

File #:

62-NY-15065

Serial Scope:

17 thru 29A, 31 thru 36

37B thru 55

NY 773

NR013 NY CODE

3:20 PM NITEL 3/15/76 ETB

TO: DIRECTOR, FBI (62-116395)

FROM: ADIC, NEW YORK (62-15065)

~~CONFIDENTIAL~~
ATTN: W. O. CRAEGER

SENSTUDY 75

RE NY NITEL, FEBRUARY 24, 1976.

REFERENCED NY NITEL REFLECTS THAT PATON FONZI, ALLEGED STAFF INVESTIGATOR WITH SENATOR RICHARD F. SCHWICKER WAS TO RECONTACT SA JOHN J. COTTER OF THE NYO, AT APPROXIMATELY 11:55 A. M., ON FEBRUARY 25, 1976. AS OF CLOSE OF BUSINESS, FEBRUARY 25, 1976, FONZI HAD NOT DONE SO. FONZI DID ATTEMPT TO TELEPHONICALLY CONTACT SA COTTER ON THE AFTERNOON OF FEBRUARY 26, 1976, AND POSSIBLY ONCE AFTER THAT, ON WHICH OCCASIONS SA COTTER WAS NOT AVAILABLE. FONZI HAS NOT AGAIN ATTEMPTED TO CONTACT SA COTTER.

62-15065-37B

*Declassified
per Bu 0-7 dated 3/16/76
J*

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FBI-NEW YORK	
<i>Cotter</i>	

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Date:

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Via _____
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PAGE TWO

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Special Agent in Charge

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Date 3/16/76

RE: **SENSTUDY 75**

ReNYtel 3/15/76.

- For information Retention optional For appropriate action Surep, by _____
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DO NOT DESTROY - PENDING LITIGATION - 38

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(Mount Clipping in Space Below)

SENATE SELECT COMMITTEE ON ASSASSINATIONS

Widespread Lawbreaking Laid to Intelligence Units

Examples Given by Senate Committee— Report Says Ultimate Responsibility Lies With Highest U.S. Officials

By LESLEY OELSNER
Special to The New York Times

WASHINGTON, April 28.—In 1954, an assistant director of the Federal Bureau of Investigation sent J. Edgar Hoover a memorandum recommending that the bureau plant an electronic listening device in the hotel room of a suspected Communist sympathizer.

The memorandum said that the bug "will not be legal." It added, however, that it would be "necessary and desirable" for the information it would disclose.

Mr. Hoover, the F.B.I. director, approved the bug.

The Senate Select Committee on Intelligence cites this incident as an example of the widespread and deliberate breaking of the law by the nation's intelligence community. It also cites testimony of the F.B.I.'s director of intelligence for 10 years, William C. Sullivan, to show that illegality was often not even mentioned. Mr. Sullivan was quoted as saying:

"The one thing we were concerned about was this: Will this course of action work, will it get us what we want, will we reach the objective that we desire to reach? As far as legality is concerned, morals or ethics, [it] was never raised by myself or anyone else."

Other Examples Given

The Committee also cited other examples to show how the director of the F.B.I., the director of the F.B.I.'s intelligence activities and many others could have ignored the law.

They are examples of action and inaction by high Government officials outside the intelligence agencies.

It is the central thesis of the Senate committee's report, released today, that the high officials responsible for overseeing the agencies, including Presidents, Cabinet members and Congressmen, helped to create and bear the "ultimate responsibility" for the intelligence community's climate of lawlessness.

Among the examples were the following:

In 1954, the same year as the Hoover bugging incident, the Supreme Court issued an opinion decrying the use by the local police of warrantless microphone surveillances of a defendant's bedroom.

"Few police measures have come to our attention," the Court said, "that more flagrantly, deliberately and persistently violated the fundamental principle declared by the Fourth Amendment as a restriction on the Federal Government that 'the right of people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause.'"

Brownell Reversed Policy

A few weeks later, Attorney General Herbert Brownell reversed Justice Department policy prohibiting the F.B.I. from trespassing to install microphone surveillances. He sent a memo to Mr. Hoover giving authority to engage in bugging, saying:

"Obviously, the installation of a microphone in a bedroom or in some comparably intimate location should be avoided whenever possible. It may appear, however, that important intelligence or evidence relating to matters connected with the national security can only be obtained by the installation of a microphone in such a location.

"Considerations of internal security and national safety are paramount and, therefore, may compel the unrestricted use of this technique in the national interest."

A second example of officials ignoring the law occurred in 1961 and involved Edward J. Day, who was then Postmaster general. Mr. Day told of himself in testimony to the Senate select committee.

As he described it, Allen W. Dulles, Director of Central Intelligence, told Mr. Day that he had something "very secret" to disclose. Mr. Day interrupted and asked, "Do I have to know about it?" Mr. Dulles replied, "No."

The committee report said that, according to Richard Helms, the C.I.A.'s deputy director for plans, who was also at the meeting, Mr. Dulles wanted to tell the Postmaster General that the C.I.A. was opening mail, a project that, the committee said, violated Federal law prohibiting obstruction, interception or opening of mail.

But the Postmaster General, by his own testimony, never heard Mr. Dulles's account, because the C.I.A. chief understood that Mr. Day did not want to know what he did not have to know.

King Inquiry Cited

The long F.B.I. investigation of the Rev. Dr. Martin Luther King Jr. provided still more examples that involved Robert F. Kennedy, Attorney General during part of the King investigation; Nicholas deB. Katzenbach, Attorney General during another part, and Burke Marshall, an Assistant Attorney General at the time.

Mr. Kennedy and Mr. Katzenbach were "aware of some aspects" of the King investiga-

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N.Y. Times

p 35

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Re Mr. Martin Luther King Jr.

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... the report said, "yet neither ascertained the full details" of the campaign to discredit Dr. King.

Mr. Kennedy, for example, in 1963 authorized wiretaps on Dr. King's home and office telephones. He requested that an evaluation of the results be sent to him within 30 days, the report said, so he could determine whether the taps should be continued.

"But, the evaluation was never delivered to him, and he did not insist on it," the report said. "Since he never ordered the termination of the wiretap, the bureau could, and did, install additional wiretaps on King by invoking the original authorization," the report said.

Johnson Told of Offer

Mr. Katzenbach and Mr. Marshall testified to the committee the report said, that in late 1964 they learned that the F.B.I. had offered tape recordings of Dr. King to some Washington journalists. They also said that they informed President Johnson of the F.B.I.'s offer.

"The committee has discovered no evidence, however," the report said; "that the President or Justice Department officials made any further effort to halt the discrediting campaign at this time or at any other time; indeed, the bureau's campaign continued for several years after this incident."

Yet other examples occurred in the Nixon Administration, including Mr. Nixon's own temporary approval, later rescinded, of the so-called "Huston plan," which involved such things as mail openings and noted their illegality.

The committee summed up its point this way:

"When senior Administration officials with a duty to control domestic intelligence activities knew, or had a basis for suspecting, that questionable activities had occurred, they often responded with silence or approval.

"In certain cases, they were presented with a partial description of a program, but did not ask for details, thereby abdicating their responsibility.

"In other cases, they were fully aware of the nature of the practice and implicitly or explicitly approved it."

Among the reasons the committee cited was that, sometimes, Administration officials assumed "that an intelligence agency would not engage in lawless conduct"; sometimes, "they simply did not want to know."

Harshly Critical

The committee did not contend that these acts and omissions by high Administration officials excused the lawlessness by the intelligence agencies. It was instead harshly critical of the intelligence officials and cited numerous instances where the agencies had withheld information from both the executive branch and Congress and ignored their directives.

In one example, the bureau supplied a news release for Senator Edward V. Long of Missouri, who in 1966 was holding hearings on electronic surveillance techniques. The bureau said in the Senator's release, with his approval, that the subcommittee had "conducted exhaustive research" and was now "fully satisfied" that the F.B.I. had not participated in "high-handed or uncontrolled usage" of surveillance.

The report said that the press release was "misleading," for the committee's "exhaustive research" was apparently a 90-minute briefing on the bureau's practices in which the Senator was not told of the many improper activities.

The committee's report placed "ultimate responsibility" for the "climate of permissiveness" on the various high-ranking Government officials who were supposedly in charge of controlling the activities of the intelligence community.

"The committee's inquiry has revealed a pattern of reckless disregard of activities that threatened our constitutional system," it said.

"Improper acts were often intentionally concealed from the Government officials responsible for supervising the intelligence agencies, or undertaken without express authority. Such behavior is inexcusable. But equally inexcusable is the absence of executive and Congressional oversight that engendered an atmosphere in which the heads of those agencies believed they could conceal activities from their superiors."

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(Mount Clipping in Space Below)

Bureau Accused of Trying to Manipulate News Media

By PHILIP SHABECOFF

Special to The New York Times

WASHINGTON, APRIL 28—

The Federal Bureau of Investigation repeatedly and covertly attempted to manipulate the news media in an effort to influence public opinion and discredit citizens and organizations that were its "targets," the Senate Select Committee on Intelligence Activities reported today.

The committee's report on domestic intelligence activities presented evidence of pervasive and frequently successful efforts by the F.B.I. to use the news media to attack such targets as the Rev. Dr. Martin Luther King Jr. and groups and individuals in what is described as the "new left."

Following are examples from the report of ways in which the F.B.I. sought to influence reports of the news media:

Through a "good friend" who was chairman of the board of a national magazine, the bureau killed an unfavorable article about the bureau that was scheduled to appear in the magazine.

F.B.I. officials approached reporters, including one from a major magazine, and offered to play tape recordings "embarrassing" to Dr. King.

A freelance writer was furnished by the bureau with photographs depicting a radical

group's apartment as "a shambles with lewd, obscene and revolutionary slogans displayed on the walls."

The Washington bureau chief of a major news organization was allegedly given discrediting information about the lawyer defending Dr. Daniel Ellsberg in the Pentagon papers case.

The F.B.I.'s efforts to use the news media were generally part of the bureau's cointelpro, or counterintelligence program, designed to "disrupt" or "neutralize" people or groups considered a threat to domestic security. But the report indicates that the F.B.I. also sought to use the news media to disseminate its own views on such issues, as foreign policy and sexual morality.

The report said that the bureau's crime records division maintained "covert liaison" with the news media to advance two main domestic intelligence objectives: "(1) providing derogatory information to the media intended to generally discredit the activities or ideas of targeted groups or individuals, and (2) disseminating unfavorable articles, news releases and background information in order to disrupt particular activities."

At the committee's hearings, a former director of the crime records division, Thomas E. Bishop, testified that he kept a list of the bureau's "press

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N.Y. Times
P 34

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friends" in his desk. He also said that the F.B.I. sometimes refused to cooperate with reporters who were critical of the bureau or its director.

"Public Record" Data

Mr. Bishop said that, as a general rule, the bureau gave out only "public record information," but that this could cover almost everything in the files "on a targeted individual."

Dr. King, the civil rights leader who was assassinated in 1968, was a frequent object of F.B.I. "news leaks," according to the report.

The report stated that in November 1964, the Washington bureau chief of a "national news publication" told Nicholas B. Katzenbach, who was then Attorney General, that one of his reporters had been approached by the F.B.I. and offered a chance to listen to "interesting" tape recordings involving Dr. King.

Benjamin C. Bradlee, now executive editor of The Washington Post, confirmed to a questioner today that when he was bureau chief of Newsweek magazine in 1964 he informed Mr. Katzenbach of the offer made to one of his reporters.

The report indicated that the F.B.I. offered to disclose the contents of illegal wiretaps to the news media on a number of occasions. On one occasion, it learned through a wiretap that a magazine was about to print an article critical of President Nixon's Vietnam policy and

passed that information on to the White House. The article was written by former Secretary of Defense Clark M. Clifford.

The committee also found that F.B.I. surveillance of newspapermen frequently produced political information rather than national security information. For example, the report said that one wiretap showed that one of the F.B.I. "targets" helped Sargent Shriver to write a news release criticizing a speech by President Nixon.

The report generally did not divulge the names of the journalists or new media executives who were in contact with the F.B.I.

According to the Senate findings, the F.B.I. maintained a close relationship with the chairman of a national magazine described in a bureau memorandum as "our good friend." The report said that the bureau took advantage of the relationship with the unidentified executive to "squench" an unfavorable article, to postpone publication of an article on an F.B.I. case and to forestall publication of an article written by Dr. King.

Following are some other examples cited in the report of attempted manipulation of the news media by the F.B.I.:

F.B.I. headquarters asked its field offices to provide the press with specific data "depicting the scurrilous and depraved nature of many of the

characters, activities, habits and living conditions representative of new left adherents," saying that "every avenue of possible embarrassment must be vigorously and enthusiastically explored."

The bureau ordered field offices to gather information that would disprove allegations by "the liberal press, the bleeding hearts and the forces on the left," that the Chicago police used undue force against demonstrators at the 1968 Democratic National Convention.

Several months after the Cointelpro operations were supposed to have ended, the F.B.I. attempted to discredit Leonard Boudin, the lawyer defending Dr. Daniel Ellsberg in the Pentagon papers case, by disclosing to the Washington bureau chief of a major news service information about Mr. Boudin's alleged sympathy for "Communist causes."

The bureau placed in a newspaper an article by "a wealthy Negro industrialist" that purported "to give the lie to the Communist canard that the Negro is downtrodden and has no opportunities in America." The bureau also aided the publication of articles supporting the war in Vietnam.

As one of its recommendations, the committee urged that intelligence agencies be prohibited from disseminating information to the news media for political or other improper purposes, including discrediting opponents or critics.

(Mount Clipping in Space Below)

N.A.A.C.P. CHECKED 25 YEARS BY F.B.I.

No Illegal Activities Found
—Women's Movement Also
Monitored by Bureau

By **NICHOLAS M. HORROCK**
Special to The New York Times

WASHINGTON, April 28 —
The Federal Bureau of Investigation spent 25 years monitoring the "wholly lawful political activity" of the National Association for the Advancement of Colored People on the ground that it was conducting a search for Communist infiltration, the Senate Select Committee on Intelligence disclosed today.

The committee also said that the bureau had infiltrated the feminist movement and made targets of such groups as the Christian Front and the conservative American Christian Action Council, led by the Rev. Carl D. McIntire.

Army domestic intelligence operations opened files on numerous groups seeking peaceful change, including the John Birch Society, the Young Americans for Freedom, the National Organization of Women, the National Urban League, the Anti-Defamation League of B'nai B'rith, Business Executives to End the War in Vietnam and the N.A.A.C.P.

In its 341-page report on domestic intelligence activities, the Senate committee cited these as demonstrations that "large numbers of law-abiding Americans and lawful domestic

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N.Y. Times

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groups have been subjected to extensive intelligence investigation and surveillance."

The committee said it had found the domestic intelligence activity, including operations by the F.B.I., the Central Intelligence Agency, the Army and the Internal Revenue Service, had been "overbroad" because of the "absence of precise standards for intelligence investigations."

It traced the erosion of these standards from 1924, when Attorney General Harlan Fiske Stone limited the F.B.I. to criminal matters, through 1976. Mr. Stone's standard was that the bureau "is not concerned with political or other opinions of individuals." "It is concerned" he said, "only with their conduct, and then only such conduct as is forbidden by the laws of the United States."

But the committee found "the scope of domestic intelligence investigations consistently widened in the decades after the 1930's . . . and were permitted under criteria which more nearly resembled political or social [standards] than standards for government action."

People came under investigation, the report said, for being suspected "rightists" or "espousing the line of revolutionary movements." Others got attention as "rabble rousers" or because they were "agitators" or "black nationalists."

The report said Presidents, Congress and the agencies themselves were guilty of creating these vague standards. President Franklin Roosevelt, for instance, wanted the F.B.I. to watch "subversives" and gather intelligence on "potential" espionage and sabotage, with no clear definition of these terms.

Inquiry Began in 1941

It was under Mr. Roosevelt that in 1941 the bureau opened the N.A.A.C.P. investigation. It was begun, the committee report said, "as an investigation of protests by 15 black mess attendants about racial discrimination in the Navy." Ostensibly the investigation was to determine if there had been

Communist infiltration of the black group.

In the first year of the investigation the bureau agents reported that the N.A.A.C.P. had a "strong tendency" to "steer clear of Communist activities," the committee said, yet the investigation continued for a quarter of a century.

The bureau infiltrated the association with informants and gathered extensive reports on its membership, headquarters and activities.

In 1956, for instance, the bureau prepared a report on a leadership conference on civil rights the N.A.A.C.P. sponsored and described the plans for a delegation from the conference to visit Senators Paul H. Douglas, Wayne Morse, Herbert H. Lehman, Hubert H. Humphrey and John W. Bricker. The report was sent to President Eisenhower, the committee found.

Since targets were described in such vague terms, hundreds of thousands of Americans have ended up in domestic intelligence files, the report said.

Army's Files Cited

The Army, the committee said, maintained intelligence files on 100,000 Americans including the Rev. Dr. Martin Luther King Jr., Maj. Gen. Edwin Walker, Julian S. Bond, Jean Baez, Dr. Benjamin Spock, the Rev. William Sloane Coffin, Senator Adlai E. Stevenson 3d and Representative Abner Mikva.

All those in the Army's files, the report said, got there "simply because of their participation in political protests or their association with those who engaged in such political activity."

As an indication of how extensive domestic intelligence activities have been, the Committee reported that the F.B.I. maintains some 500,000 domestic intelligence files in its Washington headquarters and has others in its field offices. From 1955 to 1975 the bureau investigated 740,000 "subversive matters" and 190,000 "extremist matters."

The C.I.A., in its Operation Chaos against domestic dissidents from 1967 to 1973, amassed an "index" file on 300,000 Americans and full dossiers on 7,200 Americans and more than 100 organizations.

The I.R.S. amassed files based

P2C-

upon political criteria from 1969 to 1973 on 11,000 individuals and groups and later computerized 465,000 names for general intelligence purposes.

The vast list of suspects in this net grew more quickly because of the "vacuum cleaner" techniques of surveillance that poured names of Americans into the files with no clear indication of why they should be there, the report said. The C.I.A., it said, illegally opened some 250,000 first-class letters from 1953 to 1973, producing a "computerized index of nearly one and one-half million names."

The F.B.I. also opened 130,000 letters in eight projects from 1940 to 1966, but its results were not known.

The National Security Agency conducted wholesale scannings of cable traffic leaving and entering the United States as well as certain overseas telephone calls which further filled the files.

Neither one's station in life nor sex, age or political coloration seemed to assure protection against coming under the scrutiny of one of the intelligence agencies.

The "women's liberation movement" was infiltrated by the F.B.I. in several cities, including Kansas City, New York and Baltimore.

The informants who attended the meetings, the report said, "collected material about the movement's policies, leaders and individual members."

Every Woman Named

"One report included the name of every woman who attended meetings, and another stated that each woman at a meeting had described 'how she felt oppressed, sexually or otherwise,'" the committee report said. "Another report concluded that the movement's purpose was to 'free women from the humdrum existence of being only a wife and mother,' but still recommended that the investigation should continue."

The agencies, particularly the F.B.I., were responsive to successive political administrations and willingly conducted domestic intelligence investigations on people the Presidents designated, the report said.

Mr. Roosevelt had the bureau put in its files for scrutiny the names of persons who sent telegrams to the White House opposing his defense policy and who supported Col. Charles Lindbergh, then a strong critic of United States foreign policy.

The F.B.I. gave President Truman reports on a former aide to Mr. Roosevelt who was allegedly trying to influence job appointments. President Eisenhower received political reports on Bernard Baruch, Eleanor Roosevelt and Supreme Court Justice William O. Douglas.

The Kennedy Administration had the F.B.I. wiretap a Congressional staff member, three Agriculture Department officials, a lobbyist and a Washington law firm. Also ordered were taps on newsmen with major publications, the report said. Attorney General Robert F. Kennedy received F.B.I. reports on a secret "bug" placed on a hotel room occupied by a Congressman.

Dr. King's Rooms Bugged

The bug was placed in the wall of a New York hotel room where Howard D. Cooley, Democrat of North Carolina, who was then chairman of the House Agriculture Committee, was to meet foreign officials. The bug procured for Mr. Kennedy, clearly political information on the forces for and against pending sugar legislation in Congress and the information that one foreign official planned to take two congressional secretaries to Bermuda for "reasons other than business," according to the report.

In many cases the investigations and techniques used, the report also said, were only thinly disguised as being for national or domestic security purposes. The committee found records of a meeting at the F.B.I. on Dr. King at which "avenues

of approach aimed at neutralizing King as an effective Negro leader" were discussed. Subsequently, F.B.I. field offices were ordered to continue to gather information on Dr. King "in order that we may consider using this information at an opportune time in a counterintelligence move to discredit him."

Some two weeks later the bureau placed the first of 15 bugs on various hotel rooms Dr. King occupied around the country. These ultimately produced 20 reels of tapes on his personal conversations and activities.

The material was later used to make a tape recording that the bureau sent to Mrs. King to try to discredit and frighten the black leader.

If power or prominence were no protection against attention from the intelligence agencies, obscurity did not help much, either, the report indicated.

The F.B.I. opened an investigation and used informants to report on a 1969 meeting of the Northern Virginia Citizens Concerned About the ABM at a high school auditorium near Washington. The bureau, the report said, got on the case because the meeting had been mentioned in a Communist newspaper. The meeting, a discussion of the merits of the anti-ballistic-missile defense system, was attended by several Department of Defense officials but no particularly prominent persons. Victims of domestic intelligence who were targets of the F.B.I.'s counterintelligence program, or cointelpro, against radicals, the report said:

"The tactics used against Americans often risked, and sometimes caused, serious emotional, economic or physical damage. Actions were taken which were designed to break up marriages, terminate funding or employment and encourage gang warfare between violent rival groups," the report said.

P3C-

Illegal Acts Noted

"Due process of law forbids the use of such covert tactics, whether the victims are innocent law-abiding citizens or members of groups suspected of involvement in violence," the committee noted.

Unlike general domestic intelligence investigations, Cointelpro's activities were designed to harass members of the Communist and Socialist Worker's Parties as well as various black nationalist groups and the Ku Klux Klan.

"In Cointelpro the bureau secretly took the law into its own hands, going beyond collection of intelligence and beyond its law enforcement function to act outside the legal process altogether," the report said.

The acts of disruption ranged from fomenting trouble between the Black Panther Party and Us Inc., a rival black group in San Diego, to trying to get state liquor board investigators to raid a campaign party of an antiwar candidate.

Since the bureau remained anonymous in most of its Cointelpro actions, the victim was never quite sure what had happened.

The "vacuum cleaner" approach to investigations provided the grist for the mills of Cointelpro. Since the bureau collected and stored enormous amounts of personal information on its targets, it had the detail to make anonymous letters about marital infidelity sound plausible.

The report contained no total figures on how many persons have been maligned or injured by domestic intelligence investigations or Cointelpro. The committee recommended that the department of Justice notify all victims of Cointelpro that they had been victims of the program. Attorney General Edward H. Levi announced several weeks ago that the department would be contacting some of the victims.

The committee reported that the F.B.I. still maintains a half million files on domestic intelligence cases and that the files of the Department of the Army have not been destroyed.

P4-

(Mount Clipping in Space Below)

INTELLIGENCE PANEL FINDS F.B.I. AND OTHER AGENCIES VIOLATED CITIZENS' RIGHTS

Findings of Senate Panel

Culpability—Government officials at all levels knowingly took part in illegal activities in a decades-long campaign to which Presidents, Cabinet members and members of Congress "clearly contributed." Presidents from Franklin D. Roosevelt onward, and their aides, have requested or accepted from the F.B.I. politically useful information about opponents and critics.

Scope—The F.B.I., C.I.A., I.R.S., Army Intelligence and other agencies created files on more than half a million United States citizens, opened nearly 250,000 pieces of first-class mail, monitored millions of telegrams and overseas telephone calls, listed 26,000 citizens for detention in a national emergency and subjected many private citizens to secret harassment and programs designed to disrupt their lives and destroy their reputations.

Targets—Groups and individuals subjected to the secret intelligence gathering programs were from all parts of the political and social spectrum. At times the intelligence network focused on the National Association for the Advancement of Colored People, the Ku Klux Klan, anti-Vietnam war groups, the John Birch Society and the feminist movement. Individual targets included the Rev. Dr. Martin Luther King Jr., Maj. Gen. Edwin Walker, congressmen, senators and, at one point, the mail of former President Richard M. Nixon.

Reforms—The committee proposed sharply restricting investigative activities of the Internal Revenue Service and military intelligence. It urged a ban on wiretaps, mail openings and unauthorized entries by the Central Intelligence Agency. All domestic noncriminal intelligence work would be vested in the F.B.I. and monitored by Congress.

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*N.Y. Times
P1*

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FBI - NEW YORK	

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(Mount Clipping in Space Below)

F.B.I.'s Deadly Games

It is axiomatic, but easily forgotten, that a suspension of the liberties of even the most reviled group in a society will dilute the liberties of all since each discretionary suspension of rights leads more easily to the next one. This truth is brought to mind by the release of a study, by the staff of the Senate Select Committee on Intelligence, of the Federal Bureau of Investigation's counterintelligence programs against the Black Panther Party and other "black nationalist-hate groups."

While revelations about Cointelpro activities against Dr. Martin Luther King Jr. have elicited widespread concern and comment, little has been made of the program against the Panthers and other black groups, even though the evidence indicates that those programs may well have been responsible for the death of a number of individuals charged with no crime. That is a large accusation, but three events drawn from committee records suffice to sustain it:

• At U.C.L.A. in 1969, the Black Panthers and US, another black group, were engaged in a violent conflict that had already caused two deaths. The F.B.I. exacerbated the struggle by sending the Panthers inflammatory material, ostensibly from US. After further deaths, the bureau's San Diego office made the following appraisal of its efforts: "Shootings, beatings, and a high degree of unrest continues to prevail in the ghetto area of south-east San Diego. Although no specific counterintelligence action can be credited with contributing to this overall situation, it is felt that a substantial amount of the unrest is directly attributable to the program."

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

N.Y. Times

P40

Re SEN STUDY

Date: *MAY 12 1976*
Edition: *Late City*
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office:

Being Investigated

62-15065-41

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 12 1976	
FBI - NEW YORK	

48-

PIC-

• The F.B.I. sent an anonymous letter to a Chicago gang leader whose organization it characterized as one to which "violent type activity, shooting and the like are second nature." The letter advised the gang leader that the Panthers intended to have him killed, which, according to the F.B.I., was designed to "intensify the degree of animosity between the two groups" and cause "retaliatory action which could disrupt the BPP or lead to reprisals against its leadership." This project apparently failed; there is no record of any violence flowing from it.

• In December 1969 a special unit of Cook County police raided the headquarters of the Illinois chapter of the Black Panther Party. When the raid was over, according to a Federal grand jury which investigated the matter, the police had fired between 82 and 99 shots and the occupants only one. Two Panthers, including Fred Hampton, chairman of the Illinois chapter, were dead. Although the raid was ostensibly carried out to find illegal weapons, F.B.I. internal memorandums indicate both that the bureau took credit for being the sole source for information that led to the raid and that it believed the weapons inside the apartment were purchased legally.

Such reckless endangerment of human life was justified neither by violent rhetoric nor by the fact that while some of the Panthers were undoubtedly idealistic, others were undoubtedly thugs. Yet the Cointelpro activities had no sanction in law and represent the ultimate in governmental lawlessness and arrogance.

F.B.I. Director Clarence M. Kelley asserts that under his direction the bureau has been "purged" of its rancid past, but there is no record that the agents who directed and engaged in such programs were prosecuted for their crimes or even faced administrative discipline. In the absence of any visible internal effort by the bureau to make officials accountable, it is difficult to be entirely comfortable either about the F.B.I. or the liberties of American citizens.

pr

ADIC, NEW YORK (66-1854)
(ATTN: SA DAVID JENKINS #12)

4/12/76

SAC DIV. IV

**COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT (FOIPA)**

During March, 1976, the following estimated hours
were used in responding to an inquiry re captioned matter for
Division IV:

Senstudy - 0 hours Agent's time

- 1- 62-15065
- 1- SAC DIV. IV
- 1- Supv. 48
- 1- File

JCS:dc
(4)

62-15065-42

SEARCHED	INDEXED
SERIALIZED	FILED
APR 12 1976	
FBI-NEW YORK	

ADIC, NEW YORK (66-1854)

5/10/76

SAC DIV. IV

**COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT (FOIPA)**

During April, 1976, the following estimated hours
were used in responding to an inquiry re captioned matter for
Division IV:

Freedom of Information Act:

Agent hours - 12
Clerical hours - 2

① 62-15065 (INFO)
1- SAC DIV. IV
1- Supv. 48
1- File

JCS:dc
(4)

62-15065-43

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 20 1976	
FBI-NEW YORK	

ADIC, NEW YORK (66-1854)

6/9/76

SAC DIV. IV

**COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT (FOIPA)**

During May, 1976, the following estimated hours
were used in responding to an inquiry re captioned matter for
Division IV:

Senstudy:

Agent hours - 1

SWP Law Suit:

Agent hours - 13,480
Clerical hours - 776

- ① 62-15065
- 1- SAC DIV. IV
- 1- Supv. #48
- 1- File

JCS:dc
(4)

62-15065-47

SEARCHED	INDEXED
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6 JUL 15 1976	
FBI - NEW YORK	

107

ADIC, NEW YORK (66-1854)

7/2/76

SAC IV HERBERT A. GRUBERT

**COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT**

During June, 1976, the following estimated hours were
used responding to an inquiry re captioned matter for Div. IV:

SWP Law Suit:

Agent hours - 14,686
Clerical hours - 652

① 62-15065
1- SAC Div. IV
1- #48
1- File

JCS:dc
(4)

62-15065-45

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 2 1976	
FBI-NEW YORK	

ADIC (66-⁸¹⁹⁴~~1854~~)

8/2/76

SAC IV HERBERT A. GRUBERT

COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES,
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT

During July, 1976, the following estimated hours were
used responding to inquiries re captioned matter for Division IV:

SWP LAW SUIT

Agent Hours - 16

Clerical Hours - 3

SCLC LAW SUIT

Agent Hours - 200

Clerical Hours - 10

- 1 - 62-15065
- 1 - SAC IV
- 1 - Section 48
- 1 - File

TJD:ecs
(4)

62-15065-46

SEARCHED INDEXED
SERIALIZED FILED
AUG 10 1976
FBI - MEMPHIS

Terry

ADIC (66-8154)

9/1/76

SAC IV HERBERT A. GRUBERT

**COST OF RESPONDING TO INQUIRIES FROM
OTHER AGENCIES, CONGRESSIONAL COMMITTEES,
AND REQUESTS UNDER THE FREEDOM OF
INFORMATION AND PRIVACY ACT**

During August, 1976, the following estimated hours
were used in responding to inquiries re captioned matter
for Division IV:

SWP Law Suit

Agent Hours - 550

Clerical Hours - 32

① 62-15065
1- SAC IV
1- Section 48
1- File

TJD:dc
(4)

62-15065-47

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 1 1976	
FBI-NEW YORK	

ADIC (66-8154)

10/4/76

SAC IV HERBERT A. GRUBERT

**COST OF RESPONDING TO INQUIRIES
FROM OTHER AGENCIES, CONGRESSIONAL
COMMITTEES, AND REQUESTS UNDER THE
FREEDOM OF INFORMATION AND PRIVACY ACT**

During September, 1976, no time was expended in responding to inquiries re captioned matter by Division IV.

① 62-15065
1- SAC IV
1- #48
1- File

62-15065-481

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 1976	
FBI-NEW YORK	

ADIC (66-8154)

12/1/76

SAC IV JOHN J. SCHWARTZ

**COST OF RESPONDING TO INQUIRIES
FROM OTHER AGENCIES, CONGRESSIONAL
COMMITTEES, AND REQUESTS UNDER THE
FREEDOM OF INFORMATION AND PRIVACY ACT**

During October and November, 1976, no time was expended
in responding to inquiries re captioned matter by Division IV.

62-15065
1- SAC IV
1- #48
1- File

TJD:dc
(4)

62-15065-49

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 10 1976	
FBI - NEW YORK	

SAC ROBERT C. DENZ

10/8/76

SA SUPERVISOR JOSEPH HENGEMUHLE

SENATE SELECT COMMITTEE ON INTELLIGENCE

It is requested that Sub File A be opened on 62-15065
and it will be maintained in the custody of ADIC, NYO.

1 - NY 62-15065
1 - NY 62-15065 A

JFH:mkc

62-15065-50

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 10 1976	
FBI-NEW YORK	

MF

[Handwritten initials]

ADIC (66-8154)

3/1/77

SAC IV ALFRED E. SMITH

**COST OF RESPONDING TO INQUIRIES
FROM OTHER AGENCIES, CONGRESSIONAL
COMMITTEES AND REQUESTS UNDER THE
FREEDOM OF INFORMATION AND PRIVACY ACT**

During February, 1977, no time was expended in responding to inquiries re captioned matter by Div. IV.

- ① 62-15065
- 1- SAC IV
- 1- #48
- 1- File

TJD:dc
(4)

62-15065-51

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 2 1977	
FBI - NEW YORK	

[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

TO : ADIC (66-8154)

DATE: 3/1/77

FROM : *AS* SAC IV ALFRED E. SMITH

SUBJECT: COST OF RESPONDING TO INQUIRIES
FROM OTHER AGENCIES, CONGRESSIONAL
COMMITTEES AND REQUESTS UNDER THE
FREEDOM OF INFORMATION AND PRIVACY ACT

During February, 1977, no time was expended in responding to inquiries re captioned matter by Div. IV.

- 1- 62-15065
- 1- SAC IV
- 1- #48
- ① File

TJD:dc
(4)

dc

62-15065-52

SEARCHED	INDEXED
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MAR 1 1977	
FBI - NEW YORK	

AS



5010-110

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

7/1/77

SUPV. THOMAS J. DOWLING (#48)

COST OF RESPONDING TO INQUIRIES
FROM OTHER AGENCIES, CONGRESSIONAL
COMMITTEES AND REQUESTS UNDER THE
XX FREEDOM OF INFORMATION AND PRIVACY ACT

TO: ADIC (66-8154)

During June, 1977, no time was expended in
responding to inquiries re captioned matter by Division IV.

① - 62-15065
1 - SAC IV
1 - Section 48

TJD:kap
(4)

62-15065-53

SEARCHED	INDEXED	SEARCHED
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JUL 5 1977		
FBI - NEW YORK		
FBI - NEW YORK		

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RR NY

DE HQ #3162 0052249

ZNR UUUUU

R 072101Z JAN 83

FM DIRECTOR FBI

TO FBI NEW YORK ROUTINE

BT

UNCLAS

*Handled 1/17/83
by Dir III R/S*

SENATE SELECT COMMITTEE STAFF VISIT TO THE NEW YORK OFFICE.

REBUCALS TO SAC'S GRAY AND MC GORTY.

BY LETTER DATED JANUARY 3, 1983, SENATOR BARRY GOLDWATER, CHAIRMAN, SENATE SELECT COMMITTEE ON INTELLIGENCE, REQUESTED THAT TWO OF HIS STAFF MEMBERS, JOHN ELLIOTT AND HERBERT CLINE, BE PERMITTED TO VISIT THE NEW YORK OFFICE FOR A TWO-DAY BRIEFING ON THE COUNTERINTELLIGENCE AND TERRORISM PROGRAMS, FBI RELATIONSHIPS WITH OTHER AGENCIES AND OTHER MATTERS OF INTEREST TO THE COMMITTEE.

COORDINATION WITH THE INTELLIGENCE DIVISION AND SAC'S GRAY AND MC GORTY RESULTED IN A CONSENSUS THAT SUCH A VISIT COULD BE PERMISSIBLE, AND DATES FOR THE VISIT OF JANUARY 17 -

Orig routed to Div IV

62-15065-54

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JAN 07 1983	
FBI-NEW YORK	

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PAGE TWO SE HQ 0162 UNCLAS

JANUARY 16, 1983, BEGINNING AT APPROXIMATELY 9:30 A.M. ON
JANUARY 17, 1983, WERE ESTABLISHED. THE STAFF MEMBERS WILL
BE ACCOMPANIED BY REPRESENTATIVES FROM THE INTELLIGENCE
DIVISION AND THE CONGRESSIONAL AFFAIRS SECTION.

ANY QUESTIONS SHOULD BE DIRECTED TO SA BENNIE F. BREWER,
CONGRESSIONAL AFFAIRS SECTION, EXTENSION 4515.

BT

#0162

*Handled 1/17/83
by J. III*

NNNN

VZCZCHQ0275

RR NY

DE HQ #0162 0082209

ZNR UUUUU

R 072101Z JAN 83

FM DIRECTOR FBI

TO FBI NEW YORK ROUTINE

BT

UNCLAS

SENATE SELECT COMMITTEE STAFF VISIT TO THE NEW YORK OFFICE.

REBUCALS TO SAC'S GRAY AND MC GORTY.

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✓	ADIC
✓	SAC 1
✓	SAC 2
✓	SAC 3
✓	SAC 4
✓	SAC 5
✓	SAC 6
✓	SAC 7
✓	SAC 8
✓	SAC 9
✓	SAC 10
✓	SAC 11
✓	SAC 12
✓	SAC 13
✓	SAC 14
✓	SAC 15
✓	SAC 16
✓	SAC 17
✓	SAC 18
✓	SAC 19
✓	SAC 20

1 cc kept in Div III

SAC IV

62-15065-54

SEARCHED	INDEXED
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JAN 07 1983	
FBI-NEW YORK	

ADIC

TB

PAGE TWO DE HQ 0162 UNCLAS

JANUARY 18, 1983, BEGINNING AT APPROXIMATELY 9:30 A.M. ON
JANUARY 17, 1983, WERE ESTABLISHED. THE STAFF MEMBERS WILL
BE ACCOMPANIED BY REPRESENTATIVES FROM THE INTELLIGENCE
DIVISION AND THE CONGRESSIONAL AFFAIRS SECTION.

ANY QUESTIONS SHOULD BE DIRECTED TO SA BENNIE F. BREWER,
CONGRESSIONAL AFFAIRS SECTION, EXTENSIO N 4515.

BT

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PP NY

DE HQ #0155 0111001

ZNY SSSSS

Z 102244Z JAN 83

FM DIRECTOR FBI

TO FBI NEW YORK PRIORITY

ATTENTION: SAC GRAY

ATTENTION: SAC MCGORTY

BT

SECRET

SENATE SELECT COMMITTEE ON INTELLIGENCE (SSCI) STAFF VISIT TO THE NEW YORK OFFICE JANUARY 17-18, 1983.

THIS COMMUNICATION IS CLASSIFIED "SECRET" IN ITS ENTIRETY, UNLESS OTHERWISE INDICATED.

REBUCCALS TO SACS GRAY AND MCGORTY, AND BUREAU, JANUARY 7, 1983, CAPTIONED AS ABOVE. (U)

ON JANUARY 7, 1983, SSCI STAFF MEMBER JOHN WELLY, AND STAFF BUDGET OFFICER HERBERT KLING MET WITH THE INTELLIGENCE DIVISION (INTD) TO DISCUSS DETAILS OF VISIT TO THE NEW YORK OFFICE. (U)

SSCI STAFFERS WISH TO HAVE GENERAL OVERVIEW BRIEFING ON FOREIGN COUNTERINTELLIGENCE (FCI) AND TERRORISM MATTERS WITHIN

*Handled 1/17/83
JGG*

*Orig sent div IV
SAC [signature]*

62-15065-55

SEARCHED	INDEXED
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JAN 17 1983	
FBI - NEW YORK	
<i>JG</i>	<i>oc</i>

PAGE TWO DE HQ 0155 S E C R E T

NEW YORK. THE SSCI STAFFERS ALSO HAVE SPECIFIC SUBJECT MATTERS THEY WISH TO DISCUSS, WHICH ARE SET FORTH HEREIN.

NEW YORK SHOULD BE MINDFUL THAT SSCI STAFFERS MAY INDICATE/12/85
DESIRE TO DISCUSS THE ISSUES SET FORTH HEREIN, IN ~~NEW~~ ^{NEW} DETAIL, ^{PC}
IN AN EFFORT TO "ASSIST" THE FBI IN MEETING ITS FOI
RESPONSIBILITIES. HOWEVER, THE NEW YORK OFFICE IS NOT THE
APPROPRIATE ARENA TO RAISE PROBLEM ISSUES AFFECTING OVERALL FOI
POLICY. NEW YORK'S COMMENTS, AND THE CONTENTS OF ANY BRIEFING
AFFORDED SSCI STAFFERS, MUST BE CONSTRUCTIVE AND POSITIVE, BUT
STRICTLY WITHIN GUIDELINES PROVIDED BY FBIHQ. NEW YORK MAY
COMMENT ON CURRENT RESOURCE REQUIREMENTS REQUIRED TO MEET
HOSTILE INTELLIGENCE THREAT IN THE NEW YORK OFFICE. PENDING
CASES AND OTHER SENSITIVE MATTERS SHOULD NOT BE DISCUSSED, AND
WHILE SSCI STAFFERS HAVE REQUESTED THAT DISCUSSIONS AND BRIEFING
INCLUDE AGENT PERSONNEL, FBIHQ DESIRES THAT MEETINGS BE CONFINED
TO THE SAC/ASACs, AND SELECTED SUPERVISORS. SSA ROBERT E.
HANSEN, BUDGET AND PLANNING UNIT, WILL REPRESENT FBIHQ DURING
BRIEFING AND DISCUSSIONS. 62-15065

BEYOND THE OVERVIEW BRIEFING, SSCI STAFFERS WISH TO DISCUSS
THE FOLLOWING:

Orig sent dw IV

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SEC 11

[Handwritten signature]

PAGE THREE DE HQ 2155 S E C R E T

1) CURRENT FBI RELATIONSHIP WITH THE NATIONAL SECURITY AGENCY (NSA) AND CENTRAL INTELLIGENCE AGENCY (CIA) COMPONENTS IN NEW YORK. THE STAFF MEMBERS HAVE REQUESTED THAT THEY BE GIVEN A TOUR AND BRIEFING AT THE MEGARUT FACILITY. ACCORDING TO SSCI STAFF MEMBER, NSA HAS POSED NO OBJECTIONS, AND INTD HAS NO OBJECTIONS EITHER. HOWEVER, TOUR AND BRIEFING SHOULD BE HANDLED BY THE SUPERVISOR, AND COMMENTARY SHOULD BE GUARDED. UNDER NO CIRCUMSTANCES SHOULD TARGETS BE IDENTIFIED, AND NO DISCUSSION SHOULD ENSUE WITH REGARD TO COVERAGE OF OR PROBLEMS ENCOUNTERED WITH COVERAGE OF NON-HOSTILE TARGETS.

THE RELATIONSHIP BETWEEN FBI AND CIA SHOULD BE CHARACTERIZED AS "EXCELLENT." SSCI STAFFERS REQUESTED THAT INVITATION BE EXTENDED TO NEW YORK CIA FOREIGN RESOURCE DIVISION (FRD) REPRESENTATIVE TO ATTEND THIS PORTION OF THE DISCUSSIONS. THIS REQUEST HAS BEEN DENIED, AND SSCI STAFFERS HAVE BEEN ASKED TO CONTACT CIA/FRD INDEPENDENTLY.

2) UNDERCOVER OPERATIONS AND PROPOSED LEGISLATION BEFORE CONGRESS. SSCI STAFFERS HAVE EXPRESSED INTEREST IN KNOWING VIEWS OF FIELD ON UNDERCOVER OPERATIONS, PROBLEMS, VALUE, ETC. INTD SUGGESTS DISCUSSION BE LIMITED TO CERTAIN "TOPICS"

PAGE FOUR DE HQ 8155 3 F C B E T

OPERATION, AND HOW IT HAS BEEN USED TO ASSESS HOSTILE TARGETS. NEW YORK MAY ALSO WISH TO DISCUSS SOME OF THE ADMINISTRATIVE PROBLEMS INVOLVED IN AN OPERATION OF THIS NATURE (E.G., LEASING SPACE, ETC).

3) ACTIVE MEASURES. SSCI STAFFERS WISH TO DISCUSS NEW YORK'S RESPONSE TO SOVIET INITIATIVES IN THIS AREA. HOWEVER, INTD BELIEVES SSCI MAY ATTEMPT TO CENTER DISCUSSION ON THE CURRENT "PEACE" AND ANTI-NUCLEAR MOVEMENT. NEW YORK COMMENTS SHOULD BE CONFINED TO ACKNOWLEDGEMENT THAT THE COMMUNIST PARTY, U.S.A. IS UNDER INVESTIGATION, AS WELL AS THE XCP, BUT REQUEST THAT FURTHER AMPLIFICATION BE DISCUSSED WITH FRING. NEW YORK MAY WISH TO REFER TO DIRECTOR'S AIRTEL TO ALL SACS, DECEMBER 19, 1982, CAPTIONED "FOREIGN COUNTERINTELLIGENCE GUIDELINES - INVESTIGATIONS OF ORGANIZATIONS," FOR ADDITIONAL INFORMATION ON THIS SUBJECT.

4) TECHNOLOGY TRANSFER. THE AREA OF INTEREST IS FBI RELATIONSHIP WITH U.S. CUSTOMS SERVICE AND CIA REGARDING TECHNOLOGY TRANSFER. THEY WOULD LIKE TO COVER THE "EXODUS" PROJECT AND THE RELATIONSHIPS OF UNDERCOVER OPERATIONS TO TECHNOLOGY TRANSFER.

PAGE FIVE OF HQ 0155 S T O R E P

5) FREEDOM OF INFORMATION ACT.

6) FOREIGN INTELLIGENCE SURVEILLANCE ACT (FISA). HOW IS
FISA SYSTEM WORKING?

C BY: ESO, DCL: OADR

BT

#0155