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Description of document: **US Department of Justice (DOJ) Federal Bureau of Investigation (FBI) FOI/PA high visibility memoranda, 1974 – 1985**

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Source of document: Federal Bureau of Investigation
Record Information/Dissemination Section
170 Marcel Drive
Winchester, VA 22602-4843

Note: Due to the variety of documents and image quality, OCR processing not possible. Therefore this is not a text searchable PDF.

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**U.S. Department of Justice
Federal Bureau of
Investigation
Washington, D.C. 20535**

Subject: FOIPA HIGH VISIBILITY MEMORANDA/1974
THRU 1985
FOIPA No. 0950883- 000 and 1032160

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552

- ☒ (b)(1)
- ☒ (b)(2)
- ☐ (b)(3) _____
- _____
- _____
- ☐ (b)(4)
- ☐ (b)(5)
- ☒ (b)(6)

- ☐ (b)(7)(A)
- ☐ (b)(7)(B)
- ☒ (b)(7)(C)
- ☐ (b)(7)(D)
- ☐ (b)(7)(E)
- ☐ (b)(7)(F)
- ☐ (b)(8)
- ☐ (b)(9)

Section 552a

- ☐ (d)(5)
- ☐ (j)(2)
- ☐ (k)(1)
- ☐ (k)(2)
- ☐ (k)(3)
- ☐ (k)(4)
- ☐ (k)(5)
- ☐ (k)(6)
- ☐ (k)(7)

165 **page(s)** were reviewed and 165 **page(s)** are being released.

☐ Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:

☐ referred to the OGA for review and direct response to you.

☐ referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

☐ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information and Privacy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001 within sixty days from the date of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when identified, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

Sincerely yours,
David M. Hardy



Section Chief
Record/Information Dissemination Section
Records Management Division

Enclosure(s)

The enclosed records are in response to your appeal for FOIA request #0950883 and to FOIA request #1032160.

Please be advised that b6 and b7C were cited for first party requesters, who are still living; FBI Special Agents; and FBI support personnel.

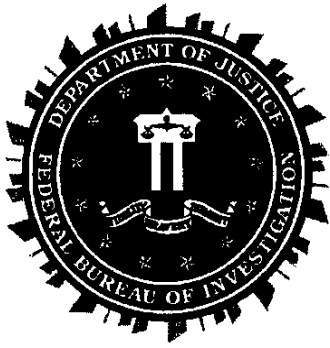
EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute(A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.



FREEDOM OF INFORMATION
AND
PRIVACY ACTS

SUBJECT HIGH VISIBILITY MEMOS



FEDERAL BUREAU OF INVESTIGATION

NOV 1979

Mr. Bailey

David G. Flanders

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) RELEASE TO LEWIS J.
PAPER REGARDING LOUIS D. BRANDEIS**

PURPOSE: To advise of the release of a document which may
result in media interest.

DETAILS: Lewis J. Paper's request for documents concerning
the late Louis D. Brandeis, former Associate Justice
of the United States Supreme Court, states he is planning
to use these materials for publication in a book that will
be widely disseminated to the public.

During October, 1942, Walter Steele of National
Republic Magazine gratuitously made available material concerning
Louis D. Brandeis. Included in this material was a two page
document from Steele's files which indicates that Brandeis
persuaded Mrs. Lillian Peck, his client, to not permit the
sale of a book she had written and which was ready for distribution.
The book detailed her contacts and acquaintance with Woodrow
Wilson while he was a Professor at Princeton University and
President of the United States. The document from Steele's
file concludes that President Wilson later appointed Brandeis
to the Supreme Court to show his appreciation for the settlement
he, Brandeis, had successfully arranged with Mrs. Peck.

An article by Frances W. Saunders appears in the
April/May, 1979, issue of American Heritage entitled, "Love
and Guilt: Woodrow Wilson and Mary Hulbert." The article
sets forth the relationship between President Wilson and

- 1 - Mr. Steel
- 1 - Public Affairs Office
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- 1 - Mr.

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b7c

(CONTINUED-OVER)

dlb:pfb (9)

Memorandum from David C. Flanders to Mr. Bailey
Re: Freedom of Information-Privacy Acts (FOIPA) Release
to Lewis J. Paper Regarding Louis D. Brandeis

Mary Hulbert aka Lillian Peck. The article further relates that Louis Brandeis was President Wilson's go-between in purchasing the silence of Mrs. Hulbert. The article does not indicate that President Wilson appointed Louis Brandeis as an Associate Justice to the Supreme Court of the United States in return for the settlement he had successfully arranged.

RECOMMENDATION: None. For information.

UNITED STATES GOVERNMENT

Memorandum

TO : MR. J. B. ADAMS

1 - Mr. Held
1 - Mr. Adams
1 - Mr. Moore

DATE: 9/9/77

1 - Mr. Leavitt

FROM : T. W. LEAVITT

SUBJECT: BERT LANCE
OBSTRUCTION OF JUSTICE

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir. _____
Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Spec. Inv. _____
Tech. Serv. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

On 9/9/77 at approximately 9:48 a. m., SAC James Dunn, Atlanta, telephonically furnished me the following:

By way of background he advised that the Atlanta newspapers had been carrying reports that former U.S. Attorney John Stokes, Atlanta, has been called to testify in the Lance matter and charged that the Justice Department obstructed justice in the probe of Lance. SAC Dunn advised it had been reported that Stokes would hold a press conference at 10 a. m. in the law office of a business partner. It appeared that the purpose of the press conference was to give comment regarding the alleged obstruction of justice charges.

SAC Dunn advised that he had just received a phone call from the current U.S. Attorney William Harper who informed Dunn that he, Harper, had just been in conversation with Mike Egan who is the Associate Attorney General. Harper indicated that Egan had informed him that he, Egan, was calling for the Attorney General who was concerned with what Stokes may say at the news conference regarding the Department. U.S. Attorney Harper informed Dunn that Egan requested that if it were possible it was desired that a Special Agent attend the press conference if this could be done without identifying himself in order to pay particular attention to statements that Stokes may make regarding the activities of the Justice Department and obstruction of justice. SAC Dunn requested approval to send an Agent to the conference advising that he had an Agent who has just arrived in the office who is totally unknown in the community.

2 SEP 15 1977

I advised SAC Dunn considering the facts presented that he should send an Agent as requested; however, judgment would have to be exercised at the scene depending on the circumstances. For example, if it was a small group the Agent should not attend, however, if it were a large public gathering and the chances of his being recognized or identified negligible then he should participate.

TWL:mah
(5)

CONTINUED - OVER

58 SEP 30 1977

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

Memorandum for Mr. Adams
RE: BERT LANCE

At 11:10 a.m., 9/9/77, SAC Dunn spoke with Inspector P. L. Mack at which time he advised that in accordance with prior discussion with FBIHQ an Agent was dispatched to cover the press conference of former U.S. Attorney Stokes, however, the Agent arrived at the press conference quite late. SAC Dunn stated that there was no problem from the standpoint of gaining access to the conference since it was a relatively large public gathering. Based on what the Agent heard during the time he was present at the conference nothing was said regarding the Justice Department or the FBI falling down on the job. Former U.S. Attorney Stokes did indicate that the background investigation of Lance was furnished to the Executive Branch of the Government but not to the Legislature, but made no comment as to how he arrived at this conclusion. SAC Dunn stated he would monitor the noontime newscasts and would submit a teletype concerning this matter to FBIHQ.

ACTION:

None. For information.

APPROVED: *[Signature]*

[Signature] Director

[Signature] Assoc. Dir.

[Signature] Dep. AD Adm.

[Signature] Dep. AD Inv.

[Signature] Asst. Dir.:

- Adm. Serv. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgmt. _____
- Tech. Serv. _____
- Training _____
- Public Affs. Off. _____

Mr. Bailey

12/17/79

Mr. Bresson

**FREEDOM OF INFORMATION- PRIVACY ACTS (FOIPA)
REQUEST OF FRANK SINATRA, SR.,
FOR RECORDS PERTAINING TO HIMSELF**

PURPOSE:

To advise of the proposed release of 662 pages of material responsive to captioned request.

DETAILS:

Mr. Sinatra, the noted entertainer, by letter dated March 6, 1979, instituted his FOIPA request to the FBI through his attorney, Vincent H. Chieffo, of the firm Rudin and Perlstein, Suite 526, 9601 Wilshire Boulevard, Beverly Hills, California 90210.

By letter dated November 16, 1979, an initial release of 293 pages which did not contain any high visibility material was made to Mr. Sinatra.

Processing of the remaining records has now been completed, and material to be released may raise media attention inasmuch as certain documents relay the impression that the FBI may have, on several occasions between the years 1947 and 1960, leaked to the press information from our files pertaining to Mr. Sinatra. It is not possible for us to determine from the records if there was, in fact, such dissemination.

In addition, material to be released from the "OC" file (confidential file formerly retained by Director Hoover or Assistant Director L. B. Nichols) indexed in Mr. Sinatra's name contains derogatory information relating to the late President John F. Kennedy, who along with Frank Sinatra, Peter Lawford, and Sammy Davis, Jr. allegedly participated in indiscreet sex parties.

- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- 1 - Mr. [REDACTED]

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nlk:vaj (9)

Bresson to Bailey Memo
RE: FOIPA Request of Frank Sinatra, Sr.

Also worthy of note are the facts that Mr. Sinatra was investigated in 1955 relative to alleged Communist Party and/or front organization membership, and that he has associated with organized crime figures such as the Fischetti brothers, Willie Moretti, Lucky Luciano, James Tarantino, Paul Emilio D'Amato, Samuel Giancana, and others. These affiliations include overhears during technical surveillances in which Mr. Sinatra was either a participant or mentioned, never a target.

The material as prepared for disclosure is being held in the FOIPA Disclosure Section by Unit B, Team 1 for review if deemed necessary.

RECOMMENDATION:

None, for information.

Mr. Bailey

12/6/79

T. H. Bresson

FREEDOM OF INFORMATION ACT (FOIA) REQUESTS
FOR INFORMATION REGARDING JEAN SEBERG

PURPOSE:

To advise of an FOIA release being made this week of 224 pages of documents regarding the late actress, Jean Seberg.

DETAILS:

The Freedom of Information/Privacy Acts Branch has received 58 requests for information on Jean Seberg. These requesters have already received 17 pages of preprocessed documents which had been released earlier under the FOIA regarding COINTELPRO, along with some news articles. Several of the above requesters also requested the entire file on Ms. Seberg which has now been processed for release.

The documents being released will show her involvement with the Black Panther Party, an extremist group which was involved in bombings, threats to kill the President, police killings and which advocated the overthrow of the Government. The documents will show Ms. Seberg's being involved in intimate relationships with leaders of black nationalist groups, including one Hakim Jamal, deceased, as well as showing her being picked up on wire taps on Black Panther Party offices in which she discusses her pregnancy.

- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

b6
b7C

DLS/mdir (3)

T. H. Bresson to Mr. Bailey Memorandum
Freedom of Information Act (FOIA) Requests
For Information Regarding Jean Seberg

Certain information was withheld, which includes classified informant data and information regarding others, the release of which it was felt would be an unwarranted invasion of privacy. Consistent with FOIPA Branch policy, names of Bureau personnel below the rank of Section Chief were excised. Documents added to Ms. Seberg's file subsequent to her death, such as internal FBI Headquarters memoranda, are not being considered for release.

RECOMMENDATION:

None. For information.

1/24/80 [redacted] PAO, requested that in addition to a "verbal
memo" which should be prepared at the time we make our release of
the [redacted] material, he would also like to have a copy of the
expected release in order to respond to questions which he anticipates
R/S sent VC [redacted] 1/24/80 no advising 1/24/80 b6 b7C

[redacted]
This is in response to your phone call earlier today.

Information on John Paisley has been requested by four people:

- (1) Bernard Fensterwald for [redacted] received 5/2/79;
- (2) Harry F. Themal, Associate Editor, The News-Journal Company, Wilmington, Delaware, received 5/17/79;
- (3) John W. Williams, McLean, Virginia, received 5/30/79;
- (4) Ralph Treitel, Editor Little Patuxent Revue, Columbia, Maryland, received 2/15/79.

The documents were sent to DCRU on 6/29/79 and were returned the week of 1/21/80. In looking at the addendum, there are numerous referrals to CIA with others to Coast Guard, DOJ, NIS, INS, CSC, and Defense. Two documents have to be reviewed by DRC because they were dated after 12/1/78 and not properly classified at origin.

There are three main files involved and seven "see" references.

The fact that laboratory examinations were done at the request of the Chief Medical Examiner, Baltimore, Maryland, and the Maryland State Police will probably be released.

It is believed that there will be media interest in this case since two of the requesters are associated with newspapers. If past practice of Fensterwald holds true, he will also make it of media interest.

Fensterwald leaves a false impression in his complaint that he was advised by [redacted] that the material would be furnished to him within three months. In actuality, he was advised that the FBI had a three-month backlog and that his request would be assigned to an analyst within six to eight weeks.

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At this time, it cannot be anticipated when the documents will be released. The analyst who has the case assigned is presently processing a case which is older than Fensterwald's. It is anticipated that the older case will be completed within a week.

To date, no documents regarding Paisley have been released to anyone.

[redacted] initiated lawsuit in the U. S. District Court for the District of Columbia on 1/7/80. Fensterwald is acting as her attorney.

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TLW

Mr. Bailey

JAN 1975

David G. Flanders

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) RELEASE TO
ROBIN TONER OF THE CHARLESTON DAILY MAIL NEWSPAPER REGARDING
COMMUNIST ACTIVITIES IN THE UNITED MINE WORKERS OF AMERICA
(UMWA) SINCE 1970**

PURPOSE: To advise of the release of documents located
in file #100-70071 pertaining to communist activities
in the UMWA since 1970 to Ms. Robin Toner of the Charleston
Daily Mail Newspaper.

DETAILS: The FBI has on two occasions since 1970 investigated
alleged communist activities in the UMWA. The
first investigation was instituted in July of 1972, after
receipt of a resolution which was originally sent to Con-
gressman Wampler from a local UMWA union in Virginia.
This resolution alleged that the Miners for Democracy (MFD)
and its leaders were controlled and sympathetic to communism.
Our investigation failed to disclose any real evidence
to the allegations. At that time, Tony Boyle was running
against Arnold Miller of the MFD for the presidency of
the UMWA. Each candidate accused the other of having
connections with the Communist Party.

In December of 1974, several mine workers approached
the FBI with accusations that the Communist Party was dis-
tributing literature at the mines and that several Communists
had infiltrated the UMWA. An investigation failed to
substantiate the allegations.

There were also two brief inquiries into information
provided by third parties. The first concerned a newsletter,
printed by a group called "Concerned Voters," entitled

- 1 - Mr. Steel
- 1 - Public Affairs Office
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- 1 - Mr. [REDACTED]

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ml:pfb (9)

(CONTINUED-OVER)

Memorandum from David G. Flanders to Mr. Bailey
Re: Freedom of Information-Privacy Acts (FOIPA) Release
to Robin Toner of the Charleston Daily Mail Newspaper
Regarding Communist Activities in the United Mine Workers
of America (UMWA) Since 1970

"The UMWA: CPUSA Support for a Militant Union." The
second inquiry pertained to information that the UMWA was
receiving literature from the Communist Party USA. In
each instance, there was insufficient evidence to justify
an investigation.

Toner has indicated in her correspondence that
her FOIPA request is for "journalistic purposes." Therefore,
it is anticipated that this release will be made public
in the near future.

RECOMMENDATION: None. For information.

~~CONFIDENTIAL~~

DATE: 03-17-2008
CLASSIFIED BY 60324 UC BAW/RS/YMW
DECLASSIFY ON: 25X 3.3(1)
03-17-2033

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

CLASSIFICATION PER OGA LETTER
DATED 03-26-2008

dm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

TO : Mr. Bailey

DATE: 1/7/80

FROM : T. H. Bresson

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

SUBJECT: FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST
BY [REDACTED]

PURPOSE:

To advise of release of 587 pages of documents to
[REDACTED] per his FOIPA request.

DETAILS:

This release consists of documents relating to the
following FBI investigations concerning [REDACTED]

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(C)

- 1 - Mr. Boynton
- 1 - Mr. Bruemmer
- 1 - Mr. Steel
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [REDACTED]
- 1 - Mr. Smith

~~CLASSIFIED AND~~
~~EXTENDED BY SP-5-RJG~~
~~REASON FOR EXTENSION~~
~~FCIM, II, 1-2.4.2 2~~
~~DATE OF REVIEW FOR~~
~~DECLASSIFICATION 1-7-2000~~

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jdb/mdr (9)

CONTINUED - OVER



~~CONFIDENTIAL~~

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

FBI/DOJ

~~CONFIDENTIAL~~

Mr. Bresson to Mr. Bailey Memorandum
Freedom of Information-Privacy Acts (FOIPA) Request
By [REDACTED]

b6
b7c

(U)

(U)

5. Also being furnished are several "see" references pertaining to [REDACTED] regarding a former associate and a former acquaintance, both of whom were subjects of FBI security investigations. It is noted that one of the "see" references being furnished was previously released to Professor Sigmund Diamond, Columbia University, with his request for information relating to [REDACTED]. This document was made public by Professor Diamond and apparently prompted [REDACTED] FOIPA request. (U)

There was not any substantial amount of excisions made in this request. The majority of the deletions which were made involved classified material. (U)

- 2 -

CONTINUED - OVER

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Mr. Bresson to Mr. Bailey Memorandum
Freedom of Information-Privacy Acts (FOIPA) Request
By

These documents will be mailed to
on 1-8-80. (U)

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b7C

RECOMMENDATION:

None, for information. (U)

- 3 -

~~CONFIDENTIAL~~

Mr. Bailey

2-11-80

T. H. Bresson

**FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF BENJAMIN E. HALLER, ESQ.
REGARDING DAVID GRAIVER**

PURPOSE:

To advise of Freedom of Information Act release of documents to Mr. Haller, concerning Mr. Graiver, an indicted bank official whose reported death in a 1976 airplane crash in Mexico is now being questioned.

DETAILS:

The Disclosure Section of the Freedom of Information-Privacy Acts Branch is releasing within the week, 479 pages of processed documents regarding David Graiver responsive to the Freedom of Information Act request of Benjamin E. Haller, Esq.

Benjamin E. Haller, Esq., with Hill, Betts and Nash of New York City, represents Walker's Cay Air Terminal, Inc., and Colonial Alliance Corporation, who are respectively the operator and owner of the aircraft involved in the 1976 airplane crash in Mexico.

David Graiver, former official of the American Bank and Trust Company of New York was recently indicted by a Manhattan Grand Jury for the systematic looting of the same bank. Mr. Graiver's supposed demise in an airplane crash in Mexico in August of 1976 is somewhat questionable due to reported sightings of him since that time.

- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- 1 - Mr. [REDACTED]
- 1 - Mr. Smith
- 1 - Mr. [REDACTED]

b6
b7C

(CONTINUED - OVER)

rbj:jch (10)

Memo to Mr. Bailey
Re: Freedom of Information Act (FOIA)
Request of Benjamin E. Haller, Esq.
Regarding David Graiver

David Graiver is the subject of a pending Bank Fraud and Embezzlement investigation opened in 1976. Federal charges have been dismissed, however, he is still under indictment by the Manhattan Grand Jury. Mr. Graiver was also the subject of a Foreign Police Cooperation investigation which has been consolidated into his previously mentioned Bank Fraud and Embezzlement investigation. Mr. Graiver has allegedly been sighted in several foreign countries, sometimes in the presence of his "widow," although, positive proof and apprehension has yet to be achieved.

Release material will include the background into and discovery of the bank crimes for which Mr. Graiver has been indicted, as well as, the history of and detailed investigation into the "fatal" flight, from reservation to crash. Release material does not, however, include information involved in the foreign police cooperation investigation which has been determined to be currently and correctly classifiable.

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This release may result in some publicity since Mr. Graiver is still the subject of considerable press coverage. Due to the pending status of this case, SA [REDACTED] Division VI, was made aware of this release and was furnished the original release for him to review for possible harm. Release was returned to the Freedom of Information-Privacy Acts Branch without revision.

RECOMMENDATION:

None, for information.

Mr. Bailey

10/9/79

T. H. Bresson

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF
[REDACTED]

PURPOSE: To advise of the pending release of documents to [REDACTED] who contacted the Director on April 10, 1979, regarding an investigation of the [REDACTED]

b6
b7C

DETAILS: [REDACTED]

[REDACTED] This file was not in existence when [REDACTED] FOIPA request was processed in 1977. In handling [REDACTED] administrative appeal, this file was located and processed and is available for release.

[REDACTED]

St. Louis advised by airtel dated June 7, 1979, that this investigation was being closed.

Twenty-three of the 28 pages from the 183 investigation are being released. The material being withheld from release consists of information furnished by confidential informants, personal information on other subjects and information referred to the Drug Enforcement Administration (DEA). No unusual disclosure concerning the [REDACTED]

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- (CONTINUED - OVER)
- 1 - Mr. Boynton
 - 1 - Mr. Steel
 - 1 - Mr. Bailey
 - 1 - Mr. Mullen
 - 1 - Mr. Mintz
 - 1 - Mr. Flanders
 - 1 - Mr. Bresson
 - ① - Mr. [REDACTED]
 - 1 - Mr. [REDACTED]

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b7C

bsk:slw (11)

Memorandum from Mr. T. H. Bresson to Mr. Bailey
Re: Freedom of Information-Privacy Acts (FOIPA) Request
of [REDACTED]

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is contained in the 183 investigation other than the allegation of narcotics activities, of which he is aware.

The FOIPA release has been reviewed by SA [REDACTED]
[REDACTED] of the substantive desk in Division 6 who had no objections.

[REDACTED] of the Drug Enforcement Administration (DEA) informed the FOIPA Branch that the DEA does not have an active investigation on [REDACTED]

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RECOMMENDATION: None. For Information.

Mr. Finzel

DEC 1 1980

J. K. Hall

FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO KATHLEEN R. HAYES, AURORA, COLORADO, REGARDING GALYA TANNENBAUM, AKA GLORIA ANN FOREST

PURPOSE: To advise of a release of documents relating to Galya Tannenbaum, who was connected with the case regarding Thomas Riha, a University of Colorado professor who disappeared in 1969 under mysterious circumstances. The release may possibly result in media interest.

DETAILS: Galya Tannenbaum, aka Gloria Ann Forest, Gloria McPherson, Galya or Gloria Zakharovna, and the "Colonel," was the subject of five Bureau main files: 9-14204 (Extortion), 47-40833, 47-54549 (Impersonation), 95-62453 (Forgery) and 105-141518 (IS-R). Requester is receiving material from all of these files with the exception of 95-62453.

She was a key figure in actions preceding and following the disappearance of Thomas Riha from his home in Boulder, Colorado, in 1969. (See attached newspaper clipping.) The Riha case was well publicized in the media including Mrs. Tannenbaum's involvement. According to "The New York Times," Tannenbaum apparently committed suicide on 3/10/71. Periodically the case generates additional articles in Colorado newspapers inasmuch as the disappearance of Professor Riha has not been resolved. No FBI investigation into the disappearance was conducted. Information relating to the Riha case appears in certain of the above files.

RECOMMENDATION:

For information.

- 1 - Mr. Colwell
- 1 - Mr. Steel
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Hall
- 1 - Mr. [redacted]
- 1 - Mr. [redacted]
- 1 - Mr. [redacted]

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cer:jch (11)

Attachment

DC

Mohr

Professor Vanishes at the University of Colorado

BY ANTHONY RILEY
Special to The New York Times

BOULDER, Colo., Jan. 18 — A Czech-born associate professor of modern Russian history has disappeared from the University of Colorado campus.

Thomas Riha, 40 years old, was last seen nine months ago. He left the university abruptly, apparently took nothing with him and left a mysterious trail.

While friends and fellow faculty members fear that Professor Riha may be dead, police officials in Boulder and Denver and the former president of the university, Dr. Joseph Smiley, all insist he is alive.

They say they have spoken to responsible persons in the Federal Government who have assured them of the professor's safety. They refused to say, either publicly or privately, who their sources were.

In Washington, the Federal Bureau of Investigation, the Central Intelligence Agency and the State Department all deny knowing anything about the case and suggest it may be a local police matter.

Professor Riha, born in Prague, came to the United States in 1947. He became a naturalized citizen, and received his bachelor's and master's degrees at the University of California at Berkeley. In 1962 he received a doctorate from Harvard University.

He taught at the University of Chicago and at Marburg University, in West Germany, before moving to the University of Colorado in 1967.

Disappeared Suddenly

Professor Riha disappeared so suddenly that, though normally a neat and precise man, he left personal papers scattered on his university desk where he had been preparing his income tax.

Only one person has maintained that he has been seen since his disappearance the weekend of March 15-16. That is Mrs. Galya Tannenbaum of Denver, an ex-convict who says she has spoken to him and that he is in Montreal.

A number of letters and credit cards signed "Thomas Riha" have turned up, and much of his personal property has been sold or given away.



Prof. Thomas Riha



Mrs. Galya Tannenbaum

Professor Riha's lawyer, Richard E. Hopkins, of Boulder, says he is suspicious of the signatures and the letters.

Though Mr. Hopkins has received letters signed by "Thomas Riha," he said, "I simply don't know whether I've heard from him."

Dr. Smiley, now president of the University of Texas at El Paso, said he was assured of the professor's safety "by what I consider reliable sources" in Washington.

"I repeat my real regret that I can't go beyond what I have said," he said in a telephone interview. "A confidence is still a confidence."

Professor Riha's former wife, Eva, in Brooklyn. The former Hana Hruskova was also born in Czechoslovakia and is 15 years younger than the professor.

At the time of his disappearance she had been gone from their home for a week after a stormy scene in which a neighbor said she saw him, with her clothes spinning of ether, shouting she was afraid acquaintances were trying to kill her.

At the time Professor Riha had already filed divorce papers to end their five-month marriage.

Judgment Still Unpaid

Following his disappearance, Mrs. Riha filed a counter-suit. She won it on Sept. 20 and received a \$5,000 judgment.

Her husband did not appear in court, and the judgment is still unpaid.

The professor's nephew, Zdenek Cerveny, of Lyons, Colo., came to the United States from Czechoslovakia following the Russian invasion in 1968.

Following his uncle's disappearance, Mr. Cerveny said Mrs. Galya Tannenbaum of Denver, whom he had met through Professor Riha, called him and said that the professor would not be back. He said she asked them to dispose of his personal effects.

In the following weeks the professor's car and house were sold and his furniture and papers transferred to Mrs. Tannenbaum's house in Denver. She turned over \$19,000 worth of his small art collection to the Denver Art Museum.

Mrs. Tannenbaum, who spent more than two years in the State Penitentiary at Dwight, Ill., after pleading guilty to forgery and embezzlement in 1959, presented Mr. Cerveny with two pistols and said she was a brigadier general in military intelligence.

She is now awaiting trial Feb. 9 in Denver District Court on charges of forging a will following the death of Gustav Ingvaldson, 78, a friend who died of potassium cyanide poisoning June 16.

- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

UNCLASSIFIED

9-5-80

BY SP2TAR/m

The will was witnessed by Mr. Cerveny, who later repudiated it in Denver probate court.

Another friend of Mrs. Tannenbaum's, Mrs. Barbara Egbert, 51, died Sept. 13 of sodium cyanide poisoning.

Both deaths are listed as suspicious by the Denver police and are under investigation.

- The Washington Post Times Herald _____
- The Washington Daily News _____
- The Evening Star (Washington) _____
- The Sunday Star (Washington) _____
- Daily News (New York) _____
- Sunday News (New York) _____
- New York Post _____
- The New York Times _____
- The Sun (Baltimore) _____
- The Daily World _____
- The New Leader _____
- The Wall Street Journal _____
- The National Observer _____
- People's World _____
- Examiner (Washington) _____

NOT RECORDED

JAN 29 1970

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47-

JAN 30 1970

Mr. Finzel

10/20/80

11/4/80

J. K. Hall

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) RELEASE TO
THOMAS G. CORCORAN**

PURPOSE: To advise the Public Affairs Office of a release of information to Thomas G. Corcoran which may result in media interest.

DETAILS: Thomas G. Corcoran, also known as "Tommy the Cork," was one of a group of so-called "Brain Trusters" of the Roosevelt administration during the 1940's. Our file indicates a great deal of information concerning his activities as a lobbyist and an alleged "fixer" in Washington. He was at one time a member of the National Lawyers Guild. He was a friend and employer of Donald Hiss. He was also reportedly friendly with Alger Hiss.

In 1940 it was reported that Corcoran was the "Brains" behind a campaign to smear J. Edgar Hoover and have him removed as the head of the FBI. It should be noted that Mr. Corcoran advised that he was writing a book on the Roosevelt years in conjunction with the "New York Times" and has been delaying doing so for three years but now indicates the "New York Times" is bearing down on him to finish the book.

Bufile 62-63007 states that the Bureau had Mr. Corcoran under technical surveillance at the request of the White House from June 8, 1945, to April 16, 1947.

Bufile also notes that a technical surveillance was established on the telephone of Mr. Corcoran on April 28, 1948. On May 21, 1948, General Harry H. Vaughn, Military Aide to President Roosevelt, requested that the technical surveillance be removed.

RECOMMENDATION:

None. For information.

- 1 - Mr. Colwell
- 1 - Mr. Steel
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- 1 - Mr.

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sgd:jch (10)

Mr. Finzel

OCT 29 1980

J. K. Hall

FREEDOM OF INFORMATION-PRIVACY ACT (FOIPA) REQUEST OF
ROB WARDEN REGARDING DECEASED GENERAL DOUGLAS MacARTHUR

PURPOSE:

This is to advise of the proposed FOIPA release
of 265 pages of documents in the above-captioned request.

DETAILS:

One hundred twenty-one of these pages are contained
in MacArthur's main Bufile 62-75373. The remaining 144 pages
are contained in Bufiles of other individuals and organizations.
MacArthur's main file is a general administrative correspondence-
type file beginning in March, 1944, and continuing to October,
1973.

The main file discloses MacArthur's general attitude
of disagreement with F. D. Roosevelt's and General Eisenhower's
military policies in March, 1944, and his belief that the person
responsible for subversive leadership in the country was
Supreme Court Justice Felix Frankfurter. One serial reveals
that MacArthur was disapproved as an SAC contact in 1955.

- 1 - Mr. Colwell
- 1 - Mr. Mintz
(Attention: Tom Richardson)
- 1 - Mr. Steel
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- ① - Mr.
- 1 - Mr.
- 1 - Mr.

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b7C

CONTINUED-OVER

erc:bms (13)

Memo Hall to Finzel

Re: Freedom of Information-Privacy Acts (FOIPA) request of
Rob Warden regarding deceased General Douglas MacArthur

In addition, other information pertains to reporting of rumors of various differences that had arisen between MacArthur and the American Naval Command in Australian waters and differences between MacArthur and the Australians in 1942. Further, an unsubstantiated allegation was reported that the Washington Post news columnist Drew Pearson planted a woman with MacArthur in a Chicago hotel room in order to force MacArthur to withdraw a libel suit against Pearson. No date was given when this allegedly occurred.

This request is currently in FOIPA litigation and the material will be reviewed by Warden on Monday, November 3, 1980, in the Reading Room. Releases to Warden have resulted in publication in the media in the past.

RECOMMENDATION:

None. For information.

Mr. Finzel

10/15/80

J. K. Hall

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF
DAVID J. GARROW**

PURPOSE: To advise of a forthcoming release of documents on
October 16, 1980, showing the relationship between
Martin Luther King, Jr., and Stanley David Levison.

DETAILS: Mr. Garrow, a professor at the University of North
Carolina, has requested, under the FOIPA, the files
concerning Martin Luther King, Jr., Southern Christian Leadership
Conference (SCLC), Stanley David Levison and Clarence Jones.

On July 17, 1980, a partial release of 2,364 pages
was sent to Mr. Garrow from the SCLC main file. Since that
time certain previously classified documents have been declassified
by the Document Classification Unit (DCU). These documents
concern the technical surveillance (TESUR) of Levison, a secret
Communist Party member, and will show the link and degree of
influence between Levison and King.

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The declassification of the documents by DCU was closely
coordinated with CI-1-E Unit Chief [REDACTED]
advised that, due to the publication of a book entitled, "Robert
Kennedy and His Times," by Arthur Schlesinger, the information
can no longer be classified. The book, which makes reference
to the Congressional Record relating to the Church Committee Hearings,
lists the dates the TESUR on Levison was installed and discontinued.

On September 9, 1980, Reed Irvine of Accuracy in Media,
Inc., also made an FOIPA request for the file of Levison.

RECOMMENDATION: None. For information.

- 1 - Mr. Colwell
- 1 - Mr. O'Malley
- 1 - Mr. Steel
- 1 - Mr. Roin
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Dean
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

b6
b7C

ves:slw (13)

Mr. Finzel

9/26/80

T. H. Bresson

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST FOR
RECORDS PERTAINING TO THE WATERGATE INVESTIGATION

PURPOSE:

To advise of the forthcoming FOIPA release to be made available to the general public on October 1, 1980, concerning the above-captioned matter.

DETAILS:

The FOIPA Branch is preparing a release of the material contained in the Bureau's central records pertaining to the investigation of the June 17, 1972, burglary at the Democratic National Committee Headquarters, better known as "Watergate."

The initial request for this information was submitted by [REDACTED]

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[REDACTED] Subsequent requests have also been received from John Ehrlichman and Jim Hougan, Washington Editor for Harper's Magazine and others.

In accordance with a United States Department of Justice directive and FOIPA Branch instructions, this investigation has

- 1 - Mr. Colwell
- 1 - Mr. Mintz
- 1 - Mr. Revell
- 1 - Mr. Finzel
- 1 - Mr. Steel
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- ① - Mr. [REDACTED]

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djw:tmc (12)

Memo to Finzel from Bresson

RE: FOIPA REQUEST FOR RECORDS PERTAINING TO THE WATERGATE
INVESTIGATION

been ruled to be of an historical nature. Due to the aforementioned decision, the widespread public interest and press coverage that Watergate received, we have processed this material under a maximum disclosure policy insofar as privacy considerations are concerned.

In keeping with this policy it has been applied to names of Special Agents, witnesses and other individuals who furnished information during the course of the investigation. In effect, names were not withheld, with few exemptions.

It is also noted that this disclosure shows significant roles played by former FBI Special Agents in the activities of the Committee to Re-Elect the President (CREP).

The packet of notes and memoranda relating to Watergate furnished by former Acting Director L. Patrick Gray to the Senate Select Committee has been withheld from disclosure pursuant to subsection (b) (7) (A), because of pending criminal prosecution against him. The existence of these documents has been released, but the itemization and the actual documents have not been made part of the released material.

The proposed release consists of the 50 section main file, Bufile 139-4089 and will be available in the FOIPA Reading Room, Room 1060, JEH Building. The bulkies, enclosures behind file (EBF's) and the sub A (newspaper clippings) will be handled at a later date.

RECOMMENDATION:

For information, inasmuch as media interest can be anticipated.

THE DIRECTOR

11/5/79

J. E. OTTO

**RELEASE OF INFORMATION PURSUANT TO FOIPA
REQUESTS PERTAINING TO INQUIRIES CONDUCTED BY
OFFICE OF PROFESSIONAL RESPONSIBILITY, FBI**

Attached is one copy each of a memorandum from the Planning and Inspection Division to the Department of Justice dated 10/4/79 and response from the Department of Justice dated 11/1/79.

PURPOSE:

To advise you of the Department's policy relative to FOIPA requests for the release of information obtained pursuant to FBI internal investigations.

DETAILS:

On 2/16/79, SA [redacted] formally requested under FOIPA the results of an Office of Professional Responsibility (OPR), FBI, inquiry conducted [redacted] concerning allegations of misconduct made against him by [redacted] On 1/6/79, New York Times reporter David Burnham also filed an FOIPA request for "any records relating to the criminal or administrative investigations of FBI agents concerning alleged or actual improprieties with informants of the Bureau during the past ten years." By memorandum dated 10/4/79 (copy attached), OPR, Planning and Inspection Division (PID), requested OPR in the Department to furnish their views on the release of information gathered by OPR-PID during internal investigations pursuant to FOIPA regulations, such as that information requested by SA [redacted] and Mr. Burnham.

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[redacted] OPR-DOJ, furnished the views of the Department in a memorandum to me dated 11/1/79 (copy attached). Briefly stated, the Department's position is "that since the integrity and effectiveness of the internal investigatory process is likely to be harmed by the release of any information other than that which is very general in nature, internal investigatory files are to be protected from release and all available and arguably pertinent FOIPA exemptions are to be asserted."

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WJF:crt (8)

- 1 - Mr. Colwell
- 1 - Mr. Boynton
- 1 - Mr. Mintz
- 1 - Mr. Balley
- 1 - Mr. Otto
- 1 - Mr. Flanders
- 1 - OPR

Enc.

Memorandum to the Director

Re: RELEASE OF INFORMATION PURSUANT TO FOIPA

RECOMMENDATIONS:

(1) That [redacted] memorandum of 11/1/79 be reviewed by the FOIPA Branch of the Records Management Division for any policy changes that may be appropriate in view of the Department's position stated in [redacted] memorandum.

(2) That any information pertaining to OPR-PID investigations scheduled for release be forwarded to OPR-PID and/or OPR-DOJ for review as requested in [redacted] memorandum.

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REPLY TO
ATTN OF:

OPR

SUBJECT:

Release Pursuant to FOI/Privacy Acts of Information
Pertaining to Inquiries Conducted by OPR/FBI

TO:

John E. Otto, Assistant Director
Planning and Inspection Division
Federal Bureau of Investigation

By memorandum dated October 4, 1979, you asked for our views on the release pursuant to FOIPA of information gathered by the Bureau's Office of Professional Responsibility to Special Agent [redacted] and New York Times Reporter David Burnham. [redacted] has requested his Headquarters Personnel File and the results of an OPR inquiry captioned under his name. Mr. Burnham seeks records relating to investigations (criminal and administrative) of Bureau agents for alleged or actual improprieties with FBI informants during the past ten years. According to your memorandum, Mr. Burnham's request includes copies of the monthly summaries forwarded by the Director to this Office. Your memorandum particularly, and quite appropriately, inquired as to the relationship between the affidavits filed by Executive Assistant Director Colwell and me in support of former Attorney General Bell's affidavit claiming privilege for OPR materials in A.C.L.U. v. City of Chicago and the release of OPR material under FOIPA to Messrs. [redacted] and Burnham.

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The three affidavits you cited set forth the Department's policy on requests, whether through FOIPA or discovery procedures, for internal investigatory material.

The policy set forth very briefly in those affidavits does not, however, apply to personnel files of Department or Bureau employees. Access to Official Personnel files by their subjects, as opposed to OPR main files on investigations into alleged misconduct by Department personnel, is under Department policy to be granted to a subject-requestor to the greatest extent possible. This policy is grounded on the theory that employees should be able at any time to view materials which are supposed to be the basis for all actions taken affecting their status within a component of the Department. Accordingly, unless SA [redacted] personnel file contains documents pertaining to a pending OPR inquiry, the policy briefly sketched in the affidavits does not apply.

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

OPTIONAL FORM NO. 10
(REV. 7-78)
GSA FPMR 41 CFR 101-11.6
5010-112

As to internal investigatory records themselves, our last Annual Report to the Attorney General (copy attached, see pages eight and nine) sets forth the Department's policy. That report, which has been made public, called FOIPA a "serious threat" and said that FOIPA requests "have been almost uniformly resisted." Because a copy of the report is attached, we will not repeat what it says. We want, however, to add the thoughts that follow, since they were purposefully omitted from the Report because it was going to be made public.

The Department's general policy is to comply with the FOIA's strong disclosure mandate, but only to the extent that disclosure will not harm the Department's interests. Internal investigatory materials, however, have always been treated differently from regular investigatory materials for several reasons.

The "pool" of individuals to whom internal investigators can turn for information about alleged misconduct is both "limited" by the total number of employees in a particular Department component and is, at the same time, always the same pool. Because we must repeatedly turn to Department employees for information, one or two instances in which an employee feels that we have not honored a promise of confidentiality (if one has been made) or have not sufficiently limited access to what he or she has told us can "poison the well" much more quickly and thoroughly than similar instances involving private citizens. The best intentioned and most definitively worded regulation requiring Department employees to report wrongdoing by fellow employees or to cooperate with internal investigations is not worth the paper it is printed on once the ripple (that the Department does not adequately protect the identities of those who cooperate) starts to spread through that well. We have a duty to "protect" employees who do cooperate, since they are, in a very real sense, "continuing informants/sources."

We must also be extremely careful in dealing with private citizen complainants and private citizens who cooperate with us. Many of those individuals come to us with a great deal of hesitation since they fear reprisals by federal officials/investigators who have the ability to make their lives miserable. Such individuals must feel that they can come to us, talk to us in confidence, and be assured that their words will not later be indiscriminately reported to anyone who asks for them.

For the reasons just noted, the Department policy is that, since the integrity and effectiveness of the internal investigatory process is likely to be harmed by the release of any information other than that which is very general in nature, internal investigatory files are to be protected from release and all available and arguably pertinent FOIA exemptions are to be asserted. Accordingly, exemption 7(D) (both clauses) is to be used to protect not only the identities of, and information supplied by, private citizens during such investigations and inquiries, but it is also to be used for Department employees. Exemption 7(C) is to be used for both private citizens and employees, and, of course, for the subjects of such files. Exemption 2 is ordinarily not asserted in response to most FOIA requests; as to internal investigatory files, however, Department policy permits and encourages the assertion of exemption 2 to protect employee affidavits and any other material even arguably pertaining to internal procedures. The assertion of exemption 2 is considered justified because of the Department's policy of issuing public reports on internal investigations in those instances in which it is felt that there is, in fact, legitimate, widespread public interest in the outcome of and methodology used in those investigations. Such reports are infrequent because very few internal inquiries, in the Department's view, require such dissemination. Exemption 5 is also to be asserted whenever possible.

The policy just set forth is implemented by a file review which starts with the proposition that every document in an internal investigatory file is presumptively not to be released pursuant to FOIA because harm will result. If particular documents are found which clearly cannot compromise any of the concerns set forth above, those documents, and only those documents, can and should be released to a requester. When the requester is a third party, it is expected that no documents will be released to him if his request asks for specific information relating to particular investigations. When the requester is a party to the investigation, very little should be released.

Regarding SA [] and Mr. Burnham's requests, it is possible that some information should be released to both. Before any release is made, however, we would like to review the actual materials proposed for release.

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attest

I hope the foregoing discussion will be of assistance to you.



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Office of Professional Responsibility

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offense, the quality of the case and its chances for successful prosecution. We have yet to sustain one of these allegations and have concluded that allegations of this type frequently, but not always, are made solely to delay an investigation, indictment, or trial.

Another problem, one which constitutes a serious threat to our ability to remain a viable entity within the Department, results from attempts to gain access to our files. These attempts, whether through the civil discovery process, the Freedom of Information Act, or otherwise, have been almost uniformly resisted. The Office was created to oversee the internal inspection operations of this Department and to conduct investigations ourselves as necessary. Our ability to conduct our own inquiries and investigations, and to receive allegations whether or not we investigate them ourselves, depends on the cooperation of Department employees and private citizens. Frequently, we extend promises of confidentiality to such individuals, after a thorough discussion of the "ground rules" and terms of these promises. Where we do not extend such promises (usually because the allegation cannot be pursued without "surfacing" the complainant or witness), we make it absolutely clear that any information furnished to us will be disseminated on an extremely limited, strictly enforced "need-to-know" basis. Our experience has been that, without such promises, many individuals with relevant information simply would not have come forward or would not have spoken to us so candidly.^{3/} A potential

^{3/} During the initial stages of one investigation, we discussed with a complainant and his attorney the possibility of our using our authority to conduct a strictly criminal investigation and convene a grand jury to receive his allegations. The attorney was interested in this procedure so that his client's statement would be protected by Rule 6(c) of the Federal Rules of Criminal Procedure. We explained that we had exercised that authority very rarely and were hesitant to do so in that case because of the great expense to the Government in both money and time. It was finally agreed that a limited promise of confidentiality would be sufficient and we did receive the client's allegations. Also, we have repeatedly had to assure individuals who supplied us with information that their statements would not be released pursuant to an FOIA request.

interviewee's or complainant's perception of our ability to honor a promise of confidentiality or to limit access to any information provided without such a promise, is as important, in our judgment, as the reality of our ability to honor such a promise. If a person who has not yet come forward with relevant information thinks that what he may relate to us can be obtained by those without a need-to-know--no matter how baseless that thought may be--then that person will often simply not talk to us. Such individuals do not, and should not be expected to, draw the distinction between a release ordered by a court pursuant to a discovery motion, a release pursuant to an FOIA request, a story based upon a "leak" and a release made by persons in this Office for other reasons. That individual knows that information furnished to us by some previous interviewee or complainant was released and that alone is enough to chill his willingness to speak to us. It is our view that the interest of this Department and the general public is clearly better served by preserving our ability to gather information pertaining to employee misconduct than it is by releasing such information to those who may have a casual interest in a matter or to those who were involved in an inquiry. We will continue to adhere to this policy of non-disclosure as well as our policy of serving the legitimate interests of the public in learning what we do and how we do it by issuing public reports on matters of significant public interest and by cooperating fully with reviews or audits of this Office and its operations by appropriate Committees of the Congress and the General Accounting Office.

A third problem is not a new one and pertains to allegations of improper disclosures to the news media. Because we had found that "leak" investigations are, in terms of being able to identify the source of a leak (and possibly also in terms of deterrent effect), generally futile exercises, we had adopted a policy of not investigating any leak unless requested to do so by the Attorney General or a federal judge. We have now decided to alter that policy somewhat and also investigate those allegations of improper disclosures in which it is clear initially that the disclosure had to have been made by a Department employee. So many individuals are usually involved in an investigation from which there has been a "leak" that it is impossible to

[REDACTED]
Office of Professional Responsibility, DOJ

October 4, 1979

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John E. Otto, Assistant Director
Planning and Inspection Division

**RELEASE OF INFORMATION TO REQUESTOR
CONCERNING PERSONNEL MATTER INQUIRIES
CONDUCTED BY OFFICE OF PROFESSIONAL RESPONSIBILITY,
PLANNING AND INSPECTION DIVISION, FBI HEADQUARTERS,
UNDER FREEDOM OF INFORMATION/PRIVACY ACTS REQUESTS**

As you will recall, affidavits were filed in the U. S. District Court for the Northern District of Illinois, Eastern Division, by former Attorney General Griffin B. Bell, Executive Assistant Director Lee Colwell, and you in regard to an American Civil Liberties Union suit wherein the City of Chicago, Illinois, was the defendant.

For your information, Special Agent (SA) [REDACTED] by a formal request dated February 18, 1979, has requested under the provisions of the Freedom of Information/Privacy Acts (FOIPA) not only the material contained in his FBI Headquarters personnel file, but also the results of an Office of Professional Responsibility (OPR), FBI, inquiry as contained in a report captioned [REDACTED] Indianapolis Division, Personnel Matter," dated February 9, 1978, which was prepared by SAs [REDACTED] and [REDACTED] of the OPR-FBI staff.

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As a result of this inquiry, OPR-FBI elicited the opinions of our Legal Counsel Division as to whether or not the investigative report could be exempt from disclosure in order to protect the identities of current and former FBI employees who had furnished comments during the official OPR-FBI inquiry in February 1978. It was the opinion of our Legal Counsel Division that while certain exemptions could be claimed which would exclude portions of the report, there was no basis for withholding this report in its entirety.

To date, the FOIPA Section, Records Management Division, FBI Headquarters, has not released information to SA [REDACTED] however, this excised information has been prepared and is being held in abeyance awaiting the opinion of our Legal Counsel Division.

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JWD:crt (10)

1 - Mr. Eoynton

1 - Mr. Colwell

1 - Mr. Otto

1 - OPR

See Note on Page 2.

1 - Mr. Mintz

1 - Mr. Bailey

1 - Mr. Long

the

[REDACTED]

Additionally, New York Times reporter David Burnham on January 8, 1979, filed an FOIA request for "Any records relating to the criminal or administrative investigations of FBI agents concerning alleged or actual improprieties with informants of the Bureau during the past ten years." Mr. Burnham is aware of OPR-FBI's monthly summary furnished to your office which sets forth allegations of misconduct against Bureau employees and disciplinary action taken in regard thereto.

In light of the previously filed affidavits concerning the American Civil Liberties Union matter in Chicago, we are seeking your counsel and advice as to what effect the release of material to SA [REDACTED] and Mr. Burnham will have on the affidavits filed by Attorney General Bell, Mr. Colwell and you. We would appreciate a response from your office prior to the release of any information to these requestors.

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Note: The above letter requests opinion of [REDACTED] as to the impact of the release of OPR-FBI investigative report concerning SA [REDACTED] GS 13, EOD [REDACTED] (For details see L. Colwell memorandum to Mr. Bailey dated 3/15/79, captioned as above.) Additionally, see Legal Counsel memorandum to Assistant Director, Planning and Inspection Division, dated 10/1/79, captioned "Freedom of Information Act Request of David Burnham, 'New York Times,'" for details regarding Mr. Burnham's request.

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Mr. Pinzel

9/18/80

J. K. Hall

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF
[REDACTED]

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PURPOSE:

To advise of the impending FOIPA release of information
to former Special Agent [REDACTED]

SYNOPSIS:

The FOIPA Branch has processed and will release to
[REDACTED] 1631 pages of documents from his personnel file and
the personnel files of former Special Agent [REDACTED] and
current Special Agent [REDACTED]. It is possible that this
material may be used by [REDACTED] as the basis for a new book
concerning the FBI.

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RECOMMENDATION:

For information. The FOIPA Branch plans to make the
release immediately upon receipt of [REDACTED] payment of
fees.

Enclosure

- 1 - Mr. Colwell (Enclosure)
- 1 - Mr. Steel (Enclosure)
- 1 - Mr. Young (Enclosure)
- 1 - Mr. Pinzel (Enclosure)
- 1 - Planning and Inspection (Enclosure)
Attention: Mr. Flanders
- 1 - Mr. Bresson (Enclosure)
- 1 - Mr. Hall (Enclosure)
- ① - Mr. [REDACTED] (Enclosure)

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unt:tmc (11)

Memo to Mr. Pinzel
RE: FOIPA REQUEST OF [REDACTED]

DETAILS:

By letter dated January 7, 1979, (copy attached), former Special Agent [REDACTED] requested the following items pursuant to the FOIPA:

1. His personnel file;
2. Any file pertaining to [REDACTED] including the files of the "Inspection Division";
3. Files of the Office of Professional Responsibility;
4. Any files of former Special Agent [REDACTED] [REDACTED] and [REDACTED] or any other files where [REDACTED] name may be mentioned;
5. Personnel files contained in the SAC's safe in the New York Office;
6. Any other personal and confidential files in existence which concern [REDACTED] or any incident where his name may be mentioned.

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The FOIPA Branch interpreted this request as including any records pertaining to the investigation conducted into the allegations of unlawful conduct on the part of former SA [REDACTED] [REDACTED] of the New York Division as well as SA [REDACTED] own personnel file.

The FOIPA Branch reviewed and processed the following files relative to this matter:

[REDACTED] et al.,
Bribery - Perjury
Bureau file [REDACTED]

[REDACTED]
Personnel file
Bureau file [REDACTED]

[REDACTED]
Personnel file
Bureau file [REDACTED]

[REDACTED] (Now assigned Newark)
Personnel file
Bureau file [REDACTED]

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CONTINUED - OVER

Memo to Mr. Finzel
RE: FOIPA REQUEST OF [REDACTED]

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At the request of Deputy Assistant Director Thomas H. Stoy (since retired), Office of Professional Responsibility (OPR), Planning and Inspection Division, the documents proposed for release were reviewed by Special Agent [REDACTED] Records Management Division. SA [REDACTED] was the Agent who handled the investigation for OPR. SA [REDACTED] had no objection to our proposed release.

The Documents were also reviewed by a representative of Criminal Investigative Division, Organized Crime Information System/Top Echelon and Criminal Informant Matters Unit.

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[REDACTED] is the former Agent who authored the book [REDACTED]. It is possible that he is seeking the documents being released in an effort to gather material for a new book.

The material released to [REDACTED] pertains to our investigation of an allegation of corruption on the part of former Special Agent [REDACTED]. Specifically, on February 8, 1973, [REDACTED] was accused by [REDACTED] of having accepted a bribe from La Cosa Nostra member, John Caputo, to in some way abort the prosecution of a four count Federal gambling indictment of the latter. Actually, [REDACTED] was merely the conduit of the information inasmuch as he obtained same from Special Agent [REDACTED] who had been taken into the confidence of [REDACTED]. The subsequent administrative inquiry failed to conclusively establish that [REDACTED] had, in fact, accepted a bribe from Caputo; however, all three Agents suffered varying degrees of disciplinary action for their apparent exercise of poor judgment.

As a result of media inquiries stemming from ultimate prosecution of Caputo on perjury charges in 1975, this investigation was reopened at the behest of, and under the supervision of, the Department of Justice. New evidence was developed concerning wrongdoing on the part of [REDACTED] avoided the spectacle of a trial by pleading guilty and was subsequently sentenced to 1 year in prison which he has served.

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② [REDACTED]
③ MATTITUCK, NEW YORK 11952

7 JANUARY 1979

F.B.I. HEADQUARTERS
WASHINGTON, D.C.

ATTENTION: FREEDOM OF INFORMATION-PRIVACY ACTS (F.O.I.P.A.) SECTION

SIRS:

I THE UNDERSIGNED, [REDACTED] AM A FORMER SPECIAL AGENT, CREDENTIAL [REDACTED] WHO RETIRED ON A DISABILITY PENSION IN NOVEMBER 1973. IT IS RESPECTFULLY REQUESTED A REVIEW OF DOCUMENTS, FILES, AND RECORDS, BE CONDUCTED FOR RETRIEVAL OF ANY INFORMATION RELATING TO ME. THIS REVIEW SHOULD INCLUDE, BUT NOT BE LIMITED TO, THE FOLLOWING:

- 1 PERSONNEL FILE
- 2 ANY FILE PERTAINING TO ME, INCLUDING FILES OF THE INSPECTION DIVISION, WASH., D.C.
- 3 FILES OF THE OFFICE OF PROFESSIONAL RESPONSIBILITY
- 4 ANY FILES OF FORMER SPECIAL AGENT [REDACTED] AND [REDACTED] OR OTHER FILES WHERE MY NAME MAY BE MENTIONED
- 5 PERSONNEL FILES CONTAINED IN THE SAC'S SAFE IN THE NEW YORK OFFICE
- 6 ANY OTHER PERSONAL AND CONFIDENTIAL FILES IN EXISTENCE, WHICH CONCERNS ME OR ANY INCIDENT WHERE MY NAME MAY HAVE BEEN MENTIONED

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PLEASE FORWARD COPIES OF THE MATERIALS REQUESTED TO ME AT THE ABOVE ADDRESS. I WILL BE HAPPY TO BEAR ANY EXPENSES INCURRED HEREWITH.

VERY TRULY YOURS

HP
drc
[REDACTED]

THB ndv. inc
1/12/79
fm

LYNNE CARLSON
NOTARY PUBLIC, State of New York
No. 52-4661414
Qualified in Suffolk County
Commission Expires March 30, 1979

Lynne Carlson

Wooden
6958

FOIA

Mr. Finzel

8/28/80

T. H. Bresson

**FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF ATHAN THEOHARIS
REGARDING O & C FILES OF LOUIS NICHOLS**

Reference is made to my memorandum to Mr. Bailey dated April 29, 1980, captioned as above.

PURPOSE:

To advise of FOIA release to Mr. Theoharis which includes information on former Chief Justice Earl Warren and former Supreme Court Justice Arthur Goldberg.

DETAILS:

There have been 421 pages processed for release which include three pages on Arthur Goldberg, a former Supreme Court Justice who later became U. S. Ambassador to the United Nations. The material is biographical and mentions his holding the position of President, Chicago Chapter, National Lawyer's Guild and membership in the National Executive Board of that organization.

This release also includes six pages pertaining to former Chief Justice Earl Warren. This information contains a congratulatory letter from former Director Hoover. It also shows cooperation extended by the Bureau in connection with activities of Justice Warren's daughter, [redacted] who had been invited to Aspen, Colorado, for a weekend with a particular group of young people. The Bureau made inquiry about the group for Justice Warren.

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- 1 - Mr. Colwell
 - 1 - Mr. Steel
 - 1 - Mr. Young
 - 1 - Mr. Finzel
 - 1 - Mr. Bresson
 - ① - Mr. [redacted]
 - 1 - Mr. Smith
- djs:jmr (8)

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CONTINUED OVER

Memorandum to Mr. Finzel

RE: Freedom of Information Act (FOIA)
Request of Athan Theoharis
Regarding O & C Files of Louis Nichols

Other topics in this release are John L. Lewis, Drew Pearson, Eleanor Roosevelt, Kermit Roosevelt, Harry S. Truman, and Walter Winchell. No information is contained in these folders which is of particular interest other than the obvious notoriety of these individuals.

This release is expected to be made on September 10, 1980.

RECOMMENDATION: None. For information.

July 31, 1980

Mr. Bailey:

Re: Fee Waiver Issue on Request by
Harold Weisberg for the John F.
Kennedy and Martin Luther King
Assassinations

Attached for your information is Jack Anderson's column from this morning's Washington Post, July 31, 1980, concerning a fee waiver issue on the Kennedy and King assassinations. Also attached is a self-explanatory copy of our letter dated July 1, 1980, advising Weisberg of our decision in this matter.

The attached letter sets forth the fact that the FBI, in compliance with a court order, has released and will release a considerable amount of material to Weisberg at no charge to him. It is believed that the court order was specific as to scope, referring to material scheduled for release on January 18, 1978. Weisberg has made additional requests for material after the court order, which we do not believe is included in that order.

Tom Bresson

Enclosures - 2

1 - Mr. Bresson (Encs-2) b6
1 - Mr. [] (Encs-2) b7C

WEW/pcn
(3)

JACK ANDERSON

The Big Lie and U.S. Oil Studies

The "so what else is new" headline of the year may well be the one in The New York Times the other day: "U.S. Oil Companies Are Held Blameless in '79 Gas Shortage."

This astonishing verdict, exonerating Big Oil of responsibility for gas lines and huge price increases, was rendered by bureaucrats in President Carter's Justice and Energy departments. And if it sounds familiar, it's because a preliminary "investigation" by DOE reached an identical conclusion last year.

The earlier report was labeled a "whitewash" by knowledgeable critics of the oil industry, and it's clear the whiteness of the government's bureaucratic calcimine has grown no less blinding in the months since then.

To hear the Carter administration tell it, Big Oil's skyrocketing profits in the past 18 months might as well have been manna from heaven, so unconnected were they to any misconduct by the oil companies.

In what has become an endlessly repeated theme of the administration, the two latest reports blame last year's oil shortage on a drop in imports caused by the cutoff of Iranian supplies.

As I have reported more than once, with unrefuted documentation, the government's own figures show that the United States actually imported more oil after Iran cut us off than we had the year before, because other oil-producing nations rushed in with emergency shipments that more than made up for the shortfall in Iran.

The Iranian cutoff excuse, to put it bluntly, was a lie, and Carter knew it. In the best Big Lie technique, however, he apparently hopes that constant repetition will persuade the ripped-off American public that Iranian revolutionaries

were to blame for the gasoline crisis last year and, therefore, can be blamed for the next inevitable gas crunch.

The administration's persistent refusal to lay any blame on the oil barons is understandable: If the truth ever comes out, the government, particularly the Department of Energy, will have to share the blame with Big Oil. My own investigation, and those of experts in the field, show that both had much to gain from an artificially created shortage last year.

Highly reliable industry sources have suggested to my associate Dale Van Atta that the temporary shortage was concocted by the Carter administration and the oil industry. Carter wanted a dramatic crisis to convince the public of the need for long-term conservation; the oil companies were happy to connive in a situation that would — and did — bring them unprecedented price increases.

One who was not bedazzled by the latest administration whitewash was Sen. Edward M. Kennedy (D-Mass.). He promptly drafted private letters to Justice and DOE, pointing out "wide discrepancies" in the two agencies' reports and challenging the seriousness of their investigations.

Kennedy wants to know, among other things, why there was no analysis of the 1978 international oil market; why different time periods were compared to different base periods; why oil industry projections were apparently used unquestioningly, and why, most incredibly of all, no internal oil industry documents were subpoenaed.

Getting It in the Neck — While the Carter administration is professing the customary election-year sympathy for the elderly, its stubborn bureaucrats are denying hundreds of older Americans Medicare payments for a neck operation

that can relieve the agony of asthmatic choking.

Even though the Health and Human Services Department's appeals council has repeatedly ruled the operation "reasonable and necessary," and an internal HHS memo admits that refusal to give Medicare reimbursement "works a hardship" on elderly patients, the department persists in its hardhearted attitude.

The surgery in question, pioneered by Dr. Benjamin Winter, involves the removal of two gland-like carotid bodies in the neck for victims of certain severe lung diseases. While it doesn't cure the disease, it often ends the gagging that is a debilitating symptom.

HHS policymakers, citing statistics that show post-operative mortality is high, refuse to sanction the operation. In fact, however, the mortality rate for those with these diseases in the same age group is as high or higher if no surgery is done.

FBI as Scrooge — Thumbing its nose at a federal judge's decision, the FBI has effectively denied access to its files on the John F. Kennedy and Martin Luther King assassinations to a respected critic of the Warren Commission.

The critic, Harold Weisberg, 67 and ailing, has written seven books on the assassinations. In 1978, Judge Gerhard Gesell ruled that Weisberg, whose only regular income is Social Security benefits, qualified for a waiver of duplicating fees.

But now the bureau has told Weisberg he must pay for document copies — knowing he can't afford it. Cynically, the FBI said Weisberg can look at records in the agency's reading room — though it knows also that a progressively disabling circulatory ailment makes the 50-mile trip from his Maryland home both painful and dangerous.

1 - Mr. Mintz
Attn:
1 - Mr. Flanders
1 - Mr. Bresson

JUL 1 1980

Mr. Harold Weisberg

Dear Mr. Weisberg:

On January 16, 1978, United States District Judge Gerhard Gesell ordered the Federal Bureau of Investigation to make a copy of the materials concerning the assassination of President John F. Kennedy which were scheduled for release on January 18, 1978, available to you at no charge. By letter dated March 31, 1978, to your attorney, Mr. Lesar, the Department of Justice advised you that records of the Department of Justice compiled pursuant to the investigations of the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr., would be furnished to you pursuant to your requests under the Freedom of Information Act (FOIA) without charge. As a result, a considerable volume of material from our Headquarters and a number of our field offices has been furnished to you at no charge.

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However, after the granting of this fee waiver, you have made additional requests for material which you believe is related to the assassinations and for which fees should also be waived.

The fee waiver granted by Judge Gesell was specific as to scope in that it particularly referred to the materials scheduled for release on January 18, 1978. The Department of Justice letter of March 31, 1978, did not specifically address to what extent the waiver would be applicable. This letter, signed by Mr. Quinlan J. Shea, Jr., on behalf of Attorney General Civiletti, who was then the Acting Deputy Attorney General, described the waiver as being applicable to "records of the Department of Justice compiled pursuant to the investigations of the assassinations of President Kennedy and Dr. Martin Luther King, Jr." It is our understanding that this precise wording was not chosen for the specific purpose

SEE NOTE PAGE FOUR

Exec AD Inv. _____
Exec AD Adm. _____
Asst. Dir. _____
Adm. Serv. _____
Crim. Inv. _____
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Intell. _____
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Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Serv. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

MAIL ROOM ☒

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Mr. Harold Weisberg

of deciding an issue as to the scope, since the question of scope was not a matter under consideration at the time. It is clear that a reasonable limit may be placed on the waiver granted after material contained in the records of our main case files of the Kennedy and King assassinations has been processed pursuant to the FOIA.

After a thorough consideration of this matter it has been determined to limit the fee waiver to the material which has already been sent to you, and the following specific items:

- (1) The Dallas Field Office special index (3 X 5 index) to the Kennedy assassination materials;
- (2) A cross-reference (to be prepared) of previously released New Orleans Kennedy assassination documents to those from Dallas and FBI Headquarters (FBIHQ);
- (3) Documents from the Dallas and New Orleans Kennedy assassination materials which you were advised had been previously processed at FBIHQ, but which we are unable to locate in the materials released from FBIHQ;
- (4) Documents concerning either assassination which were referred by the FBI to other government agencies, whenever those documents are returned to the FBI for release.

However, customary duplication and search fees will be assessed for all other materials requested by you such as, but not limited to, your December 4, 1979, request for FBI records furnished to certain Congressional Committees during their investigations of the King and Kennedy assassinations, and your May 22, 1980, request for documents pertaining to the processing and release of Kennedy assassination records previously disclosed under the FOIA.

Among the factors considered in reaching this determination were the amount of material already provided to you at no charge, the relationship of the records requested to the King and Kennedy assassinations investigations, and the thorough examination of both assassinations which

Mr. Harold Weisberg

was recently conducted for the public's benefit at public expense by the United States Congress. With regard to the latter, for example, a report was published and made available to the general public by the House Select Committee on Assassinations. This report released a great deal of information from FBI files which had been reviewed by the committee in its inquiry. Therefore, further release of documents to you would not, in our opinion, be of any measurable benefit to the public.

In view of the above, and in conformance with the requirements set forth in Title 28, Code of Federal Regulations, Section 16.9, processing of material responsive to your pending requests, except as delineated above, is being suspended until you indicate those requests or parts of requests for which you are willing to pay customary search and duplication fees. To assist you in your decision, we are willing to provide you with cost estimates on any materials you designate, before you commit yourself to pay the required fees and tender any advanced deposit which may be necessary under the aforementioned section of the Code of Federal Regulations.

If you so desire, you may appeal this decision to terminate your fee waiver. Appeals should be directed in writing to the Associate Attorney General (Attention: Office of Privacy and Information Appeals), United States Department of Justice, Washington, D. C. 20530, within thirty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

Sincerely yours,

DAVID G. FLANDERS

David G. Flanders, Chief
Freedom of Information-
Privacy Acts Branch
Records Management Division

- 1 - Mr. Vincent Garvey
Federal Programs Branch
Civil Division
- 1 - Mr. Quinlan J. Shea, Jr.
Director, Office of Privacy and
Information Appeals
Office of the Associate Attorney General

Mr. Harold Weisberg

NOTE: This letter to Mr. Weisberg follows concurrence by Associate Attorney General John Shenefield in the FBI's recommendation that Mr. Weisberg's fee waiver be terminated. (See memorandum dated April 21, 1980, from Deputy Associate Attorney General Nelson G. Doug to Assistant Attorney General Alice Daniel of the Civil Division.) The recommendation and this letter were coordinated with attorneys Vincent Garvey, William Cole, and Daniel Metcalf of the Civil Division by SA [REDACTED] LCD, who furnished the following comments:

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The administrative determination made by the FBI (in consultation with the Civil Division, Office of Privacy and Information Appeals, and Associate Attorney General), is appropriate under current law, and, accordingly, defensible in U. S. District Court for the reasons herein-after following:

The applicable statute supporting any decision not to waive duplication fees for processing FOIA requests is Title 5, U.S.C., Section 552(a)(4)(A), which reads in relevant part:

In order to carry out the provisions of this section, each agency shall promulgate regulations ... specifying a uniform schedule of fees Documents shall be furnished without charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. (Emphasis added)

Pursuant to this statutory authority, the DOJ has promulgated regulations published in Title 28, C.F.R., Section 16.9(a), which reads in part:

When charged. Fees pursuant to 31 U.S.C. 483a and 5 U.S.C. 552 shall be charged ... unless the official of the Department making the initial or appeal decision determines that such charges, or a portion thereof, are not in the public interest because furnishing the information primarily benefits the general public. Such a determination shall ordinarily not be made

Mr. Harold Weisberg

NOTE: (CONTINUED)

unless the service to be performed will be of benefit primarily to the public as opposed to the requester, or unless the requester is an indigent individual

Decisions rendered pursuant to Title 5, U.S.C., Section 552(a)(4)(A) are relegated to the sound discretion of the federal agencies and are not subject to the same de novo judicial review that can be afforded under Title 5, U.S.C., Section 552(a)(4)(B). (See, eg., Burke v. Department of Justice, 432 F. Supp. 251, 252 (D. Kan. 1976), Aff'd, 559 F. 2d 1182 (10th Cir. 1977); Fitzgibbon v. CIA, et al., Civ. Act. No. 76-700 (D.D.C., Jan. 10, 1977); Lybarger v. Cardwell, 438 F. Supp. 1075, 1076, n.1 (D. Mass. 1977); Aff'd, 577 F. 2d 764, 766 (1st Cir. 1978); Klostermeyer v. Egan, et al., Civ. Act. No. C 79-32 (N.D. Ohio Aug. 20, 1979); see, also, H. Rep. No. 93-1380 (Conference Report To Accompany H.R. 12471), 93'd Cong., 2d Sess., at 8 (original version of Title 5, U.S.C., Section 552(a)(4)(A) amended in conference committee to "retain the agency's discretionary public interest waiver authority.") These Courts, however, in reviewing agency fee waiver denials, exercised a limited form of judicial review according to the general Administrative Procedure Act (APA) review standards, and should readily uphold such an agency finding absent a judicial determination on the face of the administrative record that the agency's decision is "arbitrary or capricious," or that it in some manner constitutes an "abuse of discretion."

The LCD is of the opinion that the decision to now limit a previously granted fee waiver to Harold Weisberg for certain King and Kennedy assassination material meets this standard. Several factors, both pro and con to this issue, were considered by various officials at both the FBI and Department of Justice. These factors were summarized by these individuals in written memoranda and relied on by Associate Attorney General John Shenefield when the ultimate decision was made. (See, Flanders memo to Saloschin, 3/4/80; Daniel memo to Shenefield, 3/20/80; Shea memo to Saloschin, 3/27/80; and Doug memo to Daniel, 4/21/80.) These memoranda discuss, inter alia, the amount

Mr. Harold Weisberg

NOTE: (CONTINUED)

of material already provided to Mr. Weisberg on the same subject matter, the cost of doing same, the approximate quantity of material and estimated costs involved in responding to FOIA requests submitted by Mr. Weisberg, and the public interest effect that the providing of this material will have on the general public in light of developments occurring subsequent to the filing of Mr. Weisberg's initial requests. In the latter, the material already released publicly to Mr. Weisberg relative to these subjects, and subsequent Congressional disclosures based upon the same information now requested by Mr. Weisberg undoubtedly weighed heavily in the determination that factors cited by Mr. Weisberg warranting a public interest determination (see Daniel memo to Shenefield, supra.) are not persuasive in granting a discretionary waiver of fees. Also, the effect of both the Court Order of USDCJ Gesell in Civil Action Number 77-2155 (granting a limited fee waiver) and the DOJ letter to James H. Lesar, attorney, dated 3/31/78 (extending this fee waiver of the Court to other material) were reviewed as they were attached to the Flanders memo to Saloschin, supra. Furthermore, the proposed fee waiver limitation/denial letter to Mr. Weisberg does allow for the release of some King and Kennedy assassination material at no cost, and defers to Mr. Weisberg the opportunity of administrative appeal which allows for a re-consideration of this decision in light of any additional factors he may wish to raise at that time.

Mr. Bailey

2/17/80

W. H. Bresson

**FREEDOM OF INFORMATION ACT REQUEST OF MR. JOHN SHARNIK,
SENIOR EXECUTIVE PRODUCER, CBS NEWS**

PURPOSE: To advise of possible media interest in above FOIA release.

DETAILS: By letter dated November 14, 1979, Mr. Sharnik requested copies of records dealing with British Security Coordination and other matters related to British intelligence operations in the United States between September 1939 and December 1941.

The proposed release by the Bureau consists of 115 pages with 100 additional pages being referred to other government agencies for a direct response concerning the release of their material. The release of Bureau material is expected to be made on July 29, 1980.

Approximately 85 percent of the material being denied to Mr. Sharnik is still classified. As a consequence of the fact that this material is forty years old, and because it involves British intelligence, it could have historic interest and may result in some publicity.

The proposed release has been reviewed and approved by S.A. [redacted] of the Foreign Liaison section of the Intelligence Division. b6 b7C

RECOMMENDATION: None. For information.

- 1 - Mr. Colwell
- 1 - Mr. Steel
- 1 - Mr. Young
- 1 - Mr. Bailey
- 1 - Mr. O'Malley
- Attn: Mr. [redacted]
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [redacted]
- 1 - Mr. [redacted]

ATW:slw (12)

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Mr. Colwell

7/15/80

W. L. Bailey

**PUBLICATION OF BOOK ON INTEGRATION IN PUBLIC SCHOOLS IN
LITTLE ROCK, 1957**

PURPOSE: To advise of the alleged release of an FBI report by a U. S. District Court Judge to a University of Arkansas Professor who is writing a book on the integration of Little Rock, Arkansas, public schools in 1957.

DETAILS: By airtel dated 6/2/80, (copy attached) the SAC, Little Rock Division, advised the Bureau that Tony Fryer, History Professor, University of Arkansas at Little Rock, Little Rock, Arkansas, was writing a book concerning the legislative and legal and judicial aspects of integration in the public schools in Little Rock, Arkansas, during 1957. As part of his research, Fryer contacted U. S. District Court Judge Ronald M. Davies, Fargo, North Dakota. Judge Davies reportedly gave Fryer a copy of an FBI report captioned, "Integration of Public Schools in Little Rock, Civil Rights, Contempt of Court."

Fryer advised the Little Rock Division that he had made notes from the above report and noted that there was confidential source information as well as interviews conducted based on promises of confidentiality and of people who presently are living. Fryer advised that he was seeking FBI guidance in the use of this material in the writing of his book.

Enclosures (2)

(CONTINUED - OVER)

1 - Mr. Colwell
1 - Mr. Steel
1 - Mr. Young
1 - Mr. Bailey
1 - Mr. Mints
1 - Mr. Flanders
1 - Mr. Bresson
1 - Mr.
1 - Mr.

ATR:siv (11)

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Memorandum From W. L. Bailey To Mr. Colwell
Re: Publication of Book on Integration in Public Schools
in Little Rock, 1957

The above report has been previously processed by the FOIPA Branch for another requester as part of a release of documents pertaining to the 1957 Little Rock, Arkansas, Public Schools Integration Investigation.

One of the interviews in this report, exempted for privacy and confidentiality considerations, by the FOIPA Branch, was that of [REDACTED]

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[REDACTED] (copy attached). During that interview [REDACTED] specifically asked for confidentiality and requested, "any information furnished should not be made available unless absolutely necessary"

Little Rock Division has not indicated whether Fryer received a copy of this interview from Judge Davies. This, however, is the only interview in the report where there is a specific request for confidentiality.

A copy of this report in its processed form is being submitted to the Little Rock Division by the FOIPA Branch for their reference.

The Little Rock Division in attached airtel also requested that the Bureau give consideration to contacting U. S. District Court Judge Ronald M. Davies at Fargo, North Dakota, and determine the exact circumstances of his having a report and releasing it to Professor Fryer.

RECOMMENDATION: That Legal Counsel Division determine whether or not Judge Ronald M. Davies is to be contacted as per Little Rock Division's suggestion in attached airtel.

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
INTERNAL ROUTING/ACTION SLIP

TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION	TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION
Telelift #214		7162	Director	Telelift #245		7427	Mr. [redacted]
#235		7142	Exec. Ass't. Dir. -Inv.	#245		7427	Miss [redacted]
#235		7110	Exec. Ass't. Dir. -Adm.	#245		7427	Miss [redacted]
#235		7110	Exec. Ass't. Dir. -Law Enf. Serv.	#213		7326	Civil Litigation Unit I
#341		11255	Identification Division	#213		7326	Civil Litigation Unit II
Quantico			Training Division	#231		3648	Info & Privacy Acts Litigation Unit
#234		6012	Administrative Services Division	Quantico			Legal Instruction Unit
#211		5829	Records Management Division	#231		3658	Legal Liaison/Congressional Affairs
#232		4026	Intelligence Division	#231		3642	Legal Research Unit
#233		5012	Criminal Investigative Division	#314		6995	Freedom of Information Act (FOIA)
#241		3090	Laboratory Division	#152		1B327	Mail Room
#213		7159	Technical Services Division	#242		4437	Reading Room
#245		7427	Legal Counsel Division	#243		5448	Special Case Review Unit
#213		7125	Planning and Inspection Division	#243		5434	Special Projects Review Unit
#245		7222	Public Affairs Office	✓ 314 6994			Mr. [redacted] Ms. [redacted]
<i>Attn: TNA</i> [redacted]							
Attached is Legal Counsel addendum to memo dated 7/15/80 from Mr. W.L. Bailey to Mr. Colwell, captioned "PUBLICATION OF BOOK ON INTEGRATION IN PUBLIC SCHOOLS IN LITTLE ROCK, 1957."							
<input type="checkbox"/> RECOMMENDATION/COMMENT				<input type="checkbox"/> LOG			
<input type="checkbox"/> SEE REMARKS ON REVERSE				<input type="checkbox"/> FILE			
<input type="checkbox"/> MAKE COPIES (NO.)				<input type="checkbox"/> SEE ME			
<input type="checkbox"/> RETURN (BY)				<input type="checkbox"/> CALL ME			
<input type="checkbox"/> NECESSARY ACTION				<input type="checkbox"/> COORDINATE			
<input type="checkbox"/>				<input type="checkbox"/> PER INQUIRY			
<input type="checkbox"/>				<input type="checkbox"/> INFORMATION			
FROM LEGAL COUNSEL				BLDG. JEAH		ROOM 3648	
				PHONE 4522		DATE 8/7 1980	

FORM DOJ-359A
8-1-74 1980

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Memorandum to Mr. Colwell from W. L. Bailey
Re: PUBLICATION OF BOOK ON INTEGRATION IN PUBLIC SCHOOLS IN
LITTLE ROCK, 1957

ADDENDUM: LEGAL COUNSEL DIVISION (LCD), 8/7/80, JJS:kbp

LCD is of the opinion that the disclosure of the FBI report referred to in captioned memo by United States District Court Judge Ronald N. Davies does not constitute a violation of the Privacy Act (Title 5, United States Code (U.S.C.), Section 552a) inasmuch as this statute is directed solely to officials in the executive branch of Government. Also, the provisions of Title 18, U.S.C., Sections 1905 and 798, each of which address the disclosure of confidential information, do not apply to Judge Davies' actions in that the material disclosed does not appear to be of the specific type protected in either of these provisions.

A review of the Little Rock, Arkansas, desegregation investigation, which is contained in Bufile 44-12284, reveals that Judge Davies was furnished a copy of the 9/9/57 Little Rock report the same date. There is no indication in this file that Judge Davies received any other materials from the FBI; nor was there any information to the contrary from the Little Rock Division because the Field Office file has been destroyed. The investigation set forth in this document clearly states that this matter was commenced at the specific request of Judge Davies for the purpose of determining whether or not there was a violation of his earlier Federal Court Order. There thus appears to be neither a civil nor criminal violation of the Privacy Act by the FBI in this instance since the disclosure was clearly made prior to the enactment of this statute. Further, the report in question has been liberally disclosed to a previous FOIA requester, and, as set forth in the Records Management Division memorandum, the disclosure in total of only one FD-302 appears to be of significant interest to the Bureau and/or the interviewee.

The LCD therefore recommends that Judge Davies should not be interviewed regarding any suggested improprieties on the part of him or any official of the FBI, Justice Department, or United States Attorney's Office. The LCD is, however, of the opinion that the FBI's duty to protect confidential sources from disclosure is necessary for the continued success in our law enforcement responsibilities. This obligation has been uniformly accepted by United States District Courts in FOIA litigations where Title 5, U.S.C., Section 552(b)(7)(D), has been asserted to protect the type of information previously

Memorandum to Mr. Colwell from W. L. Bailey
Re: PUBLICATION OF BOOK ON INTEGRATION IN PUBLIC SCHOOLS IN
LITTLE ROCK, 1957

withheld from the public in the above-mentioned interview. [See, Nix v. United States 572 F.2d 998 (4th Cir. 1978); Terkel v. Kelley, 599 F.2d 214 (7th Cir. 1979)]. Therefore, LCD recommends that Judge Davies be informally contacted and advised that the Bureau previously withheld the identity of the above-described interviewee. In this regard, consideration may be given to offering to Judge Davies a redacted copy of the Bureau's Desegregation Investigation which has been released pursuant to the FOIA. This material could then be used by him in the future if a similar situation occurs.

A review of Judge Davies' DAPLI file (Bufile 77-64023), which contains several documents dated subsequent to the actual background investigation, indicates that as of 1971, Judge Davies was very cordial to both Director Hoover and the FBI in general. An inquiry with the Minneapolis Division revealed that Judge Davies still remains friendly to the FBI, with the exception of only one derogatory comment made by him in relation to a certain Chicago, Illinois, FBI investigation. Such a contact with Judge Davies should be coordinated with the SAC, Minneapolis, and receive his prior approval.

Mr. Bailey

June 9, 1980

T. H. Bresson

FOIA REQUEST OF RONALD KESSLER, WASHINGTON POST REPORTER,
FOR INFORMATION RE PURCHASE OF 1980 AUTOMOBILES FOR FBI.

PURPOSE:

To advise of proposed release of documents to Mr. Kessler of the Washington Post concerning the procurement of 1980 automobiles for the FBI.

DETAILS:

Mr. Kessler made an FOIA request to the General Services Administration (GSA) for information concerning the purchase of cars and trucks for certain intelligence and law enforcement agencies. In GSA's file were two memoranda from the FBI which were referred to us for handling. One is from Mr. Bayse to GSA dated 2/26/80 regarding the distribution of vehicles ordered from Chrysler, Ford and GM, totaling 1200. The other is from Mr. Long to GSA dated 2/15/80 regarding the makes, models and equipment requirements.

In Mr. Long's memorandum, GSA was advised that because of the confidential nature for which the cars will be used, it was requested that arrangements be made to purchase the cars through negotiation pursuant to Title III of the Federal Property and Administrative Service Act of 1949, as amended, Section 302(c)(12). A review of this statute reveals that an agency may negotiate purchases and contracts without advertising if "....for property or services as to which the agency head determines that the character, ingredients, or components thereof are such that the purchase or contract should not be publicly disclosed".

Enc.

- 1 - Mr. Colwell - Enc.
- 1 - Mr. Steel - Enc.
- 1 - Mr. Young - Enc.
- 1 - Mr. Bayse - Enc.
- 1 - Mr. Long - Enc.

Attn: Mr. [redacted]

- 1 - Mr. Mints - Enc.

Attn: Mr. [redacted]

- 1 - Mr. Bailey - Enc.
- 1 - Mr. Flanders - Enc.
- 1 - Mr. Bresson - Enc.
- ① - Mr. [redacted] Enc.
- 1 - Mr. Smith - Enc.

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DLS:mdr (12)

CONTINUED - OVER

T. H. Bresson to Mr. Bailey Memorandum
RE: FOIA Request of Ronald Kessler, Washington Post Reporter,
For Information Re Purchase of 1980 Automobiles for FBI.

Exemption (b)(3) of the FOIA, which was amended by Congress when the Sunshine Act was enacted, provides for the withholding of matters specifically exempted from disclosure by statute provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) established particular criteria for withholding or refers to particular types of matters to be withheld. It is the FOIPA Branch's interpretation that the above statute does not prohibit the public disclosure of the information contained in this matter and, therefore, does not fall within the (b)(3) exemption.

Were these documents for the purchase of a specific vehicle to be used in a sensitive operation, such as a taxicab or a van truck, it is believed a persuasive argument could be made for utilization of exemption (b)(2). Exemption (b)(2) of the FOIA provides for withholding of material which relates to the internal personnel rules and practices of an agency. Courts have interpreted this provision variously and the legislative history is contradictory as to what in fact is meant to be protected. Department policy is to allow its use where the information is (1) strictly internal Bureau practice which has no effect on the public at large or (2) in a non-investigatory document where the release would cause Bureau operations significant harm or which generally involve sensitive techniques, or practices of the FBI.

The FOIPA Branch is unaware of any impact the public disclosure of this material might have on future procurement of automobiles, particularly as it concerns the need for negotiating rather than advertising when contracting for automobiles purchases.

This matter has been discussed with the Information and Privacy Acts Litigation Unit, Legal Counsel Division, and they concur.

Copy of proposed release attached.

RECOMMENDATION:

None. For information.

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
INTERNAL ROUTING SLIP

TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION	TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION
JEH	7176		Director 214				PROPERTY PROCUREMENT & MANAGEMENT SEC.
				JEH	6823	Mr. [REDACTED]	212
JEH	7142		Mr. Colwell 235	JEH	6823	Mr. [REDACTED]	212
JEH	7110		Mr. Joseph 235				
				JEH	6833	Procurement Unit	212
				JEH	6847	Mr. Moss	212
JEH	11255		Identification 241	JEH	1835	Property Accounting	253
Quantico ---			Training 152			Systems Unit	
JEH	6012		Administrative Services 234	JEH	1835	Mr. [REDACTED]	253
JEH	5829		Records Management 211				
JEH	4026		Intelligence 232	JEH	6823	Miss [REDACTED]	212
JEH	5012		Criminal Investigative 233	JEH	6823	Mrs. [REDACTED]	212
JEH	3090		Laboratory 241				
JEH	7159		Technical Services 213	JEH	6035	Budget and Accounting	234
JEH	7427		Legal Counsel 245	JEH	6052	Personnel Section	234
JEH	7125		Planning and Inspection 213	JEH	6065	Mrs. [REDACTED]	234
				JEH	1B327	Mail Room	152
JEH	6028		Mr. Groover 234	JEH	1987	Voucher and Payroll	153
JEH	6012		Mr. Kelly 234	JEH	1B875	Printing & Space Mgmt.	151
				JEH	1B903	Photographic Unit	151
JEH	6012		Mrs. [REDACTED] 234	JEH	6344	Health Service	212
JEH	6012		Miss [REDACTED] 234	JEH	1B239	Inventory Supply Subunit	255
JEH	6028		Mrs. [REDACTED] 234	JEH	1B046	Engineering Section	254
				JEH	1997	Administrative Unit	153
				JEH	1839	Contract Review	253
				JEH	1638	Traffic Mgmt. Office	253
				JEH	1B353	Stock Room	151
				JEH	7222	Public Affairs	245

✓ M. Lewis
6994 TL #314

ATTACHED IS ADDENDUM TO MEMO DATED 6/9/80 TO MR. BAILEY FROM T. H. BRESSON CAPTIONED "FOIA REQUEST OF RONALD KESSLER, WASHINGTON POST REPORTER, FOR INFORMATION RE PURCHASE OF 1980 AUTOMOBILES FOR FBI."

<input type="checkbox"/> RECOMMENDATION/COMMENT	<input type="checkbox"/> LOG	<input type="checkbox"/> NECESSARY ACTION
<input type="checkbox"/> SEE REMARKS ON REVERSE	<input type="checkbox"/> FILE	<input type="checkbox"/> COORDINATE
<input type="checkbox"/> MAKE COPIES (NO.)	<input type="checkbox"/> SEE ME	<input type="checkbox"/> PER INQUIRY
<input type="checkbox"/> RETURN (BY)	<input type="checkbox"/> CALL ME	<input type="checkbox"/> INFORMATION
FROM	BLDG.	ROOM
PROPERTY PROCUREMENT & MANAGEMENT	PHONE	DATE

FORM DOJ-359A
8-1-74 (REV)

ADDENDUM OF TSD ALSO ATTACHED.

ADDENDUM OF PROPERTY PROCUREMENT AND MANAGEMENT SECTION (PPMS),
ADMINISTRATIVE SERVICES DIVISION (ASD) - JFS:mr 6/13/80

ASD believes that all references to the types of vehicles (Malibu, Fairmont, Volare, etc.) in each of these documents should be withheld, including all references to the fact that the FBI bought only 1980 Class II or mid-size vehicles. If the documents were released as proposed and the information therein subsequently published, our Agents could be placed at a disadvantage. A knowledgeable individual who wondered whether he was under surveillance by the FBI could immediately eliminate from consideration all 1980 full-size vehicles he observed because he would know we bought no such vehicles. He could also narrow his area of concern to those Class II vehicles which he knows we purchased. Prior to release, this information should be excised in accordance with Exemption (b)(2) of the FOIA.

ADDENDUM: TECHNICAL SERVICES DIVISION (TSD), TW:bjt, 6/19/80

The FBI's Automotive Fleet is managed by the TSD's Administrative Unit (AU). The AU was made aware of Mr. Kessler's interest in the FBI's fiscal year (FY) 1980 automobile procurement approximately one month ago by the General Services Administration (GSA) and advised GSA to refer Mr. Kessler directly to the FBI. The TSD has not been in contact with Mr. Kessler; however, the TSD believes that Mr. Kessler's inquiry is motivated by two major interests:

1. Is the Federal Government supporting Chrysler Corporation with loan guarantees while not purchasing their vehicles?
2. Is the Federal Government making efforts to purchase more economic vehicles?

The facts concerning the FBI's FY80 automobile procurement demonstrate that the FBI is purchasing economic vehicles and also acquiring more than a fair share of Chrysler vehicles. The TSD has carefully reviewed this matter and does not believe that the disclosure of the attached documents would hinder field operations. Any subject of an FBI investigation desiring to know the composition of the field office's fleet need only to park outside the garage and observe the vehicles. On that occasion, the subject could also copy actual license plates. It should be noted that most of the FBI's large field offices working the more sophisticated Foreign Counterintelligence and Organized Crime cases have dedicated surveillance squads with different vehicles than those of the normal fleet.

In summary, the TSD does not believe any information need be excised from the attached documents prior to release, and it is recommended that future requests such as this be handled directly by Public Affairs.

Date: February 15, 1980

To: General Services Administration
National Automotive Center
FYPL-P3
Crystal Mall, Building 4, Room 921
Washington, D. C. 20406

Attention:

From: Mr. Richard E. Long
Assistant Director, FBI
Administrative Services Division

Subject: PROCUREMENT OF 1980 AUTOMOBILES FOR THE
FEDERAL BUREAU OF INVESTIGATION

Attached are FEDSTRIP Requisitions numbered 0045 for the purchase of 1980 law enforcement vehicles for this Bureau. The 1980 Fiscal Year appropriation provides for 1200 vehicles for replacement purposes.

As you know, the FBI is engaged in handling security work and a considerable amount of this is done by automobile. In order that surveillance cars cannot be easily spotted, it is necessary that this Bureau be equipped with vehicles of various manufacturers, models and passive colors so they are less easily identified as law enforcement vehicles. Vehicles which are uniform in appearance would be detrimental to this Bureau's law enforcement functions and activities and could very well affect the personal safety of our personnel.

Because of the confidential nature of the purpose for which the cars will be used, it is requested that arrangements be made to purchase the cars through negotiation pursuant to Title III of the Federal Property and Administrative Services Act of 1949, as amended, Section 302(c)(12).

Enclosures

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General Services Administration

It is desired that the cars be purchased as follows:

General Motors Corporation

Malibu 2-door vinyl - 77
Malibu 2-door non vinyl - 116
Malibu 4-door vinyl - 39
Malibu 4-door non vinyl - 181
Cutlass 2-door vinyl - 44
Lemans 2-door vinyl - 28
Chevette 2-door non vinyl - 12

Ford Motor Company

Fairmont 2-door vinyl - 13
Fairmont 2-door non vinyl - 35
Fairmont 4-door vinyl - 23
Fairmont 4-door non vinyl - 285
Fairmont Station Wagon 4-door - 32
Zephyr 2-door vinyl - 42
Zephyr 2-door non vinyl - 20
Zephyr 4-door vinyl - 12
Zephyr 4-door non vinyl - 279

It should be noted that the FBI's fiscal year 1980 law enforcement vehicle procurements originally included 368 Chrysler Class II Compact Sedans (Volares and Aspens), 31 Aspen Station Wagons and two Plymouth Horizons. On February 12, 1980 your staff telephonically advised the FBI that it would not be possible to procure any Chrysler Class II Compacts because Chrysler production of these vehicles would be discontinued too soon for your staff to finalize the FBI's procurement. The FBI would have preferred to have included Chrysler vehicles in its fiscal year 1980 procurement; however, the severe fuel problems anticipated for the next few years require the FBI to limit its procurement to Class II Compacts. If it is later determined that Chrysler Corporation will be able to provide Class II Compacts, the FBI would be glad to modify its order to include Chrysler vehicles.

The Malibu, Fairmont and Zephyr should be ordered with the law enforcement package as listed below:

The 1980 automobiles, law enforcement, to be ordered in accordance with with Federal Standard #122T, dated October 1, 1979.

ADDITIONAL EQUIPMENT REQUIRED

1. Transistorized charging regulator for continuous duty under wide climate variations to be supplied with alternator and shall limit the charging voltage to 15.7 volts.
2. Remote control left outside rearview mirror.

General Services Administration

3. Parking Brake warning light.
4. Full wheel covers
5. Manufacturer's front and rear bumper guards, installed.
6. Locking hood latch, interior opening type.
7. Deluxe steering wheel - Describe steering wheel offered.
8. Manufacturer's standard body side moldings.
9. Locking gas tank cap, with two keys.
10. Vehicles must comply with all state regulations in effect at the time of delivery.
11. Heavy Duty Component Package required except as follows:
 - a. MSP Carpeting shall be furnished in lieu of rubber or vinyl floor.
 - b. Vinyl interior trim and upholstery shall be heavy duty as available to the general public for model offered.
 - c. Air conditioning required except where deleted for specific items.
 - d. Automatic transmission.
 - e. Tires shall be high performance, shall have white sidewalls and shall bear no police or law enforcement markings. Radials are desired if available. However, steel-belted tires will not be accepted under any condition. Specify tires being offered on each model.
 - f. Power steering.
 - g. Battery, minimum 80 amp-hr.
 - h. Alternator, low cut-in, minimum 60 amp.
 - i. Tinted glass required in all vehicle body glass.
 - j. Undercoating.
 - k. Paint, finish or color, manufacturer's standard colors; passive colors desired. Black paint color unacceptable unless specified for specific items.
13. Roof drip gutter molding.
14. Dual speed electric windshield wipers.

General Services Administration

The Cutlass and Lemans are not available with the law enforcement package; therefore, it is requested that these models be built-up as specified below:

A group of 72 Special Surveillance vehicles will be ordered and equipped as follows:

1. Heavy duty chassis frame, body mounts, chassis components (i.e., cooling and recovery system radiator, fan blades, battery min. 80 amp rated, alternator, starter, transmission guages, etc.).
2. Suspension; springs, shock absorbers, wheels and stabilizer bar(s).
3. Brakes, power disc/drum, and linings.
4. MSP carpeting shall be furnished in lieu of rubber mats.
5. Seat assemblies, and split front adjustable.
6. Interior trim and upholstery; vinyl.
7. Speedometer; 120 m.p.h. head calibrated to 2 percent accuracy.
8. Tires, police pursuit-type complying to Fed. Spec. ZZ-T-331, white sidewall non-steel belted.
9. Inside hood latch release.
10. Transmission low-gear lock out, and oil cooler.
11. Automatic transmission.
12. Vinyl roof color-coordinated.
13. Left and right remote controlled outside mirrors.
14. Power steering.
15. Tinted glass.
16. Paint finish or color manufacturer's standard colors; passive colors desired, black paint color unacceptable unless specified for specific items.
17. AM radios with speakers.

Any questions concerning this matter should be directed to the attention of [REDACTED]

66



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

Date: February 26, 1980

To: General Services Administration
National Automotive Center
FYPL-P3
Crystal Mall, Building 4, Room 921
Washington, D.C. 20406

Attention: Mr. [REDACTED]

From: *WAB* William A. Bayse
Assistant Director
Technical Services Division

Subject: PROCUREMENT OF 1980 AUTOMOBILES FOR
THE FEDERAL BUREAU OF INVESTIGATION (FBI)

At the request of Mr. [REDACTED] of your agency,
the following distribution of vehicles ordered by the FBI is
provided.

	<u>Number of Vehicles</u>	<u>Percentage of Fleet</u>
Chrysler Corporation	368	30.5
Ford Motor Corporation	449	37.5
General Motor Corporation	383	32.0
Total Vehicles	1,200	100.0%

In arriving at the above distribution among
manufacturers, the mission of the FBI in handling its inves-
tigative responsibilities in security and surveillance-related
tasks was considered with a goal of providing the best
diversification in FBI field office automotive fleets.



General Services Administration
National Automotive Center

As GSA is aware, the increased cost of gasoline as well as the cost increase of the new cars have caused the Bureau to restructure its car purchases over previous years. A result of the high cost of gasoline and the awareness of its responsibility to conserve fuel and reduce costs whenever possible, the FBI's 1980 order of new vehicles consists entirely of mid-size automobiles.

This effort to reduce operational costs limits to some extent the variety of cars which are available for purchase. General Motors, for example, only offers the Chevrolet Malibu with a police package; whereas, Chrysler and Ford offer a variety of body style and types offering diversity unavailable with GM. In an effort to achieve a more normal percentage of GM cars a number of Pontiac and Oldsmobile mid-size cars were ordered which did not come with a police package necessitating increased costs for the "buildup" of these vehicles.

As noted above, no American Motors vehicles were ordered. American Motors was contacted and advised they did not desire to submit bids for vehicles of this type.

Any correspondence concerning this matter should be directed to the above address, Attention: Technical Services Division, Room 7159, J. Edgar Hoover FBI Building.

Mr. Bailey

6/16/80

T. H. Bresson

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF
ROBERT L. WARDEN**

PURPOSE: To advise of a forthcoming release of documents declassified by the Department of Justice, Departmental Review Committee (DRC) to Mr. Warden which show a proposed counterintelligence action against Coretta Scott King, widow of Martin Luther King, Jr.

DETAILS: Mr. Warden is in litigation concerning his numerous FOIPA requests, including COINTELPRO. The Department of Justice completed its review of classified documents initially withheld pursuant to Title 5, United States Code, Section 552 (b)(1). It was determined that some information is no longer currently and properly classified pursuant to Executive Order 12065, thus, this information has been reprocessed. The release to Mr. Warden includes 137 pages he has previously received and 90 pages which are being released for the first time.

Bufile 100-448006-830 is comprised of an incoming airtel from Atlanta dated 4/3/69 and an outgoing airtel to Atlanta dated 4/14/69, copies attached, both of which were originally classified "Confidential" and subsequently upgraded to "Secret." These documents have been declassified by the DRC. The incoming airtel, as released, suggests counterintelligence action against Coretta Scott King. The suggestion was based on information obtained through technical surveillance of a target not identified by the document as excised. This suggestion was rejected by the Bureau in the response airtel to Atlanta dated 4/14/69.

Enclosures (2)

(CONTINUED - OVER)

1 - Mr. Colwell
1 - Mr. Steel
1 - Mr. Young
1 - Mr. Bailey
1 - Mr. O'Malley
1 - Mr. Flanders
1 - Mr. Bresson
1 - Mr.
① - Mr.
1 - Mr.

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b7c

krq:slw (12)

Memorandum from T. H. Bresson to Mr. Bailey
Re: FOIPA Request of Robert L. Warden

This information was brought to the attention of
Bureau classification individuals and CI-1-E Unit Chief [redacted]
[redacted] of the Intelligence Division. Unit Chief [redacted]
advised that, due to the publication of a book entitled "Robert
Kennedy and His Times," by Arthur Schlesinger which makes
reference to the Congressional Record relating to the Church
Committee Hearings, the information can no longer be withheld
by classification.

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RECOMMENDATION: None. For information.

Mr. Bailey

4/29/80

T. H. Bresson

**FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF ATHAN THEOHARIS
REGARDING O & C FILES OF LOUIS NICHOLS**

PURPOSE:

To advise of Freedom of Information Act release of documents to Mr. Theoharis concerning Official and Confidential (O & C) files of former Assistant to the Director Louis B. Nichols.

DETAILS:

Mr. Theoharis has made previous requests under FOIA, and in a letter November 20, 1978, in regard to another matter, he was advised that approximately 11,200 pages exist in Mr. Nichols' O & C files. These files which at one time were in Mr. Nichols' office, are now maintained in the special file room and are indexed in the central records system at FBIHQ. Theoharis is with the History Department of Marquette University, Milwaukee, Wisconsin.

In December, 1979, Theoharis made a formal request of Nichols' O & C files. At this time, approximately 330 pages have been prepared for release. Instant release includes material from the following folders of the O & C files: American Magazine, American Mercury, American Youth Congress, Francis Biddle, Styles Bridges, and [redacted]. Most of the material in these folders is general correspondence and newspaper clippings, with two exceptions. American Mercury (magazine) contains memoranda concerning allegations against former Director Hoover and the FBI. It involves Paul Palmer of Reader's Digest and Lawrence Spivak, former moderator of "Meet the Press." The [redacted] folder concerns a slanderous allegation against Director Hoover personally. [redacted] is a former CIA official.

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- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Young
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [redacted]
- 1 - Mr. Smith

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djs/ndr (9)

CONTINUED - OVER

T. H. Bresson to Mr. Bailey Memo
Re: Freedom of Information Act (FOIA)
Request of Athan Theoharis
Regarding O & C Files of Louis Nichols

The current release is only partial with much material remaining to be processed. Future releases will be made including material concerning Thomas Dewey, Dwight Eisenhower, Herbert Hoover, Phillip Jaffee, New York City Police Department, Drew Pearson, Mrs. F. D. Roosevelt, White House correspondence, and wiretapping. Most releases after this one are expected to be approximately 1,000 pages in volume.

It is anticipated the first release will be made approximately May 2, 1980.

RECOMMENDATION:

None. For information.

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

TO : Mr. Bailey

DATE: 4/9/80

FROM : T. H. Bresson

SUBJECT: FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUESTS
CONCERNING JOHN ARTHUR PAISLEY

PURPOSE: To advise of proposed release of documents to
four requesters which may result in media
interest.

DETAILS: John Arthur Paisley was the former Deputy Director
of Strategic Research, Central Intelligence Agency,
whose body was recovered from the Chesapeake Bay on 10/1/78.
He disappeared off his sloop "Brillig" on or about the night
of 9/24-25/78.

Documents are expected to be released to Bernard
Fensterwald, Jr., attorney for the Paisley family, by mid
April. Two of the other three requesters are associated
with newspapers. Releases to these individuals will be
contemporaneous with the release to Fensterwald.

There has been considerable speculation in the
news media surrounding the death of Paisley. One of the
main questions is whether the death was a result of suicide
or murder.

The following information being released will
possibly be of news media interest:

1. Phone calls were received at the "Washington Star"
from [redacted] of the Muslim Council of War of New York. b6
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In one of the calls he stated one of their commando units
had seized Paisley in the Chesapeake Bay area. This call
was subsequent to a newspaper article in the "Washington
Post" regarding the disappearance of Paisley. These calls
were assessed as crank calls.

- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [redacted]

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b7C

CONTINUED - OVER



hms:pcw/ljs (7)

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

FBI/DOJ

Memorandum to Mr. Bailey
Re: FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUESTS CONCERNING JOHN ARTHUR PAISLEY

2. The autopsy report prepared by the Chief Medical Examiner, State of Maryland, Dr. Russell S. Fisher, lists the cause of death as undetermined.

3. The hands were removed from Paisley's body and submitted to the FBI Identification Division for a fingerprint comparison. Prints suitable for comparison were obtained and matched to known prints of Paisley.

4. Results of laboratory examinations to determine if Paisley had discharged a firearm were inconclusive.

5. A report was prepared on 3/2/79 at the request of Senate Select Committee on Intelligence Chairman Birch Bayh. This report makes an assessment and analysis of available facts and issues concerning Paisley's death. A substantial portion of the information in this report relates to Paisley's employment activities with CIA. Inasmuch as it was obtained from CIA, it is being referred to CIA for release recommendations. Information in this report relating to his disappearance and subsequent identification is being released.

RECOMMENDATIONS: None. For information.

Mr. Otto

4/3/80

W. L. Bailey

[REDACTED]
REQUEST OF [REDACTED]
FOIPA REQUEST

PURPOSE:

To transmit the pertinent portion of the FOIPA release to the Office of Professional Responsibility (OPR) for review and comments.

DETAILS:

Pursuant to discussions between [REDACTED] Research Analyst, Disclosure Section, FOIPA Branch, Records Management Division and SA [REDACTED] OPR, Planning and Inspection Division, transmitted to OPR is the proposed pertinent FOIPA release being made as a result of the FOIPA request of [REDACTED] on behalf of his client, [REDACTED] Exemption (b) (7) (A) which protects material compiled for law enforcement purposes, the disclosure of which would interfere with law enforcement proceedings, including pending investigations, is being cited to protect Federal proceeding pertaining to a criminal investigation currently before the Federal Grand Jury in California. No excisions are being proposed with regard to the OPR situation. Release has been telephonically coordinated with [REDACTED] [REDACTED] Department of Justice OPR Office.

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RECOMMENDATION:

It is recommended OPR review the pertinent material proposed for release to insure it does not jeopardize the currently pending OPR inquiry.

Enclosure

- 1 - Mr. Wendt
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

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jhm:vas (8)

Mr. Bailey

3/25/80

T. H. Bresson

**FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF
GREGORY RUSHFORD REGARDING UNITED STATES
DISTRICT COURT JUDGE HERBERT FOGEL AND DECEASED
FEDERAL JUDGES WILLIS W. RITTER, ALFRED P. MURRAH
AND OTTO KERNER**

PURPOSE:

To advise of FOIA release of documents on March 21, 1980, pursuant to court deadline, to Gregory Rushford, a private citizen, concerning United States District Court Judge Herbert Fogel and deceased Federal Judges Willis W. Ritter, Alfred P. Murrah and Otto Kerner.

DETAILS:

On March 21, 1980, pursuant to a court order, the Disclosure Section of the FOIPA Branch released 107 pages of processed documents regarding Judge Fogel and deceased Federal Judges Ritter, Murrah and Kerner, responsive to the FOIA request of Gregory Rushford to the Department of Justice (DOJ).

Documents referred to the FBI from the DOJ concerning Judge Fogel contain information regarding a 1975-1976 investigation concerning possible fraudulent representations by Judge Herbert Fogel in dealing with the government. It was alleged that Judge Fogel attempted to fraudulently secure a government contract in the early 1970's for a company in which he had a 25 percent interest. At the time this contract was secured, Herbert Fogel was acting as General Counsel for the company. Material released reflects this allegation in public documents and also reflects that the Assistant United States Attorney, Eastern District of Pennsylvania declined prosecution.

- 1 - Mr. Boynton
 - 1 - Mr. Steel
 - 1 - Mr. Bailey
 - 1 - Mr. Flanders
 - 1 - Mr. Bresson
 - ① - Mr. [REDACTED]
 - 1 - Mr. SMITH
- wvp:jmr (8)

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CONTINUED-OVER

T. H. Bresson to Bailey Memorandum

RE: Freedom of Information Act (FOIA) Request of Gregory Rushford regarding United States District Court Judge Herbert Fogel and deceased Judges Willis W. Ritter, Alfred P. Murrah and Otto Kerner

Documents referred to the FBI from the DOJ concerning deceased Judges Ritter, Murrah and Kerner reflect information that former Judge Ritter was the subject of an Administrative Inquiry in 1974 concerning allegations that he accepted a bribe while acting in his official capacity. This information is already public knowledge as a result of an FOIA release to Lynn Packer concerning Judge Ritter, by communication dated December 17, 1979.

Information concerning deceased Judge Murrah reflects an allegation that he and another United States District Court Judge held stock in an oil company during the period that company was involved in litigation in Federal Court. Released material reflects this information and the fact that the FBI looked into the allegation.

Information concerning deceased Judge Kerner reflects nothing derogatory regarding Judge Kerner in the documents referred by DOJ. (No documents were referred regarding the investigation resulting in conviction and imprisonment of Judge Kerner.)

This release may result in publicity because of the positions held by these four individuals.

RECOMMENDATION: None, for information.

Mr. Bailey

3/17/80

T. H. Bresson

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF [REDACTED]
[REDACTED]

PURPOSE: To advise of a forthcoming release of documents from closed Bureau files involving [REDACTED] as well as the problems surrounding the use of (b)(7)(A) on extremely sensitive pending investigations.

DETAILS: By letter dated April 18, 1979, [REDACTED] requested all files on himself. FBI Headquarters (FBIHQ) by letter dated June 21, 1979, advised [REDACTED] that processing of documents in his files may result in charges of approximately \$150, and he agreed to pay up to that amount.

Record material concerning [REDACTED] consists of approximately 1,500 pages, which include closed, as well as pending cases. Only the closed files were processed by the Disclosure Unit, FOIPA. Of the closed files, there were approximately 335 pages to be processed and of these 335 pages, 284 pages were proposed for release.

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This request and proposed release were discussed with the New York Field Office and Criminal Investigative Division on March 12, 1980. At this time, the New York Field Office advised that the pending investigations concerning [REDACTED] captioned [REDACTED]
[REDACTED]
[REDACTED]

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were very sensitive

- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Mintz
- 1 - Mr. Bailey
- 1 - Mr. Mullen
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- 1 - Mr. Ervin
- Attn: Mr. Miller

(CONTINUED - OVER)

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

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ATR:slw (12)

Memorandum from T. H. Bresson to Mr. Bailey
Re: Freedom of Information-Privacy Acts (FOIPA) Request of [redacted]

and they expressed concern that release of certain information contained in the 284 pages of documents proposed for release might interfere with the pending investigation.

The 284 pages proposed for release are presently being forwarded to New York to allow them the opportunity to review this material to assure there will be no compromise of these pending cases and sensitive sources.

The New York Field Office, under no circumstances, wants [redacted] to be aware of any current investigations because of the extreme sensitivity of the case at this point. Protection of a valuable source is also of immediate concern in this matter. New York anticipates that their investigation will conclude within eight weeks.

In addition to the labor racketeering case, [redacted] is also closely linked to LCN figures in the New York area.

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The FOIA requires us to provide a requester with the reason records are being denied. If we inform [redacted] we are withholding records to prevent interfering with a pending investigation, we will have disclosed the existence of the pending case. We do not want to do that. Of course, we are required to comply with the FOIA. To these ends we are going to make a partial release of the 284 pages after review by New York and Criminal Investigative Division. The requester will be advised that additional material is being reviewed and/or prepared for release.

Just as soon as the additional materials can be provided [redacted] without harming the pending case, we will process them for release.

This case raises most dramatically the problem we identified in our proposed amendments concerning our inability to adequately protect the existence of pending investigations. Our proposal to exempt organized crime cases would, if adopted, preclude us from having to face this dilemma as well. The solution we tendered in our proposals would be of immeasurable assistance in this case.

RECOMMENDATION: None. For information.

Mr. Bailey

2/12/80

T. H. Bresson

FOIA REQUEST OF JAMES PATRICK KELLY
REGARDING LINDBERGH KIDNAPPING CASE

PURPOSE:

To advise of documents released to requester which might precipitate press inquiries. Several documents set out information that latent fingerprints were developed in the Lindbergh case despite the fact that the New Jersey authorities contended there were no latents.

DETAILS:

Late on 2/11/80, the requester telephonically advised SA [] that he was making available to the press in the Philadelphia area, information which he has received in his FOIA request. This will include documents from FBI files wherein it was discussed that latent fingerprints were developed in the Lindbergh case and that the New Jersey authorities stated there were no latents developed. The requester has received photographs made from the photographs in the Bureau file on which latent fingerprints are clearly visible. He also has documents which show the FBI compared the latents with the fingerprints of Bruno Richard Hauptmann and they were not identical. He further advised that he is releasing excerpts from the trial transcript which he contends will show that New Jersey officers committed perjury by testifying that there were no latents in the case.

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- 1 - Mr. Boynton
- 1 - Mr. Steel
- 1 - Mr. Cox, Room 7156
- 1 - Mr. Bailey
- 1 - Mr. Flanders
- 1 - Mr. Bresson
- ① - Mr. []
- 1 - Mr. Mullen
- Attn: Mr. [] Room 5906
- 1 - Mr. Smith

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DLS:mdr (10)

(CONTINUED - OVER)

T. H. Bresson to Mr. Bailey Memo
Re: FOIA Request of James Patrick Kelly
Regarding Lindbergh Kidnapping Case

The requester further advised that the widow of Hauptmann, now age 81, and Hauptmann's son currently reside in the Philadelphia area. The requester also resides in this area.

The requester readily concedes that evidence which shows the latents were not identical to Hauptmann does not prove him innocent, but he contends that this exculpatory evidence should have been admitted in the trial.

The photographs which the requester was furnished, clearly show the latent fingerprints on some of the ransom money as well as on two envelopes and letters from the kidnapper.

The above information has been telephonically furnished to SA [redacted] in Media Services and to SA [redacted] in Personal Crimes Unit, Division VI.

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RECOMMENDATION:

None, for information.

~~CONFIDENTIAL~~

Mr. Finkel

12/14/81

J. E. Hall

EUSTACE MULLINS, REQUESTER
FOIPA MATTER

PURPOSE:

To advise of the proposed release of 315 pages of documents concerning Eustace Mullins, of Staunton, Virginia, which may result in media interest and possible legal action.

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DETAILS:

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(C)

(C)

- 1 - Mr. Colwell
- 1 - Mr. Finkel
- 1 - Mr. Young
- 1 - Mr. Wintz
- 1 - Mr. Greenleaf
- 1 - Mr. Brannon
- 1 - Mr. Hall
- 1 - Mr. [redacted]
- 1 - Mr. [redacted]
- 1 - Mr. [redacted]

DATE: 03-17-2008
CLASSIFIED BY 60324 UC BAW/RS/YMW
DECLASSIFY ON: 25X 3.3(1)
03-17-2033

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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~~CONFIDENTIAL~~

Memo Hall to Finkel
Eustace Mullins, Sequester
FOIPA Matter

(C)

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Mullins has consistently berated the FBI and wrote numerous letters to Mr. Hoover. He has sought publicity many times and claimed that the FBI has harassed him as well as his family by following him, tapping his phone, watching his apartment and harassing friends and neighbors.

Documents being released will reveal the intensive efforts by the FBI from June, 1939 to the first part of 1960 to locate and interview Mullins and have him desist from making remarks regarding the FBI and Mr. Hoover. Other information in the file was possibly obtained through one or more surreptitious entries. By separate memorandum this aspect is being referred to the Office of Professional Responsibility.

RECOMMENDATION:

For information only in view of the fact that Mullins has twice previously sued the FBI and attracted considerable publicity with a lawsuit against the late Director's estate in 1975. It is anticipated that the release of documents will once again precipitate a chance for Mullins to gain unfavorable publicity directed toward the FBI and possibly result in other legal action.

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~~CONFIDENTIAL~~

Memorandum J. K. Hall to Mr. Finzel dated 12/14/81 re: Eustace Mullins, Requester,
FOIPA MATTER

ADDENDUM: INSPECTION DIVISION, 12/22/81, IMF:jhg

Review of enclosed documents identified in Bufile 105-15727 as possibly being previously undisclosed surreptitious entries, has been reviewed by OPR/Inspection Division. The documents in question which are from the time period December, 1959, to early January, 1960, utilize the term "highly confidential source (anonymous)" as being the source supplying the documentary evidence obtained and referenced in each respective communication. It is further noted that the FBI personnel listed on the enclosed documents are either retired, no longer on the roles of the FBI, or deceased, as the time period involving the enclosed documents is approximately 22 years ago. (U)

For the purpose of placing this review in a historical prospective, it should be noted that on July 14, 1975, the then Director Clarence M. Kelley disclosed publicly that the FBI had in the past, conducted intelligence gathering surreptitious entries against domestic and FCI organizations within the United States. Such entries were referred to in Bureau parlance as "Black Bag Jobs." It was subsequently revealed that former FBI Director Hoover had ordered the cessation of such activity on July 19, 1966. Subsequent to former Director Kelley's July 13, 1975 public disclosures, it was learned in March, 1976, that the FBI had, in fact, conducted a limited number of surreptitious entries in 1972 and 1973. As a result of these latter findings of the use of the technique on April 10, 1978, Benjamin R. Civiletti, then Acting Deputy Attorney General, requested the FBI to conduct an investigation into the use of investigative techniques by Agents of the FBI. Subsequently, an extensive inquiry revealed that the FBI, in the early 1970's, utilized extraordinary investigative techniques against the Military Weather Underground Organization including the use of surreptitious entries. It was determined during the course of this inquiry that the use of the terms "anonymous source" or "highly confidential source" were terms used by the intelligence community since World War II and they could mean a number of things including mail openings, mail cover, trash covers, surreptitious entries, bag jobs, wiretaps, and micro surveillances. (U)

With regard to the use of these terms in the enclosed documents, it is noted that the likelihood exists that the highly confidential sources referred to in these documents are probably mail covers as each document refers to the material obtained as being letters and noting the postmarks and places of mailing for each letter. In addition,

(C)

It is further noted that although certain of the documents refer to the FOIPA Requester Mullins, the documents in question which were obtained through an anonymous source were, in fact, obtained from other individuals who were apparently corresponding with Mullins. (S)

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It is noted that in September, 1975, the FBI reported to the Senate Select Committee that at least 238 entries have been conducted against various domestic targets during the period 1942 to about 1968 and that there were additional entries which they were then unable to document. During the course of the surreptitious entries investigations, it was determined from review of FBI files that there were numerous instances where the terms "highly confidential source" and "anonymous source" were utilized but due to the lack of documentation, it could not be determined if, in fact, these source references were surreptitious entries. (U)

It should be noted that when the Department of Justice referred the surreptitious entry matter for investigation to the FBI on April 10, 1978, the Department advised that they were declining prosecution in all matters referred. (U)

RECOMMENDATIONS:

1. That no inquiry be conducted relative to the possible use of surreptitious entries or other investigative techniques identified in documents from Bureau file 105-15727.(U)

2. That the material be reviewed by the Intelligence Division prior to any release under FOIPA to ensure that disclosure of any information relative to [redacted] (C) [redacted] will not affect national security. (U) b1

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~~CONFIDENTIAL~~

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Finzel

Date 12/18/81

From : J. K. Hall

Subject : FOIPA Request of [REDACTED]

PURPOSE: To advise of a request by [REDACTED] for FBI records pertaining to his becoming a Federal Judge and all information concerning alleged criminal conduct on his part.

DETAILS: The FOIPA Section is in receipt of a letter dated November 25, 1981, from [REDACTED] United States District Court, Southern District of Florida, requesting records pertaining to his becoming a Federal Judge in 1979. He also requested all information concerning his alleged criminal conduct as reported by The Washington Post and Miami Herald.

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Recently there has been considerable publicity concerning [REDACTED] and Washington D.C. Attorney William Borders regarding a bribery matter handled by the FBI, which investigation involved the use of undercover agents.

[REDACTED] request will be handled according to normal procedures and you will be informed of any records which might be released. FOIPA Section will coordinate with the Criminal Investigative Division, Legal Counsel Division and Inspection Division.

RECOMMENDATION: None. For information.

- 1 - Mr. Colwell
- 1 - Mr. Finzel
- 1 - Mr. Monroe
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. Smith
- 1 - Mr. S.R. Andrews

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hamn:glb

Mr. Finzel

11/25/81

J. K. Hall

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUEST OF FORMER CONGRESSMAN CHARLES COLES DIGGS, JR.
FOR DOCUMENTS REGARDING HIMSELF**

PURPOSE:

To advise of proposed release of 394 pages of documents to former Congressman Diggs.

DETAILS:

By way of background, Mr. Diggs served many years as a Congressman from Michigan until his expulsion therefrom following his conviction for payroll fraud.

On April 17, 1978, Mr. Diggs submitted a request for all documents regarding himself. Interim releases were made on October 27, 1978 and December 11, 1978 of 209 pages of documents consisting of newspaper articles, correspondence matters between him and the FBI, documents containing miscellaneous information about him and from an extortion investigation (threatening letters) wherein he was a victim.

A cost letter was sent to Mr. Diggs on March 14, 1979, in the amount of \$39.40 for duplication of an additional 394 pages. No response was received from Mr. Diggs concerning this fee, and, therefore, the case was closed on May 18, 1979. Mr. Diggs forwarded his check for \$39.40 on November 10, 1981, and the responsive documents are being prepared for release.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Office of Congressional and Public Affairs
Attention: Mr. [REDACTED]
- 1 - Mr. Finzel
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. King
- 1 - Mr. S. R. Andrews

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kmb:jmr (9)

CONTINUE-OVER

To: Mr. Finzel

From: J. K. Hall

RE: Freedom of Information-Privacy Acts (FOIPA)
Request of Former Congressman Charles Coles Diggs, Jr.
for documents regarding himself

This proposed release of 394 pages includes a 1960 Fraud Against the Government (FAG) case and the abovementioned FAG investigation concerning his conviction on October 14, 1978 for misuse of payroll funds, an extortion investigation (receiving threatening telephone calls) where he is a victim and four "see" references that were referred to us by the Central Intelligence Agency.

RECOMMENDATION:

None. For information.

Mr. Finzel

OCT 21 1981

J. K. Hall

FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO MR. JEFF GOLDBERG, WASHINGTON, D.C., REGARDING MICHAEL "MICKEY" COHEN.

PURPOSE: To advise of a release of documents relating to Michael "Mickey" Cohen, deceased Los Angeles organized crime figure, which may result in media interest.

DETAILS: Jeff Goldberg is a Washington-based journalist currently working on a non-fiction book. He has made 18 FOIA requests for information regarding such people as Angelo "Gyp" De Carlo, Paul "Red" Dorfman, Thomas E. Dewey, Howard R. Hughes, Martha Mitchell, Santos Trafficante, Sr., John McCormack, and "Mickey" Cohen.

Bureau records contain extensive material relating to "Mickey" Cohen, however, Mr. Goldberg's request is limited to specific information. The material he is seeking includes a Civil Rights complaint which Cohen made (but never followed up) against a Federal Narcotics Bureau agent; a summary of Cohen's activities until 1949; and an anti-racketeering file which was scanned (per Goldberg's request) for information pertaining to Cohen's "alleged campaign contributions and connections with certain political figures."

Upon searching the last file, several references were located which pertain to former President Richard M. Nixon and former Ambassador Adlai Stevenson of Illinois. Allegedly, Cohen claimed to have given Mr. Nixon his start in politics in California in 1946 by raising thousands of dollars for Nixon's congressional campaign. There is also a reference indicating that Stevenson, the Democratic candidate for President in 1952, sent an emissary to Cohen to obtain

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Monroe
- 1 - Mr. Finzel
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

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DCO:jch (10)

CONTINUED - OVER

Memo to Mr. Finzel from J. K. Hall
Re: Freedom of Information Act (FOIA) Release To Mr.
Jeff Goldberg, Washington, D. C., Regarding
Michael "Mickey" Cohen

information on illegal activities by unnamed police officials.
Cohen refused to divulge any information. No investigations
into the above allegations were conducted by the FBI.

RECOMMENDATIONS: For information.

[]

To: All Unit Chiefs and Team
Captains, FOIPA Section

9/21/81

Re: TICKLER DESIGNATIONS FOR COMMUNICATIONS
TO ALL SACs AND LEGATS, SAC MEMOS, AND
HIGH VISIBILITY MEMOS

There has been a change in the Special Assistants to the Director. Mr. Roin and Mr. Steel are no longer here. Their replacements have reported and should be included in your tickler list of communications to All SACs and Legats and SAC memos. Effective immediately, Mr. Gants should be listed in place of Mr. Roin, and Mr. S. R. Andrews should be listed in place of Mr. Steel. Regarding Mr. S. R. Andrews, please be sure to use his initials to differentiate him from Mr. [] Also, Mr. Hotis has been designated as a Special Assistant, as has Ms. Douglas, and their names should also be included.

In preparing communications to All SACs and Legats and SAC Memos, the copy designations should be listed in the following order:

- 1 - Mr. Colwell
- 1 - EAD, Inv.
- 1 - Mr. Otto
- 1 - Each Assistant Director
- 1 - List the Agents that the communication would be of interest
- 1 - Mr. Hotis
- 1 - Mr. Gants
- 1 - Mr. S. R. Andrews
- 1 - Ms. Douglas
- 1 - Miss []
- 1 - Manuals Desk

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Regarding high visibility memos, ticklers should be designated for:

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Other Assistant Directors involved
- 1 - Mr. Finzel
- 1 - Mr. Hall
- 1 - Mr. []
- 1 - Unit Chief or Supervisor involved
- 1 - Mr. S. R. Andrews

J. E. Hall

pcn

Mr. Pinzel

SEP 17 1981

J. K. Hall

**FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO
MR. FRED GILLIES OF THE DENVER POST, DENVER,
COLORADO, AND MS. KATHLEEN HAYES, AURORA, COLORADO,
REGARDING THOMAS RIHA**

PURPOSE: To advise of a release of documents relating to
Thomas Riha, a University of Colorado professor
who disappeared in 1969 under mysterious circumstances.
The release may possibly result in media interest.

DETAILS: Thomas Riha was a professor at the University
of Colorado who mysteriously disappeared from
his home in 1969. The case was well publicized in the media
at the time, and periodically generates additional articles
in Colorado newspapers inasmuch as the disappearance of
Professor Riha has not been resolved. Riha was the subject
of an internal security investigation from 1958 to 1963,
and a Congressional inquiry was received in 1975 regarding
his disappearance, but no FBI investigation into the
disappearance was conducted.

One outgrowth of the case, however, was the dis-
continuance of liaison with the Central Intelligence Agency
(CIA) Office in Denver and the termination of direct liaison
with CIA Headquarters for a period of time. A CIA employee
in February, 1970, claimed that an FBI agent in Boulder,
Colorado, had told the CIA that Riha's disappearance was
merely a marital affair and that Riha was all right. The
CIA then provided this information to the President of the
University, who made it public. Former Director Hoover
attempted to learn the identity of the FBI agent allegedly
providing the information, but when the CIA employee refused
to divulge the name, liaison with CIA was halted.

1 - Mr. Colwell
1 - Mr. Pinzel
1 - Mr. Young
1 - Mr. Bresson
1 - Mr. Hall
① - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. S. Andrews

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DCO:jch (11)

CONTINUED - OVER

Memo to Mr. Finzel from Mr. Hall

Re: Freedom of Information Act (FOIA) release to Mr. Fred Gillies of the Denver Post, Denver, Colorado, and Ms. Kathleen Hayes, Aurora, Colorado, regarding Thomas Riha

Documents relating to Riha have previously been released to Mr. Gillies and to the attorney for the executor of Riha's estate. Ms. Hayes has previously received documents regarding Galya Tannenbaum, a key figure in actions preceding and following Riha's disappearance. The present release provides 163 pages from Riha's files to Hayes, and 33 pages of documents (approved after consultation with the CIA) to Gillies. The 33 pages containing CIA information is included in the 163 pages going to Hayes. Although these 33 pages were recently released to the attorney for the executor of the estate, this release is the first time the information regarding the break in FBI-CIA relations has been released to the media.

Recommendation: For information.

SEP 9 1981

Mr. Pinzel

J. R. Hall

**FREEDOM OF INFORMATION ACT (FOIA) REQUEST
CONCERNING BOBBY SEALE**

PURPOSE:

To advise of the FOIA's first release of documents to John R. Williams, Esquire, on behalf of Bobby Seale, since the release of this material is likely to result in publicity.

DETAILS:

The Bureau received an FOIA request for information pertaining to Bobby Seale, requested by John R. Williams, Attorney at Law, New Haven, Connecticut. Bobby Seale, in 1966, was the co-founder with Huey Newton of the Black Panther Party (BPP). Bobby Seale was a co-defendant in the Chicago conspiracy trial during 1969, which ultimately resulted in dismissal of all charges. Seale resigned from the BPP in 1974.

This is the first of many releases to be sent to Mr. Williams. We have numerous main files and "see" references to be processed from Headquarters files. We also have all field office files concerning Seale here at the Bureau to be processed. Proposed for release are 3,025 pages of Elsur material identifiable with Bobby Seale from the San Francisco Field Office.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Pinzel
- 1 - Mr. Bresson
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. Steel

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rnc/cac (11)

Memo: Hall to Finzel

Re: Freedom of Information Act (FOIA) Request
Concerning Bobby Seale

RECOMMENDATION:

None. For information.

Mr. Finzel

September 2, 1981

J. K. Hall

CHESTER LACAYO, REQUESTER
FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) MATTER

PURPOSE:

To advise that the FOIPA Section will be disclosing documents to Mr. Howard W. Eakins, ATC Associates, Inc., aviation consultants located in Alexandria, Virginia, as a result of a proper third party request concerning Mr. Chester Lacayo, the subject of Bufile 109-180, IS-Nicaragua-Registration Act. The FOIPA Section will also release documents to United States Chief Judge C. Clyde Atkins of the Southern District of Florida relevant to Chester Lacayo. Judge Atkins originated his third party authorized request at the CIA which was then referred to the FBI.

DETAILS:

Subject was a Nicaraguan alien, active in Nicaraguan revolutionary activities in the United States during the late 1940's, 50's and early 1960. He was registered with the Department of Justice as the Commander-in-Chief of the Nicaraguan Revolutionary Movement and proposed to lead an invasion of Nicaragua in order to overthrow the late Anastasio Somoza, the father of the recently assassinated President of Nicaragua, Anastasio Somoza, Jr. His activities were followed to ascertain if he acted beyond the scope of his registration. Allegations were made that it was "well known" that Lacayo had homosexual tendencies and that his proposed invasion was a sham in order to raise money from Nicaraguan exiles in the United States.

Subject left New York City on May 27, 1960, reportedly to fly to Honduras by way of Havana, Cuba. When the Pan American plane on which he was a passenger landed in Cuba for refueling, Lacayo was removed from the plane by Castro's police and thrown

- 1 - Mr. Colwell
- 1 - Mr. Finzel
- 1 - Mr. O'Malley
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. Steel

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Memorandum J. K. Hall to Mr. Pinzel
Re: Chester Lacayo, Requester
Freedom of Information-Privacy Acts (FOIPA) Matter

in jail for over 17 years. Lacayo was charged with preparing to invade Nicaragua from Cuba and thereby implicate Cuba in his actions. A considerable amount of publicity concerning his arrest was generated in the U. S. newspapers. Lacayo was released from Cuba in 1977 and first went to Costa Rica and, eventually, he was able to reenter the United States.

In 1979, Lacayo filed an action in the U. S. District Court, Southern District of Florida (USDC, SDFla.), against Pan American World Airways, Inc., for negligent misrepresentation and willful disregard for his safety while he was aboard the plane that landed in Cuba in 1960 and from which he was removed and placed in jail.

In October, 1980, an FOIPA authorized third party request was received at FBIHQ from Mr. Howard Eakins regarding Chester Lacayo. In July of 1981, the CIA advised the FBI that they had received the same request and, in addition, an authorized third party request from Judge C. Clyde Atkins regarding Lacayo. Judge Atkins is the presiding judge in Lacayo's current lawsuit.

Based on Mr. Eakins' and Judge Atkins' requests a total of 328 pages are now releasable from FBIHQ. Upon receipt of fees from Mr. Eakins, these documents including those referred from the CIA will be sent to him. Also, the CIA referral documents will be sent to Judge Atkins by way of the Miami Field Office. The FPCO in Miami will personally deliver these documents to Judge Atkins.

It is not known for what reason Judge Atkins has requested the information on Lacayo, however, it is conceivable Lacayo has told the Judge that the FBI and CIA files contain proof of Pan American's negligence.

This is a most unusual procedure, and it is felt that in view of the recent assassination of President Somoza and our current relations with Cuba and Nicaragua that publicity regarding our release and Lacayo's lawsuit will be brought to the attention of the public.

RECOMMENDATION:

None. For information.

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Off. of Cong. & Public Affs. ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Finzel

Date 5/15/81

From : J. K. Hall

Subject : FOIA REQUEST OF SEVERAL INDIVIDUALS FOR INFORMATION
PERTAINING TO JOHN WINSTON ONO LENNON, DECEASED
FORMER MEMBER OF THE BEATLES MUSICAL GROUP

PURPOSE:

To advise of the forthcoming FOIA release of investigative documents to several individuals as a result of FOIA requests for information pertaining to John Winston Ono Lennon.

DETAILS:

Within five days, the FOIPA Section will release, pursuant to several FOIA requests, 82 pages of documents pertaining to John Winston Ono Lennon.

The bulk of the documents to be released are from a Security Matter - New Left investigatory file. The investigation was initiated upon receipt of information that Lennon might engage in activities to disrupt the 1972 Republican National Convention. Additionally, the Bureau conducted a limited inquiry regarding information provided by Lennon to the Immigration and Naturalization Service (INS) in connection with the deportation hearing for Lennon and his wife, Yoko Ono.

Due to the notoriety of Lennon, publicity may result in view of the nature and scope of the Bureau's investigative activities.

RECOMMENDATION:

None. For information.

- 1 - Mr. Colwell
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Bresson
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. Underwood
- 1 - Mr. [REDACTED]

b6
b7C

WS/mdr (9)

Mr. Finsel

1/23/81

J.K. Hall

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUEST OF MIKE WALLACE

PURPOSE. To advise of a release of information pertaining to Mrs. Eleanor Roosevelt from former Director J. Edgar Hoover's "Official and Confidential" (O and C) files to Mike Wallace.

DETAILS: Reference is made to my memo dated 11/28/80, captioned as above, which advised that information concerning an alleged love affair between Mrs. Eleanor Roosevelt and Joseph P. Lash (an officer in the U.S. Army) had been sent to U.S. Army Intelligence for consultation purposes. By letter dated 11/20/80, the Army advised that nine (9) pages of this information could be released to Mr. Wallace without excisions. The remaining 100 pages, which were extracted from Mr. Lash's U. S. Army personnel file, are to be denied as they contain personal information regarding Mr. Lash.

Thomas F. Conley, Chief, Freedom of Information-Privacy Office, U.S. Army Intelligence, was telephonically contacted in early December, 1980, to discuss their decision and the probable media interest involved in the release of this information. On 12/12/80, Mr. Conley advised that after further discussion with U.S. Army Intelligence General Counsel, they stood by their original decision and interposed no objection to the release of FBI Memoranda containing Army information.

- 1 - Mr. Colwell
- 1 - Mr. Steel
- 1 - Mr. Finsel
- 1 - Mr. Young
- 1 - Mr. Hall
- ① - Mr.
- 1 - Mr.

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(CONTINUED - OVER)

KWS:chs (8)

Hall to Finzel Memorandum
RE: FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUEST OF MIKE WALLACE

However, since it was determined that Mr. Lash is still alive and there is no record of the Roosevelt-Lash affair being made public, the Bureau is taking the position that to release Mr. Lash's name would be an unwarranted invasion of his personal privacy. His name has been deleted throughout the nine (9) pages of documents.

Should you desire to review the documents being released to Mike Wallace of the "60 Minutes" news program, please contact [redacted] on extension 324 [redacted]

RECOMMENDATION: None, for information only in view of anticipated media interest.

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DEC 17 1980

Mr. Finzel

J. K. Hall

FOIA REQUEST OF [REDACTED] FOR A COPY
OF THE INVESTIGATIVE FILES OF [REDACTED] AND
[REDACTED]

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PURPOSE:

To advise of proposed release of 151 pages
concerning [REDACTED] and 78 pages concerning [REDACTED]
to [REDACTED]

DETAILS:

On May 15, 1980, Judge Webster and other Bureau
officials met with [REDACTED] who defeated
[REDACTED] in both the 1978 and 1980 Congressional races,
was concerned that the Federal Election Commission had not
properly investigated the allegations of illegal campaign
contributions by [REDACTED] to [REDACTED] and
[REDACTED] of Alabama.

The FBI conducted a limited investigation of these
allegations at the request of the Department of Justice.

On September 12, 1980, Phillip B. Heymann,
Assistant Attorney General, Criminal Division, United States
Department of Justice, advised [REDACTED] by letter
that the investigation by the Department of Justice into
the alleged illegal campaign contributions had been
completed and that there was no evidence that federal
criminal law had been violated.

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b7C

- 1 - Mr. Colwell
- 1 - Mr. Steel
- 1 - Mr. Finzel
- 1 - Mr. Young
- 1 - Mr. Ervin
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

b6
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mlp:bms (11)

Memo: Hall to Finzel

Re: FOIA Request of [redacted] For a
Copy of the Investigative Files of [redacted]
and [redacted]

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Upon learning that the inquiry had been completed,
[redacted] on September 16, 1980, submitted a
FOIA request for a copy of the investigative files of
[redacted]

The request has been processed pursuant to the provisions of the FOIA and [redacted] is primarily being furnished information which is of a public nature. Deletions have been made for reasons of personal privacy, and to protect the identities of implied confidential sources. The only information in the released documents which might be of a potential controversial nature was the opinion of a FBIHQ official that there was a strong potential that [redacted] might attempt to use the FBI in his campaign rhetoric against [redacted] has conducted his own investigation into the alleged election law violations and has in the past entered his findings into the Congressional Record.

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b7C

RECOMMENDATION:

None. For information.

12/15/82

Mr. Monroe

J. K. Hall

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF
DAVID F. POWER FOR JUNE MAIL INVENTORY CARDS IN THE
SPECIAL FILE ROOM (SFR)

PURPOSE: To advise of the second and final release of 1,121
June Mail inventory cards which may result in media interest.

RECOMMENDATION: For information.

DETAILS: David F. Power has made many FOIPA requests and
his file under the 190 (FOIPA) classification now consists of
nine volumes. According to the 190 file, he has in the past
released what he considered newsworthy material to "The
Washington Post."

Mr. Power has requested all June Mail inventory cards
maintained in the SFR. According to the Records Systems Section,
Records Management Division, the utilization of June designator
by the Bureau since its inception in June, 1949, until its
discontinuance in late 1978, covered many categories of information.
Unfortunately the June designator has been unfairly equated by
individuals outside the Bureau to relate only to surreptitious
entry, mail openings and electronic surveillance. Individuals such

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Monroe
1 - Mr. Hall
1 - Mr.
1 - Mr. S. R. Andrews
al:jmr (9)

CONTINUED-OVER

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Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information-Privacy Acts (FOIPA) Request of
David F. Power for June Mail Inventory Cards in the
Special File Room (SFR)

as Mr. Power may attach the wrong meaning to June Mail
inventory cards with captions such as:

University of Alabama
Teamsters Union
Foreign Political Matters - Nicaragua
Foreign Political Matters - Paraguay
Foreign Political Matters - Panama
Foreign Political Matters - Peru
Foreign Political Matters - Mexico
Foreign Political Matters - Brazil
Congressman Adam Clayton Powell
Freedom of the Press Company
Christian Educational Association
National States Rights Party
Jewish Defense League
Democratic National Convention,
August, 1968.

This release consists of cards from drawers two and
three and completes the request for June Mail inventory cards
in the SFR.

In most instances, these cards contain only basic
information, such as the subject, file number and a date, for
the inventory purpose they serve. They were scoped to delete
third party names before processing began. Deletions were
made pursuant to (b)(1), (b)(2), (b)(7)(C) and (b)(7)(D).
Mr. Power has paid advance fees for the material at \$.10 per
card.

Mr. Power, dissatisfied with the paucity of material
initially released by letter dated August 24, 1982, appealed to
the Assistant Attorney General by letter dated September 20,
1982. The material in question is currently under review on
appeal by the Department of Justice.

Mr. Monroe

12/13/82

J. K. Hall

FOIPA RELEASE TO BERNARD FENSTERWALD, JR., REGARDING
THE ASSASSINATION ATTEMPT ON GOVERNOR GEORGE WALLACE

PURPOSE: To advise of the imminent release of 5414 pages of documents regarding the attempted assassination of Presidential Candidate, George Wallace. This release, if published, may result in the resurgence of interest in this case as well as the resurfacing of conspiracy theories.

DETAILS: On May 16, 1972, Governor George C. Wallace of Alabama, while campaigning for the Democratic Presidential nomination, was shot and seriously wounded by Milwaukee resident, Arthur H. Bremer, after Wallace had completed a speech in Laurel, Maryland. Bremer was immediately captured at the scene of the shooting. He was tried and convicted in Maryland State Court and is presently incarcerated in a Maryland State prison.

President Nixon ordered the FBI to investigate Bremer's background to determine if he acted alone or conspired with others. The FBI's file, consisting of 26 volumes, deals with the vast number of leads developed from Bremer's diary which described his movements prior to the shooting. No evidence was found implicating other individuals or organizations with Bremer's assault. The file does indicate a persistent belief on the part of the media and others that Bremer was part of a conspiracy targeted against Wallace.

The requester is Bernard Fensterwald, Jr., an Arlington, Virginia, lawyer, who has made numerous requests regarding President Kennedy's assassination and other events he believes are related to the J. F. Kennedy assassination. He presently has 62 FOIPA requests for information relating to the Kennedy assassination which are in litigation.

RECOMMENDATION: None; for information.

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Revell
1 - Mr. Monroe
1 - Mr. Hall
① - Mr. [redacted] 2314
1 - Mr. [redacted]
1 - Mr. S. R. Andrews
ml:jmr (10)

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b7c

Mr. Monroe

11/3/82

J. K. Hall

**PLAYBOY ENTERPRISES, INC. - REQUESTER
FREEDOM OF INFORMATION ACT
RELEASE OF GARY THOMAS ROWE TASK FORCE REPORT**

PURPOSE: To advise of the court ordered release to Playboy Enterprises, Inc. of the 1979 Department of Justice (DOJ) Task Force Report regarding the FBI's handling of Gary Thomas Rowe while he served as a Bureau informant within the United Klans of America and his activities surrounding the death of Mrs. Viola Liuzzo in 1965.

DETAILS: By memorandum dated October 13, 1982, the Office of Information and Privacy (DOJ) requested the FBI to review the 302-page Task Force Report regarding former FBI informant Gary Thomas Rowe. This request was made pursuant to an affirmed decision by the U.S. Court of Appeals for the District of Columbia Circuit in which the Court ruled in favor for the plaintiff, Playboy Enterprises, Inc., and ordered release of certain portions of the Report.

Among other material released in this Report is a 14-page appendix regarding the handling of FBI informants. Some of this information has been taken from the former FBI Manual of Instructions, Sections 107, 108 and 130, which relate to Criminal and Racial Informants. In the past we have not been required to release this type of material under the FOIPA. The court did allow exercise of the (b)(7) exemptions relating to informant identity and statements (except as to Rowe) and to protect the privacy of agents and other individuals.

- 1 - Mr. Colwell
- 1 - Mr. Monroe
- 1 - Mr. Young
- Attn: Mr. [REDACTED]
- 1 - Mr. Bresson
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - S.R. Andrews

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njg:srs (9)

Memorandum from J. K. Hall to Mr. Monroe
Playboy Enterprises, Inc. - Requester

The Task Force Report was furnished to Playboy Enterprises, Inc., late October 29, 1982. A copy of this release has been furnished to the Office of Congressional and Public Affairs for assistance in responding to any media inquiries.

RECOMMENDATION: None. For information.

Mr. Monroe

8/3/82

J. K. Hall

FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF ALAN L. GANSBERG

PURPOSE:

To advise of upcoming release of documents concerning Ronald Reagan which may result in publicity.

DETAILS:

Mr. Gansberg, a Hollywood writer, requested documents concerning the communist infiltration of the entertainment community. This request asked specifically for: (1) reports on the appearance of Ronald Reagan before the House Committee on Un-American Activities (HCUA) on October 23, 1947; and (2) any materials on Ronald Reagan's participation with the FBI in the investigation of communist infiltration in the Hollywood entertainment community 1945-1953.

Two documents were found to be pertinent to this request. The first is a transcript printed by the GPO of Mr. Reagan's testimony before HCUA. This document was released in its entirety. Participating in the hearing reported in the seven pages released were Mr. Gary Cooper, Mr. Richard Nixon, Mr. Walt Disney and other prominent individuals.

The second document is part of a report dated August 4, 1947. Pages 156-157 deal with an interview of Mr. Reagan and Jane Wyman at their home in Los Angeles, California. This interview was requested by Mr. Reagan. The information provided is similar to the testimony which

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Monroe
1 - Mr. Bresson
1 - Mr. Hall
① - Mr.
1 - Mr.
1 - Mr. S. R. Andrews
llw:jmr (10)

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CONTINUED-OVER

Memorandum J. K. Hall to Mr. Monroe

Re: Freedom of Information Act (FOIA) Request of Alan L. Gansberg

is being released, however, several suspected communists are specifically named. After discussion on July 16, 1982, with Mr. Dan Metcalfe and Ms. Miriam Nisbet of the Office of Information and Privacy, Department of Justice, the interview of Mr. Reagan and Jane Wyman is being withheld in its entirety pursuant to the FOIA provisions which exempt third party privacy matters. The only material being released is the cover page of the report.

RECOMMENDATION: None. For Information.

Memorandum

~~CONFIDENTIAL~~



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Monroe

Date 6-7-82

From : J. K. Hall

Subject : FREEDOM OF INFORMATION ACT (FOIA)
REQUEST CONCERNING NUCLEAR MATERIALS
AND EQUIPMENT CORPORATION (NUMEC),
APOLLO, PENNSYLVANIA

PURPOSE: To advise of FOIA release of documents to Paula M. Borger, Associate Producer, ABC News Closeup; John R. Emshwiller of the Wall Street Journal; Stephen J. Green, a free-lance journalist and Senator John Glenn, since the release of this material may result in publicity.

RECOMMENDATION: None, for information.

DATE: 04-02-2008
CLASSIFIED BY 60324 UC BAW/RS/YMW
DECLASSIFY ON: 25X 3.3(1)
04-02-2033

CLASSIFICATION PER OGA LETTER
DATED 03-26-2008

Classified and Extended by SP-1
Reason for Extension FCIM-II, 1-2.4.2 (2, 3)
Date of Review for Declassification 6-7-2002

~~CONFIDENTIAL~~

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Revell
- 1 - Mr. Monroe
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. S. R. Andrews

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

JMU:avs (9)

(CONTINUED - OVER)

~~CONFIDENTIAL~~

Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information Act (FOIA)
Request concerning Nuclear Materials
and Equipment Corporation (NUMEC),
Apollo, Pennsylvania

DETAILS: Paula M. Borger and John R. Emshwiller have requested access to all records pertaining to NUMEC. Stephen J. Green has made a limited request for access to investigative and/or summary reports contained in the NUMEC file. Senator John Glenn has requested to receive copies of all records and information concerning NUMEC which are released pursuant to the Borger request.

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(C)

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~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information Act (FOIA)
Request concerning Nuclear Materials
and Equipment Corporation (NUMEC),
Apollo, Pennsylvania

It was not until April, 1976, that an Atomic Energy Act investigation was instituted at the specific request of the President of the United States with a directive that the investigation attempt to determine whether a diversion occurred at the NUMEC facility and also whether or not there were any individuals in Government who became aware of this and attempted to cover up this information. No evidence of a diversion could be found, and the case was closed in January, 1981, on instructions from the Department of Justice.

(C) Ms. Borger, Mr. Emshwiller, and Senator Glenn have been furnished 255 pages of heavily excised material. Additional material should be released to all requesters within two to four months. Processing of this request was coordinated with the CIA, United States Department of Justice, Criminal Investigative Division and Office of Congressional and Public Affairs.

~~CONFIDENTIAL~~

Deputy Assistant Director
Records Management Division

APR 21 1982

J. K. Hall

**FREEDOM OF INFORMATION ACT (FOIA) REQUESTS CONCERNING
JOSEPH L. ALIOTO, FORMER MAYOR OF SAN FRANCISCO**

PURPOSE: To advise of FOIA's release of documents to Richard W. Carlson, a free-lance journalist, Jon Standefer of the "San Diego Union", and Joe Pichirallo of the "San Francisco Examiner," as the release of this material may result in publicity.

DETAILS: The Bureau received three FOIA requests concerning Joseph L. Alioto, former Mayor of San Francisco, and his relationship to various organized crime figures. These requests are based on an article which appeared in the September 23, 1969, issue of "Look" magazine linking the Mayor with organized crime. The article was co-written by Richard W. Carlson who is submitting one of the above FOIA requests. The article resulted in a libel suit filed by the Mayor against "Look" which received widespread coverage in the media. The suit went to trial four times and was appealed twice over a 12 year period before being resolved in favor of the Mayor.

These requests were originally denied in total based on the fact that Mayor Alioto did not give authorization for the release of information. However, upon appeal, the Justice Department determined that these requests should be processed for disclosure based on Mayor Alioto's status as a public figure and the notoriety surrounding the "Look" libel trials.

Information contained in this release deals with Alioto's relationship to various well-known organized crime figures on both a personal and professional level. The release consists of information about Alioto from publicly acknowledged organized crime informants and deals with his relationships made public by the extensive litigation. Processing of this request was coordinated with the Office of Legal Policy, United States Department of Justice, the San Diego and San Francisco Field Offices and Organized Crime Section, FBIHQ.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Deputy Assistant Director
Records Management Division
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. S. R. Andrews

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djj:csc (9)

To: Deputy Assistant Director

Re: Freedom of Information Act (FOIA) Requests Concerning
Joseph L. Alioto, Former Mayor of San Francisco

This office is also handling Mr. Carlson's requests to the San Diego and San Francisco field offices concerning the same matter.

RECOMMENDATION: None, for information.

Deputy Assistant Director
Records Management Division

2/12/82

J. K. Hall

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST
OF [REDACTED] FOR INFORMATION RELATING
TO THE BACKGROUND CHECK OF [REDACTED]

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PURPOSE:

To advise of possible media interest in the above
FOIPA release.

DETAILS:

[REDACTED] is being considered for the position
of [REDACTED] for the District of West Virginia.

By letter dated January 26, 1982, to Associate Deputy
Attorney General Stanley E. Morris [REDACTED] requested
a copy of the FBI's background check on [REDACTED]. This request
was referred to the FOIPA Section on February 2, 1982, with appro-
priate authorization signed by [REDACTED]
indicated a particular interest in any derogatory information
furnished by interviewees.

[REDACTED] indicated that he understood that
some individuals had requested confidentiality but that he hoped
to receive the substance of their comments. However, those
individuals who furnished derogatory information stated that they
did not wish their identities revealed to [REDACTED] under any
circumstances. These individuals also stated that the release of
any of the information supplied by them would reveal their identi-
ties to [REDACTED]. Therefore, all information supplied by these
individuals has been deleted from the material proposed for release.

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- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Deputy Assistant Director
Records Management Division
- 1 - Mr. Monroe
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. S. R. Andrews

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(10)

(CONTINUED - OVER)

J. K. Hall to Deputy Assistant Director, RMD
Re: Freedom of Information-Privacy Acts (FOIPA) Request
of [REDACTED] for Information Relating
to the Background Check of [REDACTED]

Mr. Morris' office has advised that based on the
background investigation, they are not in a position to approve
an appointment of [REDACTED] and desire
[REDACTED] to withdraw his sponsorship.

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In view of the obvious ramifications, this matter
could result in some publicity.

The release of this material to [REDACTED]
is expected to be made on February 17, 1982.

RECOMMENDATION:

None. For information.

Deputy Assistant Director
Records Management Division

1/26/82

J. K. Hall

**FOIA REQUEST OF CYNTHIA KING
REGARDING CAROL KING**

PURPOSE:

To advise of the forthcoming FOIA release of information which could result in possible adverse publicity.

DETAILS:

Cynthia King has brought an FOIA suit against the Department of Justice (FBI) seeking, among other relief, release of information withheld from files concerning her deceased mother-in-law, Carol King. Carol King was a prominent attorney during the 1930-1950 era who represented Harry Bridges (former President of the International Longshoremen's and Warehousemen's Union) and Earl Browder (former CPUSA Secretary), among others.

As a result of this litigation, certain information has recently been declassified which reveals the FBI's electronic surveillance and surreptitious entry activities against Carol King's law offices. With the exception of the identities of certain individuals, this material is not exempt and must be released.

On January 29, 1982, the FOIPA Section intends to submit to the United States District Court for the District of Columbia, 1,587 pages pertaining to Carol King in response to FOIPA litigation for ultimate release to Cynthia King. The pages being submitted to the court are from an Internal Security-Communist investigatory file dated 1941 through 1952 concerning allegations that Carol King was a member of the Communist Party.

- 1 - Mr. Colwell
 - 1 - Mr. Young
 - 1 - Deputy Assistant Director
Records Management Division
 - 1 - Mr. Hall
 - ① - Mr. Lewis
 - 1 - Mr. Underwood
 - 1 - S. R. Andrews
- ldd/mdr (8)

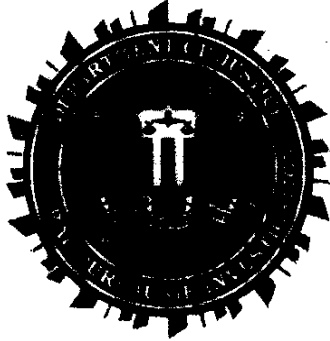
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J. K. Hall to Deputy Assistant Director, RMD. Memorandum
RE: FOIA Request of Cynthia King
Regarding Carol King

Cynthia King, in her initial FOIPA request, stated that information obtained from the FBI would be used to assist her in preparing a biography concerning Carol King. In view thereof and the nature of the information, it can be reasonably anticipated that possible adverse publicity could result from the disclosure of this information.

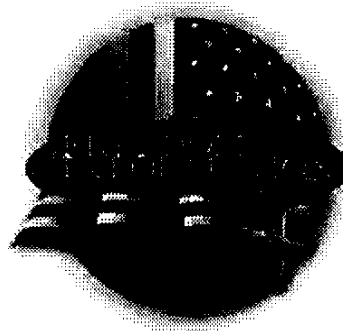
RECOMMENDATION:

None. For information.



FREEDOM OF INFORMATION
AND
PRIVACY ACTS

SUBJECT HIGH VISIBILITY MEMOS



FEDERAL BUREAU OF INVESTIGATION

Mr. Monroe

12/20/83

J. K. Hall

**FREEDOM OF INFORMATION ACT (FOIA) REQUESTS
CONCERNING THE INVOLVEMENT OF UNITED STATES
REPRESENTATIVE JOHN P. MURTHA IN OPERATION
ABSCAM**

PURPOSE: To advise of the forthcoming release of ABSCAM videotapes and transcripts concerning U. S. Representative John P. Murtha (12th District of Pennsylvania) to reporters Richard A. Gazarik and Dennis B. Roddy.

RECOMMENDATION: None. For information, inasmuch as publicity can be anticipated.

DETAILS: Richard A. Gazarik and Dennis B. Roddy, staffwriters of the Greensburg, Pennsylvania newspaper the TRIBUNE REVIEW, have submitted FOIA requests for all documents, videotapes and tape transcripts concerning the role of Congressman Murtha in Operation ABSCAM. Both reporters have indicated that they intend to use this material as the basis for articles in the TRIBUNE REVIEW.

The pertinent ABSCAM material concerns two videotapes produced on January 7, 1980, in a Georgetown townhouse where Congressman Murtha, Philadelphia attorney [redacted] undercover Special Agent [redacted] and FBI undercover operative [redacted] met. [redacted] and [redacted] were posing as the representatives of wealthy Arab sheiks. The meeting had been arranged by [redacted] who alleged that Murtha could be bribed to use his political position in assisting the Arab sheiks. The first videotape depicts Murtha repeatedly refusing to accept \$50,000 offered to him and depicts him soliciting investments

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- 1 - Mr. Young
Attn: Mr. [redacted]
- 1 - Mr. Revell
Attn: Mr. [redacted]
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr. [redacted]
- 1 - Mr. [redacted]
- 1 - Mr. [redacted]

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CONTINUED-OVER

Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information Act (FOIA) requests
concerning the involvement of United States
Representative John P. Murtha in Operation
ABSCAM

for his congressional district. Murtha later states that he might accept some money at a future date and he also admitted that he knew that Congressmen John M. Murphy and Frank Thompson had accepted payoffs. The second videotape depicts [redacted] meeting privately with SA [redacted] and [redacted] in an attempt to convince them that Murtha would eventually accept the \$50,000. Congressman Murtha appears briefly at the end of the tape.

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No further contact was had with Murtha during the covert phase of ABSCAM. Since Murtha did not accept the money offered to him no charges were brought against him.

The videotapes and transcripts of the meeting with Murtha are being made available to Roddy and Gazarik without excision since Special Attorney Lawrence Sharf of the New York Organized Crime Strike Force has advised that the videotapes were played in open court during the ABSCAM trial of former Congressmen Murphy and Thompson and, therefore, are in the public domain. Documents from the Bureau ABSCAM file which pertain to Congressman Murtha are not being processed for release since this material is not known to have been made public and neither Roddy nor Gazarik has submitted an authorization from Murtha which would permit release of that material to them.

Release of the videotapes and transcripts has been coordinated with Messrs. [redacted] and [redacted] of the Office of Congressional and Public Affairs and Supervisor [redacted] of the General Property Crimes Unit of the Criminal Investigative Division. In addition, Ms. Miriam Nisbet of the Office of Information and Privacy of the Department of Justice has advised that her office has no objection to the release of the videotapes inasmuch as they were played in open court.

b6
b7C

Mr. Monroe

10/28/83

J. K. Hall

**FREEDOM OF INFORMATION ACT (FOIA)
REQUEST CONCERNING STEPHEN THOMAS WARD**

PURPOSE: To advise of the forthcoming FOIA release of documents to British writer W. R. Brewis concerning the late Dr. Stephen Ward and the 1963 "Profumo Scandal" in England.

RECOMMENDATION: None. For information.

DETAILS: W. R. Brewis, Surrey, England, claims to be writing a book about the 1963 "Profumo Scandal" and by letter dated March 5, 1982, requested certain information about the late Dr. Stephen Ward, a key figure in the Christine Keeler-John Profumo affair. Ward was significant in this case because he was the procurer of Keeler and other prostitutes involved in the scandal. Ward allegedly was an operative of Captain Yevgeny Ivanov, Assistant Naval Attache at the Soviet Embassy in London. This scandal had serious security implications at the highest levels of the governments of both Great Britain and the United States. The British authorities and Parliament conducted extensive inquiries into the scandal and much of the information was passed to the Legat, London, for relay to FBIHQ.

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. O'Malley
 (Attn: Mr. Dickson)
1 - Mr. Monroe
1 - Mr. Hall
① - Mr. [redacted] #314
1 - Mr. [redacted]
1 - Mr. [redacted]
rrk:jmr (10)

CONTINUED-OVER

b6
b7c

Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information Act (FOIA)
Request concerning Stephen Thomas Ward

FOIPA Section anticipates a disclosure consisting of approximately 350 pages of the 1,074 contained in the file. The disclosure will be primarily of public-source type information which will not reveal our sources. Many of the FBI documents contained in the file contain information received from our Legat in London. A release of three volumes (683 pages) of news clips on this matter was made in June, 1983.

The Intelligence Division, Liaison Section, has reviewed the processed FBI documents proposed for release.

Mr. Monroe

8/26/83

J. K. Hall

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUEST OF JOHN F. BRATZEL REGARDING
DUSKO POPOV (DECEASED)**

PURPOSE: To advise of the proposed FOI/PA release of 1421 pages of documents to Mr. Bratzel regarding Dusko Popov.

DETAILS: John Bratzel, an Assistant Professor at Michigan State University who has done considerable research regarding World War II, is a proponent of the theory that the FBI had prior knowledge from Popov of the Japanese attack on Pearl Harbor and failed to notify the proper authorities.

Popov was operated as a double agent by the FBI from August, 1941 through July of 1942, and in his own book, "Spy/Counterespionage", written many years later, he alleged that FBI Director J. Edgar Hoover was warned by him of the attack on Pearl Harbor.

On March 30, 1983, the Office of Public Affairs, FBIHQ, released 6 documents to Mr. Bratzel from the Popov file in an effort to prove that the FBI did not have prior knowledge of the Japanese plans. This release generated considerable publicity throughout the United States.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. O'Malley
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr. [REDACTED] b6 b7C
- 1 - Mr. Underwood

pd:ars (8)

Memorandum from J. K. Hall to Mr. Monroe
Re: FOIPA Request of John F. Bratzel Regarding
Dusko Popov (Deceased)

The previous release by the Office of Public Affairs generated several subsequent requests for additional information regarding Popov and it is possible the release to Mr. Bratzel will also give rise to considerable publicity.

RECOMMENDATION: None, for information only.

Mr. Monroe

8/11/83

J. K. Hall

FREEDOM OF INFORMATION ACT REQUEST OF
PROFESSOR TIMOTHY J. LYONS, SOUTHERN ILLINOIS
UNIVERSITY, CONCERNING CHARLES SPENCER CHAPLIN
(DECEASED)

PURPOSE:

To advise of potential media interest and publicity resulting from requester's identification of and contacts with John J. Erwin, a La Jolla, California, attorney who cooperated with the FBI during its investigation of "Charlie" Chaplin.

DETAILS:

In April, 1981, Professor Timothy J. Lyons, Department of Cinema and Photography, Southern Illinois University, received in response to his FOIA request approximately 2,000 pages of material on "Charlie" Chaplin, former movie actor/producer. The released information related to an internal security investigation of Chaplin's activities in connection with Communist Party front groups and his association with Communist sympathizers as well as a White Slave Traffic Act (WSTA) investigation into Chaplin's alleged transportation of would-be movie star Joan Barry from Los Angeles to New York in 1942 for immoral purposes. Chaplin was indicted for violation of the Mann Act but acquitted at trial.

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Monroe
1 - Mr. Hall
1 - Mr. [REDACTED] b6
1 - Mr. Underwood b7C
1 - S. R. Andrews

MEL:mdr (8)

(CONTINUED - OVER)

J. K. Hall to Mr. Monroe Memorandum
Re: Freedom of Information Act Request of
Professor Timothy J. Lyons, Southern Illinois
University, Concerning Charles Spencer Chaplin
(Deceased)

Lyons, who is writing a book on Chaplin, has sought to obtain additional information on Chaplin through interview and contact with individuals who were acquainted with Chaplin or had some knowledge of the government investigation of him. He has written to former SA Frank Angell, the WSTA case agent, and has sought out John J. Erwin, a La Jolla, California, attorney. At the time of the FBI's investigation, Erwin was representing Joan Barry in a highly publicized paternity suit brought by her against Chaplin and was also cooperating with the FBI in the WSTA case by confidentially providing information on the relationship between Chaplin and Barry. Through his review of the released documents, Lyons has identified Erwin as an informant and has provided him with portions of his proposed book documenting his findings and research on this point. Erwin has become quite disturbed with Lyons' portrayal of him as an informant for the FBI and has expressed his concerns in writing to the Los Angeles Office and to his friend, former SA Angell. He has not been critical of the FBI, but has threatened to bring a libel action against Lyons if the latter includes in his book false accusations concerning his integrity and professional conduct. Angell has advised the Los Angeles Office that he, personally, does not plan to say anything to Lyons.

RECOMMENDATION:

None. For information.

Mr. Monroe

7/6/83

J. K. Hall

**FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
REQUEST RE [REDACTED]**

PURPOSE: To advise that the FOIPA Section is preparing to make a partial release of approximately 1800 pages of documents to [REDACTED] on July 11, 1983, with the remaining material to be released in the near future.

DETAILS: [REDACTED]

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This file consists of approximately 2200 pages and includes [REDACTED]

Murtagh has reviewed and concurs with the proposed release and this matter has been coordinated with Criminal Investigative Division.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Revell
- 1 - Mr. Monroe
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. Underwood
- 1 - S. A. Andrews

b6
b7C

rer:srs (9)

Memorandum from J. E. Hall to Mr. Monroe
FOIPA Request Re [REDACTED]

This case has generated extensive publicity and numerous inquiries have been received by the Bureau from citizens [REDACTED]

b6
b7C

RECOMMENDATION: None. For information.

Mr. Monroe

4/14/83

J. K. Hall

**FREEDOM OF INFORMATION/PRIVACY ACTS (FOIPA)
REQUEST OF PROFESSOR ATHAN THEOHARIS
FOIPA NO. 97,768**

PURPOSE: To advise of a forthcoming release of documents from Director Hoover's "Official and Confidential" ("O&C") files.

DETAILS: Mr. Theoharis, an historian at Marquette University, requested Mr. Hoover's "O&C" files, which consist of 164 folders with approximately 18,000 pages. These folders contain correspondence and investigative material involving such prominent Americans as Joseph P. and John F. Kennedy, Martin Luther King, Jr., Henry Cabot Lodge, and George McGovern. Also, there are previously released memoranda which set forth policy and procedural considerations regarding such matters as microphone surveillances and surreptitious entry.

This release to Mr. Theoharis contains 5,606 pages. Much of the information in the "O&C" material was denied to protect the privacy of third parties.

"O&C" material has been released previously to Mr. Theoharis and other requesters; such a release to him in May, 1978, regarding Martin Luther King, Jr., generated widespread media coverage. Because of the variety of topics within the "O&C" files, it is not possible to predict what specific items in this release might be of interest to him or the media.

RECOMMENDATION: None, for information only.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Mr. E. R. Andrews

b6
b7C

pib:chs (8)

Mr. Monroe

3/4/83

J. K. Hall

FREEDOM OF INFORMATION/PRIVACY ACTS (FOIPA)
REQUEST OF [REDACTED]

PURPOSE: To notify you of a forthcoming release of documents which may result in media interest.

DETAILS: [REDACTED]

[REDACTED]

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By letter dated February 14, 1983, [REDACTED]
requested under FOIPA a "copy of the FBI report." [REDACTED]

[REDACTED]
[REDACTED] The release has
been coordinated with the Criminal Investigative Division, and
Mr. William P. Haynes, Office of Congressional and Public
Affairs.

The documents indicate the investigation was generally
favorable. [REDACTED]

[REDACTED]

Enclosure

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Revell
Attention: SA [REDACTED]
1 - Mr. Monroe
1 - Mr. Bresson
1 - Mr. Hall
① - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Mr. S. R. Andrews
pew:chs (10)

b6
b7C

CONTINUED-OVER

Mail to Monroe Memorandum

RE: FREEDOM OF INFORMATION/PRIVACY ACTS (FOIPA)
REQUEST OF [REDACTED]

identity. [REDACTED]

b6
b7C

RECOMMENDATION: None, for information.

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : The Director

Date 2/7/83

From : Legal Counsel

Subject : FREEDOM OF INFORMATION-PRIVACY ACT (FOIPA)
REQUEST OF [REDACTED]
[REDACTED]

PURPOSE: To respond to your routing slip asking whether the selected use of portions of a proposed 48 page FOIPA release of documents concerning alleged incidents of misconduct by FBI personnel in the Indianapolis Field Office by [REDACTED] would permit the FBI to release to the public other documents withheld by [REDACTED]

SYNOPSIS: The Privacy Act would generally prohibit the disclosure by the FBI to the public of records selectively withheld by [REDACTED] except to the extent the records withheld (1) do not contain personally identifiable information or (2) pertain solely to a corporate entity such as [REDACTED]. However, even those documents which contain personally identifiable information, but which are made public by [REDACTED] could also be provided to the public by the FBI in the same fashion as they were provided to [REDACTED]

b6
b7C

DETAILS: [REDACTED] made an FOIPA request to the Indianapolis Field Office and as a result, 48 pages of documents are being released to him regarding himself and [REDACTED] as the records pertain to alleged incidents of misconduct by FBI personnel in the Indianapolis Field Office. Inasmuch as this subject [REDACTED]

[REDACTED] it is likely that all or part of the documents now being released to [REDACTED] will also receive public attention.

The answer to the question you raise about the disclosure to the public of those documents which [REDACTED] may selectively withhold is found in the Privacy Act of 1974. Title 5, United States Code

1 - Mr. Colwell
1 - Mr. Young
1 - Mr. Flanders
1 - Mr. Divan
1 - Mr. Monroe
1 - Mr. Hall

① - Mr. [REDACTED] 6495
1 - Mr. Underwood #314
1 - Mr. S.R. Andrews
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - IPALU

b6
b7C

JH:nls (13)

Memorandum from Legal Counsel to the Director
Re: FREEDOM OF INFORMATION-PRIVACY ACT (FOIPA)
REQUEST FROM [REDACTED]
[REDACTED]

(U.S.C.), § 552a. Generally speaking, the Privacy Act forbids the FBI from disclosing any personally identifiable information contained within the Central Records System without the written consent of the person to whom the record pertains, except under certain enumerated circumstances. Title 5, U.S.C., § 552a(b). There is not any clear-cut exception to that general prohibition which would allow a wholesale release of information to the public of the documents which [REDACTED] selectively may withhold.

However, to fully answer your question, an examination of the actual documents would be necessary for several reasons. First, the Privacy Act's general disclosure prohibition applies only to records which contain information which may be identified with an individual. To the extent that records selectively withheld by [REDACTED] do not contain personally identifiable information, they may be disclosed to the public without violating the provisions of the Privacy Act. Second, since the Privacy Act applies only to individuals, defined by the Privacy Act only as U.S. citizens or aliens admitted for permanent residence (Title 5, U.S.C., § 552a(a)(2)), that information in the proposed FOIPA release regarding [REDACTED] alone could also be disclosed without regard to the Privacy Act. Additionally, if [REDACTED] selectively utilizes documents released to him, the actual documents placed into the public sector by [REDACTED] could also be disclosed to the public by the FBI in the same fashion in which they were originally released to him, regardless of the fact that the documents may contain personally identifiable information. That is, if [REDACTED] should choose to release to the public selected documents, thereby negating any protectable privacy interests, the document could be made public by the FBI in the same redacted form as originally provided to [REDACTED]

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Finally, if [REDACTED] does engage in a selected public disclosure of documents or portion(s) of documents which unfairly or inappropriately portray the facts in light of the material selectively withheld by [REDACTED] the FBI could respond by its own release,

Memorandum from Legal Counsel to the Director
Re: FREEDOM OF INFORMATION-PRIVACY ACT (FOIPA)
REQUEST FROM [REDACTED]
[REDACTED]

so long as no personally identifiable information is disclosed by the FBI. For example, if selected paragraphs or portions of a document were released by [REDACTED] the FBI could publicly disclose the portions withheld by [REDACTED] if they did not contain information which would identify an individual. To the extent that the portion(s) withheld does contain information about [REDACTED] or other individuals which would, if released, identify that person, there has been no abrogation of privacy rights and the FBI is precluded from releasing such information. If [REDACTED] selectively releases an entire document while withholding others, the FBI could publicly respond by the release of any other document or portion of document(s) which did not contain personally identifiable information.

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RECOMMENDATION: Any judgment regarding the releasability of documents selectively withheld by [REDACTED] from the public should be postponed until such time as the actual documents in question can be examined to insure that any public disclosure then made would comport with the provisions of the Privacy Act.

Mr. Monroe

1/26/83

J. K. Hall

FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA) REQUEST OF

PURPOSE: To advise of proposed FOIPA release of 48 pages of documents to [redacted] regarding himself and [redacted]

DETAILS: [redacted]
[redacted] has made several FOIPA requests to both Headquarters (HQ) and the Indianapolis (IP) Field Office for information concerning himself [redacted] and several alleged incidents involving misconduct by FBI personnel in the IP Field Office. These latter requests were denied in their entirety primarily under the privacy provisions of FOIPA.

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A request from [redacted] directed to the IP Field Office for information on himself and [redacted] resulted in documents being referred by IP Field Office to FBIHQ for appropriate processing. A portion of these documents pertain to the alleged incidents in the IP Field Office as well as communications concerning [redacted]
[redacted]

The Bureau was notified in advance by [redacted] of [redacted] pertaining to these alleged incidents in the IP Field Office [redacted] Inasmuch as this situation has received notoriety in the past, it is possible that this release could also result in additional publicity.

This matter has been coordinated with and the material proposed for release has been reviewed by representatives of the Office of Professional Responsibility and Office of Congressional and Public Affairs.

RECOMMENDATION: None, for information.

- 1 - Mr. Colwell
- 1 - Mr. Young
- 1 - Mr. Flanders
- 1 - Mr. Divan
- 1 - Mr. Monroe
- 1 - Mr. Hall *lv #314*
- ① - Mr. [redacted]
- 1 - Mr. Underwood
- 1 - Mr. S. R. Andrews

slk:rrk (10)

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Off. of Cong. & Public Affs. ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Monroe

Date December 10, 1984

From : J. K. Hall

Subject : FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO
JOHN J. SIRICA, SAN JOSE MERCURY NEWS, REGARDING
PRESIDENT RONALD WILSON REAGAN

PURPOSE: To advise of the pending release of documents concerning PRESIDENT RONALD WILSON REAGAN which may result in publicity.

RECOMMENDATION: None, for information.

DETAILS: On June 15, 1984, we received a request from captioned journalist for information relating to MR. REAGAN for the period 1938 to 1960. MR. REAGAN was a member of the SCREEN ACTORS GUILD in Hollywood, California, during this period.

Twenty-eight pages consisting entirely of "see" references have been processed for release. Information identifying PRESIDENT REAGAN's daughter, MAUREEN, as the subject of an IMMIGRATION AND NATURALIZATION SERVICE applicant investigation is being withheld. A personal letter addressed to MR. HOOVER which mentions PRESIDENT REAGAN is being withheld since its release would identify the writer. Nine additional references are being denied pursuant to Pre-trial Order 100 in connection with pending civil action before the U.S. District Court for the Southern District of New York, titled National Lawyers Guild v. Attorney General of the United States, et al., No. 77 CIV 999 (CLB).

1 - Mr. Baker
1 - Mr. Monroe
1 - Mr. Hall
1 - Mr. [REDACTED]
1 - Mrs. [REDACTED]
1 - J.R. Murray

VAM:rlm (7)

(CONTINUED - OVER)

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Memorandum to Mr. Monroe from J.K. Hall
Re: Freedom of Information Act (FOIA) Release to
John J. Sirica, San Jose Mercury News, Regarding
President Ronald Wilson Reagan

Data being released indicates that PRESIDENT REAGAN's name appeared as a sponsor on the letterhead and literature of the Committee for a Democratic Far Eastern Policy. This organization was designated by the Attorney General of the United States pursuant to Executive Order 10450. This matter, however, was addressed by PRESIDENT REAGAN during his testimony before the House Committee on Un-American Activities (HCUA), a copy of which is also being released. Other information being released consists of PRESIDENT REAGAN's sponsorship of anti-communist groups and his testimony before the HCUA. This release has been reviewed and approved by MR. DAVID B. WALLER of the White House.

Approximately fifty-seven additional references pertaining to PRESIDENT REAGAN during the requested time period require classification review prior to processing. You will be advised of the volume and content of any additional material prior to release.

Mr. Monroe

9/10/84

J. K. Hall

FREEDOM OF INFORMATION ACT (FOIA)
REQUEST ON THE DEATH OF MAJOR GENERAL OWNBY

PURPOSE: To advise of the pending release of documents which may receive media attention.

RECOMMENDATION: None. For information only.

DETAILS: My memorandum to you dated 5/1/84 advised of the receipt of a request from Mr. Robert R. Benson of the Texas Life Insurance Company for the records on the death of Major General Robert Gardner Ownby. General Ownby's body was found January 11, 1984, with a note claiming he was killed by a terrorist group. According to Mr. Benson, [REDACTED]

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Material being released (316 of total 637 pages) from the FBI's Crime on a Government Reservation investigation includes results of numerous interviews with family members, business associates and military personnel. Appropriate exemptions for privacy and confidentiality have been applied. Also being released are the results of laboratory examinations revealing that the terrorist's note was typed on a typewriter located at a company in which General Ownby was on the Board of Directors. Witnesses established that General Ownby had access to the typewriter shortly before his death. Investigation revealed no evidence of terrorist involvement in the death of General Ownby. Bexar County Texas authorities determined death to be a suicide and FBI case was closed after all logical investigation.

- 1 - Mr. Baker
- 1 - Mr. Revell
- 1 - Mr. Monroe
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. J. R. Murray

b6
b7C

ml:rrr (7)

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Insp. ____
Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. &
Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Colwell

Date 3/8/84

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF PROFESSOR
ATHAN THEOHARIS FOR THE SYMBOL NUMBER SENSITIVE SOURCE
INDEX (SNSSI)

PURPOSE: To advise of the proposed release of non-exempt
portions of the SNSSI.

RECOMMENDATION: None, for information.

DETAILS: Athan Theoharis, a history professor at Marquette
University, Milwaukee, Wisconsin, requested under the FOIA
information concerning the SNSSI, which is currently known as
the National Security Electronic Surveillance Card Index
(NSES CI).

The NSES CI, is comprised of 3 x 5 index cards,
arranged in alphabetical order by field office. Each card
identifies the symbol number assigned to a current or former
security informant, mail cover, trash cover, electronic or
technical coverage used during a national security
investigation. The cards show the target of the coverage and
dates of surveillance activity. The index also contains cards
believed to record non-consented physical entries i.e. bag
jobs.

Following negotiations, Mr. Theoharis agreed to
limit his request to that portion of the NSES CI relating to
FBI coverage of organizations. He is attempting to determine
the number of illegal break-ins by the FBI.

- 1 - Mr. Baker
- 1 - Mr. O'Malley
- 1 - Mr. Monroe
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. Underwood
- 1 - Mr. J. R. Murray

b6
b7C

BAS:jch (8)

(CONTINUED - OVER)

Memorandum from C. P. Monroe to Mr. Colwell
Re: Freedom of Information Act (FOIA) Request of Professor
Athan Theoharis for the Symbol Number Sensitive Source
Index (SNSSI)

All of the index cards which pertain to organizations that fall within the active list (current investigations) have been denied to the requester in accordance with appropriate exemptions of the FOIA. Additionally, that portion of the index pertaining to coverage by live sources, active or inactive, was not addressed inasmuch as it did not fall within the scope of the request as established by Mr. Theoharis.

2,939 index cards have been reviewed by the Document Classification Unit which resulted in approximately 2,300 of these cards being currently classified. The remaining 600 plus index cards have been further processed for release to the requester with deletions made therefrom including the source symbol numbers, the FBI field office involved, and the addresses of the target organizations.

In view of the very limited information that will be made available to the requester, the FOIPA Section plans initially to release 25% of the above-mentioned 600 index cards in order for Mr. Theoharis to make a determination whether or not he desires copies of the remaining 450 index cards.

One index card being initially released to the requester reveals a surreptitious entry/bag job. The Office of Professional Responsibility has been previously advised concerning this matter.

The release of these records has been coordinated with the Intelligence Division.

Mr. Theoharis is a knowledgeable and prolific user of the FOIA. He has received considerable publicity regarding several of his past requests, the most recent of which was the personal and confidential files of former Director J. Edgar Hoover. He allegedly is writing two books based upon information received under the FOIA.

Mr. Mintz

~~SECRET~~

12/9/85

C. P. Monroe

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN OTHERWISE

FREEDOM OF INFORMATION ACT (FOIA) REQUESTS REGARDING
BENIGNO S. AQUINO, JR.

PURPOSE: To advise of the proposed FOIA release of 179 pages of documents pertaining to the late Benigno S. Aquino, Jr., assassinated August 21, 1983, in Manila.

RECOMMENDATION: None, for information.

DETAILS: The FOIPA Section currently has two FOIA requests for information regarding Benigno S. Aquino, Jr. The requesters are John F. Leach of The Arizona Republic and Phil Bronstein of The San Francisco Examiner.

(S)

b1

- 1 - Mr. Mintz
- 1 - Mr. Revell
- 1 - Mr. Baker
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mr. Underwood
- 1 - Mr. Hassler

Classified by ~~SP-2TAP/JHP~~
Declassify on: ~~OADR 12/5/85~~

b6
b7C

daw:mk (9)

DATE: 03-17-2008
CLASSIFIED BY 60324 UC BAW/RS/YMW
DECLASSIFY ON: 25X 3.3(1,6)
03-17-2033

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

Memorandum to Mr. Mints from C. P. Monroe
Re: Freedom of Information Act (FOIA) Requests Regarding
Benigno S. Aquino, Jr.

Most of the material in FBI files originated with other Government agencies (e.g. CIA and State Department) and has been referred to the originators for releasability determinations.

Information being proposed for release consists of public source information and newspaper articles, as well as the FBI's cooperation with the State Department and the Agrava Board, a Philippine fact finding board which conducted public hearings in Los Angeles, California, regarding Aquino's assassination. In this connection, the FBI laboratory conducted forensic examinations in this matter.

Also being proposed for release is information showing several contacts with Aquino by FBI Special Agents in connection with threats against his life during his residence in the United States. During these contacts Aquino supplied considerable information concerning his travel and speaking engagements.

The proposed release has been reviewed by SA CID.

b6
b7C

~~SECRET~~

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
Intell. _____
Lab. _____
Legal Coun. _____
Off. Cong. & _____
Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Mintz

Date 9/16/85

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION ACT (FOIA)
REQUESTS OF PROFESSOR ATHAN THEOHARIS

PURPOSE: To advise of two separate FOIA releases of documents regarding "surreptitious entries" and the "TOLSON File" which may result in publicity.

RECOMMENDATION: None. For information.

DETAILS: The Freedom of Information-Privacy Acts (FOIPA) Section has prepared two separate releases for ATHAN THEOHARIS, a history professor at MARQUETTE UNIVERSITY, Milwaukee, Wisconsin. In the first instance, he requested information maintained in Bufile 62-117166 regarding the Civil Rights Division's criminal investigation of our Surreptitious Entry program. This was the first file compiled in connection with the eventual indictment of SA KEARNEY and former Director PATRICK GRAY. The FOIPA Section analyzed more than ten thousand pages of this file and determined that the majority of the information is exempt from disclosure. For example, Serial 131 contains 26 SAC Folders which document entries made by the New York Office. Most of that information and other information

- 1 - Mr. Mintz
- 1 - Mr. Revell
- 2 - Mr. Baker
(Attn: Mr.)
- 2 - Mr. Geer
(Attn: Mr. Tierney)
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr.
- 1 - Mr.
- 1 - Mr. Underwood
- 1 - Ms.
- 1 - Mrs.
- 1 - Mr. Hassler

b6
b7C

MEA:jch (15)

(CONTINUED - OVER)

Memorandum from C. P. Monroe to Mr. Mintz
Re: Freedom of Information Act (FOIA)
Requests of Professor Athan Theoharis

throughout the file is currently and properly classified and is being denied from release. Other information is exempt because it represents pre-decisional material or would be an invasion of personal privacy if released. The 2,884 pages of documents being released contain information publicly disclosed at the GRAY, FELT, MILLER trial; information arising from the SWP lawsuit; entries regarding SWP and New Left activities and internal administrative memoranda of past entry practices and policies. Section Chief JOSEPH TIERNEY, Intelligence Division, reviewed and approved this release. It should be noted that numerous other files were created dealing with all the legal aspects of the Surreptitious Entry Program; however, so far MR. THEOHARIS has requested only this particular file.

In the second instance, MR. THEOHARIS requested documents maintained in the "TOLSON File." This was a file maintained in the office of former Associate Director TOLSON consisting of memoranda from former Director HOOVER to MR. TOLSON and other FBI officials. These documents are contained in six volumes maintained in the Special File Room. A release was made on 8/15/84. Subsequently, THEOHARIS administratively appealed from the action of the FBI, requesting the release of additional information. Following discussions with DOJ attorneys handling his appeal, MR. THEOHARIS was advised by DOJ letter 3/15/85, that the FBI would reprocess his request, resulting in additional material being released. Items now being released include MR. HOOVER's comments and observations regarding the difficulty in recruiting and hiring black Special Agents. He commented, "the average Negro when he gets his degree can make more money practicing law than he can get by coming to the FBI;" several instances where MR. HOOVER indicated his utmost displeasure with administrative actions or lack of administrative action by Bureau officials; and the existence and documentation of what may be interpreted as toadying by some Bureau officials in order that they remain in the good graces of MR. HOOVER.

MR. THEOHARIS has been a knowledgeable and prolific user of the FOIA, and other releases made to him previously have received considerable publicity.

Mr. Hints

5/3/53

C. P. Monroe

**FOIA REQUEST FROM THE PUBLIC CITIZEN LITIGATION
GROUP (PCLG) REGARDING JACKIE PRESSER**

PURPOSE: To advise of a request for FBI records regarding Jackie Presser from the Public Citizen Litigation Group (PCLG), Washington, D.C., on behalf of Teachers for a Democratic Union (TDU).

DETAILS: Paul Alan Levy, PCLG, Washington, D.C., by letter dated 5/30/53, copy enclosed, has requested access to any records concerning Jackie Presser, showing that he may have sought, made, authorized, or approved payments of Teachers' funds to ghost employees; records showing encouragement, approval, or authorization by any Government employee, or Agent of such payments by Presser; records that Presser may be an FBI informant. A standard acknowledgment letter dated 5/4/53 has been sent to the requester. A search of general indices is being conducted. Any disclosure of information other than public source material will be coordinated with the appropriate divisions.

RECOMMENDATION: Same. For information.

Enclosure

- 1 - Mr. Hints
- 1 - Mr. Revell
- 1 - Mr. Baker
 - (1 - Mr. Glavin)
- 1 - Mr. Clarke
- 2 - Mr. Glover
 - (1 - Mr. Flanders)
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr.
- 1 - Mr.
- 1 - Mr. Hassler

DEL/gld (12)

PUBLIC CITIZEN LITIGATION GROUP

SUITE 700
2000 P STREET N.W.
WASHINGTON, D.C. 20036
(202) 788-3704

August 30, 1985

Office of Information and Privacy
United States Department of Justice
Room 933
550 - Eleventh Street, N.W.
Washington, D.C. 20530

Dear Office:

Pursuant to the Freedom of Information Act, I write on behalf of Teamsters for a Democratic Union ("TDU") to request that its representatives be permitted to inspect and copy records held by the Justice Department and various subordinate bodies including the Federal Bureau of Investigation, the Executive Office of U.S. Attorneys and any relevant U.S. Attorneys, and the Organized Crime Strike Force. By copies of this letter, TDU makes the same requests to those entities. A similar request is being made of the Labor Department.

TDU requests access to all records reflecting or pertaining to the possibility that Jackie Presser or Harold Friedman may have sought, made, authorized, or approved payments of funds belonging to Teamsters Local Union 507 and/or Bakery and Confectionary Local Union 19 to one or more ghost employees, including but not limited to Jack Nardi, Allen Friedman, George Argie, John Felice, Jr., and/or Anthony Hughes; or that reflect Presser's possible role as an informer; or that reflect any encouragement, approval or authorization by any government employee or agent of any such payments by Presser. The records sought include, but are not limited to the following:

- documents that might serve as evidence of the payments or justifications therefor;
- notes or memoranda of interviews with persons having knowledge of the payments or justifications;
- affidavits, exhibits and transcripts of testimony or other proceedings before any court, magistrate or grand jury;
- memoranda by government employees arguing that an investigation either be initiated, continued, or terminated;

- memoranda by government employees arguing that an indictment be sought or not sought;
- memoranda by Presser, Friedman or their representatives arguing for or against an indictment or investigation; and
- memoranda explaining any decision concerning an investigation or indictment.

TDU seeks these documents because both it, and members of the Teamsters and Bakery Workers unions with which TDU has discussed the matter, believe that apart from any violations of the federal criminal laws, Friedman and Presser may have violated their fiduciary duties under 29 U.S.C. § 501 or other statutes. TDU seeks these documents in order to inform union members about possible corruption by top union leaders, about the possibility that improper influences may have impeded the enforcement of the federal criminal laws, and about the possibility that the government may have condoned or encouraged the diversion of union funds. The results of TDU's examination of the requested records may be published in the Convoy-Dispatch, TDU's newspaper, and in materials devoted specifically to this issue or to Presser's stewardship of the International Brotherhood of Teamsters ("IBT"), and his candidacy for reelection as General President in July, 1986. Because these purposes are plainly in the public interest, TDU requests that all search and copying fees be waived. Moreover, given the intense public interest involved, TDU asks that you exercise your discretion to make records available despite any exemption that you may believe are applicable to any records or segregable portions of records.

I recognize you have the substantial backlogs and that you could therefore choose to assign this matter a low priority and not begin to look for the documents for many months; I also recognize that there are a large number of documents at stake to which a variety of exemptions may be deemed to apply. On the other hand, I trust that you will agree that the intense public interest and the immediacy of the concerns that lead to this request indicate that a high priority ought to be given to the production of whatever documents may be appropriate. In addition, we ask that you make available any public or quasi-public documents, as well as documents for which no exemptions are claimed, immediately rather than waiting until the search and review process is

-3-

completed and then sending us a final ruling on the entire request at one time. And we are certainly interested in having the opportunity to inspect the documents at first rather than asking you to copy everything, because we are certain that there will be many pages of which we will not want to obtain copies.

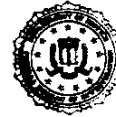
I look forward to your prompt response to this request, and hope that we can begin discussions soon of the way in which we can begin to obtain documents that are most readily available.

Sincerely yours,



Paul Alan Levy

Memorandum



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.: _____
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Mintz

Date 8/26/85

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO
JOHN J. SIRICA, SAN JOSE MERCURY NEWS
REGARDING PRESIDENT RONALD WILSON REAGAN

PURPOSE: To provide additional information about the release of documents concerning PRESIDENT REAGAN which has resulted in publicity.

RECOMMENDATION: None, for information.

DETAILS: On June 15, 1984, captioned journalist requested information about PRESIDENT REAGAN for the period 1938 to 1960, during which time MR. REAGAN had been active in the Screen Actors Guild in Hollywood.

Requester received 28 pages of material on February 6, 1985, and 155 pages of material on July 22, 1985. These releases were the subject of HALL to MONROE memoranda dated December 10, 1984, and April 22, 1985, respectively. All of the material released was reviewed and approved by DANIEL B. WALLER, Senior Associate Counsel to the President.

Included in the July 22, 1985, release were three interviews of MR. REAGAN in which he cooperated fully with the FBI and furnished information about the communist infiltration of the motion picture industry. A report dated December 19, 1947, of which portions pertaining to

- 1 - Mr. Mintz
- 2 - Mr. Baker
(1 - Mr. Divan)
- 1 - Mr. Monroe
- 1 - Mr. Hall
- ① - Mr. [REDACTED]
- 1 - Mrs. [REDACTED]
- 1 - Mr. Hassler

JF:jmr (10)

CONTINUED-OVER

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Memorandum from C. P. Monroe to Mr. Mintz
Re: Freedom of Information Act (FOIA) Release to
John J. Sirica, San Jose Mercury News
Regarding President Ronald Wilson Reagan

MR. REAGAN were released, contains information on pages 23-25 from "T-10" about efforts to purge the motion picture industry of Communist Party members. T-10 is identified on page 40 under the heading "Confidential Informants" as "RONALD REAGAN, President, Screen Actors Guild." Most of the interviewees in the report were protected by the use of "T" symbols. Among the others interviewed and similarly protected were WALT DISNEY and IDA LUPINO.

RONALD REAGAN was not a paid FBI informant or the subject of an informant file. He was protected by the use of a "T" symbol. "T" symbols were used for several decades by the FBI in reporting information received from a variety of sources. These sources included symbol informants, potential security informants, technical installations, anonymous sources, and, more importantly, private citizens who provided information to the FBI on a confidential basis. In the latter instance, the individual providing the information to the FBI may have specifically requested that his identity be protected or, in the judgment of the reporting Agent, a "T" symbol was assigned due to the individual's position in the community which, if his or her identity were disclosed, would cause embarrassment or place the individual in jeopardy.

The same information which MR. REAGAN provided in 1947 was summarized in an internal memorandum dated May 23, 1951. This memorandum noted that "REAGAN in 1949 was named Chairman of the Motion Picture Industry Council which in that year passed a resolution promising cooperation with law enforcement agencies in 'ridding the community' of criminal elements."

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgmt. ____
Tech. Servs. ____
Training ____
Off. of Cong. & Public Affs. ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Mintz

Date 8/23/85

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION ACT (FOIA) REQUESTS
FOR RECORDS IDENTIFIABLE WITH YURI NOSENKO

PURPOSE: To advise of an FOIA release of documents on YURI NOSENKO which may result in publicity.

RECOMMENDATION: None, for information.

DETAILS: HAROLD WEISBERG, BLAKE MOONEY, JENS H. PEDERSEN (writers) and BRIAN BUTTERS (Bureau Chief of Canadian Southam News) have requested information concerning YURI NOSENKO. MR. NOSENKO was a colonel in the KGB who defected to the Central Intelligence Agency (CIA) in February, 1964. He was the subject of testimony by both CIA and FBI officials before the HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA) in 1978. These hearings generated sufficient public interest in MR. NOSENKO to require the release of information without his written authorization under the FOIA.

MR. NOSENKO was the subject of a RUSSIAN ESPIONAGE investigation conducted jointly by the CIA and the FBI. In this investigation, NOSENKO furnished information on LEE HARVEY OSWALD'S visit to Russia in 1959 and the KGB's noninvolvement in PRESIDENT KENNEDY'S assassination. Also, during this investigation, CIA raised doubts about NOSENKO'S bona fides because of his information given in other cases. These doubts were discussed in testimony before HSCA.

- 1 - Mr. Mintz
- 1 - Mr. Revell
- 1 - Mr. Baker
- 1 - Mr. Monroe
- 1 - Mr. Hall
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]
- 1 - Ms. [REDACTED]
- 1 - Mr. Hassler

MW:jmr (11)

CONTINUED-OVER

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Memorandum from C. P. Monroe to Mr. Mintz
Re: Freedom of Information Act (FOIA) Requests
for records identifiable with Yuri Nosenko

This FOIA release has been processed with extensive consultations with CIA and a long, involved classification review. The release which was coordinated with the Intelligence Division consists of 507 pages from a total of 37,000 pages from our Headquarters files. This release primarily consists of numerous newspaper articles, information on LEE HARVEY OSWALD and the JFK assassination, and miscellaneous administrative documents.

Arrangements are being made for SUPERVISORY SA W. LANE CROCKER, Intelligence Division, to notify YURI NOSENKO of this release.

In view of the historical implications associated with the release of these documents, additional publicity appears likely.

Mr. Mintz

8/21/85

C. P. Monroe

FOIA REQUEST REGARDING JACKIE PRESSER

PURPOSE: To advise of a media request for FBI records regarding Jackie Presser.

DETAILS: Peter Lance, correspondent for World News Tonight, ABC News, New York, by letter dated 7/29/85, asked the FBI's Cleveland Office for all files relating to Jackie Presser, Teamster Union President, and others. The Cleveland Office by letter dated 8/8/85, told Lance that "disclosure of the FBI's investigative interest in the subject(s) of your request would constitute an unwarranted invasion of personal privacy. Consequently, we can neither confirm nor deny the existence of the records you are seeking..." Lance was told that no disclosure would be made without the notarized authorization of Presser. FBIHQ has received no recent FOIPA request regarding Presser.

RECOMMENDATION: None. For information.

1 - Mr. Mintz
1 - Mr. Revell
1 - Mr. Baker
1 - Mr. Clarke
1 - Mr. Monroe
1 - Mr. Hall
1 - Mr. [redacted] b6
1 - Mr. [redacted] b7C
1 - Mr. Hassler

CJS/gic (10)

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
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Laboratory ____
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Plan. & Insp. ____
Rec. Mgmt. ____
Tech. Servs. ____
Training ____
Off. of Cong. & Public Affs. ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Monroe

Date 4/22/85

From : J. K. Hall

Subject : FREEDOM OF INFORMATION ACT (FOIA) RELEASE TO
JOHN J. SIRICA, SAN JOSE MERCURY NEWS,
REGARDING PRESIDENT RONALD WILSON REAGAN

PURPOSE: To advise of the pending release of documents concerning PRESIDENT REAGAN which may result in publicity.

RECOMMENDATION: None, for information.

DETAILS: On June 15, 1984, captioned journalist requested information about MR. REAGAN for the period 1938 to 1960, during which time MR. REAGAN had been active in the Screen Actors Guild in Hollywood.

By letter dated February 6, 1985, requester received twenty-eight pages of "see" references (see HALL to MONROE memorandum dated December 10, 1984) because the documents involved did not require classification review and one of them had been previously released to another requester.

The proposed release consists of the unclassified portions of 112 pages of material within the requested time period, 102 pages of which are the remaining "see" references. Included in this material are three interviews of MR. REAGAN in which he cooperated fully with the Bureau

1 - Mr. Baker
1 - Mr. Monroe
1 - Mr. Hall
① - Mr. [REDACTED]
1 - Mrs. [REDACTED]
1 - J. R. Murray
VAM:jmr (7)

CONTINUED-OVER

b6
b7C

Memorandum from J. K. Hall to Mr. Monroe
Re: Freedom of Information Act (FOIA) Release to
John J. Sirica, San Jose Mercury News,
Regarding President Ronald Wilson Reagan

and furnished information about the communist infiltration of the motion picture industry. Although the material indicates that he was a member or sponsor of several organizations, MR. REAGAN publicly disassociated himself from those which had possible communist infiltration and became a spokesman for anti-Communist groups. One document also describes a 1942 party attended by MR. REAGAN during which a heated argument ensued when the other individual made anti-Semitic remarks.

Ten pages of the proposed release are from a file maintained under MR. REAGAN'S name in the 100 classification. The file was opened by memorandum from M. A. JONES to MR. NICHOLS dated May 23, 1951, and captioned "RONALD REAGAN, Movie Actor." The memorandum is a nine page summary of "information from public sources and Bureau files" concerning MR. REAGAN. The second document in the file is dated March 20, 1959, and is a response to a name check request from the Office of Naval Intelligence. It states that MR. REAGAN had not been the subject of a "security-type" investigation. These two documents are the only documents being furnished to the requester from this file because there is no other material in the file from the 1938-1960 time period.

There is no indication in the material being released or in the remainder of the file that MR. REAGAN was ever the subject of a security investigation by the FBI. The file consists of correspondence between him and the FBI, investigations of threats against him as governor, presidential candidate, and president; and notifications to the FBI of anticipated travel by the President and/or his family. The portion of the file not being released to the requester because it is not within the scope of his request consists of approximately 1,150 pages; and the last document presently in file is dated February 1, 1985.

This release has been reviewed and approved by DAVID B. WALLER, Senior Associate Counsel to the President. A final release of approximately 45 pages will be made as soon as it is reviewed by WALLER. These pages were previously not available because of a court order in the civil action pending before the U. S. District Court for the Southern District of New York titled National Lawyers Guild v. Attorney General of the United States, et al., No. 77 CIV 999 (CLB). The court order was recently modified.

CLIMACO, CLIMACO, SEMINATORE, LEFKOWITZ & GAROFOLI Co., L.P.A.
ATTORNEYS AND COUNSELLORS AT LAW

JOHN R. CLIMACO
MICHAEL L. CLIMACO
KENNETH F. SEMINATORE
PAUL S. LEFKOWITZ
ANTHONY J. GAROFOLI
JOHN A. PECA, JR.
DENNIS R. WILCOX
THOMAS L. COLALUCA
ALLEN J. MARABITO

SUITE 900, THE HALL BUILDING
1228 EUCLID AVENUE
CLEVELAND, OHIO 44115-1802
(216) 621-8484

JACK D. MAISTROS
SUSANNAH MUSKOVITZ
DOUGLAS A. ANDREWS
RICHARD D. TOMSICK
NEAL M. JAMISON
IRENE A. HOLYK
DAVID F. AGGERS
JOHN M. MASTERS
ROGER M. SYNERBERG
ROBERT SHEPARD
ROBERT R. LUCARELLI
SCOTT B. SCHAFFER

November 12, 1986

United States Department of Justice
Disclosure Officer
Tenth and Constitution Avenues, N.W.
Washington, D.C. 20530

Re: Freedom of Information Act Request
Jackie Presser - S.S. No. 269-20-4988
Date of Birth: August 6, 1926

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. §552, I hereby request all records which your agency has in its possession, custody or control relative to my client, Jackie Presser, including but not limited to those records listed in the attachment hereto. A properly executed certification of identity and power of attorney, authorizing me to receive the requested records is enclosed along with a photocopy of Mr. Presser's current Drivers License. This request is made in conjunction with the pending criminal case of United States v. Presser, et al., Case No. CR 86-114 (N.D. Ohio), which necessitates my requesting that this inquiry be expedited.

I request that I be notified in advance if the search and duplication expenses appear likely to exceed Two Thousand Dollars (\$2,000.00). My client, Jackie Presser, expressly agrees to pay all costs up to Two Thousand Dollars (\$2,000.00). Please send any and all communications regarding this request, as well as any non-exempt records without prior inspection, to me at the above address.

If this request is defective in any way, please notify me as to the manner of defect. If any records are exempt, please describe with particularity the exemption claimed. Thank you in advance for your prompt attention in this matter.

Very truly yours,


John R. Climaco

JRC:dh

CERTIFIED MAIL

ATTACHMENT

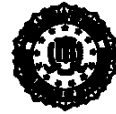
1. All transcripts, notes, memoranda, reports and summaries made contemporaneously with or immediately following any and all interviews of:
 - a. SAC Joe E. Griffin, FBI, Cleveland
 - b. SA Fred Fehl, FBI, Cleveland
 - c. Former SAC Roy McKinnon, FBI, Cleveland
 - d. Steven Olah, Former Chief, Cleveland Strike Force
 - e. Stephen Jigger, Cleveland Strike Force Attorney
 - f. Steven Canfil, Former Cleveland Strike Force Attorney
 - g. David Margolis, Chief, Organized Crime and Racketeering Section
 - h. Lowell Jensen, Former Associate Attorney General
 - i. Oliver Revell, Assistant Director, FBI
 - j. William Webster, Director, FBI
 - k. Stephen Trott, Assistant Attorney General
2. Notes and/or summaries of interviews of SA Robert Friedrich made by OPR Deputy Counsel Richard Rogers.
3. Cleveland Strike Force Prosecution Memo of June, 1984 regarding prosecution of Jackie Presser.
4. Cleveland Strike Force Prosecution Memo of January, 1985 regarding prosecution of Jackie Presser.
5. Cleveland Strike Force Prosecution Memo dated May 31, 1985 requesting prosecution of Jackie Presser.
6. Cleveland Strike Force Prosecution Memo submitted to DOJ/OCRS dated July 19, 1985 regarding the prosecution of Jackie Presser.
7. March, 1985 memo of Paul Coffey recommending prosecution of Jackie Presser.
8. Memo dated June 4, 1985 from DOJ/OCRS Deputy Chief Paul Coffey to DOJ/OCRS Chief David Margolis concluding that Jackie Presser be indicted for RICO violations.

9. Memo dated July 22, 1985 from DOJ/OCRS Deputy Chief Paul Coffey to DOJ/OCRS Chief David Margolis regarding prosecution of Jackie Presser.
10. Notes taken by DOJ/OCRS Deputy Chief Paul Coffey at July 3, 1984 interviews with former FBI Agents Martin McCann, Fred Fehl and Roy McKinnon; and then current agents Patrick Foran and Robert Friedrich.
11. Any and all documents from the FBI to the Attorney General (Messrs. Meese, Smith, Civiletti or Levi) regarding Jackie Presser.
12. All internal memoranda, notes, reports and summaries of the March 6, 1984 meeting between DOJ officials and FBI officials regarding Jackie Presser's prosecution, investigation or relationship with government agencies.
13. Grand Jury testimony of SA James E. Moody, FBI.
14. Communication of July 22, 1985 from David Margolis to the Department of Labor, Office of Inspector General setting forth DOJ's decision not to prosecute Jackie Presser.
15. Notes, summaries, reports and memoranda (made by John Keeney, Paul Coffey, David Margolis, Steve Olah and Stephen Jigger) made contemporaneously with or following June 11, 1985 and June 17, 1985 meetings with John R. Climaco regarding Jackie Presser.
16. Memoranda from Paul Coffey to Department Labor, Office of Inspector General made between December, 1983 and June, 1984 regarding investigation and/or prosecution of Jackie Presser.
17. Notes, memoranda, reports and summaries (made by Paul Coffey, Steve Olah, Stephen Jigger, SA James Moody and SA Ed Ball) made contemporaneously with or following interviews of Martin McCann, Patrick Foran and Robert Friedrich on June 20, 1985.
18. Notes, memoranda, reports and summaries made by Paul Coffey, James Moody, Roy McKinnon and Fred Fehl made contemporane-

ously with or following the July 3, 1984 interviews of Martin McCann, Patrick Foran and Robert Friedrich.

19. Notes, memoranda, reports and summaries made be DOJ or DOL attorneys or investigators regarding the lack of an exchange of information among the DOJ, the FBI and the DOL, which documents relate to or mention Jackie Presser.
20. Notes, memoranda, reports and summaries made in December, 1983, January, 1985 or February, 1984 from the FBI to David Margolis and Paul Coffey regarding the authorization of George Argie as a "ghost worker" on the payroll of Teamsters Local 507.
21. Notes, memoranda, reports and summaries made by Stephen Trott, John Keeney, David Margolis or other DOJ employees made contemporaneously with or following meetings held in early 1985 to discuss how the government could hypothetically utilize Jackie Presser as a witness.
22. The draft plea agreement with its cover memorandum submitted to the DOJ on or about April 16, 1985 from Cleveland Strike Force Attorneys Steven Olah and Stephen Jigger.

Memorandum



Exec AD Adm. ____
Exec AD Inv. ____
Exec AD LES ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Insp. ____
Intell. ____
Lab. ____
Legal Coun. ____
Off. Cong. &
Public Affs. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Telephone Rm. ____
Director's Sec'y ____

To : Mr. Mintz

Date 4/11/86

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION ACT REQUEST REGARDING
[REDACTED]

b6
b7C

PURPOSE: To advise of possible media publicity following denial of access to records concerning [REDACTED]

RECOMMENDATION: None. For information.

DETAILS: By letter dated 11/26/85, Tony Capaccio, staff associate of Jack Anderson, requested FBI records on [REDACTED] compiled during 1981 in connection with an investigation of [REDACTED]

Upon authorization of the Attorney General, the FBI, in 1981, conducted a preliminary inquiry into allegations that [REDACTED]

b6
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1 - Mr. Mintz
1 - Mr. Baker
1 - Mr. Monroe
1 - Mr. Hall
1 - Mr. Moschella
1 - Mr. [REDACTED]
1 - Mr. [REDACTED]
1 - Ms. [REDACTED]
1 - Mr. Hassler

b6
b7C

DHC:jch (10)

(CONTINUED - OVER)

Memorandum from C. P. Monroe to Mr. Baker
Re: Freedom of Information Act Request Regarding

[REDACTED]

[REDACTED]

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Inasmuch as the inquiry ended with no finding of misconduct or wrongdoing and no official confirmation that [REDACTED] was involved in the investigation, the public interest in disclosure of the records sought by Capaccio is insufficient to override the privacy interests of [REDACTED]. [REDACTED] Mr. Capaccio will be advised that absent an authorization from [REDACTED] the FBI can neither confirm nor deny the existence of records he is seeking as such would be exempt pursuant to exemptions 6 and/or 7(C) of the Freedom of Information Act.

Memorandum

~~SECRET~~



Exec AD Adm. _____
Exec AD Inv. _____
Exec AD LES _____
Asst. Dir.:
Adm. Servs. _____
Crim. Inv. _____
Ident. _____
Insp. _____
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Lab. _____
Legal Coun. _____
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Public Affs. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

To : Mr. Mintz

Date 3/17/86

From : C. P. Monroe

Subject : FREEDOM OF INFORMATION-PRIVACY ACTS (FOIPA)
RELEASE TO THE MEDIA REGARDING ROCK HUDSON

PURPOSE: To advise of proposed release of 20 pages of documents concerning Rock Hudson which may result in additional media interest.

RECOMMENDATION: None. For information.

DETAILS: During October, 1985, four requests were received for all records concerning the late Rock Hudson, well-known movie star. The requests were received from Tony Capaccio, staff associate of Jack Anderson, Florence Graves of Common Cause Magazine, Garry Clifford of the Washington Bureau of People Magazine and Arthur M. Dworken.

Rock Hudson was not the subject of an investigation by the FBI, however, 33 pages were located in which his name is mentioned in connection with other investigations or research matters of interest to the FBI. A total of 20 pages are being released, some of which set forth allegations that Hudson was a homosexual and/or bisexual. These allegations were included in a memorandum on Rock Hudson furnished to the White House in 1966 in response to a name check request.

- 1 - Mr. Mintz
- 1 - Mr. Revell
- 1 - Mr. Baker
- 1 - Mr. Monroe

1 -
1 -
1 -
1 -
1 - Mr. Hassler

Classified by ~~9145-CI-JC~~ 3-17-86
Declassify on: ~~OADR~~

b6
b7c

MLP:jch (9)

(CONTINUED - OVER)

~~SECRET~~

~~SECRET~~

Memorandum from C. P. Monroe to Mr. Mintz
Re: Freedom of Information-Privacy Acts (FOIPA)
Release To The Media Regarding Rock Hudson

Other material being released shows efforts by the FBI to verify whether Hudson was going to play the part of an FBI agent in a movie to be filmed in Italy in 1967, and in connection with his role in another film portraying the FBI in 1969.

Tony Capaccio submitted with his request letter a copy of the name check summary sent to the White House and requested backup material regarding the allegations of homosexuality. Some of the backup material concerning these allegations is information from informants and is exempt from disclosure. Exemption (b)(1) was asserted for classified material, (b)(7)(C) for third party privacy and (b)(7)(D) for the protection of informants.

(U) Exemption (b)(1) was asserted to delete the Bureau's investigative interest in a hostile intelligence service agent who had indicated that he had known Rock Hudson. ~~(S)~~

~~SECRET~~