives of President Kennedy on June 9, 1962, and Attorney General Kennedy on March 5, 1964, which are the latest charter for the Interdepartmental Intelligence Conference, composed of the FBI Director and the chiefs of the military intelligence agencies. This group is authorized to coordinate "all investigation of domestic espionage, counter-espionage, sabotage, subversion, and other related intelligence matters affecting internal security." (Tab D)

The theory behind the FBI's position is that the President has inherent constitutional powers, at least in the absence of contrary legislation, to authorize FBI intelligence activities. The only judicial support for this theory is language in the Supreme Court's opinion in the Keith case, which declared warrantless wiretapping of domestic groups unconstitutional.

The Court acknowledged the importance of "national security in its domestic implications . . . especially at a time of worldwide ferment and when civil disorders in this country are more prevalent than in the less turbulent periods of our history." Under such circumstances, the Court stated, the President has a "fundamental duty" under the Constitution to "preserve, protect and defend the Constitution of the United States." The Court added, "Implicit in that duty is the power to protect our Government against those who would subvert or overthrow it by unlawful means." Hence, the Court appeared to

recognize that the President's "domestic security role" has a "constitutional basis"; that the President through the Attorney General may need "to obtain intelligence information about those who plot unlawful acts against the Government"; and that "threats and acts of sabotage against the Government exist in sufficient number to justify investigative powers with respect to them." The Court applied the general principle that "unless the Government safeguards its own capacity to function and to preserve the security of its people, society itself could become so disordered that all rights and liberties would be endangered." Nevertheless, the central holding of the Keith decision was that this power may not be exercised in such a way as to infringe constitutional rights. 407 U.S. 297 (1972).

Even though the President may have the authority under the Constitution to direct the FBI to conduct intelligence investigations in the absence of legislation, Congress has the ultimate authority to substitute statutory authorization in place of the Presidential directives. As Justice Robert Jackson declared in the Steel Seizure Case, "When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb. . . ." 343 U.S. 579, 637.

B. Option One -- Ratifying Existing Powers

The first option for Congress is legislation ratifying the existing authority granted to the FBI by current Presidential directives and orders. Such legislation would be cast in extremely general terms. Its main advantage is that it would provide a basis for Congressional oversight. It could also reinforce the Attorney General's role as the immediate supervisor of FBI intelligence activities. The statute would authorize the Attorney General to direct the FBI:

1. to conduct investigations of domestic espionage, counterespionage, sabotage, and subversive activities;
2. to gather and report information on civil disturbances;
3. to conduct investigations of other related intelligence matters affecting internal security; and
4. to conduct investigations of official matters relating to the Department of State.

In addition, the statute would require the Attorney General to report annually to the appropriate Congressional committees on the volume and type of investigations and reports, the investigative techniques used, and the policies and procedures adopted by the Justice Department and the FBI.

The weaknesses of this approach are obvious. Congress would have legislated a wholesale delegation of power without

standards or limitations other than the supervision of the Attorney General and oversight by Congress. In view of the Select Committee's findings as to the vast overbreadth of FBI domestic intelligence investigations and the abuses committed in the name of "counterintelligence", Congress would in effect be permitting future expansion of FBI operations to match past policies.

C. Option Two -- A Separate Security Intelligence Agency

Congress might give serious consideration to legislation creating a separate Security Intelligence Agency within the Justice Department. It would perform the functions of the present Counterintelligence Branch of the FBI Intelligence Division; dealing with foreign intelligence and counterintelligence/counterespionage. The FBI itself has considered this option as part of the larger question of separating all FBI intelligence functions from the law enforcement functions of the Bureau. (Tab E)

A separate agency would be justified only if it was authorized to conduct investigations of a wider scope and using different techniques than would otherwise be permitted. In other words, Congress could decide that foreign counterintelligence investigations should go beyond investigation of specific crimes, that techniques such as electronic surveillance should be used without a warrant or with a special type of warrant,

and that operations should be conducted to "counter" foreign intelligence activities by means other than arrest or "persona non grata" proceedings. On the other hand, if Congress treats the investigation of foreign intelligence activities the same as a criminal investigation, then the FBI should keep the job.

Any statute in this area must use general language for diplomatic reasons. For example, Congress should not explicitly authorize deception operations or efforts to compromise hostile intelligence officers, even though such techniques may be envisioned. Such techniques are dealt with best by establishing adequate procedures for authorization and oversight to ensure accountability.

The legislation should be more specific where it deals with investigations and other operations directed at American citizens rather than non-resident aliens in the service of a foreign power. If Congress believes Americans should be investigated if they have a marked potential for use by a foreign intelligence service, but no information indicating intelligence activity yet exists, the legislation should say so.

The statute should also set out standards for determining whether a foreign-dominated domestic organization falls within the jurisdiction of the separate agency. There should at the very least be substantial information indicating that the organization is directed by, subsidized by, or in active

collaboration with a foreign government or organization. (The term "foreign organization" refers, for instance, to a group like the Palestine Liberation Organization.) If the group fits the criteria for foreign domination, there should be an additional finding that it may engage in intelligence activities or in activities involving the use of violence in violations of federal law.

If the group meets all these standards, Congress may authorize the investigation of its activities going beyond regular criminal investigations. Such investigations could extend to all individuals who are members of, or express support for, the organization, as well as to the efforts of the organization to influence and control other groups. However, it may be sufficient to authorize only the investigation of active members and supporters. This would prevent a revival of the "Cominfil" policy of looking into all forms of lawful political and social activity where Communists might be involved.

The Petersen Committee report on COINTELPRO considered the need for special supervision of foreign counterintelligence operations in the United States. It recommended the creation of a Foreign Intelligence Advisory Commission to make decisions with regard to the necessity or acceptability of particular foreign counterintelligence techniques. (Tab F) This proposal

has merit in view of the limited amount of time the Attorney General can give to personal supervision and the after-the-fact role of legislative oversight regarding the separate agency.

Finally, legislation to create a separate foreign counterintelligence agency must deal with relationships to the Central Intelligence Agency, the State Department, and other foreign intelligence agencies. The current FBI-CIA agreement on their respective jurisdictions is only a "memorandum of understanding". It allows the CIA to undertake certain clandestine activities within the United States, in coordination with the FBI. (Tab G) Proposals are currently circulating in the Executive Branch for a new National Security Council Intelligence Directive to clarify this matter, as well as to regulate CIA electronic surveillance of American citizens abroad. (Tab H)

A full draft of a statutory charter for a separate foreign counterintelligence agency is not included here, since the focus is on domestic intelligence issues. However, one implication of such a statute would be that the remaining FBI functions should relate only to law enforcement and criminal investigations.

D. Option Three -- Elimination of FBI Domestic Intelligence

The basic assumption behind Attorney General Levi's effort to develop "guidelines" for FBI domestic intelligence is that regular criminal investigations are not adequate to

supply the information needed to anticipate or prevent the use of violence in violations of federal law. That assumption should be questioned. Regular criminal investigations are likely to produce a substantial amount of information which can be used to anticipate or prevent future crimes. For example, intensive criminal investigations of Ku Klux Klan violence in the South during the 1960's would have required the FBI to look into a wide variety of Klan activities. Another example is the search for Weatherman fugitives, a regular criminal investigation which involves broad inquiries across the country. The FBI has not yet demonstrated that the preventive information it has obtained came from intelligence investigations which would not have been conducted as regular criminal investigations.

The fact that an FBI investigation was supervised by its Intelligence Division does not necessarily mean that the investigation was, automatically, outside the regular criminal law enforcement jurisdiction of the Bureau. Any FBI investigation of activities involving the use of violence in violations of federal law falls within that jurisdiction. Moreover, regular criminal investigations can also extend to plans, attempts, or conspiracies to engage in such activities.

One suggested difference between intelligence-type and regular criminal investigations is that the latter are terminated after a reasonable time, if sufficient evidence to

justify prosecution is not obtained. However, there is no legal reason why the prosecutor cannot request that the investigation continue indefinitely as long as there is information that violent activities and plans for violence are still underway. The degree of evidence needed to justify a prosecution is certainly greater than the degree of evidence needed to justify an investigation.

All this is not to say that no further standards are needed to guide regular criminal investigations when they may touch on sensitive First Amendment or other constitutional interests. This is especially true of criminal investigations of individuals or groups engaged both in lawful political, or social activities and in unlawful violence or plans for violence. To what extent is the advocacy of violence a proper basis for initiating an investigation? Should an investigation be initiated on the basis of allegations or other information that an individual is a member of, or has expressed public support for, an organization which has as one of its objectives the use of violence? Should an investigation be started on all members and public supporters of an organization, some of whose members have acted in concert to use violence?

These questions are addressed in the draft Attorney General's guidelines for domestic intelligence investigations under the heading "preliminary investigations". (Tab I) Since

the guidelines assume that there should be intelligence investigations, they do not consider whether such investigations might be permitted as regular criminal investigations.

The Klan and Weatherman examples again illustrate the point. Once it has been established that a particular Klan group is engaged in or planning violence, it seems reasonable to conduct at least preliminary inquiries to determine whether the members and supporters of the group are involved in the violence or the plans for violence. Similarly, the search for Weatherman fugitives who committed bombings and other acts of violence would appear reasonably to include preliminary inquiries to determine whether other Weatherman members and supporters have harbored the fugitives.

On the other hand, it would seem unreasonable to investigate members and supporters of all Klan groups across the country on the ground that some Klan groups have used violence. And it appears equally unreasonable to investigate all members and supporters of SDS because the Weatherman faction engaged in violence. The scope of the investigation must be logically related to its specific purpose, and not an excuse for wide-ranging collection of intelligence.

There is one possible exception to the requirement that the FBI only conduct regular criminal investigations. The Attorney General (and the President) do require reports on

major civil disturbances which may not involve violations of federal law. The FBI should be authorized to gather such data and make appropriate reports as part of its law enforcement responsibilities. However, the data and reports should be limited to information provided by local or state law enforcement authorities or obtained in the course of a regular FBI criminal investigation. Where local authorities provide information about individuals and organizations which are not the subject of a regular FBI criminal investigation, the data and reports should not be included in the FBI's general files and name index.

In periods of widespread civil disturbances, the Attorney General may require a more systematic procedure for maintaining and retrieving civil disturbance information. This was the case in 1967, when Attorney General Clark created the Interdivisional Intelligence Unit in the Justice Department. The IDIU stored and indexed civil disturbance reports separately from the FBI. The data was used to help anticipate or ameliorate disorders. IDIU has been abolished, although the basic function of evaluating reports on civil disturbances is still performed by the Justice Department. This function should also be authorized by statute, and the intent of Congress should be that the Attorney General must obtain specific legislative authorization for any future IDIU.

IDIU was not perfect. Under Attorney General John Mitchell it supplied a list of names of American dissidents to the CIA. (Tab J) It also was used in conjunction with grand jury proceedings inquiring into terrorist bombings. Both of these activities should be forbidden by the statute authorizing the Justice Department to evaluate civil disturbance information.

Finally, legislation may be needed to make clear that the FBI is not authorized to conduct investigations of organizations or individuals for the specific purpose of compiling a body of data to be used in connection with name checks under the Federal Employee Security Program. The same principle applies to FBI "assistance" to the Secret Service, under the present FBI-Secret Service agreement.

A statute must also address the FBI's current practice of maintaining an Administrative Index (ADEX) of the prime subjects of current domestic intelligence investigations. The past history of the FBI's Security Index and other target lists (Key Activists, Agitator Index, Key Black Extremists) suggests the need to enact legislation banning the compiling of lists of persons by the FBI, unless such persons have been arrested or convicted for specific crimes and the list is used in connection with the investigation of such crimes.

These proposals to limit the FBI to regular criminal investigations and civil disturbance reporting must be tested against the actual past experience of the Justice Department and the FBI. General instructions from the Department to the Bureau may be overly vague, even within the framework of criminal investigation. Two examples are Attorney General Clark's memorandum on riots in 1967 and Assistant Attorney General Yeagley's memorandum of campus disorders in 1969. (Tab K) The Nation of Islam exchange between the Department and the FBI in 1973-74 is another illustration. (Tab L)

Thus, there is no automatic panacea in restricting the FBI to criminal investigations. The need for careful scrutiny of actual investigative policies and practices by Congress and the Attorney General is just as great as if the FBI were authorized to conduct domestic intelligence investigations. Legislation must focus on procedures for ensuring accountability by regular reports from the Attorney General to the appropriate Congressional committees.

The following are some of the basic elements which should go into a statute embodying this option. It would authorize the Attorney General to direct the FBI:

1. to investigate violations of federal criminal laws, provided that the scope and duration of the investigation are logically related to its specific purpose;

2. to take only such investigative measures as are sanctioned by rule of law, procedure, or judicially recognized or accepted investigative practices, and are not in violation of state or federal law;

3. to seek legal advice from the Attorney General or his designee whenever a proposed action may be perceived, with reason, to unfairly affect the rights of citizens, provided that this responsibility to seek legal advice is the duty of both the FBI as an institution and FBI agents as individuals;

4. to collect information from state and local law enforcement agencies regarding major civil disturbances, provided that such information is not entered into the FBI general files and name index;

5. to disseminate information obtained from criminal investigations for the following purposes, under regulations promulgated by the Attorney General and published in the Federal Register:

- a. prosecution of violations of criminal laws;
- b. prevention or anticipation of violations of criminal laws;
- c. assistance to the Secret Service in the performance of its protective responsibilities;
- d. determination of the suitability of individuals for employment by the federal government;

6. to report civil disturbance information obtained from state and local law enforcement agencies to the Attorney General for the purpose of determining the need to use federal military force under 10 U.S.C. 331 et seq.;

7. to compile such lists of persons arrested or convicted for specific crimes as may be necessary for use in connection with the investigation of such crimes;

8. to provide to the Attorney General or his designee full access to any information in the possession of the FBI which he may deem necessary for the performance of his responsibilities to supervise FBI activities and to submit reports to appropriate Congressional committees on FBI activities;

9. to follow such other procedures and standards consistent with this statute which the Attorney General may prescribe, provided that such procedures and standards shall be published in the Federal Register or, if publication would substantially interfere with the conduct of investigations, reported to appropriate Congressional committees.

E. Option Four -- Setting Standards for Domestic Intelligence

The FBI should be authorized by statute to conduct domestic intelligence investigations only if Congress finds (1) that regular criminal investigations as described above would not provide information to anticipate or prevent the use of violence in violations of federal law, and (2) that the incidents of the use of violence in violations of federal law are so numerous and so serious as to constitute a significant threat to the internal security or domestic tranquility of the United States.

The fact that there are individuals and groups who engage in violence, advocate violence, or believe in the desirability of the ultimate use of violence to advance their political or social objectives is not enough to justify FBI domestic intelligence authority. There must be additional findings that regular criminal investigations are inadequate and that the overall threat of violence constitutes a serious danger to the country.

Furthermore, if FBI domestic intelligence is authorized by statute, it should be an annual authorization which must be renewed each year upon reconsideration by Congress and the Attorney General of these factors. Past experience indicates that the annual appropriations process does not provide an appropriate forum for considering the FBI's basic authority.

Attorney General Levi's draft guidelines provide a basis for the consideration of a domestic intelligence authorization. They do not cover the investigation of foreign-related activities which may be directed by, subsidized by, or otherwise conducted in active collaboration with a foreign government, a foreign organization, or their agents. (See Option Two above.)

The guidelines deal with five different types of threats of violence which may constitute serious dangers to the country:

1. overthrow of the government (revolutionary violence);
2. interference in the U. S. with the activities of a foreign government (bombing a consulate, attempting to assassinate a visiting foreign leader);
3. interference with the functioning of the government or the flow of interstate commerce to influence federal policies (violent protest activities, terrorist bombings);
4. deprivation of civil rights (Klan violence, violent protest against busing);
5. incitement of violence which may require the use of federal military force (riots, major civil disturbances accompanying protest demonstrations).

The guidelines also refer to violence directed at state governments, either overthrow of a state government or interference with the functioning of a state government.

Authorizing legislation should indicate whether domestic intelligence is necessary for any or all of these specific problems. For example, revolutionary violence in an attempt to overthrow the government may be a remote and speculative danger, while terrorist bombings may be substantially interfering with the functioning of the government. Klan violence was unquestionably a serious danger to civil rights in the early and mid-1960's, but is it so today? Major riots and civil disturbances were equally serious in the late 1960's and early 1970's, but not in more recent years. Violent interference with the functioning of a state government should, under our federal system, normally be dealt with by state and local law enforcement.

Therefore, the definition of the purpose of FBI domestic intelligence can be simplified. The Attorney General's draft guidelines might be revised to authorize FBI domestic intelligence investigations:

1. to ascertain facts or information which serves to anticipate and prevent the use of violence in violations of federal law intended to

a. interfere, in the United States, with the activities of a foreign government or its authorized representatives; and

b. interfere with the functioning of the government of the United States or the free flow of interstate commerce in order to influence policies or decisions of the federal government.

This formulation concentrates on the most likely current serious danger to the country, namely, politically motivated terrorist violence. FBI Director Kelley's recent public statements have stressed the increase in terrorist activity from 24 bombings in 1973 to 45 terrorist bombings in 1974 and 46 such bombings in the first six months of 1975.

However, this increasing threat is not the only factor to be considered. In the course of the FBI's regular criminal investigations of these bombings and other incidents of terrorist violence, can it obtain as a by-product substantial information which may serve to anticipate and prevent future violence? If so, the need for broader intelligence-type investigations is less evident.

The draft guidelines provide that the FBI would conduct full-scale intelligence investigations on the basis of "specific and articulable facts justifying the conclusion" that an individual, or individuals acting in concert, may be engaged in activities which may involve the use of violence in violations of federal law. The two "mays" render the requirement of "specific and articulable facts" almost meaningless.

Therefore, any legislation should authorize the FBI:

2. to conduct full domestic intelligence investigations on the basis of specific and articulable facts justifying the conclusion that an individual, or individuals acting in concert, are engaged in activities which are likely to involve the use of violence as described in 1 above.

The draft guidelines also discuss the surveillance techniques to be used in full domestic intelligence investigations, including informants, mail covers, and electronic surveillance. The guidelines note that additional techniques may need to be covered, such as inquiries made under "pretext", photographic surveillance, "trash covers", etc. However, the legislation may deal with techniques more generally by providing that the FBI is authorized:

3. to take only such investigative measures as are sanctioned by rule of law, procedure, or judicially recognized or accepted investigative practices, and are not in violation of state or federal law.

More detailed regulation of investigative techniques for full investigations will be considered elsewhere.

The scope of domestic intelligence investigations under the draft guidelines is broadened considerably under the provision for "preliminary investigations". They can be initiated on the basis of allegations or other information that an individual, or individuals acting in concert, have advocated activities which may involve violence, or are members of, or

have expressed public support for, an organization which has as its objective activities which may involve violence. The purpose of the preliminary investigation is to verify or refute the allegations or information. However, the vagueness of the standard is obvious. Therefore, to be consistent with the criteria for full investigations, the FBI should be authorized:

4. to conduct preliminary domestic intelligence investigations on the basis of allegations or other information that an individual, or individuals acting in concert,

a. advocate the use of violence as described in 1 above;

b. are engaged in activities which are likely to involve the use of violence as described in 1 above;

c. are members of or have expressed public support for an organization engaged in activities which involve, or are likely to involve, the use of violence as described in 1 above, provided that other members of the organization are currently the subject of a full domestic intelligence investigation or a regular criminal investigation.

Unless these changes are made in the guidelines, they would permit investigations similar to past investigations which have been seriously criticized. For instance, they would allow investigations of all SDS members or all Black Student Union leaders on the ground that their activities may involve violence,

even though there is no specific allegation of likely involvement in violence.

Another reason for the revision is to exclude those investigations which would be justified as regular criminal investigations. Thus, allegations or other information that an individual, or individuals acting in concert, have engaged in or plan to engage in activities which involve the use of violence would fall within the FBI's regular criminal investigative jurisdiction. Intelligence investigations would extend further at the preliminary stage to cover advocacy of violence and membership in or public support for organizations involved in or likely to be involved in violence. Full investigations require a likelihood of violence, short of actual violence or plans for violence.

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: SENATE SELECT COMMITTEE;
ATTORNEY GENERAL'S TESTIMONY,
DECEMBER 10, 1975

DATE: 12/5/75

At 3:01 p. m. on December 5, 1975, Mark Wolf of the Attorney General's staff, called me at the instructions of the Attorney General and advised that the Attorney General requested:

- (1) FBI manual sections on domestic intelligence investigations;
- (2) A listing identifying all individuals and organizations now the subjects of FBI domestic intelligence investigations.

*modified by
Call 20 110
JAM*

Wolf said that the Attorney General is currently en route to Chicago and will return to Washington on Sunday evening. Therefore, the requested materials should be delivered to the Attorney General no later than Monday morning, December 8, 1975.

RECOMMENDATION:

That the Intelligence Division prepare an appropriate response to the Attorney General's instructions in time for delivery by 9:00 a. m. on December 8, 1975.

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

JAM:mfd
(6) *[Signature]*

EX-112

[Signature]
REC-962-116395-1215 ^{WRF}

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/31/00 BY SP2ALM/KP

15 DEC 17 1975

LEGAL COUNSEL
[Signature]
PIVE

84 DEC 31 1975

WMA



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. (SC) 62-7721

WASHINGTON, D.C. 20535

May 13, 1966

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: NATIONALIST PARTY OF PUERTO RICO
INTERNAL SECURITY - PUERTO RICAN NATIONALIST

We presently maintain an authorized technical surveillance at the residence of Rosa Collazo and her daughter, Lydia Collazo Turner, 1755 Anthony Avenue, Bronx, New York. This surveillance was originally installed on April 13, 1962.

Rosa Collazo is the wife of Oscar Collazo who is serving a life sentence in connection with the killing of a White House guard during an attempt to assassinate former President Truman on November 1, 1950. Both Rosa and her daughter are active in the Nationalist Party of Puerto Rico in New York City. During the past six months, this surveillance has continued to furnish valuable information regarding activities of Puerto Rican independence advocates in New York. Through this surveillance, we have obtained information concerning the movement of Puerto Rican nationalists between New York and Puerto Rico. Included in this information was advance notice that Rosa Collazo planned to attend the General Assembly of the Nationalist Party of Puerto Rico during February, 1966, in Puerto Rico. Upon her return, details were obtained concerning the proceedings of the General Assembly. In addition, we were able to obtain advance notice of demonstrations in New York City in which nationalists participated. This enabled us to inform police authorities and interested Government agencies in advance of the demonstrations.

Unless you instruct to the contrary, this technical surveillance will be continued for an additional six months.

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

~~SECRET~~

~~GROUP 1~~
~~Excluded from automatic~~
~~downgrading and~~
~~declassification~~

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

~~SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

June 3, 1965

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: DOMINICAN SITUATION
INTERNAL SECURITY -
DOMINICAN REPUBLIC

[Handwritten signature]

Diego Emilio Bordas Hernandez and his brother, Luis Manuel Alfredo Bordas, have emerged in the current Dominican crisis as important financial, political and military advisors to the deposed Dominican President Juan Bosch in the latter's efforts to regain control of the Dominican Government. Diego Bordas is a wealthy shipping executive currently residing in exile in San Juan, Puerto Rico, having been born in the Dominican Republic on January 11, 1923. He served in various high posts under Juan Bosch during the latter's short occupancy of the position of President of the Dominican Republic in early 1963. Bordas spends much of his time at 868 Ashford Avenue in San Juan, using an apartment at that address as his residence during the absence of its owner, Jose Antonio Benitez Jiminez, from Puerto Rico. Jose Benitez is the cousin of Jaime Benitez, the latter the Director of the University of Puerto Rico and a close associate and advisor of Juan Bosch. Diego Bordas also maintains a residence at 21 V, Florencia, Pueblo Viejo, a suburb of San Juan, near the current residence and headquarters of Juan Bosch. Diego Bordas and his brother jointly operate a shipping business known as Bordas and Company at Highway Number 2, Puerto Viejo, Puerto Rico, and his financial dealings in support of the Bosch efforts can reasonably be expected to be conducted from this commercial establishment.

The Bordas brothers have both been the subjects of numerous allegations indicating their cooperation with procommunist and pro-Trujillo factions in Dominican politics and are apparently opportunists who have seized the current situation to enhance their political and financial futures. Luis Bordas is currently in the Dominican Republic acting as the Director of Military Operations of the rebel forces supporting Bosch.

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
Subject to Criminal Sanctions

~~SECRET~~

REC 4

109-12-211-4423

4 JUN 15 1965

GROUP 1
Excluded from automatic
downgrading and
declassification

[Handwritten initials]
FEDERAL BUREAU OF INVESTIGATION

MEMORANDUM FOR THE ATTORNEY GENERAL

Luis Bordas is reportedly the Honorary Nicaraguan Consul in San Juan, Puerto Rico, and, as a result, Department of State clearance for technical coverage of the business he operates jointly with Diego Bordas was obtained by the Federal Bureau of Investigation on June 1, 1965.

In view of the pressing nature of the international situation as it relates to the Dominican Republic, it is requested that you authorize technical coverage of the residences of Diego Bordas mentioned above and of the business address of the joint venture operated by the Bordas brothers. Authority is requested for similar coverage of any addresses to which the mentioned residences or business may move in the future.

Respectfully,

J. Edgar Hoover
John Edgar Hoover
Director

APPROVED *NAH*
DATE 6/4/65

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
 - 1 - Mr. W. R. Wannall
 - 1 - Mr. W. O. Cregar
- December 19, 1975
- 1 - Mr. P. E. Nugent

The Attorney General

Director, FBI

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/31/00 BY STRAUMK

Reference is made to SSC letter dated December 4, 1975, containing requests for materials concerning Martin Luther King, Jr.

Enclosed for your approval and forwarding to the SSC is an original of a memorandum in response to Item 2 in that letter.

Also enclosed for your records is a copy of the memorandum which is being delivered to you with a copy of the document in response to Item 2 which is being delivered to the SSC.

Enclosures (2) SI 115 REC-51

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

62-116395-1214X
7 JAN 22 1976

PEN: adn
(9) **ENCLOSURE**

NOTE:

A copy of the SSC letter 12/4/75, is attached to the file copy of enclosed letterhead memorandum. Exact copy of the memorandum being furnished is maintained in the office of the SENSTUDY 75 Project. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as the document being provided to the SSC. As indicated in the enclosed memorandum, Items 1, 3 and 4 requested in the referenced SSC letter are being handled separately. Items 1 and 3 requested in referenced SSC letter are being handled by the IS-3 and CI-3 Sections respectively. Item 4, a restatement of prior request submitted by the SSC is being handled separately by SA V. R. Thornton of the IS-1 Section.

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

MAIL ROOM TELETYPE UNIT

~~SECRET MATERIAL ATTACHED~~

Delivered to Committee 12-22-75
 Delivered to Shaheen's office 12/22/75

man

JPT
 wwp
 PEP
 WOP
 PEP

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

62-116395

December 19, 1975

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/3/00 BY SP2AUK/KP

Reference is made to SSC letter dated December 4, 1975, containing requests for materials concerning Martin Luther King, Jr.

The purpose of this memorandum is to effect delivery to the SSC of a copy of a letter from Mr. Hoover to The Honorable William D. Moyers, Special Assistant to the President, at the White House, Washington, D. C., dated October 27, 1964.

It is noted that in addition to requesting a copy of this letter the SSC requested materials reflecting this letter was hand-delivered to the White House by Mr. DeLoach on October 28, 1964.

Attention is drawn to the upper right-hand corner of Mr. Hoover's letter to Mr. Moyers and to the notation appearing there reading "personally delivered 10/28/64, D." No additional materials are available in FBIHQ files reflecting delivery of this letter beyond the aforementioned notation which, it appears, bears the initial of Mr. DeLoach.

Items 1, 3 and 4 requested in the referenced SSC letter are being handled in separate responses.

1 - The Attorney General

PEN: adm adm
(8)

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

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

ORIGINAL AND ONE TO AG

MAIL ROOM TELETYPE UNIT

ENCLOSURE



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

December 8, 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a Senate Select Committee request seeking delivery of certain Bureau materials. Please prepare an appropriate response.

I invite your attention to paragraph numbered 4 which amends an earlier request of the Committee (Elliff letter of November 25, 1975, Item 6c) which request was the subject of a telephone conversation on December 3, with Mr. Seymour Phillips of the Bureau.

cc: Paul Daly

7 FBI
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *10/31/00* BY *SP2AM/B*



ENCLOSURE

*1-Ad Hoc
12-10-75*
62-116395-1214X

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

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RICHARD S. SCHWEIKER, PA.

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

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

December 4, 1975

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/31/00 BY SP2ALM/SP

Dear Mike:

The Senate Select Committee requests the following materials for delivery.

1. Delivery of all materials pertaining to the circumstances surrounding the recommendation for, authorization of, and duration and termination of the electronic surveillance referred to in Items 1 and 22 of my letter of November 21, 1975 and in materials delivered to the Committee on December 1, 1975.
2. Delivery of a copy of the letter to Mr. Bill Moyers, Special Assistant to the President, dated October 27, 1964, and materials reflecting that this letter was hand delivered by Mr. Cartha DeLoach on October 28, 1964.
3. Delivery of all materials pertaining to the surveillances of Mrs. Anna Chennault in October and November, 1968.

Pa 150

Nugent

Handwritten

Nugent



The Committee's request in my letter of November 27, 1975, item 6c should be revised to read as follows: "All memoranda and any other materials which pertain to, bear upon, or indicate any actions taken pursuant to or in connection with the recommendation contained in this memorandum, including a summary of the recommendations of relevant Bureau personnel pertaining thereto."

Sincerely,

John T. Edlich

ENCLOSURE

62-116395-

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

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 12/19/75

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

12/4/75 request - Martin L. King.

Originating Office: FBI

Delivered by: [Signature] Date: 12/23/75

Received by: [Signature]

Title: Research Request

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/3/00 BY SP2ALM/KP

62-116-1214X

ENCLOSURE

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

12/19/75

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

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

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

Memorandum and enclosures

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

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

SSC letter 12/4/75, item 2

S

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

Information handling

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

Materials relating to Martin Luther King, Jr.: Copy of a letter from Mr. Hoover to The Honorable William D. Moyers 10/27/64 along with notation that shows letter was hand delivered by Mr. DeLoach 10/28/64.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/31/00 BY SP2ALM/KP

62-116395

FMK: fmk
(4)

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

TREAT AS YELLOW

5-0107

186 10051

INSTRUCTIONS

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

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

SSC LETTER 12-4-75

ITEM 2

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/31/00 BY SPALMKP

Retain

62-116395-1214X

ENCLOSURE

~~SECRET~~

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

MDR-16
 DECLASSIFIED BY SP2ALM/KP
 ON 10/31/00

October 27, 1964

BY LIAISON

Honorable William D. Moyers
 Special Assistant to the President
 The White House
 Washington, D. C.

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

Dear Mr. Moyers:

A confidential source of this Bureau who has supplied reliable information in the past furnished the following information concerning a contact on October 23, 1964, between Martin Wigington and Randolph Blackwell. Wigington was described as a member of the Democratic Party Correlation Committee, Austin, Texas. Blackwell is an assistant to Martin Luther King, Jr., at the Southern Christian Leadership Conference, Atlanta, Georgia.

Wigington indicated to Blackwell a desire for King to write "an anti-Goldwater letter" which Wigington's Committee intends to distribute in Texas among labor groups. Blackwell stated that King may go to Texas prior to the forthcoming presidential election and Blackwell inquired as to whether King would be "in any danger." Wigington stated that he would contact one Larry Goodman concerning any possible danger to King in Texas. This Bureau's source had no information concerning the identity of Goodman.

During this contact Wigington complained to Blackwell that a group from the Southern Christian Leadership Conference, which Conference is headed by King, and a group from the Amalgamated Meat Cutters and Butcher Workmen of North America had picketed in Fort Worth, Texas. Wigington stated that this was not a good thing at this time since all Negro and labor organizations should be working for the election of President Lyndon B. Johnson.

This information is also being furnished to officials in the Department of Justice.

Sincerely yours,

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

100-106670 (King)
 1-100-442529 (CIRM)

SEE NOTE PAGE TWO

SFP:kmj

(12)

~~SECRET~~
 Group 1
 Excluded from automatic
 downgrading and
 declassification

Handwritten notes:
 10/28/64
 10/29/64
 10/30/64

REC'D - HEADQUARTERS ROOM

OCT 27 11 17 AM '64

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

NATIONAL SECURITY INFORMATION

Unauthorized Disclosure
 Subject to Criminal Sanctions

REC 14

NOV 2 1964

ST-101

~~SECRET~~

Honorable William D. Moyers

NOTE:

Classified "~~Secret~~" as information reported is from AT 1380-S*, a highly sensitive source with respect to the racial situation. This source is of continuing value and the unauthorized disclosure of this information could compromise its effectiveness and thus be detrimental to the national defense. Information obtained from Atlanta teletype 10/23/64.

- 2 -

~~SECRET~~

- 1 - Mr. Bassett - Encs.
- 1 - Mr. Cleveland - Encs.
- 1 - Mr. Gallagher - Encs.
- 1 - Mr. McDermott - Encs.

The Attorney General

December 3, 1975

Director, FBI

- 1 - Mr. Mintz - Encs.
- 1 - Mr. Walsh - Encs.
- 1 - Mr. Wannall - Encs.
- 1 - Mr. Hotis - Encs.
- 1 - Mr. Daly - Encs.

**TESTIMONY BY THE ATTORNEY GENERAL
BEFORE THE SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

On November 21, 1975 Inspector John B. Hotis of this Bureau met with Doug Marvin, Counselor to the Attorney General; Mark Wolf, Special Assistant to the Attorney General; and Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, concerning your forthcoming appearance before the Senate Select Committee on Intelligence Activities. At this meeting this Bureau was requested to provide write-ups on certain phases of this Bureau's operations which are to be used in the preparation of a briefing book for your testimony.

Attached are the following individual write-ups as requested on November 21, 1975: "Investigative Techniques"; "Organizational Structure and Functions of the FBI"; "Allegation of Misconduct Involving Special Agent in Charge, Miami Office"; "Director Hoover's 'Official and Confidential' (OC) Files"; "Allegations of Possible Misconduct by FBI Agents, Houston, Texas"; "Allegations of Personal and Official Misconduct of a Former Special Agent in Charge of the Baltimore Office"; "Allegation of Bribery by FBI Agent, New York"; "Allegation of Possible Misconduct by an FBI Agent, Detroit, Michigan"; "Allegations of Misconduct by FBI Agents, Richmond, Virginia, Field Office, in Connection with the Investigation of Illegal Wiretapping by the Richmond, Virginia, Police Department"; "Allegations of Violations of Gun Control Act by FBI Agent"; "Review of Appropriations Testimony for Fiscal Years 1955 thru 1976"; "Tenure of FBI Director"; "Transfer of Drug Enforcement Responsibilities to the FBI"; "Office of Special Review, Department of Justice"; and "Major Topics of Primary Concern to Congressional Committees."

With respect to the material requested by memorandum of Mark L. Wolf, Special Assistant to the Attorney General,

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

PVD:dkg (13)

DEC 29 1975

SEE NOTE - PAGE 2

62-116895-5-woe

Delivered to Mark Wolf's office 12-5-75

The Attorney General

to Inspector John B. Notis of this office dated November 26, 1975, which requested additional information, we are gathering the necessary material on an expeditious basis and the results will be furnished as soon as possible.

Enclosures (15)

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr. - Enclosures (15)
Special Counsel for Intelligence
Coordination

NOTE: See Legal Counsel Memorandum to Mr. J. B. Adams dated 11-24-75, captioned "Testimony By The Attorney General Before The Senate Select Committee on Intelligence Activities." On 12-1-75 Mark Wolf, Special Assistant to the Attorney General, requested the attached information be furnished as soon as possible. No later than 12-2-75. This response was coordinated and incorporates material prepared by the Inspection, Special Investigative, General Investigative, Files and Communications, and Intelligence Divisions. Due to the time constraints we are furnishing interim response. As completed additional material will be furnished to the Department.

JBA

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
January 14, 1976
- 1 - Mr. V. R. Thornton

The Attorney General

Director, FBI

62-116395-1210X

EX-111
REC-60

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

Reference is made to SSC letters dated December 4, 1975, and November 25, 1975, containing requests for materials concerning Martin Luther King, Jr.

Enclosed for your approval and forwarding to the SSC is an original of a memorandum in response to Item 4 in the December 4, 1975, request and Items 7c and 8c of the November 25, 1975, request.

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

Enclosures (2)

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

VRT:adn
(9)

NOTE:

Copies of SSC letters 11/25/75 and 12/4/75 are attached to the file copy of enclosed LHM. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum as well as documents being provided to the SSC. Copies of material being furnished to SSC being retained with Senstudy 75 Project.

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

ENCLOSURE

MAIL ROOM TELETYPE UNIT

Delivered to Dept. 1-15-76 x714AD
Delivered to Committee 1-15-76

Handwritten notes and signatures:
wras for [unclear] [unclear] [unclear]
JAM [unclear]
157 [unclear]
4063 [unclear]

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

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

January 14, 1976

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

Reference is made to SSC letter dated December 4, 1975, Item 4 of which requests materials concerning Martin Luther King, Jr.; and SSC letter dated November 25, 1975, Items 7c and 8c of which request materials concerning the Washington Spring Project and Sanitation Workers Strike, Memphis, Tennessee, respectively.

The purpose of this memorandum is to effect delivery to the SSC of materials in response to referenced requests.

In respect to Item 4 of the December 4, 1975, request, the only indication of any action taken concerning the recommendation contained in the pertinent memorandum dated March 29, 1968, captioned, "Counterintelligence Program, Black Nationalist-Hate Groups, Racial Intelligence (Martin Luther King)" is the pencilled notation "Handled 4/3/68," appearing on page one and initials which are believed to be those of former Special Agent (SA) Harold P. Leinbaugh. Among the documents being furnished the SSC is a memorandum dated July 18, 1975, captioned, "Dr. Martin Luther King, Jr.," along with supporting documents, which were submitted to the Attorney General concerning background leading up to the proposed action recommended in the March 29, 1968, memorandum. It includes results of an interview of Leinbaugh.

In response to Item 7c, the only indication of any action taken concerning the suggestion (recommendation) contained in the memorandum dated March 26, 1968, captioned, "Counterintelligence Program, Black Nationalist-Hate Groups, Racial Intelligence (Washington Spring Project)" is the pencilled notation "Handled 4/4/68," appearing on page two of that memorandum and initials which are believed to be those of former SA Leinbaugh.

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

VRT:adn
(8)

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

ORIGINAL AND ONE TO AG

MAIL ROOM TELETYPE UNIT

ENCLOSURE

GPO 1975 O - 569 120

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

With respect to Item 8c which concerns a memorandum dated March 28, 1968, captioned, "Sanitation Workers Strike, Memphis, Tennessee, Racial Matters," the only indication of action taken concerning the recommendation contained therein is a pencilled notation appearing on page one, "Handled 3/28/68," and initials which again are believed to be those of former SA Leinbaugh.

1 - The Attorney General

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/SP

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

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 1/14/76

Caption of Document: U. S. SENATE SELECT COMMITTEE

12/4/75 request Item 4

11/25/75 request Items 7c and 8C

Originating Office: FBI

Delivered by: W. V. Cook Date: 1/15/76

Received by: F. Lawrence Hoben

Title: Clerk

Return this receipt to the Intelligence Division, FBI

ENCLOSURE

62-116395-1210X

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

1/14/76

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

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

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

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

Memorandum and enclosures

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

SSC letter 12/4/75, Item 4 and SSC letter 11/25/75, Items 7c and 8c

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

U

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

**Operating Procedures
Information Handling**

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

Delivery of materials regarding Martin Luther King, Jr., and the Washington Spring Project and the Sanitation Workers Strike, Memphis, Tennessee, respectively.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2A/M/CP

62-116395

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

TREAT AS YELLOW

5. [Signature]

146-100219

INSTRUCTIONS

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

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

SSC REQUEST 12-4-75
ITEM 4

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AM/KAP

Retain

62-116 75-1210 X

ENCLOSURE

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

UNITED STATES GOVERNMENT

Memorandum

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

DATE: March 29, 1968

FROM : G. C. Moore *gc*

SUBJECT: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (MARTIN LUTHER KING)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10/30/00 BY SP8ALM/KP

Spaffbaugh
10/30/00

PURPOSE:

To publicize hypocrisy on the part of Martin Luther King.

BACKGROUND:

Martin Luther King has urged Negroes in Memphis, Tennessee, to boycott white merchants in order to force compliance with Negro demands in the sanitation workers' strike in Memphis.

When violence broke out during the march King led in Memphis on 3-28-68, King disappeared. There is a first class Negro hotel in Memphis, the Hotel Lorraine, but King chose to hide out at the white owned and operated Holiday Inn Motel.

RECOMMENDATION:

The above facts have been included in the attached blind memorandum and it is recommended it be furnished a cooperative news media source by the Crime Records Division for an item showing King is a hypocrite. This will be done on a highly confidential basis.

Enclosure

TJD:ted
(7)

- 1 - Mr. C. D. DeLoach
- 1 - Mr. T. E. Bishop
- 1 - Mr. W. C. Sullivan
- 1 - Mr. G. C. Moore
- 1 - Mr. D. Ryan (Mass. Media)
- 1 - Mr. T. J. Deakin

✓ ER-102

REC-20

93
22 APR 11 1968

DeLoach

AE7/TJ

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

5-780

PAGE 780

March 29, 1968

DO AS I SAY, NOT AS I DO

Martin Luther King, during the sanitation workers' strike in Memphis, Tennessee, has urged Negroes to boycott downtown white merchants to achieve Negro demands. On 3-29-68 King led a march for the sanitation workers. Like Judas leading lambs to slaughter King led the marchers to violence, and when the violence broke out, King disappeared.

The fine Hotel Lorraine in Memphis is owned and patronized exclusively by Negroes but King didn't go there from his hasty exit. Instead King decided the plush Holiday Inn Motel, white owned, operated and almost exclusively white patronized, was the place to "cool it." There will be no boycott of white merchants for King, only for his followers.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALMKP

100-441006-93
ENCLOSURE

- 1 - J. B. Adams
- 1 - W. R. Wannall
- 1 - D. Ryan
- 1 - J. G. Deegan

REC-88

YV 100-106670-3965 July 18, 1975

DR. MARTIN LUTHER KING, JR. 1 - H. A. Newman

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SPANIKP

The following information is submitted regarding the background leading up to the proposed action recommended in memorandum G. C. Moore to Mr. W. C. Sullivan dated March 29, 1968, captioned "Counterintelligence Program, Black Nationalist-Hate Groups, Racial Intelligence; (Martin Luther King)." (copy attached)

This memorandum recommended that information be furnished to a cooperative news media source by the Crime Records Division of the Federal Bureau of Investigation (FBI) showing King as a hypocrite. This was to be based on the fact that when violence broke out during a march led by King in Memphis, Tennessee, on March 28, 1968, he disappeared. There was a first class Negro hotel in Memphis, the Hotel Lorraine, but King chose to hide out in a white owned and operated Holiday Inn Motel (also known as the Rivermont Motel).

A notation on the above referred to memorandum indicated that the recommendation was "handled" on April 3, 1968, by Mr. Harold P. Leinbaugh of the Crime Records Division. (see notation on memorandum dated March 29, 1968, attached)

By way of background it should be noted that at about 6 p.m. on April 4, 1968, while standing on second floor balcony outside room 306 of the Hotel Lorraine, Memphis, Tennessee, King was shot and killed.

Memphis teletype dated April 2, 1968, reflects that King and other Southern Christian Leadership Conference (SCLC) officials were due to arrive in Memphis at 10:15 a.m. on April 3, 1968, via Eastern Airlines from Atlanta. (copy of Memphis teletype dated April 2, 1968, attached)

After King's death, an interview with Reverend Ralph David Abernathy, a close associate of King, reflected that he and King registered into the Hotel Lorraine in Memphis,

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

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

Handwritten notes and stamps: "copy to CRD + CRM DIV 12/1/75 by MCMC", "copy to KING, JR", "SEE NOTE PAGE 3", "ENCLOSURE", "ROUTE 1 ENVELOPE", "TELETYPE UNIT", "84 AUG 5 1975", "MAIL ROOM", "GPO : 1975 O - 560-020", "NW 88614 DocId:32989602 Page 63".

Dr. Martin Luther King, Jr.

Tennessee, at about 10:30 a.m. on April 3, 1968. (Information contained in report of SA Joe C. Hester dated April 17, 1968, Memphis, captioned "UNSUB, aka, Eric Starvo Galt, et al., Civil Rights" page 48. See attached FD-302 reflecting interview with Reverend Ralph David Abernathy).

For further background regarding the basis of this proposal Atlanta teletype dated March 28, 1968, captioned "Martin Luther King, Jr., SM-C" with second caption "Sanitation Workers Strike, Memphis, Tennessee, Racial Matters" reflects that on March 28, 1968, King and other SCLC people were in room 801, Holiday Inn, Memphis, Tennessee, at 4:30 p.m. (copy of Atlanta teletype attached)

A Memphis teletype dated March 29, 1968, captioned "Sanitation Workers Strike, Memphis, Tennessee, Racial Matters" reflects that King participated in the march of sanitation workers on March 28, 1968. When violence erupted including the breaking of windows and looting by the marchers, King and a few associates ran to a nearby car and left the march proceeding to Rivermont Motel where they remained through the afternoon and evening. (copy of Memphis teletype attached)

On July 17, 1975, Mr. Harold P. Leinbaugh, after having had all the facts set out above reviewed with him including the fact his notation of "handled" appeared on the March 29, 1968, memorandum, advised that he has absolutely no recollection of this memorandum and can unhesitantly state that he cannot now recall whether or not proposed information was ever disseminated to any news media source. He indicated that his notation "handled" would not necessarily mean that he did disseminate this information. In explaining this he stated that the notation could mean that he was merely clearing this document through Crime Records Division and at this late date there would be absolutely no way that he could make any positive statements as to whether or not the information recommended was ever disseminated to a news media source.

From the above recorded sequence of events as reflected in various communications identified above, it is evident that King returned to Memphis, Tennessee, from Atlanta

Dr. Martin Luther King, Jr.

on April 3, 1968, and checked into the Hotel Lorraine at approximately 10:30 a.m. The notation indicating that the proposed furnishing of information to the news media was "handled" on April 3, 1968, would, of course, preclude any such information from appearing in the press prior to King's checking into the Hotel Lorraine at approximately 10:30 a.m. on April 3, 1968.

A review of appropriate files maintained at FBI Headquarters fails to reflect any newspaper article which could have been an outgrowth of the proposed recommendation contained in the G. C. Moore memorandum to Mr. W. C. Sullivan dated March 29, 1968.

7/18/75 J. G. Deegan
A review of the "Memphis Commercial Appeal" for the period March 28 to April 4, 1968, maintained on microfilm in the Library of Congress failed to reflect any article which would appear to be an outgrowth of the proposed recommendation contained in G. C. Moore memorandum to Mr. W. C. Sullivan dated March 29, 1968. References were noted indicating that King held a press conference at the Holiday Inn Rivermont Motel on March 29, 1968.

Enclosures (5)

NOTE:

See memorandum J. G. Deegan to Mr. W. R. Wannall, dated 7/18/75, captioned as above, prepared by HAN/cah.

Memorandum

Mr. W. C. Sullivan

DATE: March 29, 1968

Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

OM : G. C. Moore

SUBJECT: COUNTERINTELLIGENCE PROGRAM
 BLACK NATIONALIST - HATE GROUPS
 RACIAL INTELLIGENCE
 (MARTIN LUTHER KING)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10/30/00 BY [signature]

PURPOSE:

To publicize hypocrisy on the part of Martin Luther King.

BACKGROUND:

Martin Luther King has urged Negroes in Memphis, Tennessee, to boycott white merchants in order to force compliance with Negro demands in the sanitation workers' strike in Memphis.

When violence broke out during the march King led in Memphis on 3-28-68, King disappeared. There is a first class Negro hotel in Memphis, the Hotel Lorraine, but King chose to hide out at the white owned and operated Holiday Inn Motel.

RECOMMENDATION:

The above facts have been included in the attached blind memorandum and it is recommended it be furnished a cooperative news media source by the Crime Records Division for an item showing King is a hypocrite. This will be done on a highly confidential basis.

Enclosure

TJD:ted
(7)

- 1 - Mr. C. D. DeLoach
- 1 - Mr. T. E. Bishop
- 1 - Mr. W. C. Sullivan
- 1 - Mr. G. C. Moore
- 1 - Mr. D. Ryan (Mass Media)
- 1 - Mr. T. J. Deakin

REC-20

22 APR 11 1968

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

Handled 4/3/68
 100-106670-3765
 100-448006-93

ENCLOSURE

March 29, 1968

DO AS I SAY, NOT AS I DO

Martin Luther King, during the sanitation workers' strike in Memphis, Tennessee, has urged Negroes to boycott downtown white merchants to achieve Negro demands. On 3-29-68 King led a march for the sanitation workers. Like Judas leading lambs to slaughter King led the marchers to violence, and when the violence broke out, King disappeared.

The fine Hotel Lorraine in Memphis is owned and patronized exclusively by Negroes but King didn't go there from his hasty exit. Instead King decided the plush Holiday Inn Motel, white owned, operated and almost exclusively white patronized, was the place to "cool it." There will be no boycott of white merchants for King, only for his followers.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AIMK

100-21-696-93
ENCLOSURE

FBI WASH DC

FBI MEMPHIS

430PM URGENT 4-2-68 SAB

TO DIRECTOR

FROM MEMPHIS 157-1092 3P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/T

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

SANITATION WORKERS STRIKE, MEMPHIS, TENN., *RACIAL MATTER*

*Ac. More
Tolson*

ON APRIL TWO, NINETEEN SIXTY EIGHT, LT. E. H. ARKIN, MEMPHIS
Police Department
 PD, INSPECTIONAL BUREAU, ADVISED THAT THE FUNERAL OF LARRY PAYNE,
 SEVENTEEN YEAR OLD NEGRO WHO WAS SHOT BY MEMPHIS PD OFFICER
 AFTER STORE LOOTING GROWING OUT OF MARCH TWENTY EIGHT RACIAL
 DISTURBANCE, MEMPHIS, WAS HELD, WITHOUT INCIDENT, AT CLAYBORN
 TEMPLE, MEMPHIS. ABOUT FIVE HUNDRED IN ATTENDANCE DESPITE FACT
 CHURCH CAN SEAT TWENTY FIVE HUNDRED. BODY INTERRED IMMEDIATELY
 AFTER FUNERAL. ARKIN ADVISED THAT ANOTHER SANITATION
 WORKERS SYMPATHY MARCH IS SCHEDULED FOR DOWNTOWN MEMPHIS AFTERNOON
 OF APRIL TWO.

*Paul
D. Spivey
Rosen*

100-106670-

NOT RECORDED

EASTERN AIRLINES ADVISED ON APRIL TWO THAT REV. MARTIN LUTHER
 KING, JR., AND SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE (SCLC) AIDES
 RALPH D. ABERNATHY, BERNARD LEE, AND ANDREW M. YOUNG DUE TO ARRIVE
 MEMPHIS TEN FIFTEEN A.M., APRIL THREE, FROM ATLANTA.

END PAGE ONE *Albert C. Hayden*

APR 5 1968

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

included letter to White House and Attorney General. Date *4/2/68*

5

ON APRIL TWO A SOURCE ADVISED THAT AT A PRESS CONFERENCE AT CLAYBORN TEMPLE, APRIL TWO, REV. JESSE JACKSON OF SCLC'S "OPERATION BREAD BASKET," REV. S. B. KYLES OF METROPOLITAN BAPTIST CHURCH, MEMPHIS, AND REV. EDWARD L. BROWN, MT. PISGAH CME CHURCH, ADVISED THAT WITH SCLC PERSONNEL IN MEMPHIS THAT NIGHTLY MASS STRIKE SUPPORT MEETINGS WILL BE RESUMED, THE FIRST AT MASON TEMPLE ON NIGHT OF APRIL THREE WITH KING AS FEATURED SPEAKER. THEY SAID MASS MARCH WILL BE HELD FRIDAY, APRIL FIVE, AND THAT THEY WILL HAVE SCHOOL CHILDREN PARTICIPATE SINCE MARCHING WITH "MARTIN LUTHER KING, JR., THE GREATEST LIVING AMERICAN," WOULD BE MORE EDUCATIONAL THAN BEING IN SCHOOL. WHEN ASKED BY PRESS IF KING WOULD PERSONALLY MARCH, JACKSON SAID KING MIGHT NOT MARCH. HE DID NOT ELABORATE. WHEN ASKED IF SCLC GROUP WOULD VIOLATE A POSSIBLE INJUNCTION AGAINST THEIR MARCHING, JACKSON SAID "THE WHITE MAN HAS ALREADY ENJOINED THE BLACK MAN TO THE GHETTO AND THE WHITE MAN DOESN'T NEED TO VALIDATE IT BY SENDING US A PIECE OF PAPER." KYLES SAID THE PROBLEM FACING MEMPHIS IS NOT MILITANT BLACK YOUTH BUT IS "WHITE RACISM." JACKSON DESCRIBED OPERATION BREAD BASKET AS MASSIVE

END PAGE TWO

PAGE THREE

DRIVE TO FORCE ALL GROCERS IN NEGRO AREA TO CEASE SELLING HART'S BREAD, WONDER BREAD, COCA COLA, AND SEALTEST DAIRY PRODUCTS AS THESE FIRMS DO NOT HIRE SUFFICIENT NUMBER OF NEGROES.

ON APRIL TWO LT. ARKIN ADVISED THAT MEMPHIS CITY OFFICIALS ARE CONSIDERING SEEKING A COURT INJUNCTION PROHIBITING ANY MASS MARCH LED BY KING OR AN INJUNCTION SPECIFYING CONDITIONS UNDER WHICH A MARCH COULD TAKE PLACE AND ALSO CONSIDERING RESUMPTION OF A CURFEW AND PLACING STRIKE SUPPORT LEADERS UNDER A PEACE AND FINANCIAL RESPONSIBILITY BOND.

ARKIN ADVISED THAT REMAINDER OF TENNESSEE NATIONAL GUARD, WITH EXCEPTION OF ONE BATTERY CONSISTING OF TWO HUNDRED AND NINETY THREE OFFICERS AND MEN OF THE MEMPHIS GUARD UNIT, HAVE LEFT MEMPHIS.

AT THREE ZERO FIVE PM, SIXTY SANITATION WORKERS AND SYMPATHIZERS DEPARTED CLAYBORN TEMPLE CARRYING PLACARDS FOLLOWING THEIR USUAL PARADE MARCH TO BEALE STREET NORTH ON MAIN TO CITY HALL. NO INCIDENTS REPORTED.

memo
FOLLOWS. P. END.

CAE

FBI WASH DC

P

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SPALM/KPRalph BV. LinnDate April 8, 1968

Reverend RALPH DAVID ABERNATHY, 690 La Verne Drive, N. W., Atlanta, Georgia, was interviewed at the Memphis Police Department at 10:55 p.m., April 4, 1968. Reverend ABERNATHY was advised of the Agent's identity and of the nature of the matter under investigation.

Reverend ABERNATHY, who described himself as Vice President at Large and Treasurer of the Southern Christian Leadership Conference, stated he was Dr. MARTIN LUTHER KING, JR.'s closest associate and stated that he and Dr. KING always shared a room whenever they travelled together. He stated that at about 10:30 a.m. on April 3, 1968, he and Dr. KING registered at the Lorraine Motel, Memphis, Tennessee.

Reverend ABERNATHY stated that on April 4, 1968, he and Dr. KING did not leave the motel and spent most of the day in their room, #306, which is located on the second floor of the motel. He stated that he and Dr. KING had been gone from their room for approximately one hour or less when they returned to the room at about 5:30 p.m. He said they got dressed as they were going to dinner at the home of Reverend BILLY KYLE and that at almost exactly 6 p.m. they started to leave the room. Reverend ABERNATHY stopped for a moment and Dr. KING walked out onto the balcony just outside the door to his room. Reverend ABERNATHY was still inside the motel room but could hear Dr. KING discussing the dinner engagement with other associates who Reverend ABERNATHY believes were standing in the parking area of the motel underneath and to the front of the balcony on which Dr. KING was standing.

Reverend ABERNATHY stated he heard what sounded like a firecracker and then heard the screams of persons to whom Dr. KING had been talking. Reverend ABERNATHY went then to the balcony and discovered Dr. KING lying there wounded in the right side of the face and neck. He said he believed Dr. KING attempted to speak to him but was unable to do so. Reverend ABERNATHY said he instructed someone to call an ambulance and then accompanied Dr. KING in the ambulance to the hospital where Dr. KING subsequently died.

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content ⁴⁸ may not be disclosed to unauthorized personnel without the express approval of the FBI.

On 4/4/68 at Memphis, Tennessee File # Memphis 44-1987

by SA JOE C. HESTER: bn Date dictated 4/8/68

ME #44-1897

Reverend ABERNATHY stated that judging from the sound of the noise it appeared that the shot came from directly in front of the door and not from any great distance. He stated he did not observe anything that would indicate who fired the shot. Reverend ABERNATHY also stated that while they were in the motel room Dr. KING did not, to his knowledge, receive any telephone calls of a threatening nature or calls from persons who would not identify themselves. Reverend ABERNATHY said Dr. KING had not feared that any particular persons might harm him and Reverend ABERNATHY was unable to suggest any suspects or to provide any other information which might assist in identifying Dr. KING's killer.

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

11:17PM URGENT 3-28-68 ARK
 TO DIRECTOR (100-106670) AND MEMPHIS
 FROM ATLANTA (100-5586)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10/30/00 BY SP2ALM/KP

MARTIN LUTHER KING, JR., SM-C.

SANITATION WORKERS STRIKE, MEMPHIS, TENNESSEE. RM.

Handwritten notes:
 R. King's
 T. Brown
 D. White
 W.C. Case

AT ONE THREE EIGHT SEVEN-R FURNISHED THE FOLLOWING INFORMATION

AT FOUR THIRTY PM MARCH TWENTYEIGHT, SIXTYEIGHT.

INFORMANT'S INFORMATION WAS OBTAINED FROM DISCUSSION SHORTLY BEFORE WITH HOSEA WILLIAMS, DIRECTOR OF VOTER REGISTRATION AND POLITICAL EDUCATION, SCLC, CURRENTLY IN ATLANTA, WHO DURING LATE AFTERNOON MARCH TWENTYEIGHT, SIXTYEIGHT, CONFERRED TELEPHONICALLY WITH MARTIN LUTHER KING, JR., PRESIDENT, SCLC; RALPH D. ABERNATHY, VICE PRESIDENT AND TEASURER, SCLC; AND BERNARD LEE, SPECIAL AIDE TO THE PRESIDENT, SCLC.

KING, ABERNATHY, AND LEE ARE CURRENTLY IN ROOM EIGHT ZERO ONE, HOLIDAY INN, MEMPHIS.

WITH REFERENCE TO RACIAL DISTURBANCE IN MEMPHIS MARCH TWENTYEIGHT, SIXTYEIGHT, KING IS EXTREMELY DEJECTED. HE AND ABERNATHY STRONGLY FEEL DISTURBANCE ON THIS DATE DELIBERATELY PLANNED

EX-115 REC-9 100-106670-3278

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APR 15 1968
 APR 15 1968

PAGE TWO

BY NEGROES WHO ARE NEITHER SYMPATHETIC TO KING OR SCLC. IDENTITY OF SUCH INDIVIDUALS NOT KNOWN.

ABERNATHY, LEE AND WILLIAMS ARE GREATLY CONCERNED FOR WELFARE OF KING, PARTICULARLY ON NIGHT OF MARCH TWENTYEIGHT, SIXTYEIGHT, WHEN HE EXPECTS TO PARTICIPATE IN MARCH OR DEMONSTRATION WITH SANITATION WORKERS. AT PRESENT TIME KING DOES NOT FEEL HE SHOULD LEAVE MEMPHIS. DURATION OF STAY AND FURTHER DETAILS IN THIS CONNECTION NOT KNOWN.

ACCORDING TO WILLIAMS, HE, ABERNATHY, AND LEE STRONGLY FEEL SAME ELEMENTS WHICH CAUSED DISTURBANCE IN MEMPHIS EARLIER MARCH TWENTYEIGHT MAY CAUSE PERSONAL HARM TO KING EVENING OF MARCH TWENTYEIGHT, SIXTYEIGHT.

INFORMATION FROM AT ^{INFORMATION} ONE THREE EIGHT SEVEN-R MUST BE CLASSIFIED CONFIDENTIAL. MEMPHIS, HOWEVER, SHOULD ADVISE LOCAL AUTHORITIES IF NOT ALREADY KNOWN THAT KING CONTEMPLATES PARTICIPATING IN MARCH OR DEMONSTRATION EVENING OF MARCH TWENTYEIGHT AND THAT IN VIEW OF EARLIER DISTURBANCES IN MEMPHIS ON THIS DATE, SEVERAL RANKING SCLC OFFICIALS APPREHENSIVE FOR PERSONAL WELFARE OF KING.

PAGE THREE

FOREGOING INFORMATION TELEPHONICALLY FURNISHED MEMPHIS MARCH
TWENTYEIGHT, SIXTYEIGHT.

RECEIVED : 11:39PM RM

FBI WASH DC

MAR 29 1968

TELETYPE

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

FBI MEMPHIS

1256AM URGXENT 3-29-68 DGB

TO DIRECTOR

FROM MEMPHIS (157-1094)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

me...

SANITATION WORKERS STRIKE, MEMPHIS, TENNESSEE, ~~RM.~~ *Racial Matter*

RE MEMPHIS TELS, MARCH TWENTY EIGHT, NINETEEN SIXTY EIGHT.

FOLLOWING IS SUMMARY OF MARCH TWENTY EIGHT ACTIVITIES;

ON MARCH TWENTY EIGHT, LT. E. H. ARKIN, INSPECTIONAL BUREAU

MEMPHIS POLICE DEPT., ADVISED THAT THE MASS MARCH TO BE LED BY

REV. MARTIN LUTHER KING, JR., IN SUPPORT OF SANITATION WORKERS

STARTED AT AROUND ELEVEN AM CST WITH ESTIMATED FIVE TO SIX

THOUSAND WORKERS, MANY OF WHOM WERE NEGRO TEENAGERS. MARCH

STARTED AT CLAYBORN TEMPLE, LOCATED HEART OF NEGRO AREA, AND

KING JOINED MARCH AFTER IT PROGRESSED ONE BLOCK. HE WALKED WITH

MARCHERS TO VICINITY BEALE AND MAIN STREETS, MADE NO SPEECHES

PRIOR TO MARCH, MADE NO KNOWN UTTERANCES DURING MARCH, AND BY

TIME HE REACHED ABOVE POINT RAMPANT BREAKING OF STORE WINDOWS

AND LOOTING WAS BEING PERPETRATED BY MARCHERS, WHEREUPON KING

AND A FEW ASSOCIATES RAN TO A NEARBY CAR AND LEFT MARCH, PROCEEDED

TO RIVERMONT MOTEL WHERE THEY REMAINED THROUGH AFTERNOON AND

EVENING. BY NOON, POLICE HAD BROKEN UP CROWD, BEING FORCED TO USE

TEARGAS, BUT SPORADIC LOOTING WAS CONTINUED THROUGH AFTERNOON

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100 110 110
100 A (A)

Included in letter to White House
and Attorney General. Date 3/29/68

NOT RECORDED
162-APR 4 1968

PAGE TWO

AND EVENING, PRIMARILY CONFINED TO SOUTH CENTRAL AREA ^{107/}MEMPHIS,
A PREDOMINANTLY NEGRO AREA, ^R PRIMARY TARGET OF LOOTERS BEING
LIQUOR STORES AND SMALL GROCERIES.

TENNESSEE STATE LEGISLATURE TODAY PASSED CURFEW BILL, WHICH
WAS INVOKED BY MEMPHIS MAYOR HENRY LOEB, EFFECTIVE SEVEN PM,
AND THIRTY FIVE HUNDRED TENNESSEE NATIONAL GUARDSMEN FROM MEMPHIS
AND WEST TENNESSEE ARE CURRENTLY ON DUTY IN MEMPHIS OPERATING AS
TACTICAL UNITS, BEING ACCOMPANIED ON THEIR PATROLS BY REPRESENTATIVES
OF MEMPHIS PD.

SCHEDULED MASS RALLY TO FEATURE ^{ING} KKK NIGHT OF MARCH TWENTY
EIGHT CANCELED. AT TWELVE MIDNIGHT, MARCH TWENTY EIGHT, THREE
HUNDRED ARRESTS, PRIMARILY RELATING TO LOOTING AND CURFEW VIOLATIONS
HAVE BEEN MADE BY POLICE DEPT. FOUR INDIVIDUALS
HAVE BEEN SHOT, ONE OF THESE, A SIXTEEN YEAR OLD BOY, WAS KILLED
IN ACT OF LOOTING A STORE. THREE OTHERS WERE SHOT, TWO BY
POLICE OFFICERS AND ONE BY A STOREKEEPER WHILE LOOTING, NONE
SERIOUSLY INJURED.

AGE THREE

EASTERN AIRLINES ADVISED THAT KING, RALPH ABERNATHY, AND BERNARD LEE, FAILED TO LEAVE MEMPHIS ON EASTERN FLIGHT THREE NINE EIGHT, NINE ZERO FIVE CST, DUE TO ARRIVE ATLANTA ELEVEN ZERO THREE PM EST. THIS ALSO CANCELS KING'S AND LEE'S FLIGHT FROM ATLANTA SIX TWENTY AM MARCH TWENTY NINE DUE TO ARRIVE BALTIMORE SEVEN FORTY TWO AM. INSPECTOR G. P. TINES, MEMPHIS PD, ADVISED KING PLANNING TO STAY IN MEMPHIS AT RIVERMONT HOTEL TONIGHT, FUTURE PLANS UNKNOWN AT PRESENT TIME. P.

~~CORR PAGE TWO, PARA ONE, LINE ONE WORDS EIGHT, NINE, AND TEN SHLD BE "AREA OF MEMPHIS" AND LINE TWO, PARA ONE, WORD FIVE SHLD BE "PRIMARY"~~

~~PAGE TWO PARA THREE, LINE ONE WORD SIX SHLD BE "KING" AND LINE THREE WORD THREE SHLD BE "PRIMARYLY" AND A PERIOD SHLD BE BETWEEN "DEPT. AND FOUR" ON EXXX ON LINE FOUR.~~

~~PAGE TWO PARA ONE LINE THREE WORD ONE SHLD BE "LIQUOR"~~

END.

HFL

FBI WASH DC

P

Cl-Mr. Trainor

UNITED STATES GOVERNMENT

Memorandum

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

- 1 - Mr. J. B. Adams
- 1 - Mr. W. R. Wannall
- 1 - Mr. D. Ryan

TO : Mr. W. R. Wannall

DATE: 7/18/75

FROM : J. G. Deegan *JGD*

- 1 - Mr. J. G. Deegan
- 1 - Mr. H. A. Newman

SUBJECT: DR. MARTIN LUTHER KING, JR.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALMKP

During a conference on 7/16/75 between the Assistant Attorney General, J. Stanley Pottinger, and his staff and the Director of the FBI and his staff, a question arose concerning Martin Luther King's alleged moving from one hotel or motel to another hotel or motel in Memphis, Tennessee, prior to his murder on 4/4/68.

Attached is a letterhead memorandum (LHM) setting forth an inquiry including a review of all appropriate Bureau files regarding a proposal made in memorandum G. C. Moore to Mr. W. C. Sullivan dated 3/29/68 in connection with the counterintelligence program wherein it was recommended that information be made available to a cooperative news media source showing King to be a hypocrite. This was to be based on the fact that when violence broke out during a march led by King in Memphis, Tennessee, on 3/28/68, he disappeared. There was a first class Negro hotel in Memphis, the Hotel Lorraine, but King chose to hide out in a white owned and operated Holiday Inn Motel (also known as the Rivermont Motel). The LHM will reflect and document the fact that although a notation appears on the memorandum that it was "handled" there is no information available to reflect that it was ever actually given to a cooperative news source. Mr. Harold P. Leinbaugh (retired), who placed the notation "handled" on the document, absolutely has no recollection of this matter nor can he state whether or not the information was disseminated.

REC-88 100-106670-50

The time elements as documented in this LHM would preclude the proposal contained in the 3/29/68 memorandum of having any affect upon King's choice of a motel in which to reside.

RECOMMENDATION:

JUL 29 1975

That the attached LHM along with attachments be disseminated to the Department.

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

cah
HAN:cah (6)

ROUTE IN ENVELOPE

Delivered 7/22/75 to Pottinger's office

SSC REQUEST 11-25-75

ITEM 7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SPALMKA

Retain

UNITED STATES GOVERNMENT

Memorandum

- Tolson
- DeLoach
- Mohr
- Bishop
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

TO : Mr. W. C. Sullivan

DATE: March 26, 1968

FROM : G. C. Moore

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
RACIAL INTELLIGENCE
(WASHINGTON SPRING PROJECT)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/...

DeLoach
Sullivan

PURPOSE:

To recommend item be furnished cooperative national news media source by Crime Records, designed to curtail success of Martin Luther King's fund raising for the Washington Spring Project.

BACKGROUND:

Martin Luther King has now scheduled the Washington Spring Project, his "poor people's march on Washington, D. C.," for the latter part of April, 1968. King's organization, the Southern Christian Leadership Conference (SCLC) has sent out a mailing to 70,000 potential financial contributors. King asked these 70,000 to contribute to the Washington Spring Project for the feeding and housing of the marchers.

At the same time, churches in the Washington, D. C., area have said they will feed and house King's marchers.

SUGGESTION:

That the above facts be given a cooperative news source by the Crime Records Division so that a story could be

- 1 - Mr. DeLoach
- 1 - Mr. W. C. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. G. C. Moore
- 1 - Mr. D. M. Wells
- 1 - Mr. T. J. Deakin

REC-D 012405

REC 36

EX 106

100-443006-52

APR 9 1968

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

55 Enclosures 234
TJD:df/dsm (7)

CONTINUED - OVER

Memorandum to Mr. Sullivan
RE: COUNTERINTELLIGENCE PROGRAM

given nation-wide circulation that King does not need contributions from the 70,000 people he solicited. Since the churches have offered support, no more money is needed and any contributed would only be used by King for other purposes. This item would need nation-wide circulation in order to reach all the potential contributors and curtail their donations. A sample item is attached.

ACTION:

That the facts about King's solicitation of funds unnecessarily be given a cooperative news source by the Crime Records Division.

R
Wied
Handled 4/6/68
W

nm

Martin Luther King, Jr., President of the Southern Christian Leadership Conference (SCLC), today finds himself in the embarrassing position of having too much money, or at least the probability of too much money. The SCLC sent out a huge mailing to its contributors pleading for funds for the Washington Spring Project, the "poor people's march on Washington." Thousands of contributors were urged to support the march financially in order to feed and house the demonstrators. But the churches in the Washington, D. C., area have offered to house and feed the demonstrators.

Now the contributions are beginning to roll in from the mailing and King doesn't need the money. An embarrassment of riches has befallen King, who will only use the money for other purposes. The churches had better come through with all the housing and support the demonstrators need, because there will be little money left for the "poor people" by the time the march rolls around.

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DATE 10/30/00 BY SP2ALM/KP

100-448006-8 J

SSC REQUEST 11-25-75
ITEM 8C

ALL INFORMATION CONTAINED
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DATE 10/30/00 BY SP2AMK/P

Retain

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. Sullivan

DATE: 3/28/68

FROM : G. C. Moore *per*

SUBJECT: SANITATION WORKERS STRIKE
MEMPHIS, TENNESSEE
RACIAL MATTERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP3AUM/KP

C. G. Moore

A sanitation workers strike has been going on in Memphis for some time. Martin Luther King, Jr., today led a march composed of 5,000 to 6,000 people through the streets of Memphis. King was in an automobile preceding the marchers. As the march developed, acts of violence and vandalism broke out including the breaking of windows in stores and some looting.

This clearly demonstrates that acts of so-called nonviolence advocated by King cannot be controlled. The same thing could happen in his planned massive civil disobedience for Washington in April.

ACTION:

REC-19

~~EX-105~~ EX-105

157-9146-38
APR 2 1968

Attached is a blind memorandum pointing out the above, which if you approve, should be made available by Crime Records Division to cooperative news media sources.

Enclosure

ENCLOSURE

TDR:fhd (6)

- 1 - Mr. DeLoach
- 1 - Mr. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. G. C. Moore
- 1 - Mr. Deakin

REC-D 4/28/68
FBI

Wied.
OK.

(Confidentially)
(Sullivan)

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

APR 5 1968

APR 11 1968

UNRECORDED COPY FILED IN 100-44161-101

D. Deakin

[Signature]

RACIAL INT. SECT.

A. B. [Signature]

Martin Luther King, Jr., President of the Southern Christian Leadership Conference, injected himself into the sanitation workers' strike in Memphis, Tennessee, and the result of King's famous espousal of nonviolence was vandalism, looting, and riot.

Previously, King involved himself in this strike, called for a general strike, and called for a mass march. Today he led the mass march in an automobile at the head of the line. Negroes began shouting "black power" and trouble began. King, apparently unable or unwilling to control the marchers, absented himself from the scene; window breaking and looting broke out.

Police officers were forced to use gas to break up the march and to control the crowd. It was necessary to activate the National Guard. Martin Luther King claims his much-heralded march on Washington, scheduled for April 22, 1968, will also be "nonviolent." He says he has persuaded militant black nationalists to abandon violent extremism in Washington, D. C., during the march. Memphis may only be the prelude to civil strife in our Nation's Capitol.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AUM/KP

157-9146-38

ENCLOSURE

XEROX

APR 4 1968

~~157-9146-38~~

JOHN G. TOWER, TEXAS, VICE CHAIRMAN
MIKE GRAY, CALIF.
FRANK R. LOTT, MISS.
D. WILSON, N.Y.
MON. WALLACE, N.C.
RT. COLE.
WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. G. SCHWARTZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

MIKE GRAY, CALIF.
FRANK R. LOTT, MISS.
D. WILSON, N.Y.
MON. WALLACE, N.C.
RT. COLE.
WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. G. SCHWARTZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate
SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 87TH CONGRESS)
WASHINGTON, D.C. 20510

November 25, 1975

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

Dear Mike:

I would appreciate your making available to the Committee the following items in connection with our investigation of the King matter:

1. All memoranda and any other materials which pertain to contacts, conversations or meetings between one Val Coleman and Special Agent Harold Linebaugh or any other FBI Headquarters officials concerning Martin Luther King, Jr., during November or December of 1964.
2. All memoranda and any other materials which pertain to contacts, conversations or meetings between any FBI Headquarters officials and any representatives of the news media concerning Martin Luther King, Jr., during November or December of 1964.
3. All memoranda and any other materials which pertain to a meeting between Ralph Abernathy and either FBI Director Hoover or Cartha DeLoach during December 1964 or January 1965 (other than the December 1, 1964 meeting which was attended by Dr. King and the January 11, 1965 meeting which was attended by Andrew Young).
4. All memoranda and any other materials which pertain to the following statement which appears in the second paragraph of the September 11, 1964 memorandum from Mr. F. J. Baumgardner to Mr. W. C. Sullivan, captioned "Martin Luther King, Jr., Security Matter - Communist":



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HEREIN IS UNCLASSIFIED
DATE 10/29/00 BY SP2ALM/KP

62-116375-1210X

November 25, 1975

On that occasion Assistant Director DeLoach's office was able to take appropriate action to forestall the publication of the article.

5. The 7/16/64 memorandum from Mr. Baumgardner to Mr. Sullivan which is noted in handwriting at the bottom of the second page of the July 15, 1964 memorandum from Mr. Baumgardner to Mr. Sullivan, captioned "Communist Party, USA, Negro Question, Communist Influence in Racial Matters, Internal Security - Communist."

6. With respect to the March 29, 1968 memorandum, with enclosure, from G. C. Moore to Mr. W. C. Sullivan, captioned "Counterintelligence Program, Black Nationalist - Hate Groups, Racial Intelligence (Martin Luther King)" please provide:

a. Access to original of this memorandum and its enclosure;

b. Access to all extant "tickler" and/any other copies of this memorandum and its attachment in their original form;

c. All memoranda and any other materials which pertain to, bear upon, or indicate any actions taken pursuant to or in connection with the recommendation contained in this memorandum. ~~(This should include any and all information adduced, collected, and/or prepared in connection with Mr. James Adams' testimony on this subject before the Senate Select Committee on November 18, 1975.)~~

d. All memoranda and any other materials received from FBI field offices or written at FBI Headquarters prior to and pertaining to the recommendation contained in the March 29, 1968 memorandum.

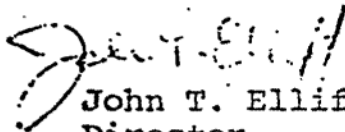
7. With respect to the memorandum with enclosure, from W. C. Moore to Mr. W. C. Sullivan, dated March 26, 1968, captioned "Counterintelligence Program, Black Nationalist - Hate Groups, Racial Intelligence (Washington Spring Project)", please provide the access and/or materials requested in a, b, c, and d of Item 6 above.

November 25, 1975

8. With respect to a memorandum with enclosure, from G. C. Moore to Mr. Sullivan, dated 3/28/68, captioned "Sanitation Workers Strike, Memphis, Tennessee, Racial Matters," please provide the access and/or materials requested in a, b, c, and d of Item 6 above.

9. Responses to Items 6, 7, and 8 should include copies of all newspaper clippings or magazine articles contained in FBI files which contain information set forth in the memoranda and/or enclosures identified in Items 6, 7, and 8 above.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force



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

December 1, 1975

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

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

SUBJECT: Senate Select Committee Request

Attached is a letter from the Senate Select Committee dated November 25, 1975, requesting various information regarding the King matter. Please prepare an appropriate response to this request.

PS

X-110

cc: Paul Daly

REC-60

62-116395-1210X

7 MAR 5 1976

per

ENCLOSURE

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/0

B/
5-Ph/11/11/75

1-Ad Hoc
12-3-75

Date of Mail 11/28/75

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

See File 66-2554-7530 for authority.

Subject JUNE MAIL SENSSTUDY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALMKP

Removed By 79 JAN 1 1976

File Number 62-116395-1210

Permanent Serial Charge Out

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

December 9, 1975

The Attorney General

Director, FBI

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

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP8ALM/KP

Enclosed is the original of a memorandum, with attachment, concerning an interview of former FBI Assistant Director Robert Wick by SSC Staff Members. Also enclosed is a copy of the memorandum, with attachment, for forwarding to Mr. James A. Wilderotter, Associate Counsel to the President.

Your specific attention is invited to certain information relating to the interview of Wick suggestive of improprieties on the part of an SSC Staff Member. The facts, as known to this Bureau, are as follows.

Wick first contacted this Bureau concerning the interview by telephone on November 5, 1975, to advise that he had been called on October 31, 1975, by an individual identifying himself as Mike Epstein representing the SSC. Epstein requested Wick to come to Washington, D. C., for a two to three hour interview concerning a matter relating to his "employment." Epstein did not further describe the subject matter of the interview and an appointment was arranged for November 7, 1975. Wick said that he was uncertain as to the probable subject matter of the interview because other matters coming within his responsibilities as Vice President of Pan American World Airways which were unrelated to the FBI, have been of recent interest to the SSC. Wick asked for advice of the FBI concerning this matter. Thereupon, the Legal Counsel Division of this Bureau contacted Epstein and determined that the subject matter of the interview of Wick would be Martin Luther King, Jr. A return call was made to Wick on November 5, 1975, to advise him that this Bureau had learned that the subject matter of the interview would be Martin Luther King, Jr.

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

1 - 67-

(Personnel file former Assistant Director Robert Wick)

SFP:mjg
(11)

2 -

REC-51
62-116395-1209X
3 JAN 13 1976
Jm
Gp
Wick
5-1-76
S.F. PHILLIPS
AD-3

MAIL ROOM TELETYPE UNIT

The Attorney General

On November 6, 1975, Wick again telephoned this Bureau and advised that he had been rather annoyed at Epstein's initial approach to him; particularly, because Wick had tried on more than one occasion during the telephone conversation with Epstein to pry from Epstein the subject matter of the interview but Epstein persisted in not advising him.

This Bureau's representative who had determined from Epstein on November 5, 1975, the subject matter of the interview has advised that when he made the inquiry of Epstein, he asked Epstein why he had not told Wick the subject matter. Epstein's reply was that Wick had not asked him, a statement directly contradictory to Wick's advice to this Bureau.

The second suggested impropriety is that Epstein contacted Wick prior to advising this Bureau of his intention to interview Wick, an action which is contrary to procedures which have been agreed upon between the SSC and this Bureau.

Enclosures (4)

62-116395

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

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

62-116395

December 9, 1975

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

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

**RE: INTERVIEW OF FORMER FBI
ASSISTANT DIRECTOR (AD) ROBERT WICK
BY SSC STAFF MEMBERS**

This memorandum concerns an interview of former FBI AD Robert Wick by SSC Staff Members.

On November 5, 1975, Wick advised this Bureau that on October 31, 1975, he had been contacted by an individual identifying himself as Mike Epstein of the SSC who requested Wick to come to Washington for a two to three hour interview concerning a matter relating to his employment. Epstein did not further describe the subject matter although Wick attempted to obtain such information from Epstein.

Upon receipt of the above information from Wick, this Bureau determined from Epstein that the subject matter was to be Martin Luther King, Jr., and that fact was relayed to Wick on November 5, 1975. Wick was also told that he was being released from his secrecy agreement with the FBI for the purpose of the interview, confined to the indicated subject matter. Wick was also advised by this Bureau that he was not required to answer questions falling within four privileged areas: matters pertaining to pending investigations; information from third agencies, including foreign intelligence agencies; information concerning sensitive methods and techniques; and information which might divulge the identities of FBI sources.

Attached hereto is a copy of a MEMORANDUM FOR THE FILE dated November 12, 1975, which Wick voluntarily furnished this Bureau and which represents his report pertaining to the interview.

Enclosure

1 - 67- (Personnel file former Assistant Director Robert Wick)

ORIGINAL AND ONE COPY TO AG

SFP:mjg:mj (10)

SEE NOTE PAGE TWO

Handwritten: Jma, 62-116395-120908, B

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

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

MAIL ROOM TELETYPE UNIT

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

Re: Interview of Former FBI Assistant Director (AD)
Robert Wick by SSC Staff Members

NOTE:

Information relating to contacts between Wick and this Bureau are reported in memoranda 11/5/75 from Legal Counsel to Mr. J. B. Adams "Senate Select Committee on Intelligence Activities," and 11/7/75 from W. O. Cregar to W. R. Wannall "Senstudy 75." Wick's statement, MEMORANDUM FOR THE FILE, was mailed to Supervisor S. F. Phillips of the Senstudy 75 Project. The matter of improprieties was addressed specifically in the above 11/7/75 Cregar memorandum and it is believed that the Department should be made aware of this matter.

Court Seal [JFK Law 110(a)1]

Let + 4/11/17 to ALB
Encl (2)

Court Seal [JFK Law 10(a)1]

Court Seal [JFK Law 110(a)1]

Court SEAL [JFK Law 110(a)1]

Court Seal [JFK Law 10(a)1]

Court Seal [JFK Law 110(a)1]

Court Seal [JFK Law 110(a)1]

TO: Intelligence Community Staff
 ATTN: Central Index

FROM: FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

12/9/75

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

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

SSC

HSC

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

Memorandum reporting results of an interview by SSC Staff Members of former Assistant Director Robert Wick

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

NA

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

U

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

Information handling
 Intelligence collection

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

Interviewed regarding his knowledge of the FBI's investigation of Martin Luther King, Jr.

62-116395

FMK: fmk

(4)

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

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 1/9/00 BY SP2AUM/KP

TREAT AS YELLOW

5-19-75

86-10019

INSTRUCTIONS

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

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

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

F B I

Date: 12/9/75

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

Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI

FROM: ADIC, LOS ANGELES (66-6243)

RE: SENSTUDY; TESTIMONY OF ASSISTANT TO THE DIRECTOR JAMES B. ADAMS, AND ASSISTANT DIRECTOR W. RAYMOND WANNALL 12/2/75

ATTN: EXTERNAL AFFAIRS DIVISION & ASSISTANT TO THE DIRECTOR JAMES B. ADAMS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/60 BY SP2AUMIC

Re Los Angeles phone call to Assistant to the Director JAMES B. ADAMS, 12/9/75.

On 12/3/75, the attached article appeared in the Los Angeles Times under the byline of reporter JACK NELSON. As indicated, the headline and lead paragraph which supposedly is based on ADAMS' testimony, clearly reflects that the FBI did nothing to prevent Klan violence although we knew of the contemplated violence. After discussing this matter with Mr. ADAMS and reviewing the actual testimony received in the Los Angeles Division on 12/8/75, SAC ELMER F. LINBERG and I met with Editor BILL THOMAS and National Editor ED GUTHMAN at the Los Angeles Times.

I advised these gentlemen that I was aghast when I read the headlines and the lead paragraph of this article and could not believe that JIM ADAMS did not refute informant ROWE's testimony that we took no action relative to contemplated violence since I knew that this was contrary to the rules, regulations, policy, and philosophy of the FBI in 1960. I then called Mr. ADAMS in Washington, D. C., and he likewise, was upset over the headline and lead paragraph,

3 - Bureau (1 Encl)
1 - Los Angeles
REG:mmb
(4)

ENCLOSURE

EX-112

REC-38

66-111395-1209

17 DEC 12 1975

Approved: _____

7 1976

Sent _____

PERM

Per _____

Handwritten initials and stamps

Special Agent in Charge

LA 66-6243

because, according to ADAMS, he completely refuted these statements in that we did disseminate the contemplated plans of violence to the Birmingham Police Department and to the Department of Justice in the form of a letterhead memorandum.

I continued that I waited until I received the actual transcript of testimony and told the gentlemen that upon my review of the testimony of Mr. ADAMS and Mr. WANNALL, I could not reconcile the headline and lead paragraph with such testimony. I then proceeded to read several excerpts from the testimony.

I advised Mr. THOMAS and Mr. GUTHMAN that my immediate reaction was to prepare a "Letter to the Editor" but felt after a re-analysis of the situation that this is not a judgment question on the part of the newspaper, but one of a slanted, inaccurate story either by design or through misunderstanding. I therefore felt that the Los Angeles Times, if it so desired, should be in a position to correct the situation itself based on the facts.

Mr. THOMAS expressed appreciation for my approach and stated that at the time he read the article, already printed, a question came to his mind as to why the FBI did not advise someone or take some action relative to contemplated violence. He, however, took no further action. He said in view of what I had read from excerpts of Mr. ADAMS' testimony and the now available complete transcript of the testimony, he intends to pursue this matter further and would prefer not to have a "letter to the Editor", but rather correct any inaccuracies on the part of the Los Angeles Times through their own pursuit of further inquiring concerning this story.

Mr. GUTHMAN concurred with Mr. THOMAS and they indicated that it appears the obvious question is based on Mr. ADAMS' testimony of who in the Department of Justice received this information relative to contemplated violence and what did such a responsible Department of Justice official do with the information. He agreed that based on the information furnished to them, the FBI has been done an injustice but that they, the Los Angeles Times, desired to pursue this matter further.

LA 66-6243

It should be noted the article of JACK NELSON is based on one specific situation, namely the testimony of former informant GARY ROWE that he had furnished advance information to the FBI to the effect that members of the Ku Klux Klan would be given the opportunity to beat members of the Freedom Riders without interference by law enforcement authorities for approximately 15 minutes after which the local law enforcement authorities would take action, and that the FBI was advised of this well in advance of such beatings and furthermore, the FBI took no action to prevent this violence.

Took No Action to Prevent Klan Violence, FBI Admits

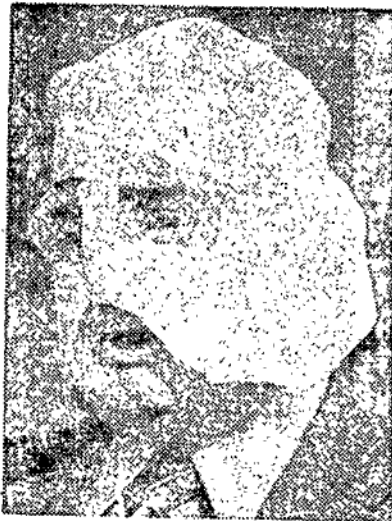
BY JACK NELSON
Times Washington Bureau Chief

WASHINGTON—An FBI official conceded Tuesday that the bureau had failed to use an undercover man's information to head off Ku Klux Klan violence in Alabama in the 1960s.

But, the official, James B. Adams, assistant to the director, told the Senate Intelligence Committee that the FBI was "just as frustrated as anyone else" at "rank lawlessness" that existed in Alabama at that time. Also, he said, the FBI is an investigative agency and has no enforcement powers.

Adams' defense of the FBI came immediately after Gary Thomas Rowe Jr., wearing a hood to conceal his features, testified that on many occasions he had warned the bureau of the klan's plans for violence, but that the violence occurred without official interference.

Rowe served six years as an FBI undercover agent before surfacing in 1965 as the star witness against three



WITNESS—Gary Thomas Rowe Jr. wears hood while testifying.
AP Wirephoto

klansmen accused of killing a white civil rights worker in Lowndes County, Ala. Since then he has been living
Please Turn to Page 6, Col. 1

KLAN VIOLENCE

Continued from First Page

in Southern California under an assumed name.

Rowe was one of two former undercover operatives who testified before the committee Tuesday. The other, Mary Jo Cook of Buffalo, N.Y., told of supplying the FBI with information about 1,000 persons while serving as an informant against the Vietnam Veterans Against the War during 1973-74.

Testimony by both witnesses prompted committee members to criticize FBI tactics and to suggest that legal restraints be put on future FBI activities.

Sen. Philip A. Hart (D-Mich.), commenting on testimony by Rowe that he engaged in klan violence with the knowledge and approval of the FBI, observed that the bureau's infiltration of the klan not only failed to prevent violence, "but indeed may have contributed to it."

Sen. Walter F. Mondale (D-Mont.) told Adams that the FBI had bungled its job in investigating political activities and added:

"It has interfered with civil liberties and finally in the last month or two through its public disclosures has heaped shame upon itself and really led toward the undermining of crucial public confidence essential to law enforcement agencies in the country."

Mondale criticized the FBI for trying to "protect people from subversive and dangerous ideas," and he told Adams:

"Time and time again, we're going to protect the blacks from Martin Luther King because he's dangerous. We're going to protect veterans from whatever it is, we're going to protect the (National) Council of Churches from veterans and so on . . ."

"Don't you agree with me that we've got to control this, restrain it, define it, so that precisely what's expected of the FBI is known by you and by the public and you can justify your actions when we ask you?"

Adams disagreed that the FBI had bungled in the political intelligence field but agreed that restraining legislation was in order.

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Los Angeles Times

12/3/75

62-11375-1209
ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

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

TO : MR. CALLAHAN

DATE: 12-3-75

FROM : T. J. JENKINS

SUBJECT: GARY T. ROWE *Att. of the*
TESTIMONY BEFORE SENATE
SELECT COMMITTEE *Reston*

On 12-3-75 an individual who identified himself as Garland Reeves of the Birmingham, Alabama, News, called and he advised that he understood I was the Special Agent in Charge of the Birmingham Office at the time the bus was burned with the Freedom Riders in Birmingham, Alabama, in 1961. He stated that he would like to know if Rowe had furnished us information that the Birmingham Police were going to wait 15 or 30 minutes to go to the bus station in order to give the Klan an opportunity to work over the Freedom Riders. I informed Reeves that I recalled no such information being furnished to us at that time. I told him that all information we received concerning possible violence was furnished to the Birmingham Police Department. He wanted to know, if there had been such an agreement what action would I take. I told him that if I determined that the police department would not take any action for 15 or 30 minutes I would advise the Mayor ^{of the} city and the Police Commissioner and if they felt the same as the police department, I would then advise the Governor of the State.

He wanted to know what would be the FBI's position at that time if the police department refused to take any action. I told him that we did not have jurisdiction in matters of this nature, that they were purely local and it was the responsibility of the local authorities to handle such matters. He desired to know if I would call out the Federal Marshals. I informed him that the FBI did not have any authority to call upon the Federal Marshals in a situation of this nature but if such a situation arose, I would have immediately notified our headquarters in Washington, who would have notified the Department of Justice, who would have such authority.

7 DEC 16 1975

I told him that while I was in Birmingham as Special Agent in Charge we kept the Bureau headquarters in Washington completely informed of all developments and they in turn, kept the Department of Justice informed.

ACTION: Submitted for information.

TJJ:pmd(5)

- 1 - Mr. Adams
- 1 - Mr. Moore
- 1 - Mr. Wannall

198
5
9/10/75
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DATE 10/30/00 BY SP2ALM/KR/H

59 DEC 30 1975

FBI

Date: 12/4/75

wrw/LAC

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

Via AIRTEL _____
(Priority)

[Handwritten signature]

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

FROM: SAC, SAN DIEGO (66-1714)

SENSTUDY 75

Re San Diego telephone call to Bureau, 12/4/75.

Enclosed for the Bureau are eight copies of a letter head memorandum reflecting information received in the San Diego Office concerning GARY THOMAS ROWE, Jr.

Deputy SCOTT BOIES of the San Diego County Sheriff's Office was contacted and advised that if he felt he recognized ROWE that he should not discuss the matter openly with anyone in that ROWE was obviously attempting to protect his identity. Deputy BOIES was not advised that ROWE was identical with THOMAS NEIL MOORE.

Detail to [unclear] Attorney General

- extra cc used*
- deleted*
- (2) - Bureau (Encs - 8)
- 1 - San Diego

DCS:pgh
(3)

1 - The Attorney General

2 - (1 - [unclear] [unclear])
Not sent

REC-100

62-116395-1206X

DEC 8 1975

ALL INFORMATION CONTAINED
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DATE 10/30/00 BY SP2A/MLP

wolc

UNREC COPY OF INFO FILED IN

127-116395

Approved: RLM/c
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

San Diego, California
December 4, 1975

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

RE: GARY THOMAS ROWE, JR.

At 11:30 p.m. on December 2, 1975, Deputy Sheriff Scott Boies of the San Diego County Sheriff's Office, Lemon Grove, California Sub-Station, telephonically contacted the San Diego FBI Office and advised as follows:

Deputy Boies stated that he recognized the voice of the man identified as Gary Thomas Rowe, Jr., who is testifying before the Senate Subcommittee on the Ku Klux Klan. He stated he heard Mr. Rowe talk on a news broadcast and recognized him as being an individual he knows as Thomas Neil Moore. Deputy Boies furnished Moore's date of birth as August 15, 1933, and an address of 580 "L" Street, Chula Vista, California, where Moore resided in 1971. Deputy Boies stated that Moore worked for Western Bureau of Investigation, headquartered in Los Angeles and worked as a security guard for the White Front Department Store, Chula Vista, California.

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HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

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

62-115375-1206X

- 1* -
ENCLOSURE

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

The Attorney General

December 12, 1975

Director,

REC-100
FBI

62-116395-1206

- 1 - Mr. W. O. Gregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. S. Klein

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

Reference is made to my November 26, 1975, letter to you enclosing among other material, a memorandum concerning former FBI informant Gary Thomas Rowe, Jr.

Enclosed for your approval and forwarding to the Committee is a copy of a memorandum dated December 4, 1975, regarding Gary Thomas Rowe, Jr., received by FBI Headquarters from our San Diego field office.

Rowe, is a former informant who testified before the SSC on December 2, 1975, regarding his role in supplying information to the FBI regarding Ku Klux Klan activities in Alabama. He has been utilizing the cover name, Thomas Neil Moor.

Also enclosed for your records is a copy of the December 4, 1975, memorandum.

Enclosures - 2

62-116395

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

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: 1 - 137-6295
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____ SK:k1m
- Files & Com. (11)
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

Went/Tur

SEE NOTE PAGE 2

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JBA

11/11

UNRECORDED COPY FILED IN 137-6295 -
NOT SENT TO SSC PER STEVE BLACKHURST, USAS 3-25-16-RHS

The Attorney General

NOTE:

Above being furnished to the Attorney General and the SSC in order to apprise them of information reflecting that Rowe, who testified with a mask over his face, was identified by a San Diego Deputy Sheriff after hearing Rowe's voice on a news broadcast. Arrangements have been made for a representative of the Legal Counsel Division to deliver the attached memorandum.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 12/4/75

FROM : Legal Counsel *JM*

SUBJECT: SENATE SELECT COMMITTEE
TESTIMONY BY THE DIRECTOR
DECEMBER 9, 1975

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

LEGISLATIVE PROPOSAL TO CHANGE
THE NAME OF THE J. EDGAR HOOVER
FBI BUILDING

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP8AM/SP

In connection with the Director's appearance on December 9, 1975, to testify before captioned committee, it is possible that he may be asked concerning recent proposals in the Congress to change the name of the building. Three bills have been introduced in the House of Representatives on December 1, 1975, for that purpose. H. R. 10905, introduced by Congressman Gude of Maryland and H. R. 10918, introduced by Congresswoman Schroeder of Colorado, would change the name of the building to "FBI Building." H. R. 10916, introduced by Congressman Rangel of New York, would change the name to "Federal Bureau of Investigation Building." All three of the bills were referred to the Committee on Public Works and Transportation of the House, the chairman of which is Congressman Jones of Alabama.

RECOMMENDATION:

For information of the Director in connection with his preparation for testimony.

Enc.

- 1 - Mr. Hotis
- 1 - Mr. Walsh
- 1 - Mr. Wannall
- 1 - Mr. Moore
- 1 - Mr. Mintz

JAM:mfd
(6)

EX 104

REC-9

62-116315-1206

DEC 16 1975

XEROX
DEC 19 1975

62-11261

ORIGINAL COPY FILLED IN

94TH CONGRESS
1ST SESSION

H. R. 10905

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 1975

Mr. GUDE introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Dwight D. Eisenhower Memorial Bicentennial Civic Center Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8 of the Dwight D. Eisenhower Memorial Bi-
4 centennial Civic Center Act (86 Stat. 1022) is amended
5 by striking out "J. Edgar Hoover F.B.I. Building" wherever
6 it appears in such section and inserting in lieu thereof "F.B.I.
7 Building".

I

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP/AMK

94TH CONGRESS
1ST SESSION

H. R. 10905

A BILL

To amend the Dwight D. Eisenhower Memorial
Bicentennial Civic Center Act.

By Mr. GUDE

DECEMBER 1, 1975

Referred to the Committee on Public Works and
Transportation

DNLE
HEREIN IS RECORDED
BY
AT INFORMATION CONTAINED

94TH CONGRESS
1ST SESSION

H. R. 10918

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 1975

Mrs. SCHROEDER introduced the following bill; which was referred to the Committee on Public Works and Transportation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AUMK

A BILL

To designate the name of the new Federal building in the District of Columbia which is erected to house the Federal Bureau of Investigation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 8 of the Public Law 92-520 is amended to
4 read as follows:

5 "SEC. 8. The Federal building in the block bounded
6 by Ninth Street Northwest, Tenth Street Northeast, E Street
7 Northwest, and Pennsylvania Avenue Northwest, in the Dis-
8 trict of Columbia, shall hereafter be known as the 'F.B.I.
9 Building'. Any reference in a law, map, regulation, docu-
10 ment, record, or other paper of the United States to such

A BILL

To designate the name of the new Federal building in the District of Columbia which is erected to house the Federal Bureau of Investigation.

By Mrs. SCHROEDER

DECEMBER 1, 1975

Referred to the Committee on Public Works and
Transportation

2

- 1 Federal building shall be held to be a reference to the
- 2 'F.B.I. Building'".

RECEIVED
1975 DEC 1 11 21 AM
U.S. HOUSE OF REPRESENTATIVES

94TH CONGRESS
1ST SESSION

H. R. 10916

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 1975

Mr. RANGEL introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To change the name of the J. Edgar Hoover F.B.I. Building.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 8 of the Dwight D. Eisenhower Memorial Bi-
4 centennial Civic Center Act (86 Stat. 1022) is amended
5 by striking out "J. Edgar Hoover F.B.I. Building" both
6 times it appears and inserting in lieu thereof "Federal
7 Bureau of Investigation Building".

I

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AUM/KP

94TH CONGRESS
1ST SESSION

H. R. 10916

A BILL

To change the name of the J. Edgar Hoover
F.B.I. Building.

By Mr. RANGEL

DECEMBER 1, 1975

Referred to the Committee on Public Works and
Transportation

ALL INFORMATION CONTAINED
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DATE 10/30/00 BY SP2AMJRP

- 1 - Mr. Cochran
- 1 - Mr. Stack
- 1 - Mr. McWright

11/28/75

Mr. Jenkins

J. Cochran, Jr.

**REQUEST BY SENATE JUDICIARY SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICE AND PROCEDURE
FOR INFORMATION CONCERNING USE OF DRUGS
FOR INTERROGATION**

Senator [unclear]

Re memorandum from Legal Counsel to Mr. J. B. Adams dated 11/21/75, advising that representatives of captioned Senate Subcommittee desire to review any Bureau documents relating to the Bureau's interest in or use of drugs during interrogation.

It was pointed out in referenced memo that captioned Subcommittee staff members James F. Michie and Thomas M. Susman had obtained information from the Department of Defense (DOD) and the Central Intelligence Agency (CIA) concerning a program coordinated between DOD, CIA, and FBI to develop a truth serum. The program apparently began in early 1950 and D. J. Parsons of the FBI Laboratory had knowledge of this activity.

The information that Michie and Susman have obtained apparently relates to a Navy drug experimentation project from 1947 to 1954. Navy files indicated that the FBI was aware of this program and Mr. C. D. DeLoach and D. J. Parsons were mentioned.

A review of Bureau files disclosed only one reference (62-2699-75) to the Navy drug project. This was a memorandum, 8/4/50, recording that Mr. Alberti, ONI, had informed Liaison that the Navy had been developing a new drug which

62-2699

Enclosure

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① 62-116395

ENCLOSURE

- 1 - Mr. Adams
- 2 - Mr. Mintz (Attn: Mr. Rotis)
(Attn: Mr. Miller)
- 3 - Mr. Wannall (Attn: Mr. W. O. Cregar)
(Attn: Mr. T. D. J. Brooks)
(Attn: Mr. V. H. Weimar)

CGM
CGM:sms
(11)

CONTINUED - OVER

NOT RECORDED

46 FEB 5 1976

84 FEB 9 1976

ORIGINAL FILED IN 112-2699-75

Memorandum J. Cochran, Jr. to Mr. Jenkins
RE: REQUEST BY SENATE JUDICIARY SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICE AND PROCEDURE
FOR INFORMATION CONCERNING USE OF DRUGS
FOR INTERROGATION

might be used to great advantage on espionage suspects. Navy offered to inform us about this. A notation by Mr. DeLoach indicated that Mr. Parsons would meet with Navy on 8/11/50.

Memorandum dated 11/6/75 from W. O. Cregar to Mr. W. R. Wannall is attached which sets forth details of our review of Navy files on this project, including a Bureau press release which was to have been made in the event that the Navy mentioned the FBI in their press release on this matter.

A review of Bureau files for information relating to drugs designed to modify behavior indicates an interest dating back to 1922. However, this interest has not extended to the point where the Bureau has conducted research on behavior modifying drugs nor has it funded such research. We have maintained liaison with other agencies, primarily the U. S. Army, and industrial organizations in order to be aware of developments in this area.

On 7/30/74, Laboratory and Training Division representatives met with representatives of the Biomedical and Chemical Laboratories of Edgewood Arsenal, Maryland, to discuss the potential use of incapacitating chemical agents in hostage situations. Although we have developed an awareness of various agents which may be used in these situations, we have not conducted any research with these agents. Memoranda on this matter are located in Bufile 80-807.

A single instance occurred where "truth serum" was administered in a Bureau case. Truth serum was administered to Thurman Scruggs Wilkins at his own request while being interviewed in the Los Angeles Office, April 26, 1947. Wilkins was allegedly involved with one Ignacy Samuel Witezak, the subject of a Soviet espionage case (100-343077). The actual drug used was sodium amytal and the actual administration was done by a physician. Prior Bureau authority was not obtained by the Los Angeles Office in connection with this incident. SAC Hood submitted a letter of explanation to the Bureau on July 2, 1947. This incident resulted in the following information being set forth in SAC Letter 84-47 dated July 3, 1947:

Memorandum J. Cochran, Jr. to Mr. Jenkins
RE: REQUEST BY SENATE JUDICIARY SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICE AND PROCEDURE
FOR INFORMATION CONCERNING USE OF DRUGS
FOR INTERROGATION

"The Bureau will not tolerate any experiments or participation on the part of its personnel in the utilization of the so called truth serums or other chemicals alleged to have a similar effect. ---- consequently, in the event any Bureau agent violates these instructions, drastic administrative action will be taken."

There was nothing found in Bureau files that would indicate that we have received any documents from CIA concerning their drug research programs. The files do reflect that we were aware that CIA was conducting research with lysergic acid diethylamide (LSD) and that British Intelligence had successfully utilized LSD on several Russian espionage agents. The information concerning CIA and British activities is set out for the benefit of the Director only and cannot be released outside the Bureau.

There are two Bureau files which contain most of the information relating to the immediate area of interest of the captioned Senate Subcommittee. These files are 62-2699 (Truth Serums) and 80-645 (Chemical Munitions and Cases). Pertinent serials may also be found in 80-807 and 100-343077 as previously noted in this memorandum.

I see no reason why Mr. Michie and Mr. Susman should not be afforded an oral briefing regarding these matters, and if necessary make pertinent serials of Bufiles 62-2699, 80-645, 80-807, and 100-343077 available to them for review.

RECOMMENDATIONS:

(1) That Mr. Michie and Mr. Susman be advised by Legal Counsel that available Bureau records and interview with current knowledgeable employees indicate the FBI has never engaged in nor funded anyone's efforts in research and/or development programs in the use or effect of drugs on human behavior. They should be advised our efforts in this regard as far as can be established from the available records consists of following through liaison contacts with other government agencies and the private sector sources the current developments in behavior modifying drugs.

Memorandum J. Cochran, Jr. to Mr. Jenkins
RE: REQUEST BY SENATE JUDICIARY SUBCOMMITTEE
ON ADMINISTRATIVE PRACTICE AND PROCEDURE
FOR INFORMATION CONCERNING USE OF DRUGS
FOR INTERROGATION

(2) That if they desire to pursue this matter further, SA McWright and myself be permitted to meet with Michie and Susman to (a) reaffirm the information in recommendation #1 and (b) if necessary, to produce for their inspection pertinent serials from 62-6299, 80-645, 80-807, and 100-343077.

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. D. W. Moore
- 1 - Mr. J. Cochran

Mr. W. R. Wannall

11/6/75

W. O. Cregar

- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- ① - Mr. C. G. McWright
- 1 - Mr. J. P. Thomas

SENSTUDY 75

ALL INFORMATION CONTAINED
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DATE 10/30/00 BY SP2AUNKR

This is to inform you that on 11/7/75 Defense Department will release to the Senate Select Committee (SSC), the Senate Judiciary Subcommittee on Administrative Practices and Procedures (Senator Edward M. Kennedy's committee), and to the press, information concerning Navy projects from 1947 to 1954 involving drug experimentation; a Navy file indicates FBI was aware of programs but Laboratory has no knowledge of any active participation by Bureau personnel.

On 11/4/75, Clark McGruder, Assistant to Admiral Bobby R. Inman, Director of Naval Intelligence, informed me that on 11/7/75 the Navy was going to release to aforementioned committees and the press information on drug experimentation and that the FBI was mentioned in the pertinent files. Those files were reviewed at the Pentagon on 11/6/75 by Supervisor J. P. Thomas of INID. They had been classified "Secret" and "Top Secret" but now have been completely declassified. FBI was mentioned in connection with three projects. There are no FBI documents in the files.

A memorandum dated 9/21/50 from Mr. Alberti to Mr. C. D. DeLoach was a receipt signed by Mr. DeLoach for one copy of "Drugs Stated To Have Been Used By Russians And Germans In Interrogation Techniques." Alberti is identified elsewhere in the file as Jack H. Alberti, Office of Naval Intelligence (ONI), who apparently coordinated the projects mentioned in the file. The purpose of one project was to develop a speech-inducing drug to obtain intelligence from interrogees and the project began in 1947.

Enclosures

62-116395

ENCLOSURE

(9)

ENCLOSURE

ENCLOSURE - OVER

62-116395-

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

A memorandum dated 8/15/⁵⁰75 on letterhead of Office of Chief of Naval Operations concerned "Top Secret Naval Medical Research Institute (NMRI) Project on Speech-Inducing Drugs," reported a meeting on 8/11/50 attended by personnel of NMRI, CIA, Office of Naval Research (ONR), a drug company representative and Mr. DeLoach and Mr. D. J. Parsons of the FBI Laboratory. The purpose of the meeting was to brief the FBI on a CIA project on narco-hypnosis and on the NMRI project. Parsons reportedly said the FBI had no such project, but had information on the experiences of various police departments in the United States with speech-inducing drugs. He agreed to make the FBI information available to NMRI and CIA. ONR agreed to give FBI, NMRI and CIA a study by ONR on projected research to improve polygraph reliability. Recipients were to give their comments and recommendations on the study to ONR. At the meeting NMRI gave DeLoach an 8/11/50 NMRI progress report on its project. Parsons agreed to look into the possibility of getting volunteers from prisoners in Federal institutions and to supply NMRI with cannabis (marijuana) and heroin to the extent they might be available to the FBI. It is noted that no FBI representatives were listed in the memorandum reporting a 9/27/50 meeting of this group and there is no further record in the file of FBI participation. Neither is there any record that the FBI supplied any drugs for the project.

Material regarding project "CHATTER" included a carbon copy of a rough draft memorandum (no letterhead) bearing the penciled date "11/50?" which contained the following, "Since 1947 the Department of the Navy has carried on a project in coordination with the Departments of the Air Force and Army, CIA and FBI for the development of speech-inducing drugs.... The Directors of Intelligence of the three Services, of CIA and FBI consider this project

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

of utmost important and urgency to... fulfillment of their missions for the security of the United States." The memorandum says that a project submitted to ONR by Professor Richard Wendt of the University of Rochester (NY) had been approved by all the agencies involved and recommended funding the project. The file indicates subsequently that this project did go forward and involve human experimentation.

^{Another} The ~~second~~ file dealt with project "CALLING CARD," 1952-1953, designed "to render an individual subservient to impose (will or control)." FBI was not mentioned.

80-5 (Polyspy) relates to instruments detection of deception
A memorandum dated 9/5/50 for Mr. D. J. Parsons, FBI; C. Edwards, CIA; and Captain Wilbur E. Kellum of Naval Medical Research, from W. S. Post, Jr. (not further identified), informed them that a copy of the report on the "Ellson" project (University of Indiana, 1952) was being forwarded to them for information. The project involved research in the detection of deception. The addressees were to be briefed by Professor D. G. Ellson of Indiana University on the project at a future date. The file did not show that the briefing occurred. The project was terminated in June, 1952.

The two files reviewed contained many reports of research conducted concerning various drugs in various parts of the world, constituting a collection of papers on the subject by U. S. and foreign researchers.

A review of logical Bureau files by the Laboratory Division disclosed only one reference (62-2699-75) to the above. This was a memorandum, 8/4/50, recording that Mr. Alberti, ONI, had informed Liaison that the Navy had been developing a new drug which might be used to great

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Senstudy 75
62-116395

advantage on espionage suspects. Navy offered to inform us about this. A notation by Mr. DeLoach indicated that Mr. Parsons would meet with Navy on 8/11/50. (Navy memorandum on this meeting set out above.)

We have received a memorandum dated 11/4/75 from Defense describing the proposed release of Navy information to the committees and to the press. Copy of that memorandum and of the press release are attached. The release says that "Liaison was maintained with... the FBI" concerning the drug ~~research~~ release.

ACTION:

None. For record purposes.

PRESS RELEASE
NOVEMBER 7, 1975

The press statement released by the Navy today relating to its drug research on human subjects for the period 1947 through 1954 indicates liaison concerning this project was maintained by the Navy with other Governmental agencies, including the FBI.

A thorough review of FBI files has disclosed one document relating to this Navy research: a short internal memorandum, dated August 4, 1950. This memorandum, prepared by a member of the Liaison staff at FBI Headquarters, recorded that a Navy official had invited FBI representatives to a conference in the Washington area to "discuss the usage of truth serum in Intelligence circles," and that the Navy had made advances in developing a new drug which "could be utilized to a great advantage in the questioning of espionage agents." A handwritten notation on this memorandum directed that a representative of the FBI Laboratory was to attend this conference on August 11, 1950.

No further identifiable reference to Navy drug development research is contained in FBI files. No record can be located that liaison was being maintained with the Navy regarding this program, or that the FBI had knowledge of this program prior to the date of the above memorandum.

ENCLOSURE

ENCLOSURE

62-116395

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DATE 10/30/00 BY SP2AMK/0

The FBI was not involved in any way in this Navy drug research, and the FBI has never participated in research with drugs designed to modify human behavior, nor has it funded such research.

- 1 - Mr. J. B. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
December 24, 1975
- 1 - Mr. J. G. Deegan
- 1 - Mr. R. L. Shackelford
- 1 - Mr. F. J. Cassidy
- 1 - Mr. W. O. Cregar

The Attorney General

SI 115
Director, FBI

REC-50

62-116395-12048

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

This is in response to the SSC letter dated December 18, 1975, wherein Senators Mondale and Baker requested rather detailed information to be made available during the last week of December, 1975, and the first week of January, 1976.

It is noted that most of the requests in this letter are so ambiguous that they require clarification from the SSC before the FBI can logically respond. In one instance, there is no way this Bureau could respond short of obtaining the recollections of Bureau Supervisors who worked in the Intelligence Division extending back almost 20 years. Because of this, we are attaching for your approval and forwarding to the SSC the original of a memorandum which delineates the problems attendant to the request of December 18, 1975, and, in most instances, requests a meeting between Mr. John Elliff, Domestic Task Force Director, SSC, and representatives of this Bureau in the hope that some alternatives or clarifications can be developed. A copy of the memorandum is furnished for your records.

Enclosures (2)

62-116395

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

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

WOC:lhb/lhb
(12)

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DATE 10/30/00 BY SP2A/MK/AL

SEE NOTE PAGE 2

MAIL ROOM TELETYPE UNIT

62-116395-12048
 Date: 1/10/76
 Sent to: Committee

WOC
JAM
SAC

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5-115

The Attorney General

NOTE:

The request of 12/18/75 was received in the Intelligence Division in the midafternoon of 12/22/75. A conference was held on the morning of 12/23/75 of pertinent Division personnel in an effort to identify the problems connected with responding to this request. It is believed that the only way the Bureau can logically respond to the request is by obtaining clarifications and, in some instances, alternatives to the requests set out.

We have already determined that both John Elliff and the SSC Counsel, F. A. O. Schwartz, are out of the city for the holidays. The Legal Counsel Division has left word with Mr. Schwartz and/or Mr. Elliff to call SA Paul Daly upon their return to the city.

Copy of 12/18/75 request attached.

- 1 - Mr. J. L. Adams
- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. J. G. Deegan
- 1 - Mr. R. L. Shackelford

62-116395

December 24, 1975

- 1 - Mr. F. J. Cassidy
- 1 - Mr. W. O. Cregar

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

**RE: DECEMBER 18, 1975, LETTER TO THE
ATTORNEY GENERAL FROM SENATORS
MONDALE AND BAKER**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2AUM/KP

On December 22, 1975, this Bureau received a copy of a letter dated December 18, 1975, which Senators Mondale and Baker sent to the Attorney General levying certain requirements on the FBI with a request that the responses be provided the SSC during the last week of December, 1975, and the first week of January, 1976.

Item 1 requested access to materials in the investigative files for a six-month period preceding acts of violence which were prevented by actions taken by the FBI. The specific preventive actions were set out in some detail in a memorandum prepared for the SSC by the FBI dated December 10, 1975.

Upon receipt of referenced letter, the Intelligence Division initiated efforts to isolate the files documenting these preventive actions. The Bureau's response of December 10, 1975, was predicated on a review of the pertinent inspection reports of the Intelligence Division. These reports do not document by file number the individual preventive actions. To locate specific files, it will be necessary to have knowledgeable Intelligence Division personnel queried in an effort to try to match the preventive action with a particular investigative file. In some instances,

- Assoc. Dir. _____
- Dep. AD Adm. _____
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- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

WOC:1hb/lhb
(11)

ORIGINAL AND ONE COPY TO AG

MAIL ROOM

TELETYPE UNIT

62-116395-1204X

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: DECEMBER 18, 1975, LETTER TO THE ATTORNEY GENERAL
FROM SENATORS MONDALE AND BAKER

there will be no investigative file but merely a communication from a field office reporting information furnished by a source of the FBI on which some preventive action was predicated. It is possible that the acts of violence reported by the source could involve a violation over which the FBI had no investigative jurisdiction. In such cases, the local field office would have merely furnished the information to the appropriate law enforcement agency and no investigative file would exist.

We are continuing our efforts to attempt to isolate those files which document preventive actions. However, because of the problems attendant thereto, as well as those problems raised in the subparagraphs of Item 1, it is recommended that a meeting be arranged between Mr. John Elliff, Domestic Task Force Director, and representatives of this Bureau to discuss possible alternatives to some of these requests.

Items 2 and 3 concern the September 24, 1975, report to the House Judiciary Committee by the General Accounting Office. The FBI is in the process of preparing a response and it will be made available to the Committee as soon as possible. However, it is noted that the FBI prepared no analysis at all on the findings of the General Accounting Office contained in their report of September 24, 1975.

Item 4 requests the annual reports from the office of origin to FBI Headquarters for the investigation of Dr. Martin Luther King, Jr., in 1963 through 1968, and the Women's Liberation Movement for the years that organization was under investigation. Item 4 also requests annual reports available on the investigations "about which materials were supplied pursuant to John Elliff's request of October 28."

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: DECEMBER 18, 1975, LETTER TO THE ATTORNEY GENERAL
FROM SENATORS MONDALE AND BAKER

There were no annual reports submitted by the office of origin to FBI Headquarters for the investigation of Martin Luther King, Jr., in 1963 through 1968. With regard to the Women's Liberation Movement, the SSC has been provided copies of all pertinent reports for the years the organization was under investigation. In an effort to clarify what is meant by the annual reports available on the investigations about which materials were supplied pursuant to Mr. John Elliff's request of October 28, 1975, it is again proposed that a meeting with Mr. Elliff be arranged to clarify this ambiguity.

Item 5 requests specific examples of cases where the FBI has taken action in the past similar to that which would be authorized by Section IV of the Department of Justice's guidelines draft on "Domestic Security Investigations."

The indices of this Bureau are not organized to enable retrieval of information of a "preventive action" character or examples of FBI actions taken to prevent violence. The retrieval of such information from FBI files, other than that described in the response to Item 1, would require extensive review and/or dependence on the recollection of individuals of occurrences extending back almost 20 years. It is suggested that, during the proposed meeting with Mr. John Elliff, this request be discussed.

Item 6 requests access to all FBI materials pertaining to Martin Luther King, Jr., the Poor Peoples' Campaign and the Sanitation Workers Strike in Memphis, Tennessee, from January 1, through April 4, 1968.

SENATE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (SSC)

RE: DECEMBER 18, 1975, LETTER TO THE ATTORNEY GENERAL
FROM SENATORS MONDALE AND BAKER

It is this Bureau's belief that all pertinent material pertaining to Martin Luther King, Jr., for the period January 1, through April 4, 1968, has been made available to the SSC responsive to previous requests. With regard to the Poor Peoples' Campaign and the Sanitation Workers Strike in Memphis, Tennessee, it is not clear whether the letter is requesting access to the entire FBI file on these two activities from the period January 1, through April 4, 1968. It is recommended that a clarification of this request can be accomplished during the previously proposed meeting between Mr. John Elliff and representatives of the FBI.

Item 7 requests all materials pertaining to "Project Overshoe."

A check of indices of the FBI regarding "Project Overshoe," as well as the word Overshoe, fails to contain any reference to either. Without additional information regarding "Project Overshoe," this Bureau cannot be responsive to this specific request. Again, it is suggested that, during the forthcoming meeting with John Elliff, clarification of "Project Overshoe" be obtained.

1 - The Attorney General

Intelligence Division

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2A/MK/0

INFORMATIVE NOTE

Date 1/5/76

RE: SENSTUDY 75

Attached is a request from Senators Mondale and Baker of the Senate Select Committee (SSC) dated 12/18/75. The Director has requested he be advised regarding the status of this request.

Attached is a copy of a letter to the AG and LHM for the SSC, dated 12/24/75, advising the AG that the request of Senators Mondale and Baker require clarification. On 12/30/75, Cregar and Daly met with SSC Staff Members Gitenstein and Epstein to obtain this clarification. As a result of this meeting, the following understanding was developed regarding the Mondale-Baker request:

Item 1 was reworded to make recovery by the Bureau possible. In addition, C and D under Item 1 were temporarily placed in abeyance. (A partial response to Item 1 is currently being walked through signature process.)

Items 2 and 3 are in signature process.

Item 4 was restricted to the annual reports on some 31 organizations. This will be time-consuming and we cannot

WOC:lhb

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DOJ/FBI

- Assoc. Dir. _____
- Dep. AD Adm. _____
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- Asst. Dir.:
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- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

Intelligence Division

ED
ALM/K

INFORMATIVE NOTE

Date 1/5/76

RE: SENSTUDY 75

ched is a request from Senators
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reports on some 31 organizations. This
will be time-consuming and we cannot

WOC:1hb

CONTINUED - OVER DOJ/FBI

estimate when we will complete Item 4.

Item 5 has been reduced to the recollection of Bureau Supervisor David Ryan who handled the COINTELPRO matter and will not require research beyond what SA Ryan can recall. (Ryan is currently developing a response to this request.)

Item 6 has been reduced to all materials relating to the Poor People's Campaign, the Sanitation Workers Strike in Memphis, Tennessee, and Martin Luther King, Jr., contained in Headquarters files between the period 1/1-4/4/68. (We are currently working on this request.)

Item 7 - Epstein has agreed to obtain more identifying data regarding Project Overshoe and we are awaiting this information.

woc/B

NY

~~SECRET~~

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.
HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

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

United States Senate

RECEIVED
OFFICE OF THE
GENERAL

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

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

WASHINGTON, D.C. 20510

DEC 19 1975

F.B.I.

December 18, 1975

Attorney General Edward H. Levi
Room 5111
Department of Justice
Washington, D.C. 20530

Mr. Callahan *Info*
Mr. Jenkins *"*
Mr. Wannell *Handled*

Secret

Dear General Levi:

Mr. M. Sel T for 1-5-76

We have been asked to chair a special subcommittee of the Select Committee on Intelligence which will concentrate on matters relating to domestic intelligence activities of the Federal government. Our mandate is to prepare for the full committee's consideration a draft report of findings of fact on alleged abuses or excesses by the FBI and other domestic intelligence agencies; the causes of such alleged abuses or excesses and recommendations which the Committee might make to remedy the problems we have uncovered.

Wagner
SA

We are aware of the fine work in which your staff has been engaged in these areas and hope that they will be available to work with the Committee staff on these matters. However, the Subcommittee finds the Committee record needs to be supplemented in several important respects and therefore finds it necessary to direct a number of requests to the FBI for further information which we hope will be treated on a priority basis so that the Subcommittee can meet the deadlines set by the full committee. These and future requests which will be handled between the two committee counsel or Mr. Elliff, Domestic Task Force Leader, and Mr. Shaheen, Special Counsel for Intelligence Coordination, will pertain to both information necessary for us to formulate meaningful recommendations and to pursue matters on certain specific alleged abuses which remain unsettled. Among the future requests will be questions pertaining to your guidelines on "Domestic Security Investigations" and on manpower and budget statistics for the FBI's domestic intelligence program.

ST-115

REC-51

1204X
5/11

JAN 23 1976

For us to meet the deadline set by the full committee, it is essential that the information requested below be

RECEIVED
1 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

~~SECRET~~

#NDR-16
DECLASSIFIED BY SP2A/MKP
ON 10/30/00

~~SECRET~~

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

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

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

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

United States Senate

RECEIVED
OFFICE OF THE
CLERK GENERAL

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

DEC 19 1975

(PURSUANT TO S. RES. 21, 91TH CONGRESS)
WASHINGTON, D.C. 20510

F.B.I.

December 18, 1975

Attorney General Edward H. Levi
Room 5111
Department of Justice
Washington, D.C. 20530

Mr. Callahan Info
Mr. Jenkins
Mr. Wansall

Sen study

Dear General Levi:

Sub M - Set T for 1-5-76

We have been asked to chair a special subcommittee of the Select Committee on Intelligence which will concentrate on matters relating to domestic intelligence activities of the Federal government. Our mandate is to prepare for the full committee's consideration a draft report of findings of fact on alleged abuses or excesses by the FBI and other domestic intelligence agencies; the causes of such alleged abuses or excesses and recommendations which the Committee might make to remedy the problems we have uncovered.

Wagner
SA

We are aware of the fine work in which your staff has been engaged in these areas and hope that they will be available to work with the Committee staff on these matters. However, the Subcommittee finds the Committee record needs to be supplemented in several important respects and therefore finds it necessary to direct a number of requests to the FBI for further information which we hope will be treated on a priority basis so that the Subcommittee can meet the deadlines set by the full committee. These and future requests which will be handled between the two committee counsel or Mr. Elliff, Domestic Task Force Leader, and Mr. Shaheen, Special Counsel for Intelligence Coordination, will pertain to both information necessary for us to formulate meaningful recommendations and to pursue matters on certain specific alleged abuses which remain unsettled. Among the future requests will be questions pertaining to your guidelines on "Domestic Security Investigations" and on manpower and budget statistics for the FBI's domestic intelligence program.

SI 145

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JAN 26 1976

For us to meet the deadline set by the full committee, it is essential that the information requested below be

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#NDR-16
DECLASSIFIED BY SP2AM/KP
ON 10/30/00

~~SECRET~~

Attorney General Edward H. Levi
Page Two

December 18, 1975

provided during the last week of December and the first week of January:

1. With respect to each of the examples of effective prevention of violence provided the Committee pursuant to John Elliff's letter of November 26 to Mr. Shaheen, please provide access to materials in the investigative file for the 6-month period preceding the act of violence prevented. Please deliver:

(a) All materials relating to the legal and factual predicate for each investigation;

(b) The first investigative report disseminated outside the FBI in each such case, and a list of recipients of that report;

(c) The total number of individuals whose names were referred to the FBI's general name index in the course of each investigation;

(d) The total number of individuals about whom information was obtained through informants, confidential sources, physical surveillance, electronic surveillance and other sensitive techniques; and

(e) The annual report from the office of origin for each such investigation to FBI headquarters for the last five years during which the case in question was an open investigation.

2. Please provide any information which you have refuting the suggestion made on page 34 of the General Accounting Office's September 24 report to the House Judiciary Committee, that cases in which violence can be predicted probably represent less than 2% of all FBI domestic intelligence investigations.

3. Please provide all memoranda or analyses prepared for the Justice Department, Director Kelley, or Assistant Director Wannall on the findings of the General Accounting Office as presented to the House Judiciary Committee on September 24.

4. Please provide the annual report from the office of origin to FBI headquarters for the investigation of

~~SECRET~~

~~SECRET~~

Attorney General Edward H. Levi

Page three

December 18, 1975

Dr. Martin Luther King in 1963 through 1968, and for the investigation of the Women's Liberation Movement for the years that that organization was under investigation, and the annual reports available on the investigations about which materials were supplied pursuant to John Elliff's request of October 28.

5. Please provide specific examples of cases where the FBI has taken action in the past similar to that which would be authorized by Section IV on "preventive action" of the draft Department of Justice's guidelines on "domestic security investigations."

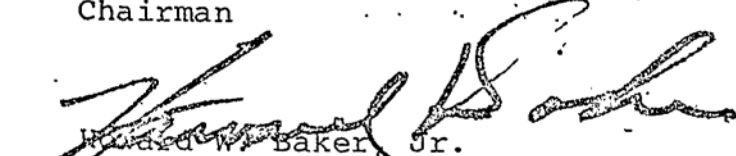
6. Access to all FBI materials pertaining to Dr. Martin Luther King, Jr., the Poor People's Campaign, and the Sanitation Workers Strike in Memphis, Tennessee, from January 1 through April 4, 1968.

7. All materials pertaining to "Project Overshoe."

Thank you for your prompt consideration of this request. We look forward to continuing cooperation on this area of joint concern.

Sincerely,


Walter F. Mondale
Chairman


Edward W. Baker, Jr.
Vice-Chairman

~~SECRET~~

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

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 12/24/75
U. S. Senate Select Committee (SSC).
Caption of Document: (12/18/75 Letter to the Attorney
General from Senators Mondale & Baker)

Originating Office: FBI

Delivered by: Paul K. Ogley Date: 12-30-75

Received by: Mark C. [Signature]

Title: _____

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY: SP2N MKP

62-116395-1204X

TO: Intelligence Community Staff
ATTN: Central Index

FROM: FBI

SUBJECT: Abstract of Information Provided to Select Committees

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

2. DATE PROVIDED

<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER
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12/24/75

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

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

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

Memorandum

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

SSC letter 12/18/75

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

U

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

Information handling

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

Requesting clarification of items listed in request received from Senators Mondale and Baker regarding preventive actions; 9/24/75 report of the House Judiciary Committee by the General Accounting Office; Annual reports from the office of origin to FBIHQs for investigation of Dr. Martin Luther King, Jr.; pertinent materials pertaining to Martin Luther King, Jr. for the period 1/1 thru 4/4/68 previously made available. Clarification with regard to Poor Peoples' Campaign and the Sanitation Workers Strike in Memphis, Tenn; "Project Overshoe."

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP2ALM/KP

TREAT AS YELLOW

62-116395

FMK:fmk

(4)

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

62-116395-1204X

- 1 - Mr. J. B. Adams
- 1 - Mr. E. W. Walsh
(Mr. G. S. McMichael)

12/17/75

Mr. W. R. Wannall

- 1 - Mr. J. Cochran
(Mr. F. M. Devino)
- 1 - Mr. J. A. Hintz
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. S. F. Phillips

J. G. Deegan

MARTIN LUTHER KING, JR.

This informative memorandum to record unsuccessful efforts to pinpoint the typewriter on which was typed an anonymous letter apparently directed to subject, the original of which was located in papers left behind on the retirement of former Assistant to the Director William C. Sullivan.

Examination of the questioned document by the Laboratory established that the typing was done on a Royal typewriter with pica style type. We checked available inventory records maintained by the Administrative Division as well as our own in INTD to locate all Royal typewriters which were in the then Domestic Intelligence Division (DID) around 1964. This search was based on the suspicion that the note was typed by Sullivan on a typewriter accessible to him in 1964 when he was Assistant Director of the DID.

Our checks revealed that there are available only four typewriters of the type sought which were likely in the DID in 1964. All four are presently in INTD and three of them were readily eliminated as not identical to that which produced the questioned document on the basis that all three have closed "4s", whereas the questioned document has an open ended "4". The fourth typewriter, serial number KMG 13-4320913, is maintained in room 4410 and charged to the IS-2 Section. It was examined by Supervisor F. M. Devine of the Document Section of the Laboratory who advised that it is not identical to the typewriter which produced the questioned document.

100-106670

① - G2-116305 (SENSTUDY 75)

SFP:blb
(10)

CONTINUED - OVER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/30/00 BY SP8AMK/MP

ROUTE IN ENVELOPE

84 DEC 29 1975

Memorandum to Mr. W. R. Wannall
Re: Martin Luther King, Jr.
100-106670

We are conducting no further inquiry at this time to establish the whereabouts of the typewriter which produced the anonymous letter.

RECOMMENDATION:

None. For information and record purposes.