



FEDERAL BUREAU OF INVESTIGATION

SURREPTITIOUS ENTRIES

(JUNE MAIL-SERIALS X71-X94)

PART 7 OF 23

FILE NUMBER : 62-117-166

FOIPA ACCOUNTING COVER SHEET

JUNE MAIL
ENCLOSURE BEHIND P
SERIALS X71-X94

Main Bureau File 62-11716 Section 3

Actual pages 132 Released 100 Withheld 32

Withheld pages (32) are:

Number of Pages:

8

Exemptions cited:

(b)(1), (b)(7)(C)

Referrals to other Government agencies:

19

5

DEPT. OF JUSTICE OFFICE OF INFORMATION AND PUBLIC AFFAIRS
DEPT. OF JUSTICE, CIVIL RIGHTS DIVISION

Other:

Requester _____ Subject FILE #62-11716

- ~~TOP SECRET~~ 1 - J. B. Adams
- 1 - W. R. Wannall
- 1 - Mr. J. Cochran, Jr.
- 1 - Mr. W. V. Cleveland
- 1 - Mr. R. J. Gallagher
- 1 - Mr. J. A. Mintz
- 1 - Mr. F. J. Cassidy

Assistant Attorney General
Civil Rights Division

January 19, 1976

Director, FBI

JUNE

~~TOP SECRET~~
OKW

~~SURREPTITIOUS ENTRIES~~

Classified by ~~SPY/ENC/CL~~
Declassify on: ~~OADR~~ 5-20-83

Class. & Ext. By ~~SPY/ENC/CL~~
Reason-FCIM II, 1-2.4.2
Date of Review ~~1-19-83~~
per 3805

Reference is made to your letter of December 2, 1975, in which you request information and delivery of certain materials relating to investigative matters involving surreptitious entry.

Item 1 of your letter, which pertains to the [redacted] documents, is being handled by our Legal Counsel Division and the Office of the Deputy Attorney General.

Items 2 through 19 of your letter concern investigative files presently being reviewed at FBI Headquarters by Mr. William Gardner of your office.

Items 20 and 23 ask for memoranda, guidelines or instructions, written or oral, which outline Bureau policies and procedures respecting authorizations by Bureau officials for Special Agents to conduct surreptitious entries for any purpose.

[redacted] **OKW**

ST-102

SEE NOTE PAGE 9
5 JAN 20 1976

HAND DELIVERED TO WL GARDNER,
CIVIL RIGHTS DIVISION,
1/29/76

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

ENCLOSURE
JAN 27

~~TOP SECRET~~
Classified by 3736
Exempt from GDS, Category 2
Date of Declassification Indefinite
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

ROUTE IN ENVELOPE

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JAN 27 1976
343

MAIL ROOM TELETYPE UNIT

REC'D GPO: 875-0-100-000

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Assistant Attorney General
Civil Rights Division

Items 20 and 23

Entries in Connection With
Installation of Electronic Surveillance

ALL
GND

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

~~TOP SECRET~~

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Assistant Attorney General
Civil Rights Division

ALL (U) (S)

[REDACTED] (S)

[REDACTED] (S)

In March, 1965, the Bureau advised the Attorney General that in matters involving the placement of microphones, or the use of telephone taps, the Attorney General would be requested for authority to effect these installations.

[REDACTED] (S)

[REDACTED] (S)

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Assistant Attorney General
Civil Rights Division

BND

[REDACTED]

With respect to general criminal and organized crime investigations, a search of our records has shown that until 1965 a number of surreptitious entries were made in connection with microphone installations, and authority for these installations was granted by FBI Headquarters. There are no written guidelines or policy memoranda governing approval for these entries.

In March, 1965, the Director advised the Attorney General that with respect to installation of microphones in these cases the Director would "forward to you from time to time request for microphones where deemed imperative for your consideration and approval or disapproval."

From August, 1965, until June, 1969, there were no surreptitious entries in connection with microphone installations in criminal and organized crime investigations. Beginning in June, 1969, and continuing to the present, entries have been made in connection with microphone installations pursuant to Title III of the Omnibus Crime Control and Safe Streets Act of 1968.

All entries made under Title III have been for the purpose of installing electronic devices to intercept oral communications. No entries have been made prior to the issuance of a court order. The Title III process is a joint effort between the local United States Attorneys, or Strike Force Attorneys, and FBI personnel. All procedures relative to installation are prescribed by law and are monitored by the local United States or Strike Force Attorney.

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Assistant Attorney General
Civil Rights Division

In addition to memoranda detailing the above summary of exchanges between the Department and the Bureau with respect to warrantless microphone installations, we have enclosed a copy of a memorandum entitled "National Security Electronic Surveillances (Microphone Surveillance Policy) which outlines Bureau policy with respect to Bureau authorizations to conduct entries.

Entries to Collect Information

There are no written guidelines or policy memoranda governing the practice of surreptitious entry to collect information or outlining procedures with respect to authorizations for these actions by Bureau officials.

(S)



(S)



(S)

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Assistant Attorney General
Civil Rights Division

AWJ [REDACTED] S/

Requests for authority to conduct entries were made by field offices and approved or disapproved at FBI Headquarters on an individual case basis. At the field office level, the authority making the request was the Special Agent in Charge (SAC) or some other individual designated by the SAC to handle such matters. Requests and approvals between the field and Headquarters were handled telephonically; however, as a control device, a memorandum was prepared at both levels. In the field office, the SAC maintained this memorandum in his office safe until the next annual office inspection. Following review of these memoranda by the Inspector - to insure the field office was acting with Bureau authority in conducting entries - the memoranda were destroyed.

Requests to conduct entries were received at FBI Headquarters on the Deputy Assistant Director (Inspector) level of the Intelligence Division. The field office making a request was required to completely justify the need for an entry, and assure the action could be conducted with full security. Usually, on receipt of a request to conduct an entry, the Deputy Assistant Director would advise the field office that unless instructions were received to the contrary, the requested entry could be effected.

Although we have located no policy memoranda dealing with actions to be taken at FBI Headquarters with respect to approvals to conduct entries, it is the present understanding that on receipt of a request from the field, a memorandum was prepared outlining the facts of the request for approval of the Director, or Associate Director, FBI.

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- 6 -

~~TOP SECRET~~

~~TOP SECRET~~

Assistant Attorney General
Civil Rights Division

This memorandum was handled under a "Do Not File" procedure, was informative in nature, and was not intended by its author to be retained permanently. Following a period of time, the memorandum was destroyed.

In certain instances, technical guidance and equipment were needed by field offices to obtain information held by the target of a surreptitious entry. In these matters, the support of the FBI's Laboratory Division was solicited by the investigative Divisions of FBI Headquarters. Officials currently assigned within the Laboratory Division have advised there are no written instructions in that Division in support of any type of investigative activity relating to surreptitious entry. Standing oral instructions with regard to approval of surreptitious entry have been that personnel of the Laboratory will provide such support as is requested (manpower, technical guidance, and/or equipment) in those operations approved by the Headquarters investigative Division. These oral instructions apply equally to operations with or without a warrant, including feasibility surveys and any other circumstance wherein surreptitious entry is concerned.

Item 21

Item 21 asks for a list of instances since 1970 when Attorney General permission for the installation of listening devices was denied, and whether entries were made in those instances.

(b)(1)

[REDACTED]

[REDACTED]

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~~TOP SECRET~~

Assistant Attorney General
Civil Rights Division

(b)(1)



Since 1970, there were no instances in the above matters where surreptitious entry or break-in was effected for surveys or installation prior or subsequent to the Attorney General's denial of permission for installation of the electronic surveillance.

With respect to general criminal and organized crime matters, all requests since 1970 to the Attorney General for the installation of electronic devices have been in the form of Title III applications. These applications are reviewed for sufficiency of probable cause and are either authorized or returned for further development of probable cause. We do not have an accurate record of instances since 1970 when the Attorney General denied permission for installation of listening devices in criminal investigations. On numerous occasions, Title III applications sent to the Department have remained for many weeks with no action being taken, thereby negating the recency of the probable cause and requiring the submission of a new affidavit updating the previous information, or targeting new individuals and locations. No entries into premises are made, however, prior to the decision of the Attorney General and the obtaining of an appropriate court order.

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Assistant Attorney General
Civil Rights Division

~~TOP SECRET~~

Item 22

Item 22 asks for a list of all surveys made since 1970 which did not result in the Bureau's requesting permission of the Attorney General to install or activate a microphone or other electronic listening device.

There is no central index or document listing feasibility surveys conducted involving physical entry or trespass which did not result in the Bureau's requesting permission of the Attorney General to install or activate a warrantless microphone or other warrantless electronic device. This statistic can be developed only by review of individual cases in those matters most likely to have been targets of electronic surveillance. This would entail review of literally hundreds of case files at FBI Headquarters. In many cases, this Headquarter's file review would not indicate whether entry or trespass was effected in the conduct of a survey. It would be necessary in a number of cases, therefore, to review field office files (and in some cases to interview personnel) to learn which cases fit into the above category.

With respect to Title III surveillances, no pre-court order surveys have been conducted in relation to microphone installations. Where microphones have been installed, the initial entries were not conducted until issuance of a court order. If the microphone installation was subsequently determined to be not feasible, the installation was not made.

Enclosures (8)

NOTE:

This memorandum responds to questions posed by AAG, Civil Rights Division, in his letter of 12/2/75 (copy attached to yellow) and incorporates information furnished the INTD by Laboratory Division (memorandum J, Cochran, Jr., to Mr. Wannall, 12/11/75), Special Investigative Division (memorandum R. J. McCarthy to Mr. Cleveland, 12/19/75), and General Investigative Division (memorandum B. H. Cooke to Mr. Gallagher, 12/30/75).

~~TOP SECRET~~

~~TOP SECRET~~

October 6, 1951

The Attorney General

Director, FBI

TECHNICAL COVERAGE

Allegations made by defense attorneys relative to technical coverage in this Bureau in current prosecutions of Communists functionaries under the Smith Act of 1940 make it advisable, I believe, to review carefully our policies in that field with a view to insuring that sound practices are adhered to.

Use of wire tapping by this Bureau, as you know, has been carefully restricted to major crimes such as kidnaping, where the life and safety of a victim may be at stake, and to investigations essential to the national security involving such crimes as espionage and sabotage. Prior to utilizing this medium, specific approval has been secured in each instance from the Attorney General. It has been employed solely as an investigative technique and not for the purpose of procuring evidence to be used in prosecutions. Extensive precautions have been exercised to prevent public disclosure of material so obtained.

Since the decision of the United States Circuit Court of Appeals in the case of the United States v. Coplon, it is rapidly becoming the practice of defense attorneys in security-type cases to argue that the prosecution is predicated in part upon evidence obtained as a result of wire tapping. Such claims are accompanied by demands that all communications referring to relevant wire taps be made available for inspection. Manifestly, this Bureau cannot comply with these requests without disclosing a great mass of data, frequently relating to highly confidential matters, with the likelihood of compromising cases of vital importance to the protection of the United States.

Without legislation nullifying the effect of Section 695 of the Communications Act of 1934, as interpreted by the courts, continued use of wire tapping in any form, however limited, poses these issues. This is true notwithstanding the fact that they are predicated upon Presidential authority and have the approval of responsible Government officials. Allegations will be made that this Bureau is engaging in illegal practices.

DATE 3-9-82 BY SP4 RAN/ab

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

RECORDED - 129

INDEXED - 129

APPROVED FOR RELEASE

OCT 16 1951
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66-8162-X77

AMB:tlc

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The Attorney General

Officials authorizing wire tapping will be condemned for condoning these practices. FBI representatives may incur citations for contempt of court by declining to produce wire tap information and prosecutions may be dismissed if such information is not produced.

The FBI today has the gravest responsibility for protection of the national security of our country. To execute those responsibilities properly requires the employment of the entire resources of the FBI. Experience has demonstrated clearly that the use of wire tapping is a valuable and highly productive technique in intelligence coverage of matters relating to espionage, sabotage and related security fields. Wire tapping produces information which normally cannot be obtained through other channels.

In view of the issues continually arising from the use of wire tapping, even on the highly restrictive basis employed by this Bureau, I desire to be advised whether you consider that we should continue to employ this technique as at present, or discontinue it entirely.

As you are aware, this Bureau has also employed the use of ~~microphones~~ microphone installations on a highly restrictive basis, chiefly to obtain intelligence information. The information obtained from microphones, as in the case of wire taps, is not admissible in evidence. In certain instances it has been possible to install microphones without trespass, as reflected by opinions rendered in the past by the Department on this subject matter. In these instances the information obtained, of course, is treated as evidence and therefore is not regarded as purely intelligence information.

As you know, in a number of instances it has not been possible to install microphones without trespass. In such instances the information received therefrom is of an intelligence nature only. Here again, as in the use of wire taps, experience has shown us that intelligence information highly pertinent to the defense and welfare of this nation is derived through the use of microphones.

The Attorney General

The issue, therefore, is the same as to the advisability of their continued use. I would like to have a definite opinion from you as to whether, in view of the highly productive intelligence information gathered from these sources, we should continue to utilize this technique on the present highly restricted basis, or whether we should cease the use of microphone coverage entirely in view of the issues currently being raised.

CC - Mr. A. Douitt Vanoch
Deputy Attorney General

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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~~PERSONAL AND CONFIDENTIAL~~
 UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 NO NUMBER SAC LETTER G
 Series 1952

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.

March 4, 1952

MEMO FOR MR.	HOOVER	BRANIGAN	HOLLOMAN	PONTZ
	TOLSON	BROWN, B. C.	JONES, M. A.	PRICE
	LADD	CALLAHAN	KEY	RENNEBERGER
	NICHOLS	CALLAN	LAUGHLIN	ROGERS
	BELMONT	CLEVELAND	LEONARD	SCATTERDAY
	CLEGG	CONRAD	LONG	SIZOO
	CONNELLY	DeLOACH	MASON, E. D.	STANLEY
	GLAVIN	DORNING	McGUIRE	STEIN
	HAREO	EDWARDS, H. L.	McINTIRE, K. R.	TAMM, Q.
	ROSEN	EGAN	MOHR	TROTTER
	TRACY	FEENEY	NAUGHTEN	WHERRY
	BAUMGARDNER	GEARTY, G.	NEASE	WICK
	BERRANGER	HENNRICH	PARSONS	WINTERROWD
	BOWLES	HOOD	PENNINGTON	

JDD ✓ *Ex Conf approval by [unclear] letter from AG 2-26-52*
Ex Conf memo 3-18-52

RE: TECHNICAL AND MICROPHONE
SURVEILLANCES

Effective immediately authorization will not be granted to install any microphone surveillance involving a trespass, and if any such type of installation is now being utilized, it should be discontinued at once and the Bureau advised.

In addition, when submitting a summary report in any type of case which contains information received from a telephone, microphone or other technical surveillance utilized by the Bureau or any other Federal Agency (when known), it must be accompanied by a cover letter pointing out to the Bureau that such information is contained in the report.

I want it thoroughly understood that the handling of these surveillances must be personally supervised by you and Bureau requirements closely followed at all times.

Very truly yours,

John Edgar Hoover

Director

DECLASSIFIED
ON

Technical
3-18-52

June 9, 1952

MEMORANDUM FOR THE DIRECTOR'S FILES

- Mr. Tolson _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Belmont _____
- Mr. Clegg _____
- Mr. Glavin _____
- Mr. Harbo _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Laughlin _____
- Mr. Mohr _____
- Tele. Room _____
- Mr. Holloman _____
- Miss Gandy _____

On June 6, 1952, I saw the Attorney General and during my discussion with him, I briefed him as to the procedure which the Bureau follows with reference to the installation of technical surveillances, pointing out to him that there were no surveillances of this type established without obtaining approval from him for the same and that we endeavored to confine the requests for such authority to cases involving espionage, sabotage, kidnapping and a few major criminal cases, such as in the Civil Rights cases in Florida, and the Brink's robbery case in Boston. The Attorney General stated that he approved of the procedure followed.

I then called his attention to the fact that the Department had, a few months ago, ruled that it could not approve the installation of any microphones where trespass was involved. I told the Attorney General that such installations had been utilized on a very limited basis by the FBI and only in cases which directly affected the internal security of the United States, wherein information could be obtained which would enable the FBI to take the necessary precautionary measures for internal security. I told the Attorney General that following this ruling by the Department, we discontinued some of the microphone installations which had been established, where it had been necessary to commit technical trespass. The Attorney General stated that he thought that it was entirely proper for installations of microphones to be made in any case where elements were at work against the security of the United States and he told me that in such instances where I felt that there was need to install microphones, even though trespass might be committed, that he would leave it to my judgment as to the steps to take. I told the Attorney General that this authority would only be used in extreme cases and only in cases involving the internal security of the United States.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-8-90 BY SP5/SM/ML

John Edgar Hoover
Director

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JEH:mpd

Handwritten signatures and initials:
 [Signature] 6/10/52
 [Signature] 6/10/52

March 30, 1965

MEMORANDUM FOR THE ATTORNEY GENERAL

With reference to the proper controls over wiretapping and the installation of microphones, you will recall that I advised you that back under the administration of Attorney General Clark I recommended that all Government agencies refrain from wiretapping unless there was specific approval in each instance by the Attorney General who is the chief law officer of the Government. I repeated the same recommendation to each successive Attorney General following the administration of Attorney General Clark.

I have always felt that there was a very lax control in the handling of wiretapping by Government agencies. I am the only head of a Government investigative agency who does not have the authority to authorize a wiretap, but under the system which I personally set up. Therefore, requests for wiretaps are sent by me to the Attorney General for his approval or disapproval. I know that no such system is followed in other branches of the Government and, in fact, in many instances subordinates quite far down the line of authority tap telephones without the specific approval of the head of the agency and certainly without specific approval of the cabinet officer in charge of the department.

I still feel quite strongly that no Government agency should tap a telephone unless it is specifically approved in each instance by the Attorney General. This would certainly circumscribe promiscuous wiretapping on the part of Government agencies and would centralize in one place, the Attorney General's office, a record of any phone taps which have been placed by a Government agency.

As you are aware, in the case of the FBI we do not request phone taps except in cases involving kidnaping and espionage. This has been predicated upon my theory that when the life of an individual or the life of the Nation is in peril a phone tap is justified for intelligence purposes as any information obtained over a phone tap cannot be used in the trial of a criminal case.

JEH:RM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

cc: *DATE* 3-8-82 BY *SP4 JEM/jnt* *62-117146-471* *6-8160-3805*

Memorandum for the Attorney General

In line with your suggestion this morning, I have already set up the procedure similar to requesting of authority for phone taps to be utilized in requesting authority for the placement of microphones. In other words, I shall forward to you from time to time request for authority to install microphones where deemed imperative for your consideration and approval or disapproval. Furthermore, I have instructed that, where you have approved either a phone tap or the installation of a microphone, you be advised when such is discontinued if in less than six months and, if not discontinued in less than six months, that a new request be submitted by me to you for extension of the telephone tap or microphone installation.

Respectfully,

John Edgar Hoover
Director

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: _____

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UNITED STATES GOVERNMENT

Memorandum

~~TOP SECRET/SENSITIVE
EXCLUSIVELY EYES ONLY~~

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

TO : Mr. J. B. Adams

JUNE

DATE: 2/25/75

FROM : W. R. Wannall

Handwritten: (6/17/75)

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Wannall

SUBJECT: NATIONAL SECURITY
ELECTRONIC SURVEILLANCES
(MICROPHONE SURVEILLANCE POLICY)

~~TOP SECRET~~
~~SECRET~~

Declassify on: *ORDN 5/20/83*

Handwritten: CST

The following is being set out to advise you of Bureau policy both current and past with respect to the installation of microphone surveillances.

Prior to 3/30/65 microphones were installed and activated on FBIHQ authority. Between 3/30/65 and 9/74, it was Bureau policy to approve a survey for the feasibility of installation of a microphone surveillance at FBIHQ level. This approval included authority for the necessary trespass, provided security of the operation could be assured. In certain instances FBIHQ also authorized the installation, but not the activation, of listening devices during the initial survey. This was done in order to limit the trespass as well as to minimize the risk involved in placing the microphone. Under this procedure, a request from the field was evaluated at various supervisory levels at FBIHQ and authority was given provided security was assured. In the event the field was authorized to place a microphone during the initial survey, no authority was given for the activation of the device. The field was instructed to await subsequent approval by the Attorney General.

INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

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~~TOP SECRET/SENSITIVE
EXCLUSIVELY EYES ONLY~~

CONTINUED - OVER

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Exempt from Categories 2 and 3
Date of declassification Indefinite

22 MAR

6 MAR 11 1975

ENCLOSURE

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SPEC. MAIL RM.

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~~TOP SECRET SENSITIVE~~
~~EXCLUSIVELY EYES ONLY~~

Memorandum to Mr. J. B. Adams
Re: National Security
Electronic Surveillances
(Microphone Surveillance Policy)

~~ALL (S) (U) (C) (E) (X) (Y) (Z)~~

[REDACTED]

[REDACTED]

[REDACTED]

RECOMMENDATION:

None. For information.

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~~EXCLUSIVELY EYES ONLY~~

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John
At.
John

CODE

TELETYPE

NITEL

TO SAC, NEW YORK (66-8160)
FROM DIRECTOR, FBI (66-8160)

JANUARY 20, 1976

~~CONFIDENTIAL~~

~~SECRET - JUNE~~
SURREPTITIOUS ENTRIES,

- 1 - Mr. J.B. Adams
- 1 - Mr. J.A. Mintz
- 1 - Mr. W.R. Wannall
- 1 - Mr. S.S. Mignosa
- 1 - Mr. F.J. Cassidy

REBUTELCALL TO SAC, JAMES O INGRAM, JANUARY 20, 1976.

REFERENCED CALL ADVISED THAT WILLIAM L. GARDNER, DEPARTMENTAL ATTORNEY, CIVIL RIGHTS DIVISION, WOULD TRAVEL TO THE NEW YORK OFFICE ON JANUARY 21, 1976, IN CONNECTION WITH REVIEW OF A FOREIGN COUNTERINTELLIGENCE MATTER FILE AND [REDACTED]

ALL
6/11
7/10

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

AS YOU MAY BE AWARE, THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT HAS BEEN DIRECTED BY THE ATTORNEY GENERAL TO CONDUCT INQUIRIES INTO INVESTIGATIVE MATTERS WHEREIN SURREPTITIOUS ENTRIES WERE MADE. REVIEW OF THE FIELD OFFICE FILES IS CONSIDERED NECESSARY BY THE DEPARTMENT TO COMPLETE THEIR ASSESSMENT OF BUREAU ACTIONS IN THIS REGARD. PRIMARILY, THE DEPARTMENT'S GOAL IS TO DETERMINE IF ANY OF THE ENTRIES CONSTITUTE A VIOLATION OF 18 USC, SECTIONS 241 AND 242.

REC-38

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

1 [REDACTED] (9) ENCLOSURE
DECLASSIFIED BY SP4 JAL
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION SEE NOTE-PAGE THREE

JAN 21 1976
3-21-83
Date of Review 3-17-83

343
JAN 27 1976

JAN 20 1976
TKR 11:14 AM
TELETYPE
~~CONFIDENTIAL~~

Class. & Ext. By SP4 JAL
Reason-FRM II, 1-2.2.2
Date of Review 3-17-83

MAIL ROOM TELETYPE UNIT

GPO 1976

[REDACTED]

(b)(1)

FOR YOUR INFORMATION, FBIHQ SUPERVISOR [REDACTED]

[REDACTED] IS PRESENTLY AT THE NEW YORK OFFICE IN CONNECTION WITH REVIEW OF THE ABOVE FOREIGN COUNTERINTELLIGENCE MATTER. IT IS SUGGESTED YOU CONTACT SUPERVISOR [REDACTED] FOR ASSISTANCE IN COORDINATING MR. GARDNER'S REVIEW OF THE CARTER FILE.

b7c

GARDNER HAS ADVISED HE DOES NOT WISH TO CONDUCT INTERVIEWS OF ANY PERSONNEL CONNECTED WITH THE [REDACTED] INVESTIGATION.

~~CLASSIFIED BY 5736, XGDS 2, DATE OF DECLASSIFICATION INDEFINITE.~~

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) (b)(1) with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
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62-117166-X72 PAGE 3

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ALL (6)(7)(C)

1-Mr. J. B. Adams
1-Mr. J. A. Mintz
1-Mr. W. R. Wannall

February 17, 1976

Assistant Attorney General
Civil Rights Division

ST-101 REC-38 62-117166-X73

Director, FBI 66-2160-3820

1-Mr. F. J. Cassidy

JUNE

SURREPTITIOUS ENTRIES

Reference is made to your memorandum of January 20, 1976, in which you ask for certain materials concerning surreptitious entries.

Enclosed in response to Item 2 of your January 20 memorandum is a copy of a recent Pike Committee request for information concerning surreptitious entries, and a copy of our response to that request. According to our records, the Pike Committee reviewed no materials in our office in connection with this request.

Response to Item 1, and Items 3 through 14, of your January 20 memorandum, which asks to review certain files at FBI Headquarters and several field offices, is being coordinated with Mr. William L. Gardner of your office.

Enclosures (8)

66-1100

(8)

MAILED 15
FEB 18 1976
FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-8-82 BY SPY/TM

NOTE:

Attached to yellow is Civil Rights Division's request of 1/20/76 and a copy of the material furnished the Civil Rights Division as enclosures to this memorandum.

- Assec. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Off. Cong. & Public Affairs _____
- Rec. Mgmt. _____
- Tech. Serv. _____
- Training _____

8 ENCLOSURE

FBI

FEB 23 1976

ROUTE IN ENVELOPE

MAIL ROOM

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H. J. P.

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

3

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

2

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
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Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
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_____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

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For your information: _____

The following number is to be used for reference regarding these pages:
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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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- 2 - Mr. J. A. Mintz
- (1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. J. W. Lalseg

November 5, 1975

The Attorney General

Director, FBI

- 1 - Mr. W. O. Cregar
- 1 - Mr. T. J. McNiff

U. S. HOUSE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (HSC)

T. General Request

Enclosed for your approval and forwarding to the HSC is the original of a memorandum, with attached lists, which is in response to questions 1, 2, 3 and 4 as contained in the HSC request dated October 15, 1975.

A copy of this memorandum, with attached lists, is enclosed for your records.

Enclosures (10)

62-116464

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

(10)

617109

Delivered to desk 11/7/75
Delivered to HSC 11/26/75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-8-82

BY SP4 JEM/cal

10/15

- 2 - J. A. Mintz
- 1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. J. W. Dalseg
- ① - Mr. W. O. Cregar
- 1 - Mr. T. J. McNiff

62-116464

November 5, 1975

U. S. HOUSE SELECT COMMITTEE
TO STUDY GOVERNMENTAL OPERATIONS
WITH RESPECT TO INTELLIGENCE ACTIVITIES (HSC)

RE: HSC REQUEST DATED OCTOBER 15, 1975,
CONCERNING WARRANTLESS ELECTRONIC
SURVEILLANCES AND SURREPTITIOUS ENTRIES

The HSC, in a letter dated October 15, 1975, to Michael E. Shaheen, Jr., Special Counsel for Intelligence Coordination, U. S. Department of Justice, Washington, D. C., requested, among other things, the following:

1. A list of all warrantless wiretaps against domestic targets conducted between 1970 and 1975.
2. A list of all other warrantless electronic surveillances conducted against domestic targets between 1970 and 1975.
3. A list of all break-ins conducted by the FBI between 1970 and 1975.
4. A list of all other trespasses conducted by the FBI between 1970 and 1975.

Pursuant to instructions received from Mr. Steven Blackhurst, Assistant Special Counsel for Intelligence Coordination, Department of Justice, these questions are being answered in the form of lists which identify targets in generic terms. The lists, which are believed responsive to these queries, are attached hereto.

1. Telephone Surveillances on Domestic Targets January 1, 1970, through June 30, 1975.

ORIGINAL AND ONE COPY TO AG

SEE NOTE PAGE 2

(9)

(Handwritten signature)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-1-82 BY SP4JMY/CAJ

U. S. HOUSE SELECT COMMITTEE ON INTELLIGENCE ACTIVITIES (HSC)

RE: HSC REQUEST DATED OCTOBER 15, 1975, CONCERNING WARRANTLESS
ELECTRONIC SURVEILLANCES AND SURREPTITIOUS ENTRIES

2. Microphone Surveillances on Domestic Targets
January 1, 1970, through June 30, 1975.

3. Targets of Break-ins (Surreptitious Entries)
in connection with Microphone surveillances, January 1, 1970,
through June 30, 1975.

4. Targets of Trespass (Surreptitious Entries)
not related to Microphone Surveillances, January 1, 1970,
through June 30, 1975.

Enclosures (4)

1 - The Attorney General

NOTE:

By letter 10/15/75, HSC requested the above which was pursuant to a briefing given Congressman McClory and members of HSC by INTD on 10/10/75. Subsequent to this request, Mr. Blackhurst advised that it had been decided that only generic lists would be submitted to the Committee in response to these queries and, based on his instructions, these four questions are being responded to by the submission of the attached generic lists. Per Mr. Blackhurst, in accordance with White House instructions [REDACTED] surveillances are not included in lists three and four.

(6/17/E)

TELEPHONE SURVEILLANCES ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Intelligence Agents	2		1	3	3	1
Foreign Intelligence Contacts			4	4		
Communist Party Functionaries	1					
Headquarters, Basic Revolutionary Group	1	1	1	2	1	
Coverage of Classified Information Leak	10	10	5			
Black Extremist Leader	1	1	2			
Militant Black Extremist Organ.	1	1	1			
Foreign Diplomatic Official's Contact	1					
New Left Oriented Campus Group	1					
Arab Terrorist Affiliate	1					1
Pro-Palestine Group				1	1	
Leader of Revolutionary Group	1					
Arab Terrorist Activist			2	7	4	2

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

	1970	1971	1972	1973	1974	January 1, 1975 June 30, 1975
Racial Extremist Group	2	2	1			
Black Extremist Group Affiliate	1					
Propaganda Outlet for Middle East Based Organization			1	1	1	1
Pro-Israeli Militant Group	1	1				
New Left Oriented Campus Group Faction	1	1				
New Left Oriented Campus Group Contact	1					
Publication of Clandestine Underground Group Dedicated to Strategic Sabotage	1	1				
New Left Activist		1				
Investigation of Clandestine Underground Group Dedicated to Strategic Sabotage	12	5	1			
Militant Black Extremist Group Member		3	1			
Militant Black Extremist Group Func- tionaries			1			
Violence Prone Faction, Domestic Protest Group		2				
Domestic Protest Group		1				

January 1, 1975 -
June 30, 1975

1970 1971 1972 1973 1974

Coverage of Meeting of
Militant Group

1

Militant Pro-Israeli
Group Member

1

1

Foreign Intelligence
Agent's Business Office

1

1

Fundraising Front for
Arab Terrorist Groups

1

Pro-Chicom Propaganda
Outlet

1

**MICROPHONE SURVEILLANCES ON
DOMESTIC TARGETS
JANUARY 1, 1970 THROUGH JUNE 30, 1975**

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>January 1, 1975 - June 30, 1975</u>
Foreign Intelligence Agents			1	1	1	
Foreign Intelligence Agents Suspects	1					
Pro-Cuba American Group who Traveled to Cuba	1					
Black Extremist Organization	1					
Black Extremist Group Functionary	1	1	1			
Weather Underground Support Apparatus		1	2			
Propaganda Outlet for Middle East Based Organization			1	1		
Foreign Intelligence Agent's Business Office						1

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

**TARGETS OF BREAK-INS (SURVEILLANT ENTRIES)
IN CONNECTION WITH MICROPHONE SURVEILLANCES
JANUARY 1, 1970, THRU JUNE 30, 1975**

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>January 1, 1975 - June 30, 1975</u>
Foreign Diplomatic Establishments	4	1	3	3	2	1
Foreign Commercial Establishments			2	2	1	2
Foreign Diplomatic Officials	3	1	4	5	8	6
Foreign Intelligence Agents		1	2	1	2	1
Suspected Foreign Intelligence Agents	1			1		
Foreign Diplomatic Official's Contact			1	1		
Pro-Cuban American Group who Traveled to Cuba	1					
Black Extremist Organization	1					
Black Extremist Group Functionary	1					
Pro-Palestine Group	1		1		1	
Weather Underground Support Apparatus		1	3			
Arab Terrorist Activist			4	1		1

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

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>January 1, 1975 - June 30, 1975</u>
Propaganda Outlet for Middle East Based Organization			1	1		
Fund Raising Front for Arab Terrorist Activist Groups				1		
Foreign Intelligence Agent's Business Office				1		

TARGETS OF TRESPASS (SUSPICITIOUS ENTRIES)
NOT RELATED TO MICROPHONE SURVEILLANCES
JANUARY 1, 1970, THRU JUNE 30, 1975

	1970	1971	1972	1973	1974	January 1, 1975 - June 30, 1975
Foreign Intelligence Agents			1	1	2	
Arab Terrorist Activist			1			

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

UNITED STATES GOVERNMENT

Memorandum

1-Mr. J. B. Adams
1-Mr. J. A. Mintz
1-Mr. W. R. Wannall

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:

TO : Mr. W. R. Wannall *Wannall*

DATE: 1/20/76

FROM : F. J. Cassidy *FJC*

1-Mr. W. A. Branigan
1-Mr. F. J. Cassidy
1-~~_____~~

SUBJECT: SURREPTITIOUS ENTRIES

JUNE

ALL 6X7X10

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/82 BY SP4 RMC/CL/STP

To advise of a 1/19/76 conversation of ~~_____~~ Intelligence Division (INTD), and Mr. William L. Gardner, Departmental Attorney, Civil Rights Division, concerning Mr. Gardner's pending review of files in the New York Office (NYO).

Mr. Gardner was advised that his contemplated review of files at NYO was the subject of some concern on the part of Special Agents (SAs) connected with the investigation. Although the Department had indicated their purpose was to determine if any of the entries constitute a violation of Title 18, U.S.C., sections 241 and 242, concern remained as to the purpose of reviewing the field office files.

Mr. Gardner advised that the Attorney General, at the outset of Departmental inquiries into electronic surveillance, surreptitious entries, etc., had expressed his wish to have the Civil Rights Division conduct necessary inquiries. Mr. J. Stanley Pottinger, Assistant Attorney General in charge of the Civil Rights Division, instructed Mr. Gardner to examine in as much depth as possible the files and records relating to the entries. At the conclusion of the file review, if further investigation is warranted, such a determination will be made and presented to Mr. Pottinger.

At the present time, said Mr. Gardner, his inquiry is "purely a file review," and he has no intention of conducting interviews or discussing the specific case with case Agent or others involved in the matter.

Mr. Gardner said he felt review of the field office files is necessary to give him a more complete picture of entry activity. He feels that only by this review will he be able to provide a complete assessment as requested by the Attorney General.

SEE ADDENDUM INTELLIGENCE DIVISION PAGE THREE

CONTINUED OVER

6



(7)
343
2 1976

ROUTE IN ENVELOPE

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



Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

Mr. Gardner advised he had absolutely no objection to advising those Agents who are connected with the file in question that the file is being reviewed by him and telling them the purpose of the review. In fact, Mr. Gardner said he would prefer that the Agents be made aware in order to avoid undue apprehension on their part.

RECOMMENDATION:

None. For information.

WAN/TUL

(6/7/64) [REDACTED]

ALL (L)(7)(C)

ADDENDUM: INTELLIGENCE DIVISION 1/21/76

On 1/21/76 [redacted] CI-1 Section, Intelligence Division, at the New York Office, in connection with Departmental review of field office files, advised that he afforded a briefing to appropriate New York Office supervisory and Agent personnel regarding the nature and purpose of the Department's review.

WPA/TL

JK

*JBA
RM*

JM

ALL (X) (S) (C)

~~SECRET~~

Airtel

- 1 - Mr. J. B. Adams
- 1 - Mr. E. W. Walsh
(ATTN: Movement Unit)
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall

To: SAC, Pittsburgh (66-2463)

From: Director, FBI (66-8160)

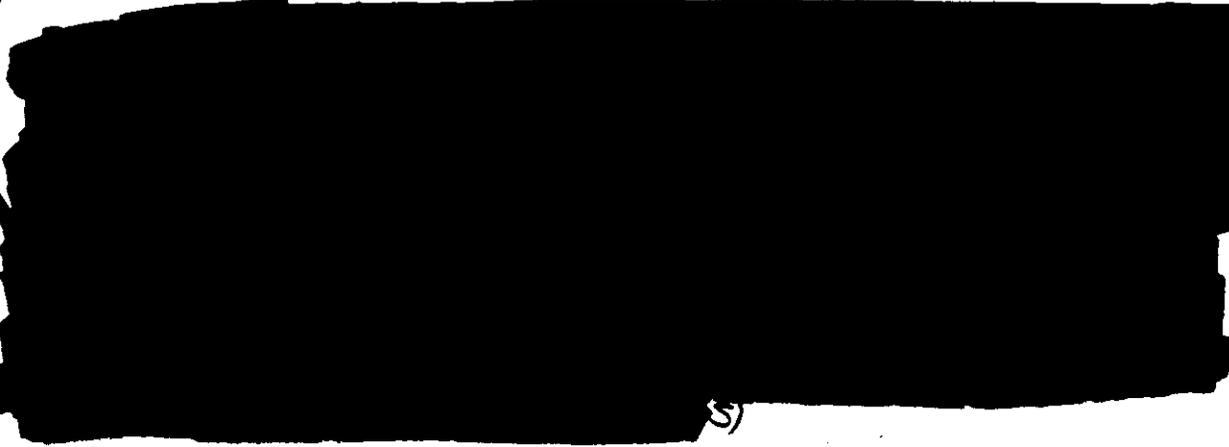
~~SECRET~~ SURREPTITIOUS ENTRIES

JUNE

- 1 - Mr. W. A. Branigan
- 1 - Mr. A. G. Higgins
- 1 - Mr. F. J. Cassidy

ReButel October 1, 1975, and Butel October 3, 1975, both captioned "Request of Attorney General for Information Concerning Surreptitious Entries."

This communication is classified "~~Secret~~" to protect a sensitive foreign counterintelligence operation.



Mr. William L. Gardner, Departmental Attorney, Civil Rights Division, has been charged by Mr. Pottinger with the responsibility of conducting a review of FBI files and records, in as much depth as possible, to assist in making a decision as to whether entries were a violation of the above-cited Sections of Title 18. Mr. Gardner has advised he does not at this time intend to conduct personnel interviews or discuss the case with Agents involved in the investigation. Agents involved in the case may be advised of Mr. Gardner's review.

Classified by SP7/mlc/col
Declassify on: OADR 5-26-83
JAN 22 1976
FBI

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

1 [Redacted]
[Redacted]
FEB 13 1976
343

~~SECRET~~
Classified by 5736
Exempt from GDS, Categories 2 and 3
Date of Declassification, Indefinite
SEE NOTE PAGE 2
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R/C

ROUTE IN ENVELOPE

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WHERE SHOWN OTHERWISE.

MAIL ROOM TELETYPE UNIT

~~SECRET~~

Airtel to Pittsburgh
Re: Surreptitious Entries.
66-8160

ALL
(6/11)
9/10

(C) Mr. Gardner has advised he would like to review the [redacted] file at the Pittsburgh Office beginning January 29, 1976. He anticipates his review should be completed by January 30, 1976.

In preparation for review of the file, FBIHQ Supervisor [redacted] will travel to the Pittsburgh Office on January 28, 1976. Mr. Gardner is aware of this arrangement. Supervisor [redacted] will coordinate review of the file with the Pittsburgh Office and be available should questions arise during the review.

NOTE:

See memorandum F. J. Cassidy to Mr. W. R. Wannall, dated January 21, 1976, captioned as above, prepared by [redacted] recommending travel of Supervisor [redacted] to the Pittsburgh Office.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

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

TO : Mr. W. R. Wannall

DATE: 1/21/76

FROM : F. J. Cassidy ^{HC} ^{RA}

Wm/sgm

SUBJECT: SURREPTITIOUS ENTRIES

JUNE

~~Classified by SP4/SGM
Declassify on: OADR
5/26/83~~

To recommend that FBIHQ Supervisor [redacted] be authorized to travel to the Pittsburgh Office in connection with a Departmental review of certain files within that Division.

ALL
CH
W/C

^{NR} Memorandum F. J. Cassidy to Mr. W. R. Wannall, 1/8/76, entitled as above, advised of the Civil Rights Division's pending review of files concerning matters wherein surreptitious entries were conducted by the FBI.

³⁴⁰⁸ Memorandum F. J. Cassidy to Mr. W. R. Wannall, 1/13/76, recommended that FBIHQ Supervisor [redacted] be authorized to travel to the New York Office in connection with the 1/21/76 review, by Departmental Attorney William L. Gardner, of a New York case wherein surreptitious entries were made.

In connection with the Civil Rights Division's review, Mr. Gardner has advised that he would like to review Pittsburgh file [redacted] at the Pittsburgh Office on January 29, 1976. Mr. Gardner anticipates his review should be completed on January 29 or January 30, 1976.

Enclosure

1 [redacted] (c)

(10)

- 1 - Mr. J. B. Adams
- 1 - Mr. E. W. Walsh
(Attn: Movement Unit)
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. A. Branigan
- 1 - [redacted]
- 1 - Mr. F. J. Cassidy
- 1 - [redacted]

EX-110

62-117166-175
CONTINUED - OVER
REC-3 66-8160-5011

~~SECRET~~

5 JAN 23 1976

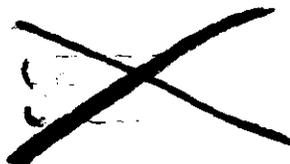
~~SECRET MATERIAL-ATTACHED~~

DIVE

~~By SP4 Jell
Date of Review 1-21-76
3-9-82~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Memorandum to Mr. W. R. Wannall
Re: SURREPTITIOUS ENTRIES
105-221993



ALL
LNU
DKE

Mr. Gardner recently reviewed the above Pittsburgh file at FBIHQ with the guidance of Supervisor [redacted]. In view of [redacted] familiarity with the file, and his previous coordination with Mr. Gardner, it is being suggested that he travel to the Pittsburgh Office on January 28, 1976, one day in advance of Gardner's visit there, to conduct a review of the field file [redacted]. [redacted] review will serve to insure against possible disclosure of the identities of sensitive sources mentioned in the file [redacted] and will additionally assist in resolving any questions which might arise during the review. Further [redacted] presence should aid in relieving whatever anxieties or concerns which might surface on the part of field office personnel.

Mr. Gardner has expressed no objection to our contemplated prior review of the Pittsburgh file by Supervisor [redacted]. Mr. Gardner has been advised that he will be made aware during his review of the nature and reason for any deletions or excisions.

Finally, since Mr. Gardner has expressed his intention not to conduct personnel interviews at this time, or to discuss the case with either case Agent or others involved in the investigation, it is believed Supervisor [redacted] presence at Pittsburgh would assist in the Department's review.

RECOMMENDATIONS:

1. That Supervisor [redacted] CI-1 Section, INTD, be authorized to travel to the Pittsburgh Office on January 28, 1976, in connection with review of Pittsburgh file 105-7733 by the Civil Rights Division, and further, that [redacted] remain with the Department's representative during the interview.

2. If approved, the attached airtel, advising Pittsburgh of the review, be sent.

~~Handwritten signature~~
JML
pms
EW
EA
WRW
LNU
APK



ALL (6)(7)(C)

Assistant Attorney General
Civil Rights Division

February 5, 1976

Director, FBI

62-117166-X76
66-8160-3823

- 1 - Mr. Wannall
- Attn: [REDACTED]
- 1 - Mr. Mintz
- 1 - Mr. Mallet

SURREPTITIOUS ENTRIES

JUNE

REC-70

EX 104

Reference is made to your memorandum dated January 20, 1976, your reference JSP:WLG:vap, captioned as above.

The following concerns Item 1 of your memorandum; Items 2 - 14 will be answered by separate communication.

You requested that I inquire of all present Bureau personnel at the level of Special Agent in Charge (SAC) or higher in the field and Section Chief or higher at FBI Headquarters concerning their complete and thorough knowledge of any and all break-ins or surreptitious entries performed by Bureau Agents or by others with prior or subsequent knowledge by your Agents since January 1, 1966. You also requested that these Bureau officials respond to this inquiry with personal communications rather than by letterhead memoranda.

Before initiating this inquiry, I would appreciate having your advice on exactly what information should be provided to each Bureau official contacted concerning the purpose of the Department's investigation and the possible consequences arising from the responses of these officials to this inquiry.

In your memorandum dated January 20, 1976, you stated that the inquiry was made in order to fully respond to the Attorney General regarding the scope of the Bureau's use of break-ins or surreptitious entries. Your memorandum dated August 19, 1975, indicates that the Department was conducting inquiry to determine whether any of the surreptitious entries conducted under the authority of the FBI constitute violations of Title 18, United States Code, Sections 241 and 242. If the Department is currently contemplating possible criminal prosecution of FBI personnel involved in surreptitious entries, I believe, in the interest of fairness, we should advise our officials that this is the purpose of the Department's current inquiry.

NOTE: See memorandum Legal Counsel to Mr. J. B. Adams dated 2-4-76 captioned as above.

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

MAILED 6
FEB 11 1976

FBI

Adms

JE

MU

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-9-92 BY SP1 JRM/GR

6 MAR 2 1976
343

RECEIVED

Mallet per JSP
Holt

**Assistant Attorney General
Civil Rights Division**

It also appears that disclosure of the identities of FBI personnel involved in surreptitious entries could result in civil litigations in which our personnel would be defendants. If you agree that such civil litigation is a significant possibility, then I believe that we should so advise the FBI officials to whom we direct this inquiry. In that connection, I would appreciate a statement from you regarding the position of the Department of Justice on providing representation for FBI personnel in civil litigations arising out of surreptitious entries made in the scope of FBI employment in order that this information may also be furnished to personnel concerned.

With due regard for the effect of this inquiry on morale in the FBI, I would, of course, like to advise our personnel as fully and as appropriately as possible, and your advice is solicited in furtherance of that objective.

UNITED STATES GOVERNMENT

Memorandum

1-Mr. J. A. Mintz
1-Mr. W. R. Wannall

DATE: 1/21/76

TO : Mr. W. R. Wannall *WRW*

FROM : F. J. Cassidy *FJC*

1-Mr. F. J. Cassidy
1- [REDACTED]

JUNE

SUBJECT: SURREPTITIOUS ENTRIES

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

**ALL
EX7104**

To advise the Legal Counsel Division (LCD) of the attached request of the Civil Rights Division for information relating to captioned activities, and to solicit LCD observations with respect to the Department's request in paragraph 3, page 1, of that request.

The Department's request asks for "personal communications" from Bureau personnel of SAC level or higher in the field, and Section Chief level or higher at Headquarters, concerning "their complete and full knowledge of any and all break-ins or surreptitious entries performed by Bureau agents or by others with prior or subsequent knowledge by...agents, since January 1, 1966."

Since the outset of the Civil Rights Division's inquiry into matters involving surreptitious entry, we have furnished information developed at FBIHQ (and in the New York Office as a result of the General Accounting Office audit there) about those instances of entry activity of which Intelligence Division (INTD) supervisory personnel are aware. Our knowledge of entries conducted by the FBI stems from a survey conducted of INTD personnel in approximately June, 1975. Since then, we have discovered additional entries as a result of file reviews at FBIHQ in connection with unrelated matters. We have advised the Civil Rights Division of each instance of newly-discovered entry activity.

The attached request of the Department recognizes our efforts in furnishing whatever new information has come to our attention; however, we are now being requested to conduct a Headquarters- and field-wide survey of higher level, Bureau supervisory personnel. It is being recommended that

Enclosure

*Transmitted by mail to Bureau
2/4/76
Re: memo to AG Samuel R. Galdy
1/21/76*

62-117166-176

REC-76 66-3823



ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3-8-92 BY SP4JRM/cal

CONTINUED - OVER

6 FEB 23 1976



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

[REDACTED]
SP4 JRM/cal

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

LCD furnish comments with respect to what direction should be taken in soliciting information from our personnel, and what counsel, if any, should be afforded them in connection with their responses.

RECOMMENDATION:

That Legal Counsel Division furnish its observations concerning the above request of the Civil Rights Division of the Department.

WRW/ful

JCF

(6/17/61)



UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

- 1-Mr. W. R. Wannall
- 1-Mr. W. A. Branigan
- 1-Mr. J. G. Deegan

DATE: 1/26/76

TO : Mr. W. R. Wannall

FROM : F. J. Cassidy

- 1-Mr. S. S. Mignosa
- 1-Mr. F. J. Cassidy

SUBJECT: SURREPTITIOUS ENTRIES

JUNE

Classified by ~~88-15100~~
Declassify on: OADR

- Assoc. Dir. _____
- Dep. AD Adm. _____
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- Telephone Rm. _____
- Director Sec'y _____

Handwritten notes:
F. J. Cassidy
6-96
3-24-76

To advise of the 1/20/76 request (copy attached) of the Civil Rights Division for information and access for review of certain files concerning surreptitious entries; to identify case files requested for review; and to offer observations regarding the requests.

The Civil Rights Division has conducted a number of file reviews at FBI Headquarters (FBIHQ) concerning matters wherein surreptitious entries were conducted. The Department has advised the purpose of the review is to determine if any of the entries constitute a violation of Title 18, U.S. Code, Sections 241 and 242. In addition to FBIHQ files, Mr. William L. Gardner, Departmental Attorney, has recently begun to review files in the New York Office (NYO). Mr. Gardner is expected to conduct reviews in several other field offices, including Pittsburgh, San Antonio, San Francisco, and Washington Field.

The 1/20/76 request seeks to review a number of files, both at FBIHQ and in the field. The pertinent files, corresponding to the item number noted on the Departmental request, are identified as follows:

- 3. Fair Play for Cuba Committee, IS-Cuba (New York 97-1792; FBIHQ 97-4196)

4. [REDACTED]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Handwritten: (b)(1)

Enclosure ENCLOSURE

EX 103

1 - 97-4196

1 - [REDACTED]
1 - 66-8160
1 - 105-165706

FEB 5 1976

CONTINUED - OVER

ROUTE IN ENVELOPE

343
13 1976

UNRECORDED COPY FILED IN

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

~~CONFIDENTIAL~~

ALL
(b)(1)

- 5. [REDACTED] (S)
- 6. [REDACTED] (S)
- 7. [REDACTED] (S)
- 10. [REDACTED] (S)
- 11. Technical Surveillances - General (FBIHQ 66-8160)
- 12. Black Panther Party (San Francisco 157-1203; FBIHQ 105-165706)
- 13. [REDACTED] (S)
- 14. [REDACTED] (S)

Information relating to the October, 1963, surreptitious entry at the New York headquarters of the Fair Play for Cuba Committee has been furnished to the Civil Rights Division; however, we did not provide at that time the written inventory being requested now, nor any information with respect to forwarding of information to the Warren Commission. The NYO will be requested to make this information available.

[REDACTED] (S)

Item 5 was to be reviewed by Mr. Gardner at the NYO during the period 1/21-23/76.

CONTINUED - OVER

~~CONFIDENTIAL~~

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

ALL EXITS

[REDACTED]

[REDACTED]

[REDACTED]

Item 11, "Technical Surveillances - General," consists of 50 sections main file and 20 sections "JUNE." Mr. Gardner will be advised of this, and suggestions will be made with respect to pinpointing the precise area of interest in this file.

Item 12, Black Panther Party, may be a rather lengthy file in the San Francisco Office. We will determine the approximate number of sections and advise Mr. Gardner.

[REDACTED]

[REDACTED]

~~XXXXXXXXXX~~

ALL EXITS

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

[REDACTED]

Section 105 of the Manual of Instructions, according to SENSTUDY Project indices, has been furnished to the Senate Select Committee. In addition, the Department's Guidelines Committee has been given Section 105. To restrict further dissemination, we will ask for Departmental review by access.

Item 9 relates to the National Security Electronic Surveillance file which is most sensitive, containing highly classified material. Action on this request will be handled in a separate memorandum.

Copies of material furnished the House Select Committee relating to surreptitious entries, with the House request, will be furnished to the Civil Rights Division.

Finally, with respect to Item 1, the Legal Counsel Division is being requested to furnish observations as to our direction in canvassing the field and FBIHQ personnel about their knowledge of surreptitious entries.

[REDACTED]

RECOMMENDATIONS:

[REDACTED]

*2/21/76
Copy of
M. of I.
furnished
to [unclear]
at his request*

CONTINUED - OVER

*ALL
(411)*

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries

~~CONFIDENTIAL~~

ALL
OK
OK

[REDACTED]

(S)

[REDACTED]

(S)

4. IS-1 Section should obtain and review the file requested in Item 12 of the Department's request. Arrangements for review of the field file may be coordinated with [REDACTED] IS-3.

Wannall

Wannall

OK

Jm

Jm

[REDACTED]

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

ALL (LX7)(C)

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

TO : Mr. J. B. Adams

DATE: 2-4-76

FROM : Legal Counsel

JUNE

SUBJECT: SURREPTITIOUS ENTRIES

PURPOSE: To obtain approval for memorandum to the Assistant Attorney General, Civil Rights Division, requesting his advice on information to be furnished to those Bureau officials who will be asked to state their knowledge of any surreptitious entries conducted since 1-1-66.

BACKGROUND: By memorandum dated 1-21-76 from F. J. Cassidy to Mr. W. R. Wannall, the Intelligence Division (INTD) asked that the Legal Counsel Division furnish its observations regarding a request from the Department that the Bureau contact its personnel at the level of SAC or higher in the field or Section Chief or higher at FBIHQ for their complete and full knowledge of any surreptitious entries since 1-1-66. That memorandum noted that we have previously furnished information to the Civil Rights Division of the Department regarding surreptitious entries. Information previously furnished derived from a survey conducted of INTD personnel in June, 1975, and from subsequent file reviews in connection with unrelated matters. Legal Counsel Division was requested to comment with respect to what direction we should take in soliciting information from our personnel and what counsel, if any, should be afforded them in connection with their responses.

OBSERVATIONS: In view of the nature of the proposed inquiry, it is believed that fairness requires that we fully inform personnel concerned of the purpose of the inquiry and of the possible consequences of their response. Concerning the purpose of the inquiry, the Department's memorandum dated 1-20-76 states that the information was needed "in order fully to respond to the Attorney General regarding the scope of the Bureau's use of break-ins or surreptitious entries."

Enclosure - Sent 2-9-76

- 1 - Mr. Wannall
Attn. [REDACTED]
- 1 - Mr. Mintz
- 1 - Mr. Mallet

ROUTE IN ENVELOPE

(CONTINUED - OVER)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-9-82 BY SP4 SEM/col

REC-48 66-2760-3820

FEB 18 1976

LEGAL COUNSEL

HM [REDACTED] (5)
6 MAR 2 1976

Memorandum to Mr. J. B. Adams
Re: Surreptitious Entries

By memorandum dated 8-19-75, however, the Department made it clear that it was attempting to determine whether the surreptitious entries involved violations of Title 18, U. S. Code, Sections 241 and 242. Section 241 concerns conspiracy against the rights of citizens and carries criminal penalties of a fine of not more than \$10,000 or imprisonment of not more than 10 years, or both. If death results, the penalty is imprisonment for any term of years or for life. Section 242 concerns deprivation of rights under color of law and carries criminal penalties of a fine of not more than \$1,000 or imprisonment of not more than 1 year, or both. If death results, imprisonment for any term of years or life.

The attached memorandum to the Assistant Attorney General, Civil Rights Division, requests clarification of the purpose of the inquiry and requests that if the Department is currently contemplating possible criminal prosecution of FBI personnel involved in surreptitious entries, then appropriate personnel should be so advised. Attached memorandum also states our belief that personnel to whom we address this inquiry should be advised of the possibility of civil litigation growing out of disclosure of participation in surreptitious entries. In that regard, the Assistant Attorney General is requested to provide a statement regarding the Department's position on providing representation for FBI personnel in civil litigations arising out of surreptitious entries in order that appropriate personnel may be informed.

RECOMMENDATION:

That the attached memorandum to Assistant Attorney General, Civil Rights Division, be approved and sent.

JM

waw/tur

[Handwritten signature]

JCF

JSA
J Pen

[Handwritten signature]

UNITED STATES GOVERNMENT

Memorandum

- 1-Mr. J.B. Adams
- 1-Mr. J.A. Mintz
- 1-Mr. W.R. Wannall

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

TO : Mr. W. R. Wannall *White*

DATE: 2/12/76

FROM : F. J. Cassidy *JFK* JUNE

- 2-Mr. W.A. Branigan (1 [redacted] and Mr. Van Wagenen)
- 1-Mr. J.G. Deegan (Attn: Mr. Held)
- 1-Mr. S.S. Mignosa (Attn: Mr. T.H. George)
- 1-Mr. F. J. Cassidy
- 1 [redacted]

SUBJECT: ~~SURREPTITIOUS ENTRIES~~
~~CONFIDENTIAL~~

*Classified by SP4/BJL/col
Declassify on: OADR
5/27/83*

To advise of a 2/10/76 conversation between [redacted] Intelligence Division (INTD) and William L. Gardner, Departmental Attorney, Civil Rights Division, regarding Departmental review of files at FBIHQ and in the field; to seek approval to send attached airtel to the Chicago Office.

In a memorandum of 1/20/76, the Civil Rights Division furnished a list of files and documents which it wished to review at FBIHQ and in the field. A copy of this request is attached. Several of the Departmental requests involve review of certain files at FBIHQ, followed by review of the files at the field office level. Mr. Gardner furnished the following with respect to his intended travel to review files:

[Large redacted block of text]

2-11711de-119

Enclosures

66-8160

1 - 105-242520

ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE.

FEB 18 1976

ROUTE IN ENVELOPE

CONTINUED

6 (11) [redacted]
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343

~~CONFIDENTIAL~~

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



UNRECORDED COPY FILED IN

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries
66-8160

~~CONFIDENTIAL~~

(b)(1)
(c)



In view of the variety of files to be reviewed and the number of field offices to be visited, we are not at this time recommending travel of FBIHQ supervisors to the appropriate field offices to assist in Mr. Gardner's review. On the basis of Mr. Gardner's reviews in the New York and Pittsburgh Offices, and his increasing familiarity with our administration of files, it is believed we may assure adequate assistance to him, and coordination with our field offices, through close contact between the field office and appropriate FBIHQ supervisory personnel.

RECOMMENDATION:

teletype

If approved, attached ~~aired~~ be sent to the Chicago Office. Other offices involved in the Departmental review will be advised by separate communication.

~~CONFIDENTIAL~~

Jan
Per
Jan
Jan
Wann
(4/7/64)

UNITED-STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *WRW*

FROM : F. J. Cassidy *FJC*

SUBJECT: SURREPTITIOUS ENTRIES

1-Mr. J. B. Adams
1-Mr. J. A. Mintz
1-Mr. W. R. Wannall

DATE: 2/13/76

1-Mr. W. A. Branigan
1-Mr. J. G. Deegan
1-Mr. S. S. Mignosa
1-Mr. F. J. Cassidy
1- [REDACTED]

Assoc. Dir. _____
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Director Sec'y _____

JUNE

To advise of a 2/10/76 conversation between [REDACTED] Intelligence Division (INTD), and Departmental Attorney William L. Gardner, Civil Rights Division, concerning surreptitious entries.

Since June, 1975, the Civil Rights Division has been conducting inquiries into investigative matters of the FBI wherein surreptitious entries were conducted. On the basis of surveys at FBIHQ, we have located and furnished to the Department information relating to entries conducted by the FBI to collect information, or in connection with installation of electronic surveillance. Subsequent to our submission of memoranda to the Civil Rights Division reporting these instances of surreptitious entry, we have discovered several instances of entry not previously reported to the Department. Our discoveries have been made in connection with file reviews in Freedom of Information and Privacy Act matters, as well as during normal record reviews.

On 12/1/75, we furnished the Department a memorandum outlining details of an entry into the Fair Play for Cuba Committee (FPCC) headquarters in New York City. The entry took place on 10/27/63, prior to the Department's cutoff date of 1/1/66; however, it was felt we should advise them of our discovery.

On 2/10/76, Mr. Gardner reiterated the Department's interest in our reporting of entries occurring subsequent to 1/1/66. He noted the likelihood of our discovering during file reviews additional instances of surreptitious entry prior to 1/1/66; however, he advised it was not necessary to bring these instances to the attention of the Department.

66-8160

EX-111

REC-65

3 FEB 19 1976

1 - 97-4196 (Fair Play for Cuba Committee)

CONTINUED - OVER

(10)

343

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MAR 2 1976

ROUTE IN ENVELOPE

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



**ALL
4/17/76**

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for

62-117166-X80

3819

UNITED STATES GOVERNMENT

Memorandum to Mr. W. R. Wannall
Re: Surreptitious Entries
66-8160

The exception to the above is in the case of the 10/27/63 FPCC entry. The Department is interested in this matter since there is an indication certain or all of the information obtained may have been given to the Warren Commission. Exactly what information was furnished the Commission is of interest to the Department.

RECOMMENDATION:

None. For information.

Jama
JW

Jas *Per* *Wannall*
Per
6/17/64 

574

- 1 - Mr. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall
- 2 - Mr. W. A. Branigan
- (1 [redacted] URGENT and Van Wagenen)

CODE

TELETYPE

~~CONFIDENTIAL~~

TO SAC, CHICAGO
 FROM DIRECTOR, FBI (66-8160)

FEBRUARY 17, 1976
 (Attn. Mr. Held)
 1 - Mr. J. G. Deagan
 1 - Mr. S. S. Mignosa
 (Attn. T. H. George)
 1 - Mr. F. J. Cassidy
 JUNE 1 [redacted]

SURREPTITIOUS ENTRIES.

REBUTEL DATED OCTOBER 2, 1975, AND CGTEL DATED OCTOBER 3, 1975, BOTH CAPTIONED "REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES."

REFERENCED BUREAU COMMUNICATION ADVISED OF A REQUEST OF THE CIVIL RIGHTS DIVISION, DEPARTMENT OF JUSTICE, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES CONDUCTED BY THE FBI SINCE JANUARY 1, 1966. THE CIVIL RIGHTS DIVISION HAS ADVISED THAT THE PURPOSE OF THEIR INQUIRY IS TO DETERMINE WHETHER OR NOT ANY OF THE SURREPTITIOUS ENTRIES CONDUCTED UNDER AUTHORITY OF THE FBI CONSTITUTE A VIOLATION OF TITLE 18, U. S. CODE, SECTIONS 241 AND 242.

62-117166-X81

[redacted]
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3817

1 - 105-242520

REC-15

14 FEB 19 1976

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- Director Sec'y _____

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 16 1976
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~~CONFIDENTIAL~~

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 WHERE SHOWN OTHERWISE.

343
FEB 24 1976

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[redacted]

PAGE TWO

66-8160

~~CONFIDENTIAL~~

(b)(1)

ON FEBRUARY 18, 1976, DEPARTMENTAL ATTORNEY WILLIAM L. GARDNER, CIVIL RIGHTS DIVISION, WILL TRAVEL TO THE CHICAGO OFFICE TO REVIEW THE [REDACTED] FILE. MR. GARDNER ANTICIPATES HE WILL ARRIVE AT THE CHICAGO OFFICE AT NOON ON FEBRUARY 18, 1976, AND SHOULD COMPLETE HIS REVIEW ON THE FOLLOWING DAY, FEBRUARY 19, 1976.

(b)(1)

IN CONNECTION WITH THEIR INQUIRY, THE CIVIL RIGHTS DIVISION HAS ASKED TO REVIEW ANY AND ALL INFORMATION RELATING TO THE ENTRY, WHETHER OR NOT IN FILE. MR. GARDNER'S REVIEW FOR THE PRESENT IS LIMITED TO RECORDS REVIEW, AND HE DOES NOT DESIRE TO DISCUSS THE MATTER WITH PERSONNEL INVOLVED IN THE ENTRY, OR AUTHORITIES WHO APPROVED THE ENTRY.

CHICAGO REVIEW THE [REDACTED] FILE TO INSURE IDENTITIES OF ALL SOURCES MENTIONED THEREIN ARE CONCEALED PROPERLY. IN THE EVENT CHICAGO DETERMINES ANY EXCISION SHOULD BE MADE PRIOR TO DEPARTMENTAL REVIEW, THE MATTER SHOULD BE RESOLVED WITH APPROPRIATE AUTHORITIES AT FBIHQ. CHICAGO SHOULD HAVE MATERIAL RELATING TO THE DEPARTMENTAL INQUIRY AVAILABLE FOR REVIEW PRIOR TO MR. GARDNER'S ARRIVAL.

IN ADDITION, CHICAGO FURNISH THE IDENTITY OF AN APPROPRIATE SUPERVISORY OFFICIAL OF YOUR OFFICE WITH WHOM MR. GARDNER MAY MAKE NECESSARY ARRANGEMENTS IN CONNECTION WITH HIS REVIEW.

END

~~CONFIDENTIAL~~

PAGE THREE

66-8160

~~CONFIDENTIAL~~

NOTE:

See memorandum dated 1/17/76, F. J. Cassidy to
Mr. W. R. Wannall, captioned as above, prepared by [REDACTED]

(LX7)(C)

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

airtel

1-Mr. J. B. Adams
1-Mr. J. A. Mintz
1-Mr. W. R. Wannall

TO: SAC, New York (66-8170)

~~CONFIDENTIAL~~ 2/18/76

FROM: Director, FBI (66-8160)

1-Mr. S. S. Mignosa
1-Mr. P. J. Cassidy

SURREPTITIOUS ENTRIES

JUNE

As you are aware, the Civil Rights Division, Department of Justice, has been conducting inquiries into investigative matters of the FBI where surreptitious entries were effected to collect information, or install electronic surveillances.

In connection with a matter unrelated to the Departmental inquiry above, the Fair Play for Cuba Committee (FPCC) file (FBIHQ 97-4196; New York 97-1792) was reviewed at Headquarters, and it was determined that a surreptitious entry was conducted on 10/27/63.

The Headquarters' file shows that samples of FPCC stationery, an envelope, a membership card, and a foreign mailing list were obtained as a result of the entry (New York letter and letterhead memorandum, 11/27/63, "FPCC, RA-CUBA, IS-CUBA, IS-C, IS-SWP").

New York airtel 10/28/63, captioned as the 11/27/63 letter, disclosed that in addition to the stationery and mailing list, the entry resulted in the obtaining of approximately 100 photographs of data pertaining to the current finances and general activities of the FPCC.

In a memorandum of 1/20/76, the Civil Rights Division has asked for "a written inventory of the precise information obtained as a result of this entry (10/27/63), and (a statement as to whether or not) any or all of such information was forwarded to the Warren Commission."

1 - 97-4196

~~CONFIDENTIAL~~

FEB 20 1976

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- Director Sec'y _____

(10)

MAILED 5
FEB 18 1976
FBI

SEE NOTE PAGE TWO

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

ENCLOSURE

ROUTED

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343

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Reason-FCIM II, 1-2.4.2
Date of Review 2-18-81

MAIL ROOM

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UNRECORDED COPY FILED IN 17-4146-1

Airtel to SAC, New York
Re: Surreptitious Entries
66-8160

~~CONFIDENTIAL~~

(b)(1) New York should review their file pertaining to the FPCC entry of 10/27/63 and furnish to the Bureau, in a form suitable for dissemination, information requested by the Department as it relates to the [REDACTED] and whether any or all of the information obtained was forwarded to the Warren Commission. FBIHQ will furnish to the Department New York's letterhead memorandum of 11/27/63 which describes the mailing list and stationery obtained from the entry.

NOTE:

(b)(1) Attached to yellow is copy of the Department's 1/20/76 request pertaining to the FPCC (Item 3). By memorandum of 12/1/75 we furnished to the Department details of the 10/27/63 entry, however, at that time we had no detailed inventory of information obtained. We are instructing New York to obtain this information in response to the Department's request. Supervisor [REDACTED] New York Office, was advised recently of this request and he is taking steps to collect the information sought.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~ - 2 -

- 1 - Mr. J. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. R. Wannall

CODE ~~SECRET~~ TELETYPE NITEL

TO SACS SAN FRANCISCO (66-1552)
LOS ANGELES

FEBRUARY 20, 1976

DIRECTOR FBI (66-8160)

- 1 - Mr. W. A. Branigan
- 1 - Mr. J. G. Deegan
- 1 - Mr. S. S. Mignosa
- 1 - Mr. F. J. Cassidy

~~SECRET - JUNE~~

SURREPTITIOUS ENTRIES

REBUTELS TO SAN FRANCISCO AND LOS ANGELES, OCTOBER 3, 1975 AND OCTOBER 1, 1975, RESPECTIVELY, BOTH CAPTIONED

"REQUEST OF ATTORNEY GENERAL FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES."

REFERENCED BUREAU COMMUNICATIONS ADVISED OF A REQUEST OF THE CIVIL RIGHTS DIVISION, DEPARTMENT OF JUSTICE, FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES CONDUCTED BY THE FBI SINCE JANUARY 1, 1966. THE CIVIL RIGHTS DIVISION HAS ADVISED THAT THE PURPOSE OF THEIR INQUIRY IS TO DETERMINE WHETHER OR NOT ANY OF THE SURREPTITIOUS ENTRIES CONDUCTED UNDER AUTHORITY OF THE FBI CONSTITUTE A VIOLATION OF TITLE 18, U.S. CODE, SECTIONS 241 AND 242.

Classified by [redacted] on [redacted]
 Declassify on [redacted]

NSPU-1000
 Reason for Review: [redacted]

6/11

[REDACTED]

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- Telephone Rm. _____
- Director Sec'y _____

MAR 343 2 1976

CLASSIFIED
 EXEMPTED
 DATE DECLASSIFIED [redacted]

FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATIONS SECTION
 SEE NOTE PAGE 3

FEB 20 1976

TELETYPE

ROUTE IN [redacted]

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE.

MAIL ROOM TELETYPE UNIT

~~SECRET~~

~~X~~ ALL (6X1)

[REDACTED]

[REDACTED] (S)

[REDACTED]

[REDACTED] (S)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (S)

BUREAU FILES REGARDING THE ABOVE SAN FRANCISCO AND LOS ANGELES MATTERS HAVE BEEN REVIEWED BY GARDNER AT FBIHQ. (S)

WITH RESPECT TO THE INQUIRY, THE CIVIL RIGHTS DIVISION HAS ASKED TO REVIEW ANY AND ALL INFORMATION RELATING TO THE ENTRIES, WHETHER OR NOT IN FILE. THE REVIEWS ARE AT THIS TIME

~~SECRET~~

~~SECRET~~

ALL (S/1)

PAGE THREE ~~SECRET~~ 66-8160

LIMITED TO RECORDS REVIEW. MR. GARDNER DOES NOT WISH TO DISCUSS THE ENTRIES WITH PERSONNEL INVOLVED, OR WITH AUTHORITIES WHO MIGHT HAVE APPROVED THE ACTIONS. (S)

[REDACTED]

CLASSIFIED BY 5736 XGDS 2, INDEFINITE (S)

END

NOTE:

~~SECRET~~

[REDACTED] (S)

Memorandum F. J. Cassidy to Mr. W. R. Wannall, 2/12/76, "Surreptitious Entries," advised of Attorney Gardner's plans to travel to San Francisco and Los Angeles Offices. (S)

~~SECRET~~

~~SECRET~~

~~SECRET~~

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (C)

6/11

THIS EXPLAINED LACK OF MONITORING LOGS FOR PERIOD WHICH GARDNER HAD QUESTIONED.

FOR INFORMATION.

~~CLASSIFIED BY 7199, AGDS 2 AND 3, INDEFINITE.~~

END.

SJF FBIHQ CLR AND TKS

~~CONFIDENTIAL~~

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

2

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.

Document(s) originating with the following government agency(ies) DEPT. OF JUSTICE,
CIVIL RIGHTS DIVISION, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____
_____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-117166-X 85

XXXXXX
XXXXXX
XXXXXX

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 24 1976
ckm
TELETYPE

LA 223

LA 223 LA CODE

12:22 PM URGENT 2-24-76 JMG

~~CONFIDENTIAL~~

TO: DIRECTOR (66-8162) (ATTN: INTD)

JUNE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

FROM: LOS ANGELES (134-4009)

SECRET

SURREPTITIOUS ENTRIES

~~Class. & Ext. By SP4/ckm/cal
Reason-FCIM 11, 1-2.4.2
Date of Review 8-24-82
3821 3-17-82~~

RE BUREAU TELETYPE TO SAN FRANCISCO AND LOS ANGELES

DATED FEBRUARY 22, 1976, CAPTIONED AS ABOVE.

*ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.*

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

[REDACTED]

Classified by *SP4/ckm/cal*
Declassify on: OADR
3/26/83

FEB 25 1976

6 MAR 16 1976

*Telephonically advised
11:45 AM, 2/25/76. That no
excursion necessary and
that HQ aware no entry
made in subject file.*

~~CONFIDENTIAL~~

SPEC. INTEL RM.

LA 134-4079

PAGE TWO

~~CONFIDENTIAL~~

~~SECRET~~
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] (e)

(b)(1)

BUREAU IS REQUESTED TO ADVISE LOS ANGELES IF THE NAME OF

[REDACTED] SHOULD BE EXCISED PRIOR TO REVIEW BY GARDNER.

(7/62)

THERE WAS NO, REPEAT NO, SUPREPTITIOUS ENTRY BY LOS ANGELES.

~~CLASSIFIED BY 6132, XCDS 9 AND 3, INDEFINITE.~~

END

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

ALL WIN, DIED

- 1 - Mr. J. I. Adams
- 1 - Mr. J. A. Hints
- 1 - Mr. W. R. Wannall
- 1 - Mr. S. S. Wignose
- 1 - Mr. F. J. Cassidy
- 1 - [REDACTED]

msd

CODE

TELETYPE

NITEL

TO SACS DALLAS (105-3138)
 JACKSON (66-100)
 SAN ANTONIO (65-1825)

Classified by *SP/aw/cg*
 Declassify on: OADR

FEBRUARY 23, 1976

FROM DIRECTOR FBI (66-8160)

Class. & Ext. by *SP/normal*
 Reason-FCIM 1-2.4.2 *2*
 Date of Review *2-25-96*
3-24-82

~~SECRET - JUNE~~

SURREPTITIOUS ENTRIES.

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

REFERENCE BUTELS TO DALLAS, JACKSON, AND SAN ANTONIO,
 AUGUST 20, 1975, OCTOBER 1, 1975, AND AUGUST 21, 1975, RESPEC-
 TIVELY, ALL CAPTIONED "REQUEST OF ATTORNEY GENERAL FOR INFOR-
 MATION CONCERNING SURREPTITIOUS ENTRIES."

REFERENCED BUREAU COMMUNICATIONS ADVISED OF A REQUEST OF
 THE CIVIL RIGHTS DIVISION, DEPARTMENT OF JUSTICE, FOR INFOR-
 MATION CONCERNING SURREPTITIOUS ENTRIES CONDUCTED BY THE FBI
 SINCE JANUARY 1, 1966. THE CIVIL RIGHTS DIVISION HAS ADVISED
 THAT THE PURPOSE OF THEIR INQUIRY IS TO DETERMINE WHETHER OR
 NOT ANY OF THE SURREPTITIOUS ENTRIES CONDUCTED UNDER AUTHORITY
 OF THE FBI CONSTITUTE A VIOLATION OF TITLE 18, U. S. CODE,
 SECTIONS 241 AND 242.

ENCLOSURE

7 MAR 1 1976

(6X1)

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

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 25 1976

SEE NOTE PAGE 4

TELETYPE
ROUTE IN ENVELOPE

MAR 16 1976

~~CONFIDENTIAL~~

MAIL ROOM TELETYPE UNIT

[REDACTED]
[REDACTED]
[REDACTED] (c)

IN CONNECTION WITH THE DEPARTMENTAL INQUIRY, DEPARTMENTAL ATTORNEY WILLIAM L. GARDNER WILL TRAVEL TO THE JACKSON, DALLAS, AND SAN ANTONIO OFFICES, BEGINNING MARCH 2, 1976, IN ORDER TO REVIEW THE FOLLOWING FILES IN THOSE OFFICES:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] (c)

MR. GARDNER ANTICIPATES HIS REVIEW WILL BEGIN AT JACKSON ON MARCH 2, 1976, AND BE COMPLETED THERE IN THE AFTERNOON OF MARCH 3. HE HAS NOT INDICATED WHETHER OR NOT HE WISHES TO REVIEW THE [REDACTED] FILE AT JACKSON. GARDNER EXPECTS TO TRAVEL TO DALLAS ON MARCH 3, OR EARLY MARCH 4, AND HE PLANS TO COMPLETE HIS REVIEW OF THE [REDACTED] FILE AT DALLAS BY LATE MARCH 4, OR EARLY MARCH 5. HE WILL THEN TRAVEL TO SAN ANTONIO IN THE MORNING OF MARCH 5 WHERE HE EXPECTS TO COMPLETE HIS REVIEW OF THE [REDACTED] CASE ON THE SAME DATE.

MR. GARDNER HAS REVIEWED AT FBIHQ THOSE FILES WHICH HE WILL REVIEW IN THE DALLAS, JACKSON, AND SAN ANTONIO OFFICES.

ALL
(S)(U)

PAGE THREE ~~SECRET~~ 66-8160

~~CONFIDENTIAL~~

WITH RESPECT TO THE INQUIRY, THE CIVIL RIGHTS DIVISION HAS ASKED TO REVIEW ANY AND ALL INFORMATION RELATING TO THE ENTRIES, WHETHER OR NOT IN FILE. THIS WILL INCLUDE MAIN AND SUBFILES, EXHIBITS AND ENCLOSURES TO FILES. THE REVIEWS AT THIS TIME ARE LIMITED TO RECORDS REVIEW. MR. GARDNER DOES NOT WISH TO DISCUSS THE ENTRIES WITH PERSONNEL INVOLVED, OR WITH AUTHORITIES WHO MIGHT HAVE APPROVED THOSE ACTIONS.

DALLAS, JACKSON, AND SAN ANTONIO OFFICES SHOULD REVIEW THEIR FILES LISTED ABOVE TO INSURE IDENTITIES OF SOURCES MENTIONED THEREIN ARE CONCEALED PROPERLY. IN THE EVENT AN OFFICE DETERMINES EXCISIONS SHOULD BE MADE IN ADDITION TO CONCEALMENT OF SOURCES, OR IF ANY QUESTIONS ARISE WITH RESPECT TO WHAT MAY OR MAY NOT BE EXCISED, RESOLVE THE MATTERS BY CONTACTING APPROPRIATE FBIHQ AUTHORITIES.

^{37C}
^{PK}
~~CLASSIFIED BY 5736, EGDS 2, INDEFINITE.~~

END

~~CONFIDENTIAL~~

PAGE FOUR

~~SECRET~~

66-8160

~~CONFIDENTIAL~~

NOTE:

~~SECRET~~

(41)

Memorandum F. J. Cassidy to Mr. W. R. Wannall,
2/12/76, "Surreptitious Entries," advised of Attorney
Gardner's plans to travel to Dallas, Jackson, and San
Antonio, to review the files identified above.

~~SECRET~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

FBI

Date: 3/2/76

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (66-8160)
FROM: ADIC, NEW YORK (66-8170)
SUBJECT: SURREPTITIOUS ENTRIES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-9-82 BY SP4JRM/ca
JUNE

ReBuairtel, ^{NY 3822} 2/18/76, wherein the Bureau at the behest of the Civil Rights Division, Department of Justice, requested certain information concerning a surreptitious entry made in connection with the investigation of the Fair Play for Cuba Committee (FPCC) on 10/27/63.

Comprehensive review of NY file 97-1792 (FPCC main case file) failed to reveal any information concerning a request from the Warren Commission for information concerning this entry, nor was there any indication that information secured at that time was furnished to the Warren Commission. The Bureau is cognizant of the fact that requests of this kind normally would have been channeled through FBIHQ and it would seem if any requests had been received, these records would be most likely to be found in the FBIHQ files.

Concerning the surreptitious entry of 10/27/63, a review of this file reflects that 14 photos of FPCC telephone directory were taken, 16 photos of FPCC foreign mailing list were taken, and 14 photos bearing on FPCC finances were taken. In addition, numerous photos of correspondence to and from persons seeking literature, information and the like re FPCC were secured. One of these inquiries concerned correspondence re LEE HARVEY OSWALD

- 2 - Bureau (RM)
- 1 - New York

EX-115

62-117166-188
REC-141 66-8160-3828

(4)

6 MAR 6 1976

6/17/63

17 MAR 4 1976

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

NY 66-8170

(full details of which are available at FBIHQ), and it is presumed that this information had been furnished to the Warren Commission by FBIHQ. There was no record located in this file which specifically reflected that this, or any other, information had or had not, been furnished to the Warren Commission.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : T. W. Leavitt *TWL*

SUBJECT: SURREPTITIOUS ENTRIES

- 1 - Mr. N. P. Callahan
- 1 - Mr. J. B. Adams
- 1 - Mr. T. J. Jenkins

DATE: March 16, 1976

1 - Each Assistant Director

1 - Mr. F. J. Cassidy

1 - [REDACTED]

JUNE

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

ALL (6) (7) (C)

PURPOSE:

To advise of the January 20, 1976, request of the Civil Rights Division for information concerning surreptitious entries conducted by the FBI; to summarize exchanges of memoranda between Legal Counsel Division and the Civil Rights Division; to obtain approval to send attached airtel to all field offices.

SYNOPSIS:

The Civil Rights Division has requested that Headquarters inquire of Bureau personnel at certain levels in the field and at Headquarters for their knowledge of entries by the FBI or others with FBI knowledge since January 1, 1966. In an exchange of memoranda, our Legal Counsel Division and the Civil Rights Division examined questions of the rights of Bureau personnel vis-a-vis the Departmental inquiry, the issue of criminal and civil litigation which might arise out of the inquiry, and Department's position with respect to representation of Bureau personnel in the event of litigation. Memorandum and attached airtel are to survey FBIHQ and field offices pursuant to Departmental request.

CURRENT BUREAU POLICY:

Not applicable.

3 ENCLOSURE

Enclosures

66-8160

[REDACTED]

(19)

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED**

DATE 3-9-82

BY

CONTINUED - OVER

REC-25 66-8160-3831

EX-104

7 MAR 22 1976

Enc. - Sent 3-19-76

6 343
MAR 30 1976

ROUTE IN ENVELOPE

[REDACTED]

Memorandum to Mr. J. B. Adams
Re: SURREPTITIOUS ENTRIES
66-8160

RECOMMENDATIONS:

1. Pursuant to request of Civil Rights Division, Headquarters personnel, Section Chief and higher, are hereby requested to submit memorandum (Attention: INTD, IS-3), as to their knowledge of surreptitious entries since January 1, 1966. See attachments for guidance in responding to this request.

2. If approved, attached airtel be sent.

Handwritten initials: Hest, JRC

APPROVED: *[Signature]*
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. *[Signature]*
Asst. Dir.: _____
Admin. _____

Comp. Syst. _____
Ext. Affairs. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. *TUL*

Laboratory _____
Legal Coun. *[Signature]*
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

Handwritten initials: pu

Handwritten initials: J

Handwritten initials: J



Handwritten initials: LIT/le

CONTINUED - OVER

Memorandum to Mr. J. B. Adams
Re: SURREPTITIOUS ENTRIES
66-8160

DETAILS:

In a memorandum of January 20, 1976, the Department's Civil Rights Division, which has at the instruction of the Attorney General been conducting an inquiry into investigative matters of the FBI which involved surreptitious entry, requested that Headquarters inquire of SAC level and higher in the field, and Section Chief and higher at Headquarters, for their knowledge of surreptitious entries made by the FBI, or others with FBI knowledge, since January 1, 1966. (Copy of request attached).

In a memorandum of February 5, our Legal Counsel Division solicited the Department's position with respect to what information our personnel might be given as to the purpose of the Civil Rights Division's inquiry; whether our personnel should be advised as to the possibilities of civil litigation arising from the inquiry; and what the Department's position is with respect to representation of Bureau personnel should they become defendants in civil litigation. (Copy of memorandum attached).

In their response of February 24, the Civil Rights Division advised they were not currently contemplating criminal prosecution of Bureau personnel and that their present posture was investigative only. It was their opinion that no Miranda situation existed, therefore, Bureau personnel required no advice of rights. Further, the Civil Rights Division indicated it would expect Bureau personnel to furnish whatever information they might have with respect to surreptitious entries; however, the Department assumed our officials would have the right not to furnish information if they felt it would tend to implicate them criminally. In addition, the Department felt there was no significant possibility of civil litigation, and that no official in the Department would be in a position to make a judgment on representation of Bureau personnel until all facts were available in a particular case. (Copy of memorandum attached).

Memorandum to Mr. J. B. Adams
Re: SURREPTITIOUS ENTRIES
66-8160

Civil Rights Division has asked that personnel submit "personal communications" in response to their inquiry. The field is being asked to submit nitels, and Headquarters personnel are being asked to submit memoranda. At Headquarters, for instance, a memorandum from Section Chief to Assistant Director, or higher as appropriate, would satisfy the "personal communications" requirement. All responses are to be phrased in the first person.

- 1 - N. Callahan
- 1 - J. [unclear]
- 1 - T. J. Jenkins
- 1 - Each Assistant Director

ALL (6)(7)(C)

Airtel

3/18/76

To: SAC, Albany

DO NOT DISSEMINATE

From: Director, FBI (66-8160)

PERSONAL ATTENTION

PER 62-117964-9 JUNE

SURREPTITIOUS ENTRIES

1 - F. J. Cassidy

1 - [redacted]

Attached for recipients are copies of two memoranda: Bulet to Assistant Attorney General (AAG), Civil Rights Division, February 5, 1976, and the AAG, Civil Rights Division, response thereto dated February 24, 1976, both captioned as above.

For several months, the AAG, Civil Rights Division, Department of Justice, has been conducting an inquiry at the instruction of the Attorney General into FBI investigative matters which involved surreptitious entries. The Civil Rights Division has advised that the purpose of the inquiry is to determine if any of the entries conducted under authority of the FBI constitute a violation of Title 18, U.S. Code, Sections 241 and 242. Section 241 concerns conspiracy against the rights of citizens and carries criminal penalties of a fine of not more than \$10,000 or imprisonment of not more than 10 years, or both. If death results, the penalty is imprisonment for any term of years or for life. Section 242 concerns deprivation of rights under color of law and carries criminal penalties of a fine of not more than \$1,000 or imprisonment of not more than 1 year, or both. If death results, imprisonment for any term of years or life.

In a request of January 20, 1976, the Civil Rights Division asked that FBIHQ inquire "of all present Bureau personnel at the level of SAC or higher in the field and Section Chief or higher in Headquarters, their complete and full knowledge of any and all break-ins or surreptitious

MAILED 14
MAR 22 1976
FBI

Mc

62-117160-X90

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

Enclosures (2)

ENCLOSURE

REC-25

EX-104

66-8160-3832

2 - All Field Offices (Enclosures - 2)

7 MAR 22 1976

(137)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 3-9-82 BY SP4JRM/al

ROUTE IN ENVELOPE

343
MAR 30 1976

MAIL ROOM

TELETYPE UNIT

Airtel to Albany
Re: Surreptitious Entries
66-8160

entries performed by Bureau agents or by others with prior or subsequent knowledge by your agents, since January 1, 1966." The officials cited are asked in this request to provide "personal communications" in response to the inquiry. The "personal communications" will be forwarded to the Department as received.

Field personnel at the level of SAC and higher should promptly sunitel their response under the caption "Request of the Assistant Attorney General, Civil Rights Division, For Information Concerning Surreptitious Entries." Response should be based on your knowledge of entry activity, including entries in connection with installation of electronic surveillance, feasibility surveys, and entries to collect information, i.e. "bag jobs." You should respond with your recollections, however incomplete.

You should use the following in responding to this inquiry, and responses should be in the first person:

1. If no knowledge, or no knowledge independent of that gained as a result of your office's recent responses to FBIHQ requests for information about certain surreptitious entries, so state.
2. If you have knowledge and believe your response would tend to implicate you criminally, you appear to have the right not to provide such information (see paragraph 2, page 2, AAG memorandum of February 24, 1976). If you choose to exercise this alternative, you should so advise.
3. If you have pertinent information you should submit whatever details are recalled, including pertinent dates, targets, and file number(s) where information might be located. For instance, if you recall an entry, the date and place of that entry, and the case Agent or Field Supervisor handling the case,

Airtel to Albany
Re: Surreptitious Entries
66-8160

but not the subject of the entry, you should make an effort to identify the case through the case Agent or Supervisor. If those sources are unavailable, you should report what information you do have. As another example, if you have a vague recollection of an entry, but do not recall a date or target of entry, you should provide what information you do have. As a final example, if you recall an office handling a case where a surreptitious entry was made, but you do not recall the case, case Agent, Supervisor, or pertinent dates, furnish what information you do recall.

You should make a reasonable effort to obtain information about entry activity which you might recall; however, you are not expected to initiate a wide-ranging inquiry. Where an extensive effort appears necessary, you should furnish what information you do have together with observations as to the extent of research needed to identify additional facts about the entry.

Where information about surreptitious entries has been furnished previously in connection with recent requests of FBIHQ, it need not be repeated in response to this request.

New York and Los Angeles personnel should respond with individual nitels showing the title of the official responding.

Sunitel response by secure teletype, classified where appropriate, Attention: INTD, IS-3 Section.

Airtel to Albany
Re: Surreptitious Entries
66-8160

610710

NOTE:

See memorandum T. W. Leavitt to Mr. J. B. Adams, 3/16/76, captioned as above, prepared by [redacted] Copy of AAG memorandum of 1/20/76, which sets out request being made in this airtel, is attached to yellow and ticklers. Copy of our 2/5/76, memorandum to the AAG, and AAG response of 2/24/76, also attached.

Airtel and memorandum prepared in coordination with Legal Counsel Division.

gjc HED

pen

APPROVED:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____

Comp. Syst. _____
Ext. Affairs _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-23-82 BY SP-4 ELW/ST

- Mr. J. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. T. W. Leavitt
- 1 - Mr. S. S. Mignosa
- 1 - Mr. F. J. Cassidy

March 22, 1976

Assistant Attorney General
Civil Rights Division

~~CONFIDENTIAL~~

Director, FBI

JUNE

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE~~

SURREPTITIOUS ENTRIES

~~Class. & Ext. By SPU/Ten/lat
Reason 1-2.4.2
Date of Review 3-22-82~~

Reference is made to our memorandum of December 1, 1975, regarding the October 27, 1963, entry into New York offices of the Fair Play for Cuba Committee (FPCC), and to your memorandum of January 20, 1976, in which you request a written inventory of the information obtained from the entry and a statement as to whether or not any or all of that information was forwarded to the Warren Commission.

We have enclosed for your information one copy each of two communications from our New York Office which show what information was obtained as a result of the October 27, 1963, entry. These documents are New York memorandum of November 27, 1963, and New York airtel of March 2, 1976.

In addition, we have enclosed one copy each of two memoranda: memorandum of W. R. Wannall to W. C. Sullivan, dated November 25, 1963, and an FBI memorandum to the Attorney General, dated November 16, 1963.

The Wannall to Sullivan memorandum of November 25 shows that, following disclosure of Lee Harvey Oswald's connection with the assassination of President Kennedy, our New York Office conducted a review of material obtained as a result of the October 27, 1963, entry into New York FPCC offices and located an undated letter from Oswald to Vincent Lee, then director of the FPCC.

In our memorandum to the Attorney General on November 26, we furnished a summary of background information concerning the FPCC, and on page 3 described the undated letter of Oswald to Vincent Lee which was obtained as a result

MAILED 6
MAR 22 1976
FBI

62-117166-191

REC-38 66-8160-3833

SEE NOTE PAGE 3

ENCLOSURE
~~CONFIDENTIAL~~
ROUTE IN ENVELOPE

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

97-4196

MAR 30 1976

343

MAIL ROOM TELETYPE UNIT

Assistant Attorney General
Civil Rights Division

~~CONFIDENTIAL~~

of the October 27, 1963, surreptitious entry. The Attorney General was not advised in this memorandum as to the source of the Oswald letter, and there is no indication in the FPCC file at FBI Headquarters that the Department disseminated this information to the Warren Commission. (XU)

In connection with the investigation concerning the assassination of President Kennedy, Agents of our New York Office contacted Vincent T. Lee for any information he might provide relating to Oswald's contacts with the FPCC. On December 6, 1963, Mr. Lee furnished miscellaneous items of correspondence sent to the FPCC by Oswald, including six handwritten letters signed by Oswald. These letters concerned Oswald's efforts to establish an FPCC unit in New Orleans.

On April 14, 1964, Mr. Wesley J. Liebeler of the President's Commission asked the FBI to furnish to the Commission the original material given the Bureau by Vincent T. Lee. Liebeler indicated that he expected to subpoena Lee and would want him to initial the material sent by Oswald to the FPCC. This material was to be made a permanent exhibit of the Commission's inquiry.

Material made available to the Bureau by Vincent T. Lee on December 6, 1963, including the undated Oswald to Lee letter which came to our attention as a result of the October 27, 1963, surreptitious entry, was furnished to the President's Commission as enclosures to an FBI memorandum of April 15, 1964.

Enclosures (4)

~~CONFIDENTIAL~~

Assistant Attorney General
Civil Rights Division

~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~
NOTE:

Memorandum is in response to a January 20, 1976, request of the Civil Rights Division for information as to what information was obtained as a result of an October 27, 1963, entry into FPCC headquarters, New York City, and what part, if any, of that information was given to the President's Commission.

Attached to yellow are copies of enclosures being sent to the Civil Rights Division.

APPROVED:

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. *gma*
Asst. Dir.: *pm*
Admin. _____

Comp. Syst. _____
Ext. Affairs _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. *TW/ET*

Laboratory _____
Legal Coun. *gma*
Plan. & Eval. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

gma

~~CONFIDENTIAL~~



FEDERAL BUREAU OF INVESTIGATION

New York, New York
November 27, 1963

~~CONFIDENTIAL~~

In Reply, Please Refer to
File No.

ALL
62-117160

Re: Fair Play For Cuba Committee (FPCC)
Registration Act-Cuba
Internal Security-Cuba
Internal Security-C
Internal Security-Socialist Workers Party

Enclosed are the following:

- (A) One sheet of FPCC stationery
- (B) One FPCC envelope
- (C) One FPCC membership card

On October 27, 1963, a source, who has furnished reliable information in the past, furnished the above items. In addition, this source furnished the foreign mailing list of FPCC as of October, 1963, as set out below:

Argentina

[REDACTED]

Australia

[REDACTED]

British Guiana

[REDACTED]

DECLASSIFIED BY SPUR/col
ON 3-25-82

62-117160-191

~~CONFIDENTIAL~~

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

ENCLOSURE

GROUP 1
Excluded from automatic
downgrading and
declassification

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

7 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) (b)(7)(C) with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-117166-X91 ENCLOSURE

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~~CONFIDENTIAL~~

1.

APPENDIX

FAIR PLAY FOR CUBA COMMITTEE

The April 6, 1960, edition of "The New York Times" newspaper contained a full-page advertisement captioned "What Is Really Happening In Cuba," placed by the Fair Play for Cuba Committee (FPCC). This advertisement announced the formation of the FPCC in New York City and declared the FPCC intended to promulgate "the truth about revolutionary Cuba" to neutralize the distorted American press.

"The New York Times" edition of January 11, 1961, reported that at a hearing conducted before the United States Senate Internal Security Subcommittee on January 10, 1961, Dr. CHARLES A. SANTOS-EUCH identified himself and ROBERT TABER as organizers of the FPCC. He also testified he and TABER obtained funds from the Cuban Government which were applied toward the cost of the afore-mentioned advertisement.

On May 16, 1963, a source advised that during the first two years of the FPCC's existence there was a struggle between Communist Party (CP) and Socialist Workers Party (SWP) elements to exert their power within the FPCC and thereby influence FPCC policy. However, during the past year this source observed there has been a successful effort by FPCC leadership to minimize the role of these and other organizations in the FPCC so that today their influence is negligible.

On May 20, 1963, a second source advised that the National Headquarters of the FPCC is located in Room 329 at 799 Broadway, New York City. According to this source, the position of National Office Director was created in the Fall of 1962 and was filled by VINCENT "TED" LEE, who now formulates FPCC policy. This source observed LEE has followed a course of entertaining and accepting the cooperation of many other organizations including the CP and the SWP when he has felt it would be to his personal benefit as well as the FPCC's. However, LEE has indicated to this source he has no intention of permitting FPCC policy to be determined by any other organization. LEE feels the FPCC should advocate resumption of diplomatic relations between Cuba and the United States and support the right of Cubans to manage their revolution without interference from other nations, but not support the Cuban revolution per se.

The CP and the SWP have been designated pursuant to Executive Order 10450.

~~CONFIDENTIAL~~

Memorandum

TO : W. C. Sullivan

DATE: 11/25/63

FROM : W. R. Wannall

SUBJECT: FAIR PLAY FOR CUBA COMMITTEE
REGISTRATION ACT - CUBA

- 1 - Belmont
- 1 - Mohr
- 1 - DeLoach
- 1 - Evans
- 1 - Rosen
- 1 - Sullivan
- 1 - Wannall
- 1 - Anderson
- 1 - Mullins

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

Reference my memo 11/23/63 summarizing results of our investigation concerning Fair Play for Cuba Committee (FPCC). Director has inquired whether following items relating to connection of Lee Harvey Oswald with FPCC have been brought to the attention of the Department:

(1) Information concerning Oswald's arrest for distribution of FPCC literature by New Orleans Police Department at New Orleans and subsequent FBI interview of him;

(2) Information developed by New York Office concerning a letter sent by Oswald to leader of FPCC at New York City.

The information regarding Oswald's arrest by the New Orleans Police Department and our interview of him was sent to the Department on 11/8/63 in a report under the "Fair Play for Cuba Committee" caption. This report set forth results of investigation by New Orleans Office concerning possible FPCC activities there, which inquiries proved negative.

MEMBER OF SUBJECT ORGANIZATION

With regard to letter sent by Oswald to FPCC leader at New York City (Vincent Lee), following is noted: On 10/27/63 New York Office through an anonymous source contact developed voluminous data regarding files of FPCC headquarters. Review of this material has as yet not been completed; however, immediately upon disclosure of Oswald's reported connection with the assassination of the President, New York Office undertook to review this material specifically to ascertain if Oswald's name may have been mentioned therein. On evening of 11/22/63 (date of President's assassination) New York Office advised that its review had located the letter from Oswald to Lee.

97-4196

REC-25

EX-117

(10)

HEREIN IS UNCLASSIFIED

DATE 1-25-82

BY SP4JRM/cal

ENCLOSURE

117469-891
4-1196
FIVE
38 33

Memorandum to Mr. W. J. Sullivan
RE: FAIR PLAY FOR CUBA COMMITTEE
97-4196

Information concerning Oswald's letter to Lee is being included in our letter to the Attorney General concerning the FPCC dated 11/26/63.

ACTION:

This is for information.

0300

JD

Q

incl.

K

~~TOP SECRET~~

- Belmont
- Evans
- 1 - Sullivan
- 1 - Wannall
- 1 - Anderson

November 26, 1963

ROUTE IN ENVELOPE

The Attorney General

~~SECRET~~

Director, FBI

Classified by *SP-1/col*

Declassify on: OADR

FAIR PLAY FOR CUBA COMMITTEE
 INTERNAL SECURITY - CUBA
 REGISTRATION ACT - CUBA

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE.

W/C

This letter sets forth a summary of background information on the Fair Play for Cuba Committee (FPCC).

[REDACTED]

[REDACTED]

We made arrangements to appear before the Senate Internal Security Subcommittee (SIS) on January 9, 1961. The Subcommittee had conducted intermittent hearings concerning the FPCC starting in May, 1960. Such appeared

- Tolson
- Belmont
- Mohr
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Winterrowd
- Tele. Room
- Ingram

17-4106

~~TOP SECRET~~

GROUP 1
 Excluded from automatic
 downgrading and
 declassification

SEE NOTE, PAGE

W/C

ENCLOSURE 66
 97-11766-191
 38339

MAILED 5
 NOV 26 1963
 DIVISION OF INVESTIGATION
 DATE OF REVIEW

NOV 26 3 03 PM '63
 DIVISION OF INVESTIGATION

~~TOP SECRET~~

~~SECRET~~

The Attorney General

in a public session of the Subcommittee on January 10, 1951, and his testimony regarding the FECC and the involvement of Taber was widely publicized in the press. The Registration Section of the Department solicited Duch's registration under the provisions of the Foreign Agents Registration Act of 1938, as amended, and on January 11, 1951, he filed a Registration Statement and listed his foreign principal as the "Revolutionary Provisional Government of Cuba, Habana, Cuba."

In addition to Duch's registration, the registration of the FECC, with headquarters at New York City, was also solicited by the Registration Section. In a letter dated February 16, 1951, addressed to this Bureau by the Internal Security Division, we were advised that Stanley Saulkner, an attorney representing the FECC, advised the Registration Section by letter dated February 8, 1951, that the FECC would not register. At that time, the Internal Security Division advised this Bureau that it considered the unsupported testimony of Duch insufficient to warrant prosecution.

AND [REDACTED] (S)

[REDACTED] (S)

~~TOP SECRET~~

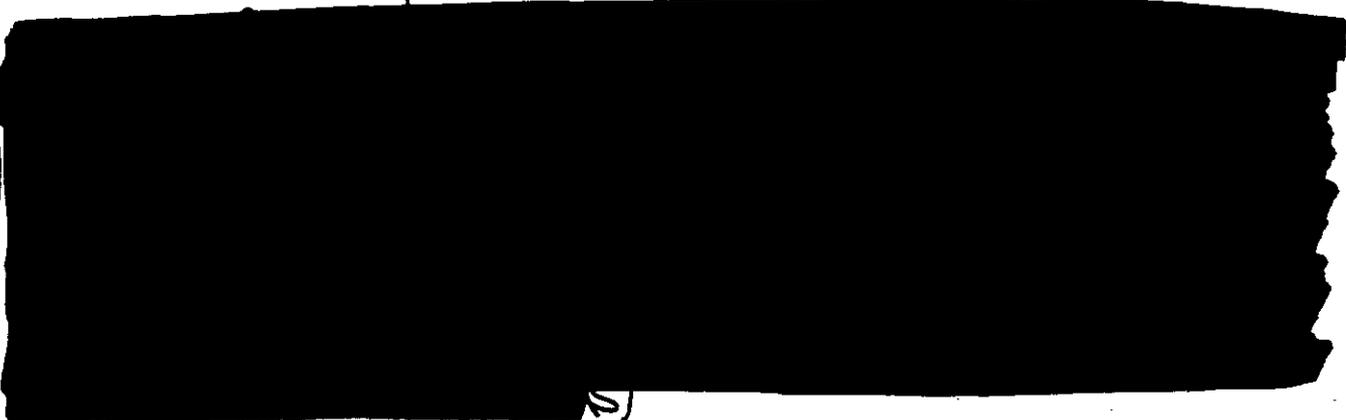
~~SECRET~~

The Attorney General

revealed that CP, USA, and SWP influence and control of various local chapters of the FPCC were most pronounced; however, there has been no clear-cut evidence to show CP, USA, and SWP influence and control with respect to the national headquarters of the FPCC. (S)

The FPCC received a great deal of support at the outset and in April, 1961, it claimed to have a membership of 6,000 with 21 chapters in United States cities as well as "Student Councils" at more than 40 university campuses in the United States and Canada. As the true tenor of the Castro regime became apparent, the FPCC lost some of its support.

GW



Our New York City Office received information that sometime prior to October 27, 1963, Lee H. Oswald wrote a letter to Vincent Lee in New York City. At the time he wrote the letter, Oswald apparently was in New Orleans, Louisiana. From the contents of the letter, it was apparent that Oswald had received some previous advice from Lee concerning efforts on Oswald's part to start a New Orleans chapter of the FPCC. In his letter, Oswald mentioned opening an office; running off 2,000 circulars (apparently in connection with the FPCC); issuing membership cards; and collecting dues. Oswald ended his letter by stating, "Please feel free to give advice and any other help."

Our investigation of the FPCC has been most extensive and has spanned more than three and one-half years. The results have been set forth in over 300 communications, copies of which have been furnished to the Department in order that appropriate action might be taken to curtail the activities of this group. Our investigation is continuing and, as in the past, we will bring significant developments to your attention.

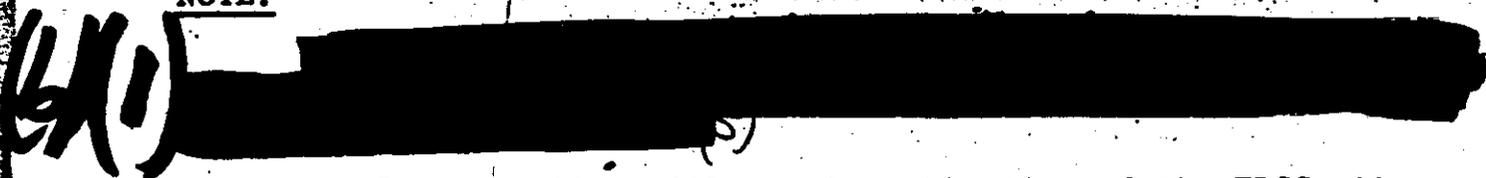


The Attorney General

Portions of the above-mentioned information are communications intelligence data and should be handled on a need-to-know basis.

- 1 - The Deputy Attorney General
- 1 - Mr. J. Walter Yeagley
Assistant Attorney General

NOTE:



In connection with our investigation of the FPCC, its chapters and the Student Council of the FPCC, we have furnished the Attorney General 10 letters; the Internal Security Division 24 letters; and 358 reports and letterhead memoranda have been furnished to the Records Administration Office of the Department.



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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

14 Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).
DEPT. OF JUSTICE, OFFICE OF INFORMATION AND PRIVACY

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-11716-X92

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UNITED STATES GOVERNMENT

Memorandum

1-Mr. J. A. Mintz
1-Mr. T. W. Leavitt

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

TO : Mr. T. W. Leavitt *TW/PL*

FROM : F. J. Cassidy *FJC/PL* JUNE

SUBJECT: SURREPTITIOUS ENTRIES

DATE: 3/24/76

1-Mr. F. J. Cassidy
1-~~██████████~~

ALL WITHIN

PURPOSE:

To obtain approval to furnish to Departmental Attorney William L. Gardner a copy of C. D. Brennan to Mr. W. C. Sullivan memorandum of June 23, 1969, captioned "Electronic Surveillances." Copy of memorandum attached.

SYNOPSIS:

In connection with the Civil Rights Division's inquiry into investigative matters involving surreptitious entry, Departmental Attorney Gardner is currently reviewing FBIHQ file 66-8160, "Technical Surveillances - General." Brennan to Sullivan memorandum of June 23, 1969, summarizes Bureau policy on wiretaps and microphone surveillances under Attorneys General Kennedy, Katzenbach, and Clark. Due to the length of this document, Gardner has requested he be furnished a copy thereof.

CURRENT BUREAU POLICY:

Not applicable.

RECOMMENDATION:

That a copy of C. D. Brennan to Mr. W. C. Sullivan memorandum of June 23, 1969, captioned "Electronic Surveillances," be furnished to Mr. Gardner.

Enclosure

66-8160

APPROVED: *[Signature]*

Assoc. Dir. _____	Comp. Syst. _____	Laboratory _____
Dep. AD Adm. _____	Ext. Affairs _____	Legal Coun. _____
Dep. AD Inv. _____	Gen. Inv. _____	Plan. & Eval. _____
Asst. Dir.:	Ident. _____	Rec. Mgmt. _____
Admin. _____	Inspection _____	Spec. Inv. _____
	Intell. <i>[Signature]</i>	Training _____

SEE DETAILS PAGE 7

6 APR 8 1976

ROUTE IN ENVELOPE

SECRET MATERIAL ATTACHED

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



5010-108

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3-9-82 BY SP4 SJK/col

62-117166-192
REC-52
66-8160-3835

EX-104 done 3/29/76

APR 1 1976

66-8160

SPEC. USE R.M.

Memorandum to Mr. T. W. Leavitt
Re: Surreptitious Entries
66-8160

DETAILS:

For some months the Civil Rights Division of the Department has been conducting an inquiry into investigative matters of the FBI where surreptitious entries were conducted. Included in this inquiry is a review of certain files at FBIHQ, one of which is the "Technical Surveillances-General" file.

The "Technical Surveillances-General" file consists of memoranda and other documents relating to the policy and procedures concerning the Bureau's use of electronic surveillances. The C. D. Brennan to Mr. W. C. Sullivan memorandum of June 23, 1969, is a summary of the Bureau's policy on wiretaps and microphone surveillances under Attorneys General Kennedy, Katzenbach, and Clark.

Mr. Gardner has indicated that this Brennan to Sullivan memorandum is significant to his inquiry and, because it is rather lengthy, he would appreciate being furnished a copy thereof.

(b)(7)(c) 

ALL (6) (7) (C)

- 1 - Mr. S. Adams
- 1 - Mr. A. Mintz
- 1 - Mr. T. W. Leavitt
- 1 - Mr. F. J. Cassidy
- 1 - [REDACTED]

CODE

TELETYPE

NITEL

TO SAC NEW YORK (ATTN: INTERNAL SECURITY DIVISION) MARCH 26, 1976
 FROM DIRECTOR FBI (66-8160) JUNE
SURREPTITIOUS ENTRIES.

IN CONNECTION WITH RECENT RECORDS REVIEW IN THE NEW YORK OFFICE IN RESPONSE TO A CIVIL SUIT FILED BY THE SOCIALIST WORKERS PARTY (SWP), CERTAIN DOCUMENTS WERE LOCATED WHICH RELATE TO SURREPTITIOUS ENTRY ACTIVITY OF THE NEW YORK OFFICE OVER A PERIOD OF YEARS, BEGINNING IN THE 1940'S AND CONTINUING THROUGH 1975. THESE DOCUMENTS ARE SAID TO SHOW SUCH INFORMATION AS REQUESTS FOR AUTHORITY TO CONDUCT ENTRIES, NEW YORK OFFICE AND HEADQUARTERS' APPROVALS, TARGETS OF ENTRY, AND PERSONNEL INVOLVED IN ENTRIES.

AS YOU ARE AWARE, THE DEPARTMENT'S CIVIL RIGHTS DIVISION IS CURRENTLY MAKING AN INQUIRY INTO INVESTIGATIVE MATTERS OF THE FBI WHICH INVOLVED SURREPTITIOUS ENTRY. THIS INQUIRY IS CONCERNED WITH ENTRIES WHICH OCCURRED SUBSEQUENT TO JANUARY 1, 1966. IN THIS REGARD, NEW YORK HAS ALREADY FURNISHED CONSIDERABLE INFORMATION IN RESPONSE TO HEADQUARTERS' REQUESTS, SOME OF WHICH IT IS UNDERSTOOD, CAME FROM THE

DOCUMENTS IN QUESTION

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3-29-92 BY SP-8/ML/STP/ML

- cc. Dir. _____
- AD Adm. _____
- AD Inv. _____
- Dir. _____
- in. _____
- Syst. _____
- Affairs _____
- & Com. _____
- lv. _____
- Ion _____
- Ev. _____

[REDACTED]

(7)

EX-104 REC-49
 FEDERAL BUREAU OF INVESTIGATION
 COMMUNICATIONS SECTION

66-117166-1493
 66-8160-3834

SEE NOTE PAGE 3

MAR 26 1976

14 MAR 29 1976

TELETYPE

ROUTE IN ENVELOPE

APR 5 1976

MAIL ROOM TELETYPE UNIT

[REDACTED]

[Handwritten signature]

PAGE TWO 56-8160

INFORMATION RELATING TO THE SOCIALIST WORKERS PARTY SUIT HAS BEEN EXTRACTED FROM THESE DOCUMENTS, AS HAS INFORMATION CONCERNING SWP/YOUNG SOCIALIST ALLIANCE ENTRIES OCCURRING SUBSEQUENT TO JANUARY 1, 1966. THE LATTER INFORMATION WAS FURNISHED TO HEADQUARTERS IN RESPONSE TO BUREAU TELETYPES OF SEPTEMBER 11 AND 16, 1975, ENTITLED "REQUEST OF THE ATTORNEY GENERAL FOR INFORMATION CONCERNING SURREPTITIOUS ENTRIES."

ALTHOUGH MANY OF THE ENTRY ACTIONS NOTED IN THE DOCUMENTS IN QUESTION MAY HAVE ALREADY BEEN BROUGHT TO THE ATTENTION OF THE CIVIL RIGHTS DIVISION, IT IS NECESSARY THAT THIS MATERIAL BE REVIEWED TO INSURE OUR FULL COMPLIANCE WITH THE DEPARTMENT'S INQUIRY.

ACCORDINGLY, NEW YORK IS INSTRUCTED TO REVIEW THOSE DOCUMENTS WHICH RELATE TO SURREPTITIOUS ENTRIES PERFORMED SINCE JANUARY 1, 1966. YOU SHOULD FURNISH INFORMATION TO IDENTIFY THE ACTIVITY: TARGET, PURPOSE OF ENTRY, DATE OF ENTRY, BRIEF SUMMARY OF INFORMATION OBTAINED (SUBSCRIBERS' LISTS, ORGANIZATIONAL OR FINANCIAL DATA, MONTHLY REPORTS, ETC.), IDENTITIES OF AUTHORITIES APPROVING THE ENTRY AND FILE NUMBER OF TARGETS CASE.

PAGE THREE 66-8160

WHERE NEW YORK HAS PREVIOUSLY FURNISHED INFORMATION IN RESPONSE TO THE CIVIL RIGHTS DIVISION'S INQUIRY, IT IS SUFFICIENT IN THESE INSTANCES TO FURNISH ONLY THE IDENTITY OF THE TARGET AND DATE OF ENTRY. THE REMAINDER OF THE INFORMATION IS AVAILABLE AT FBIHQ. RESOLVE ANY QUESTION IN FAVOR OF FURNISHING THE INFORMATION TO HEADQUARTERS.

HANDLE PROMPTLY. SUNITEL RESPONSE ATTENTION: INTD, IS-3 SECTION.

END

NOTE:

In connection with the SWP/YSA civil suit, the New York Office caused a search of their records and located a number of volumes of material relating to surreptitious entries conducted by the office. These records date from the 1940's through 1975 and therefore fall within the period of time of interest to the Civil Rights Division.

The New York Office has reviewed portions of the above material which deal with matters relating to the civil suit. We do not know what additional information concerning entries remains to be reviewed in this material, and what information since January 1, 1966, should be furnished to the Department in connection with their inquiry.

We are asking New York to review the material in question to extract information falling within the perimeters of the Departmental inquiry.

UNITED STATES GOVERNMENT

Memorandum

- 1-Mr. H. N. Bassett
- 1-Mr. J. J. McDermott
- 1-Mr. J. A. Mintz
- 1-Mr. T. W. Leavitt

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

TO : Mr. T. W. Leavitt *Tax*
HEY

DATE: 4/5/76

FROM : F. J. Cassidy *JK*

JUNE

SUBJECT: SURREPTITIOUS ENTRIES

1-Mr. F. J. Cassidy
1-~~_____~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-9-82 BY SP4JEM/CA

PURPOSE:

To advise of requests of Departmental Attorney William L. Gardner for material in connection with the Civil Rights Division's inquiry into surreptitious entry matters; for approval to furnish this material to Mr. Gardner.

SYNOPSIS:

Departmental Attorney William L. Gardner, Civil Rights Division, continues his review of files at Headquarters and in the field regarding matters involving surreptitious entry. Mr. Gardner has recently requested to review current sections of two additional Headquarters files: "Microphone Surveillances," and "Special and Unusual Investigative Techniques." The former file appears to have documents pertinent to the Civil Rights Division's inquiry, while the latter seems to have only one memorandum relative to that inquiry. Notwithstanding, Mr. Gardner indicates he wishes to review the latter file. In addition, he has asked that a copy of five documents, three of which are exchanges of communications between Bureau and Department in connection with this inquiry but are not available to Mr. Gardner, be furnished to him. Finally, Mr. Gardner has indicated he would like to have limited access review of the "Official and Confidential" (O & C) files, perhaps the index only.

62-117166-X94

Enclosures

66-8160

105 65-5815 LH.32
1 - 66-16339

REC 32 66-117166-3845

FBI
V26005 E 011200

APR 13 8 54 AM '76

APR 21 1976
~~_____~~

CONTINUED - OVER

6



MAY 19 1976

ROUTE IN ENVELOPE

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

Memorandum to Mr. T. W. Leavitt
Re: Surreptitious Entries
66-8160

RECOMMENDATIONS:

1. That Mr. Gardner be furnished for review current sections of Headquarters files 66-5815 JUNE, and 66-16339. Actual sections furnished to be noted on this memorandum.

done
(4/20/76) 66-5815 JUNE SECTIONS 3, 4, 5, 6, AND 7.
(4/20/76) 66-16339 JUNE (1 SECT.) AND MAIN SECTS. 7, 8, 9, & 10.

2. That one copy each of the documents specified in DETAILS, below, be provided to Mr. Gardner.

ALL
(4/7/76) *4/20/76 done*

3. That Mr. Gardner be allowed access review to the O & C files index to determine what, if any, information therein is pertinent to the Civil Rights Division's inquiry.

4/20/76 done

APPROVED: _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____

Comp. Syst. _____
Ext. Affairs. _____
Gen. Inv. _____
Ident. _____
Inspection. _____
Intell. _____

Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____

24 *off*

DETAILS:

The Civil Rights Division's inquiry into investigative matters involving surreptitious entries continues with Departmental Attorney William L. Gardner reviewing files at Headquarters and in the field offices.

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Surreptitious Entries
66-8160

On 3/25/76, Mr. Gardner advised that in addition to files he has recently reviewed at FBIHQ, he would like to review current sections of two files: JUNE 66-5815, "Microphone Surveillances," and 66-16339, "Special and Unusual Investigative Techniques." The former file deals with equipment and equipment specifications, administration of microphone surveillances, subjects of microphone surveillances, and policy briefs concerning microphone surveillances. The latter file concerns the use of various investigative techniques such as use of helicopters and other aircraft, police investigative techniques, raid and arrest techniques, and miscellaneous methods of automobile, facial and baggage identification methods.

File 66-5815 JUNE, in dealing with microphone surveillance matters, examines in several documents the question of trespass in connection with installation of electronic surveillances. This is pertinent to the Civil Rights Division's inquiry as it reflects past Bureau policy on this question.

With the exception of one document (Serial 400) file 105-16339 appears to have no bearing on the subject of the Civil Rights Division's inquiry. The exception is a "yellow" of the January, 1967, Hoover to Messrs. Tolson and DeLoach memorandum where Mr. Hoover stated that requests were continuing to come to him for the use of "black bag techniques," and that he would no longer approve such activity. A copy of this memorandum has been furnished to the Civil Rights Division in an earlier memorandum concerning surreptitious entries. Mr. Gardner was advised of the existence of this document; however, he indicated he wished to review the file himself.

In addition to the above files, Mr. Gardner has requested that he be furnished a copy of the following documents (copies attached), which are located in JUNE sections of 66-8160:

1. FBI memorandum to The Attorney General, "Surreptitious Entries," dated 9/11/75. (Memorandum furnished previously.)

CONTINUED - OVER

Memorandum to Mr. T. W. Leavitt
Re: Surreptitious Entries
66-8160

2. Memorandum Mr. W. R. Wannall to Mr. J. B. Adams, "Unconsented Warrantless Physical Entries Conducted by the FBI," dated 8/26/75.

3. Enclosure to memorandum #2, above, entitled "Presidential Authority to Authorize Unusual Investigative Techniques in Foreign Intelligence Investigations," date unknown. (This enclosure, according to records in 66-8160, was furnished on 6/30/75 to the Attorney General, and on 8/26/75 to Jack Fuller, Special Assistant to the Attorney General.)

4. Memorandum of the Attorney General to Director, FBI, "Surreptitious Entries," dated 10/24/75.

5. FBI memorandum to The Attorney General, "Surreptitious Entries," dated 10/31/75. (Memorandum furnished previously.)

Items 1, 4, and 5 are exchanges of communications between the Bureau and Department in connection with the latter's inquiry into the surreptitious entry question. They are not available to Mr. Gardner and he has requested a copy of each. Item 2 has not been furnished previously; however, its enclosure, item 3, has.

Finally, Mr. Gardner has asked for access review of the O & C files. It is his intention to satisfy the Civil Rights Division's inquiry that whatever information contained in those files, pertaining to surreptitious entry, is reviewed. He was advised that to the writer's knowledge, only one document ("Black Bag Jobs," Sullivan to DeLoach memorandum of July 19, 1966) is in the O & C files which relates to entries. Mr. Gardner indicated a review of the files' index may suffice for purposes of his review.

On 4/5/76, subsequent to his oral request of 3/25/76, Mr. Gardner furnished his written request for the material outlined above (copy of request attached).