



STATE OF NEW YORK

MESSAGE

TO THE LEGISLATURE

January 4, 1967

*and*

INAUGURAL ADDRESS

January 2, 1967

NELSON A. ROCKEFELLER  
GOVERNOR

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## ANNUAL MESSAGE

STATE OF NEW YORK

EXECUTIVE CHAMBER

ALBANY, NEW YORK

January 4, 1967

### *To the Members of the Legislature of the State of New York:*

For the people of New York State, and for those of us who have the privilege of serving them, this is a time of new beginnings—a new year, a new session of the Legislature, a new term of office.

It is a time to look to the future with confidence. It is a moment of stock-taking and a time for further action to continue our forward progress—adhering firmly to the principle that sound progress can only be made on the basis of prudent financial management.

It also is a time when the State government is under massive pressure for increased spending on virtually all fronts.

In the next fiscal year, increased revenues are anticipated from existing taxes. These increased revenues will make it possible to provide essential services. When coupled with the judicious use of bonds to finance necessary capital investments vital to our future, they will enable us to maintain the momentum of progressive State leadership during the 1967-68 fiscal year without any increase in State taxes. Therefore I will not recommend any new or increased taxes.

I shall work closely with the Leaders of your Honorable Bodies in development of sound legislation to carry out the voters' decision last November for a State lottery. With your cooperation in passing appropriate legislation, lottery funds should be available during the 1967-68 fiscal year to help meet educational needs—elementary, secondary and higher education as well as scholarships.

In the past eight years, working together, you of the Legislature and we of the Executive Branch have acted to help solve the people's problems on many fronts.

We have brought New York to the achievement of new breakthroughs in the history of effective State government action:

- Against narcotics addiction and consequently for greater safety on the streets and in the home;
- In advancing the health of the people;
- In conserving our agriculture and planning for better land use;
- In meeting the needs for improved and expanded mass transportation; and
- In effective steps to make our cities better places in which to live and to work and to bring up a family.

These breakthroughs promise to give greater stability to our farm families and to breathe new life into our urban and suburban communities.

And they offer additional opportunity to give new dynamism to our Federal system based on the catalytic role of State leadership.

The best efforts of our cities and other local governments are not enough to deal with all the multiple problems they confront.

Likewise, it is plain that many domestic programs of the Federal government will, by reason of inadequate funding and for other reasons, fall far short of the hopes they have aroused in many of our citizens.

We have pioneered in the past eight years to develop, expand and perfect the vehicles and tools of effective State action.

In doing so, we have approached the people's problems function by function in our separate programs for education, for housing, for welfare, for health, for transportation, and in many other fields.

Now the challenge before us is to maximize the effect of our on-going functional programs by bringing them together as integral parts of a comprehensive approach to the needs and problems of the individual citizen and the total environment in which he lives.

The State must assume a new role of leadership to provide this new conceptual approach and develop additional mechanisms to carry it out.

This concept requires that we as a State enlist more fully the work and planning of individual citizens and the initiative of business and labor, philanthropic and voluntary institutions in effective harmony with coordinated planning by government at its various levels.

In short, the State must assume its full historic role as the catalyst of cooperative action by all elements of public and private life within the framework of our Federal system.

Only by this comprehensive approach can we fulfill effectively the responsibility upon us—of providing opportunity for all our citizens to have a decent environment in which to live, to work, to bring up their families in an atmosphere of security and justice.

To this approach, I dedicate my Administration.

I will in the weeks ahead recommend specific legislation to help implement this concept and I shall ask for your support in the attainment of this goal.

I will now outline proposals setting forth steps toward this goal in five major areas:

- I. Making Our Cities More Livable
- II. Assuring Good Transportation
- III. Controlling Crime and Drug Addiction
- IV. Protecting the People's Health
- V. Improving State and Local Government

### **I. Making Our Cities More Livable**

Historically, our cities have been the centers of economic, educational and cultural life—dynamic and exciting, driving forces for progress.

But for too many citizens in the great cities, life is drab, depressing and dangerous.

We can and we must make our cities more livable and enjoyable for all.

I therefore will send your Honorable Bodies a proposed program of legislation designed to improve the overall economic, physical, recreational and cultural climate of the central city core areas.

Lack of balance and comprehensive approach to these factors is a central dilemma of the urban environment today.

We must provide that balance and comprehensive approach in order to preserve the historic vitality and quality of city life.

We must provide greater opportunity and a better and a more attractive environment for all elements of our society.

I therefore plan steps to foster job-producing industrial expansion within our cities.

1. I shall explore means for providing additional job-producing industrial space in our cities at competitive prices.

This would include projects for multiple use of the limited land available so that compatible industry might be combined with residential use in redevelopment of urban areas.

The exorbitant cost of the limited industrial land available has been a key factor in the decline of industry within city limits—and its flight to adjacent suburbs.

2. I urge your Honorable Bodies to give second passage to the Constitutional amendment increasing the lending capacity of the Job Development Authority to \$200 million of State-guaranteed funds, and to enact legislation which will implement this Constitutional amendment upon approval by the people.

3. I shall propose a \$500 million statutory increase in the borrowing authority of the State Housing Finance Agency, which involves no taxpayer liability.

This will assure the continued success of the State's privately-sponsored, tax-paying, middle-income housing program.

4. I shall send you proposed legislation to increase the percentage of units in limited-profit housing projects that may be leased to low-income tenants with State assistance.

5. I shall also propose legislation to expand the Capital Grant Low Rent Assistance Program by making it applicable to cooperative middle-income limited-profit housing.

6. I shall submit plans for a pilot program designed to show the way toward complete community involvement in the creation of State-sponsored recreational and cultural centers in city core areas.

One of these pilot centers would be developed in connection with the proposed State Office Building in Harlem. Another pilot center is contemplated for the Bedford-Stuyvesant community in Brooklyn.

7. I urge you to make New York City a separate State Park District in order to facilitate future development by the State of outdoor recreation within the New York City limits.

Any developments would be in addition to present facilities and would not involve State ownership or maintenance of any City parks or recreational areas.

8. I also propose a new program within the State Conservation Department to provide trees for municipal beautification.

9. I propose that we study means of adapting to city residents the extension service concept that revolutionized rural life not so long ago.

In rural areas, the County Agricultural Agent and the Home Demonstration Agent have become intimately involved in community life and have proved to be highly effective in bringing information and guidance useful to the citizens of the community.

This concept could be particularly effective in providing a better climate and assistance for our newest state residents, such as those migrating from the rural South and Puerto Rico.

In addition to these major elements for enhancement of the urban environment, we must strengthen State services in the following areas:

- (a) Health education programs to encourage fuller use of existing health and hospital services;
- (b) Improved cultural opportunities in urban core areas through art exhibits, sponsored performances and technical assistance through the State Council on the Arts;
- (c) Informing the public of available State services through general information and guidance centers in State office buildings and other locations;
- (d) Further strengthening of support for the Attorney-General's outstanding leadership in consumer protection including:
  - Mobile consumer protection and education units;
  - Further protection for installment purchasers;
  - Regulation of trading stamps; and
  - A higher minimum earnings exemption from garnishment and wage assignments;
- (e) I shall take action designed to increase the availability of fire and liability insurance in slum areas.

### II. Assuring Good Transportation

During the past eight years, New York State has made tremendous advances in the area of transportation.

The pace of highway construction has broken all records. Progress is being made in dealing with the commuter problem. Transportation-land use planning programs have been started in every metropolitan area.

Our highway safety standards lead the Nation. The State's interests in the rail merger and rail freight cases are being competently represented.

It is time to build upon these accomplishments and accelerate our efforts to achieve a truly balanced statewide transportation system.

It is time to utilize all modes of transportation to maximum advantage.

—To achieve the greatest convenience for commuter and urban dweller alike,

—To get maximum value for the expenditure of taxpayers' dollars for capital construction of highways and mass transportation facilities,

—To hold down the taking of private property and the unnecessary spread of highway construction in densely populated areas.

We must act now to help achieve such a balanced transportation system in the State of New York.

1. I shall therefore propose legislation at this Session to create a State Department of Transportation.

This Department would bring together under central direction certain State agencies now involved in transportation and transportation planning.

As a first order of business, I would ask this new Department to formulate a Statewide plan for a truly balanced transportation system.

Unless we take decisive action as a State, the recent Federal setback in highway funds can have a serious effect on the completion of such vital keys to the State's future as:

—The Southern Tier Expressway,

—The Long Island Expressway,

—The proposed Nu-way, and

—Arterials in Buffalo, Rochester, Syracuse, Albany, Yonkers, New York City and elsewhere.

In addition, we must in the public interest make major capital investments in mass transportation systems because the cost of building more super-highways as an alternative would be prohibitive in money, land and public convenience.

The future pre-eminence and development of New York State as a great agricultural, industrial and financial center depends to a crucial extent on coordinated State action on all these many fronts to achieve a balanced State transportation system.

2. I shall propose to your Honorable Bodies a Highway-Mass Transportation Capital Construction Bond Issue in an amount sufficient to meet on a balanced basis our urgent transportation investment needs throughout the State—in the rural areas, the towns, the villages, the suburban and city areas of the State.

As in the case of the Pure Waters Bond Issue, the Highway-Mass Transportation Capital Construction Bond Issue would provide for the pre-financing of Federal interstate highway funds and also of future Federal mass transit aid.

Thus, as in the Pure Waters Program, we would reap the benefits of avoiding costly delay while receiving eventual Federal reimbursement for our fair share.

3. In recent months I have been discussing with Mayor Lindsay of New York City and governmental leaders in the New York metropolitan area the need for a regional approach to the mass transportation problems in this area.

I will recommend legislation to make the Metropolitan Commuter Transportation Authority, with expanded membership, responsible for unified regional policy direction and control of mass transportation in the New York Metropolitan Region.

This would add to the present transportation responsibilities of the Authority the policy direction and control of the New York City Transit Authority, the Manhattan and Bronx Surface Transit Operating Authority and the Triborough Bridge and Tunnel Authority. In addition, I will recommend appropriate action looking to inclusion of the Staten Island Rapid Transit Service.

My specific recommendations will fully protect bond-

holder interests, will continue the present separate agencies within a holding company type of structure and will require that each constituent agency maintain a fare or rate structure sufficient to meet its operating costs.

If we are to meet today's needs and the problems which lie ahead with the tremendous increase in population and economic growth of the metropolitan area, it is essential that these prime transportation agencies be coordinated and adequately financed.

The Highway-Mass Transportation Capital Construction Bond Issue I have just proposed would be a major source of capital funds for the modernization and expansion of transportation services demanded by the present and emerging needs of the metropolitan area.

Unified direction and control will also facilitate interstate cooperation on the operating level and help to implement the Tri-State Transportation Commission's planning for the region.

4. I have requested the Metropolitan Commuter Transportation Authority to recommend a location for a fourth jetport in the New York metropolitan area.

It is vital that selection of the fourth jetport site no longer be delayed—and that it be tied to over-all transportation planning.

In addition, I shall:

—Propose legislation to repeal the last remaining vestige of the State's archaic full-crew laws with adequate job protection for the present work force;

—Appoint a distinguished panel of public and transportation leaders to review the problems of freight transportation and to help us apply modern technology to freight movement; and

—Send your Honorable Bodies a Special Message proposing further legislative action for highway safety.

### III. Controlling Crime and Drug Addiction

One of the major problems of many people who live in our communities is a lack of personal security from physical danger.

Crime and the fear of crime cast a pall on the life of the family and the individual in the city. This pall must be lifted if we are to make our cities better places to live, to work, and to raise families.

Addiction to narcotics is a major cause of crime; it is responsible for half the crime in New York City.

Thanks to the almost unanimous support of your Honorable Bodies last year, we have launched the Nation's most comprehensive full-scale attack on this evil.

For the first time in our history, we can look forward with hope that real progress will be made in controlling addiction, in helping our addicts to build useful lives for themselves, and in restoring security to our homes, our streets and our neighborhoods.

I am pleased to announce that we shall be ready on April 1st to start the treatment and rehabilitation of addicts in newly-acquired facilities at a rate of \$,400 the first year.

In the next fiscal year, we expect to provide facilities for an additional 5,000 addicts through new construction.

The Narcotic Addiction Control Commission has thus far authorized the acquisition of 14 privately-owned facilities, made agreements with New York City and private agencies to provide care and services for 2,800 addicts, and is arranging for the use of beds at four State correctional facilities and several narcotic units of the State Department of Mental Hygiene.

My Executive Budget will provide additional funds for staffing and operations of the Commission.

New York and other states will begin to receive some Federal aid under recently enacted Federal narcotics legislation. These funds are welcome but they are small indeed when compared to the extent of New York State's own effort.

Accordingly, I urge your Honorable Bodies to memorialize Congress to recognize the magnitude of the addiction problem and the Federal government's primary responsibility in this field with a much greater financial contribution.

You and I have a commitment to get these addicts off our streets and under treatment for rehabilitation as useful citizens. We must not, we shall not permit any obstacle to prevent our fulfilling this commitment.

Turning now to other fronts in our war on crime:

First, I shall recommend in a Special Message the creation of a State Department of Crime Control to provide a unified command for the State's criminal justice agencies.

Second, I shall submit legislation to greatly strengthen the effectiveness of local law enforcement by requiring future first-line supervisory police officers to complete approved municipal police supervision courses, requiring district attorneys of large counties to serve full time, and establishing minimum pay standards for local police officers.

Third, my Executive Budget will contain funds for the establishment of a new community-based "halfway house" for better preparation of prisoners for their return to society and to help parolees with their adjustment to community life.

#### IV. Protecting the People's Health

At the last Session of the Legislature, your Honorable Bodies, with bipartisan support, took the greatest step forward in the State's long history of concern for the health and care of its citizens by enactment of the State's Medicaid program. As a result, and with Medicare for our senior citizens, a single high standard of medical assistance is now available for every New Yorker.

After many months of delay, the Federal government has finally given its approval to New York State's Medicaid program. There are indications, however, that efforts will be made this year in the Congress to place limitations on the amount of Federal financial assistance to New York in a way that would discriminate against New York's program and its citizens.

I ask your full support and cooperation in resisting any discriminatory limitations so that New York may continue to receive its fair share of Federal aid under the terms and conditions of the law enacted by Congress—recognizing at the same time that Medicaid is a new program and therefore may require amendments in the light of experience.

Let us turn now to other necessary steps in the health field.

First, I shall propose additional action to relieve the serious shortage of trained persons in the health professions, including a Nurses Reserve Program, increased scholarships for students of nursing, physical therapy and occupational therapy, and a Health Resources Development Commission to stimulate interest in the health professions. Second, I shall ask your approval of new State Institutes for Heart Research, Alcoholism Research and Birth Defects Research.

Third, we plan new research on dangerous chronic respiratory diseases and creation of a system of regional centers for research and citizen education on arthritis.

Finally, we plan to establish a statewide network of health information and referral centers to assist all New Yorkers needing public health information and advice.

#### V. Improving State and Local Government

The strength of government close to the people is vital to any coordinated effort for a better urban environment.

Therefore, to increase the efficiency of State and local governments, and to help them continue to attract and retain the dedicated men and women responsible for a high order of public service in New York State, I shall propose to your Honorable Bodies legislation and shall take executive action:

1. To establish a central data bank of economic statistics and information essential for planning to serve State and municipal governments and private agencies;
2. To contract for systems analysis services to design computer systems enabling the State to make maximum effective use of modern technology in solving government problems and planning for the future;
3. To establish a cooperative program of training for local government officials to help assure a dependable flow of qualified persons into government and to help upgrade skills of present government employees;

4. To extend 100 percent State financial aid for planning joint local government services.

I shall also propose to your Honorable Bodies legislation:

—To implement the proposals for reform of election procedures recently made by the Attorney General;

—To enable strict regulation of lobbying activities before the Constitutional Convention; and

—To provide a workable method of reapportionment of local government bodies in accordance with the "one man, one vote" requirements of the Federal Constitution.

#### VI. Conclusion

I have focused this Message on the comprehensive approach to the problems of the individual and his environment. In the weeks ahead, I shall also submit a broad range of other proposals.

Among these proposals will be:

1. Repeal of the Condon-Wadlin Law and substitution of a Fair Public Employees' Act embodying the 1966 recommendations of the Taylor Committee.
2. Improvements in workmen's compensation and unemployment insurance programs.
3. Further steps to increase job opportunities by promoting the State's economic growth.
4. Proposals to improve teacher training and establish a Teachers Reserve.
5. Legislation to create regional cooperatives for vocational education.
6. Establishment of a Select Committee on the Future of Private and Independent Higher Education in New York State.
7. Creation of hostels for the mentally retarded, expansion of speech therapy programs for retarded children, and improved staffing in mental hospitals.

8. Additional State benefits for veterans of the war in Viet Nam.

In addition, I invite the attention of your Honorable Bodies to the importance of reviewing our present laws on abortion and family planning.

I also invite your attention to the pledge of both major Party platforms to institute a true direct primary system for statewide office.

This session of the Legislature can prove as important as any in our modern history. The challenges are great.

The opportunities are immense.

And this Session will help set the tone and the climate for the State Constitutional Convention next April.

This Constitutional Convention, in turn, will set the pattern of State government—and New York's role within the Federal System—for decades to come.

Let us, then, act together for all the people of New York State.

Let us not be divided by expediency or senseless partisanship.

Let us serve the people as the most alert witnesses to the history of our times.

So doing and with God's help, we may hope to be recorded—and respected—in that history as men of good will and men of high purpose . . . who truly helped to build a just society for all.

### THIRD INAUGURAL ADDRESS

January 2, 1967

NELSON A. ROCKEFELLER

GOVERNOR

Today it is my honor and my promise to rededicate this Administration and myself to your service for the next four years.

I know from experience the size of the challenges and the weight of the responsibilities of the office of Governor of New York State.

I am well aware that no public official—any more than a private citizen—is or can be infallible.

I have made mistakes.

But one thing I can promise you is that I shall always do my best for all the people.

This is a time of unique opportunity for more complete realization of the people's rights, needs and aspirations—for shaping a future of ever-greater hope, progress and justice.

In the light of ever-changing conditions and new challenges, we must continue to chart an imaginative course,

—At the same time continuing to exercise prudence and economy to assure that the course we set is sound and stays realistically within the resources of the people whom the State exists to serve.

The signs of our turbulent times are clear.

Large and historic human problems are forged by rapidly-changing technology, shifting tides of migration, and drastically altered economic patterns.

These problems come in a vast variety—bad housing, racial discrimination, crime and narcotics, inadequate educational and cultural opportunities, polluted water and air, transport crises and urban disorder.

The paradox is shocking and challenging.

We face such problems on such a scale at a time of record prosperity, a time when employment is the highest in our history, and a time when personal income has risen 42 percent over the last eight years.

These problems cannot be ignored.

From the urgent tasks of strengthening law and order to the multiple problems of the individual and his environment, they must be the concern of each and every one of us—as individual citizens, as spiritual, civic, business, labor, and agricultural leaders, as well as those in local, state and Federal levels of government.

Many of these problems thrust beyond the resources of private action alone or the jurisdiction of local government alone.

It is the peculiar genius of our American Federal system that it is capable of summoning and enlisting resources and initiatives from all sources of creativity in our society—and all levels of public authority—for the single purpose of building a better life for all the people.

Our experience here in New York State demonstrates that this Federal system of ours really works—provided always that a state accepts its responsibility and provides leadership.

The Federal government collects two-thirds of all the public revenues. It therefore is in a position of great strength to play a crucial role in government action to deal with the people's problems.

But more than 30 years of over-expanding Federal programs have proven that Federal authority stands too distant from local conditions to allow efficient use of Federal funds by formulas and procedures conceived in Washington alone.

Moreover, and to an increasing degree in recent years and months, a multiplication of inadequately-financed domestic Federal programs has raised aspirations and aroused hopes

of many citizens, only to produce grave disappointments.

To criticize Federal programs for failing to deliver on their promises, however, is not to disparage the high purposes inspiring many of these programs.

The states cannot nor should they go it alone.

We in New York State quite naturally seek and we deserve a full fair share of these Federal funds.

But we do want to see a dollar's worth of work done for every dollar spent.

Our experience in New York shows plainly that Federal by-passing of state leadership and ability to act as a guide and catalyst is both wasteful and self-defeating.

And it is creating an increasingly chaotic condition in the administration of these programs at the local level of government.

Our experience proves that the state has the financial strength and experience to mobilize the resources of all levels while remaining close enough to the people to be responsive to local needs.

In fact, this has been proven over and over again by New York State's experience in developing new programs which have spurred other states and the Federal government itself to needed action along sound lines.

For example, our all-out program to clean up our lakes and rivers has finally led to Federal action to support the states' initiatives against water pollution on a comparable scale across the Nation.

This was also true in our land acquisition and comprehensive development program in the field of conservation, parks and recreation—which has been followed by 20 states and the Federal government.

In addition, our State's enrichment of our cultural life and encouragement of the arts—with the founding and the work of the State Council on the Arts—has been followed by all the other states as well as the Federal government.

This kind of state initiative in meeting the needs of the people along sound and imaginative lines has been traditional in New York State under both political parties.

All such living proof of the capacity for creativity by state leadership offers, I believe, an eloquent argument for

Federal redistribution to the states of a share of national revenues unencumbered by needless restrictions or bureaucratic regulation.

The red tape and confusion surrounding many Federal programs has brought further support to the idea of redistributing Federal funds among the states.

Only two weeks ago, the National Governors' Conference endorsed this proposal.

I believe it is high time for the Congress to take at least a first step in providing unencumbered funds to the states—through a procedure such as bloc grants or a partial refunding of Federal income tax revenue—in order to achieve more effective solutions of the people's problems under state and local leadership.

But it is not just a question of money alone.

New concepts, new approaches are essential in these times of rapid change.

In the past eight years, through our State programs and assistance to local government, we have sought to provide the leadership for meeting the needs of the people, function by function, in education, jobs, health, care of the mentally ill and mentally retarded, housing and recreation.

In the next four years, the great challenge will be to relate these individual functional programs—both state and local—so we can develop a coordinated approach to maximize opportunity for the individual wherever he lives and works—whether in the rural areas, the suburban areas, or the big cities.

This demands coordinated planning and effective integration of local, state and Federal government action with private initiative and with the people of the communities themselves.

Unless we do so, we will find ourselves choked by our own growth.

We must provide the leadership to cope with the challenge of rapid urbanization and the changed pattern of life in the small towns and rural areas.

We must preserve the best of the past and at the same time have the vision and faith to think imaginatively in planning for the future.

This is the heart of the federalist concept:

—The democratic designing of future progress by summing all levels of government, and all sectors of society, to share in common labor for the common good.

From the federalist approach to our total environment should come broad concepts for the future—a future to be attained through cooperation between individuals, the various groups of individuals in our society, and all levels of government.

It is to the realization of these concepts that I dedicate myself and my administration for the next four years.

Since state leadership is so all-important to the success of the federalist approach, it is vital to assure that it will also be fully effective leadership.

This requires not only responsible, imaginative individuals in government but importantly a structure and tools of state and local government attuned to contemporary problems.

It also demands that we face the hard choices, the controversial issues, as well as the easy ones.

Much can and must be done at the forthcoming Legislative Session.

Much can and must be done by the State Constitutional Convention which opens here in this very room on April 4.

The Constitutional Convention is of historic importance. Its work will be vital to our personal liberties, opportunities, and well-being as citizens of New York.

And it could be as exciting and creative in its own way as those nine months and two weeks in 1776 and 1777 when members of the Fourth Provincial Congress drafted our State's first Constitution.

The 3,000-word Constitution authored by these founding fathers set a pattern of government which guided other state constitutions and the Federal Constitution itself in Philadelphia a decade later.

Delegates to this 1967 Convention, subject to final approval of their work by the people as a whole, must cope with a document now swollen to well over 50,000 words and amended repeatedly, at virtually every general election.

They must decide how best to modernize and clarify the obsolete and contradictory language of the Constitution. They must make basic decisions on the powers the State and local governments require to plan ahead and to meet today's problems.

They must determine how to remove restrictions where they may hobble vital State and local leadership.

And they must do this without sacrificing necessary safeguards against abuses of these public powers.

They must re-examine the qualifications for voting in New York State—including such questions as residence, literacy and whether to lower the voting age to 18.

The delegates must take a hard look at the language of our Constitutional provisions affecting the concept of separation between church and state, especially in regard to use of public funds.

They must review the procedures for selecting judges and the experience under recent Constitutional amendments relating to the structure of our court system.

And they must consider both the threat to personal liberties and the needs of law enforcement (in a period of rapidly rising crime rates) which are involved in wire-tapping and eavesdropping.

The delegates must review the desires of local governmental units for expanded fiscal independence.

They must weigh these desires against the confusion and danger to the individual citizen of uncontrolled, ever-increasing and overlapping taxes and tax structures—and they must also relate these desires to the needs for statewide fiscal stability, to help expand and attract new job-producing industries—not drive them beyond our borders.

These are but a few of the very difficult issues that will be before the delegates to the Convention.

The potential impact of these and other major issues on the daily lives of all New Yorkers underscores the major responsibilities these delegates must accept and discharge. It is clear that:

—In this period of ever-mounting urban problems affecting the daily lives and well-being of millions;

—At a time when effective State leadership is vital to the solution or handling of these problems,  
The 1967 Constitutional Convention of New York State can and should be a major landmark in the history of effective self-government.

It is urged that the organization, research and staffing of the Convention be bi-partisan, professional and objective—though the great issues themselves must quite properly be hammered out on the anvil of debate.

Of the many pitfalls to be avoided, the most dangerous of all is public apathy.

Without an interested and articulate public, any such Convention might in time be unduly influenced by lobbyists seeking particular advantages or privileges.

It is of over-riding importance that the Convention express the aspirations and interests of all the people of New York State.

To achieve this, we must have a free and open Convention and alert, vitally informed and concerned news media.

Those in charge of the Convention must give the people every opportunity to be heard in advance of their ultimate decisions.

And I urge you the people of this Empire State to take a most active interest in the forthcoming Constitutional Convention,

—To study and judge the issues before they are decided;

—And to make your voices clearly heard by your Convention delegates.

I begin my third term as your Governor with gratitude . . . with pride . . . and with purpose.

I am grateful—beyond words—for the trust you have placed in me. I shall honor it with my full dedication to your service.

I feel pride in our State—its tradition and its people.

We have shown the way of leadership to all others in our great Federal Union.

We have shown that federalism works.

We have shown that we—our State, our Union, our beloved country—have not grown too old still to be pioneers. For on all frontiers of our life, we know that we pay highest honor to our past by the boldest challenging of our future.

And I sense purpose—high purpose—because I have full faith in our capacity for creativity . . . our common resolve, with God's help, to build together the dream of freedom of all ages: A Just Society.

This is the dream of a society where:

Government is courageous,

Power is benign,

Learning is abundant,

Prosperity is general,

Order is serene,

Law is honored,

Compassion is practised,

And brotherhood is lived.

It is our splendid task to make this society no dream at all—but the world for our children to live in.

PERSONAL AND CONFIDENTIAL  
SPECIAL MESSENGER

FLW:lem  
11-30-42

Mr. Nelson A. Rockefeller  
Coordinator of Inter-American Affairs  
Department of Commerce Building  
Washington, D. C.

Dear Mr. Rockefeller:

There is being transmitted herewith a copy of the  
November, 1942, issue of a confidential monograph entitled  
"General Intelligence Survey in the United States," which  
I thought might be of interest to you.

Sincerely yours,

RECORDED  
INDEXED  
1170

66-7777-6924

Enclosure - serial 235

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy

CONFIDENTIAL SECTION

235

P.M.

OFFICE OF DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

Record of Telephone Call or Visitor

*lc*

Mr. Nelson A. Rockefeller, thru  
~~called~~ -phoned. oper. from NYC

Phone No. \_\_\_\_\_

Hour 10:45A Date Jan. 11 19 47

- Mr. Tolson \_\_\_\_\_
- Mr. A. Tamm \_\_\_\_\_
- Mr. Clegg \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd \_\_\_\_\_
- Mr. Nichols \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Carson \_\_\_\_\_
- Mr. Egan \_\_\_\_\_
- Mr. Gurnea \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Hendon \_\_\_\_\_
- Mr. Jones \_\_\_\_\_
- Mr. Pennington \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Beahm \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

REMARKS

When advised that Mr. Hoover was out of the city, Mr. Rockefeller agreed to speak with the Acting Director. The call was transferred to Mr. Tamm who will advise the Director.

RECORDED 66-3182-854  
F B I

INDEXED 32 JAN 14 1947

63

cc - Mr. Tamm

EX-115  
Ant

Director advised

1-11-47

HeB

rpk

63  
6 JAN 23 1947 95

ADDRESS OFFICIAL COMMUNICATIONS TO  
THE SECRETARY OF STATE  
WASHINGTON, D. C.



DEPARTMENT OF STATE  
WASHINGTON

June 14, 1945

Mr. Tolson	
Mr. E. A. Tamm	<input checked="" type="checkbox"/>
Mr. Clegg	
Mr. Coffey	
Mr. Glavin	
Mr. Ladd	<input checked="" type="checkbox"/>
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Pennington	
Mr. Quinn Tamm	
Mr. Nease	
Miss Gandy	

Dear Mr. Hoover:

In Mr. Rockefeller's absence from the city, may I acknowledge your letter of June fifth, transmitting the May issue of "General Intelligence Survey in the United States."

This will be brought to Mr. Rockefeller's attention upon his return to the office.

Sincerely,

*Elizabeth R. Shemwell*  
Elizabeth R. Shemwell  
Secretary to  
Mr. Nelson A. Rockefeller

The Honorable  
J. Edgar Hoover, Director,  
Federal Bureau of Investigation,  
Washington, D. C.

RECORDED & INDEXED 66-7777-501



337  
56 JUN 25 1945

JUN 16 1945

*JRH*

*Photostatic summary of General Intelligence Survey*

*RE*

ADDRESS OFFICIAL COMMUNICATIONS TO  
THE SECRETARY OF STATE  
WASHINGTON, D. C.



DEPARTMENT OF STATE  
WASHINGTON

April 12, 1945

PERSON AND CONFIDENTIAL

Dear Mr. Hoover:

In Mr. Rockefeller's absence from the city, may I acknowledge your letter of the sixth transmitting a copy of the March 1945 issue of the monograph, "General Intelligence Survey in the United States." This will be brought to Mr. Rockefeller attention immediately upon his return to the office.

Sincerely yours,

*Elizabeth R. Shemwell*

Elizabeth R. Shemwell  
Secretary to  
Nelson A. Rockefeller

RECORDED & INDEXED  
66-7777-374  
APR 14 1945

The Honorable  
J. Edgar Hoover, Director  
Federal Bureau of Investigation,  
Washington, D. C.

APR 28 1945



*Handwritten notes:*  
Matters - good  
Katherine in J. Sec.  
Compliments memo  
4/16/45  
Jed

# Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 9/28/59

FROM : Mr. *[Signature]* Tamm

POLICE ASSOCIATION

SUBJECT: GOVERNOR NELSON A. ROCKEFELLER  
INTERNATIONAL ASSOCIATION OF  
CHIEFS OF POLICE (IACP)  
NEW YORK CITY, NEW YORK - 1959

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. W.C. Sullivan	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Governor Nelson A. Rockefeller of New York spoke on law enforcement cooperation within the State of New York and throughout the United States. A copy of the Governor's speech is attached.

It should be noted that Governor Rockefeller made remarks praising the kind of FBI cooperation rendered to local law enforcement agencies both in New York, as well as throughout the United States. Governor Rockefeller also praised the FBI for their assistance rendered to local law enforcement agencies in their police training programs.

Governor Rockefeller further stated that he has appointed a Police Municipal Council which will study police training standards, which has been approved by the State Legislature, and will report back to him in the near future recommending the type of police training standard which he will enact into law and which he hopes will standarize the type of training for each police officer in the State of New York.

Attachment

REC-21

EX-105

23 OCT 6 1959

EWB:jp

(6)

ENCLOSURE

67 OCT 14 1959

*[Handwritten signature]*

*[Handwritten initials]*



In keeping with Federal principles, each state bears responsibility for its law enforcement in non-interstate matters. Within each state a number of separate agencies shares that responsibility. This system prevents the establishment of power in the hands of a few, and retains for the people substantial control over the machinery of law enforcement. This, of course, is basic to our democratic tradition.

But this arrangement for all of its obvious and definite advantages, results in great complexity, often to the benefit of those who violate the law. Therefore, cooperation and coordination are the keys to effective enforcement, the means through which we may attain a high degree of effectiveness without reducing the importance of local responsibility and without damage to our Federal system.

As Governor, I feel a deep sense of my responsibilities to the 16½ million people of this State. One basic responsibility is to see that the people of the State are afforded the fullest protection of the law. Therefore, it is incumbent upon me to provide the initiative, to act as the catalyst in the promotion of cooperation among all the law enforcement agencies operating in New York and to coordinate their efforts to the end of more effective enforcement. I believe that we here in New York have made excellent progress toward our goal. We are fortunate to have the cooperation of men like New York City's Commissioner Stephen Kennedy, of the Federal Bureau of Investigation, and of the sheriffs and that State and local police throughout the State. We, together, are in the process of making real progress in cooperation and coordination.

As I pointed out in a special Message on Crime to the Legislature last March, too often in the past there has been a lack of adequate exchange of information among law enforcement agencies. Jurisdictional and enforcement problems have increased in complexity and in too many instances major policy and strategy have been uncoordinated. In addition, there has been a failure to utilize fully manpower and resources on specific problems in certain areas.

I have felt from the beginning that it was the State's responsibility to take the lead in attempting to bring together the various responsible authorities, in an effort to arrive at common understandings as to what our deficiencies were and what we could do jointly to overcome them. I appointed a Special Counsel to assist me in this effort. Representatives of Federal, State and local law enforcement agencies have been asked to meet periodically to identify the areas in which greater cooperation among the various units and levels of government is needed to increase the effectiveness of our total effort and to make specific recommendations by which it can be achieved.

The first of these meetings was held early in July, and I am happy to report that it was highly productive for all of the agencies involved.

This first meeting resulted in complete agreement on the need for a better information system on criminal activities in the State. Although our system of crime reporting compares very favorably with those of other states, the Committee noted that in New York law enforcement officials sometimes find themselves hampered by inadequate knowledge of the case histories of persons accused of crimes.

As a result of this first meeting, another group was called together to scrutinize the specific problem of crime reporting. This resulted in the development of a promising experiment involving complete reporting of dispositions of cases involving major crimes. This is now under way in three of our counties - Orange, Schenectady, and Warren - with the full cooperation of the District Attorneys of these counties.

We have another important example of cooperation here in New York State which is most gratifying. Responsible law enforcement officials throughout the country have long been interested in constantly ~~and~~ raising training standards for police officers because of the increasing complexity of their jobs. It is generally accepted fact that the first line of defense in the war on crime and lawlessness is the intelligent, alert, properly equipped and well-trained police officer.

New York State has recognized the need for state-wide standards for the training of police officers, and we have taken steps to meet this essential. In response to my request, the State Legislature at its last session created a Municipal Police Training Council. The Council is unique in the United States, both in concept and in program. The Municipal Police Training Council act provides for mandatory state-wide training standards for police officers.

For several years the Chiefs of Police and the Sheriffs of our State have been working, with advice and assistance from the Federal Bureau of Investigation, on the problem of training local police officers. The Municipal Police Training Council represents a formalized adoption of these efforts and provides what ~~now~~ appears to be the ideal framework for the finest kind of cooperation among the key police agencies of New York State.

The Council consists of 8 members many representative of those responsible for police enforcement throughout the State. Members include: The Commissioner of Police of the City of New York; the Superintendent of State Police; a representative of the Federal Bureau of Investigation; representatives of the State Association of Chiefs of Police; representatives of the State Sheriffs Association; and the Mayor of the City of Rochester.

This eight-man Council is responsible for the formulation of basic training standards, which will be promulgated by me, as Governor of the State. The Council will also approve the courses of instruction which meet the standards thus set forth. The new law also provides that every police officer appointed in the State of New York after July 1, 1960 must have the basic minimum amount of training in accordance with the standards set by the Council.

In addition, the City of New York has conducted an outstanding police academy for many years, and our Division of State Police has conducted a substantial and continuing training program.

We believe that the new Municipal Police Training Council which is without precedent in the United States, will render a unique service and we have every expectation that we will have in New York a training program which will provide every full-time police officer with the basic training which he has a every right to expect from his employer.

We are proud of the fact that our State Police force was one of the earliest to be formed and is widely respected and that New York City's "Finest" is one of the best trained police forces in the world.

At the risk of repetition, I should like to say that it is essential to our program that we implant in each citizen a full ~~mutual~~ appreciation of the devoted efforts and accomplishments of our law enforcement officers, because with that will come the esteem and respect which you so richly deserve. Furthermore, the attitude of the public towards the men and women whose duty it is to enforce the law reflects directly the respect which the citizen has for the law itself.

Again, may I express my thanks for the opportunity of addressing this important gathering of the International Association of Chiefs of Police. We in New York are keenly aware of the fine police work that is carried on in the other states and by our neighbor countries, Canada and Mexico. We have learned much from you and I would like to salute you for your efficiency, fine training, and effective results. May we all continue to learn from each other and progress together in this field of heavy responsibility.

END ON NOTE OF FREEDOM.

Backdrop of basic conflict.

#####

# Memorandum

TO : Director, FBI

DATE: 7/31/68

FROM : SAC, Albany (39-120)

SUBJECT: NEW YORK STATE SUPERIOR ASSOCIATION  
FIFTH ANNUAL CONFERENCE  
AUGUST 3-9, 1968

Re Albany telephone call to Bureau 7/24/68 and Bureau airtel to Albany 7/24/68, concerning meeting of NEW YORK SUPERIOR ASSOCIATION OF JUDGES AND JUDICIAL RESEARCH (CONFERENCES FOR THE JUDGES).

EDWARD G. DELLOI, General and President of the New York State Bar Association, advised that the 5th Annual Conference of the Association will be held at Jackson Manor, Saratoga Springs, New York, Warren County, New York, beginning August 3 and ending August 9, 1968. The first session will be held on August 3, 1968, at 10:00 AM, and will be held at the Jackson Manor. It is requested that you advise the Bureau of any pertinent information.

Mr. DELLOI was also advised of the Bureau's interest in Inspector JOSEPH J. C/30R. Mr. DELLOI will handle this arrangement and desired to express his sincere thanks to the Director for the interest and possible for Inspector C/30R to attend. He will contact Mr. C/30R directly and be happy that he attend the entire proceedings if at all possible.

Mr. DELLOI has also extended a cordial invitation to the three SACs of the New York State Office to attend this conference.

The Association is most influential and has long supported FBI policies over the years. Mr. DELLOI

- 2 - Bureau
- 1 - Buffalo (52-279)
- 1 - New York (30-271)
- 1 - Albany

VHB:hna.  
(5)

94-1-254-388

SEARCHED

AL 32-139

is an S/C contact and is extremely close to the Bureau. Therefore, WACB, I shall attend.

ASAC WALTER W. HENRY will be in the office during the period.

For the further information of the Bureau, NY Governor NELSON A. ROCKWELLER will be the luncheon speaker on Aug. 7, 1932, and JAC GINFIS, Director of the New York State Department of Correction, is tentatively scheduled to speak on 8/8/32. State Comptroller ARTHUR DAVIS will speak on 8/9/32 and THOMAS B. WOOD, Director of the New York State Judicial Conference, will be the luncheon speaker on the evening of 8/10/32.

UNITED STATES GOVERNMENT

# Memorandum

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

TO : Mr. DeLoach

DATE: July 25, 1967

FROM : A. Rosen *Rosen*

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. Shroder
- 1 - Mr. Bunker
- 1 - Mr. Bolz
- 1 - Mr. Nuzum
- 1 - Mr. Gale
- 1 - Mr. Wick

SUBJECT: UNREPORTED INTERSTATE SHIPMENT  
OF CIGARETTES MATTERS  
(JENKINS ACT)

The Bureau is in receipt of a letter from <sup>7/15/67</sup> Governor Nelson A. Rockefeller (R-NY) dated 7-19-67 (attached) requesting that a representative of the FBI attend a 16-state Cigarette Tax Enforcement Conference in New York City on 9-12-67, to discuss the Bureau's jurisdiction in captioned matter.

**BACKGROUND:** In the Summer of 1965, State and local cigarette taxes in New York were markedly increased. Since that time, the bootlegging of untaxed cigarettes into the State has been a serious problem. The present law (Jenkins Act) passed in 1949, provides that the failure of persons who sell or transfer cigarettes for profit in interstate commerce to report the shipment to the State Tobacco Tax Administrator of the destination state by the tenth of the month, constitutes a violation within our investigative jurisdiction. Interstate Transportation of Untaxed Cigarettes is not, of itself, a violation. A proposed amendment (S. 1565) to the Jenkins Act would prohibit the interstate transportation of more than 5,000 cigarettes into a state in violation of any state law imposing taxes on the sale or use of cigarettes without documentary evidence identifying the person from whom purchased, the person to whom they are to be delivered, and the person liable for paying local taxes in the destination state.

As you will recall, in May, 1967, Congressman Herbert Tenzer (D-NY) corresponded with the Bureau alleging that bootlegged cigarettes shipped into New York State had counterfeit state tax stamps affixed, a possible violation of the Interstate Transportation of Stolen Property Statutes. Our investigation failed to substantiate Congressman Tenzer's allegation.

Enclosures (2) *sent 7-25-67*  
WCL:dig  
(10) *llg*

REC 54

62-91562-149

EX 101 CONTINUED - OVER JUL 31 1967

↓      ↓      ↓

*llg*

Rosen to DeLoach Memo  
RE: UNREPORTED INTERSTATE SHIPMENT  
OF CIGARETTES MATTERS

RECOMMENDATION: That the attached letter to Governor Rockefeller be forwarded accepting his offer and advising him that Assistant Director John F. Malone of our New York Office will attend the conference and discuss the Bureau's jurisdiction regarding the unreported interstate shipment of cigarettes. Our New York Office is thoroughly familiar with the problem of unreported interstate shipment of cigarettes and has had numerous conferences concerning same with U. S. Attorney Morgenthau's office as well as with local police officials.

*P* *JFM* *CP* *2*

7/27/67  
Letter + New York  
WCL:deg

OK - Yes certainly Malone  
is properly briefed.

SAC, New York

July 27, 1967

REC 54 62-91562-111

EX 101

Director, FBI

**PERSONAL ATTENTION:**

Assistant Director John F. Malone

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. Shroder
- 1 - Mr. Bunker
- 1 - Mr. Bolz
- 1 - Mr. Nuzum
- 1 - Mr. Gale
- 1 - Mr. Wick

**UNREPORTED INTERSTATE SHIPMENT  
OF CIGARETTES MATTERS  
(JENKINS ACT)**

Reylet to Governor Nelson A. Rockefeller dated 7-26-67, a copy of which was furnished to you, designating you to attend a 16-state Cigarette Tax Enforcement Conference in New York City on 9-12-67, to discuss the Bureau's investigative jurisdiction regarding captioned matter.

In preparation for this conference, it is suggested that you acquaint yourself with the information set forth in the following communications:

New York airtels to the Bureau dated 5-15, 5-23, and 7-19-67, along with letterhead memoranda attached thereto, relating to discussions with the U. S. Attorney's Office and local police officials regarding our investigative jurisdiction in this matter. (New York file 62-13662)

Bureau airtel to New York dated 5-16-67, enclosing a letter from the Department dated 10-6-66, which set forth the Department's views as to what is and what is not a violation of the Jenkins Act.

As the above-mentioned communications indicate, the Jenkins Act, passed by Congress in 1949, is violated through failure of any person who sells or transfers cigarettes for profit in interstate commerce to report the shipment to the State Tobacco Tax Administrator of the destination state by the tenth of the month following shipment. Interstate transportation of untaxed cigarettes is not, of itself, a violation.

A proposed amendment (S. 1565) to the Jenkins Act, and other similar amendments now pending in Congress, specify that a seller of more than 5,000 cigarettes (25 cartons) to anyone who is not a licensed dealer in the state where

MAILED 9  
JUL 28 1967  
COMM-FBI

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

WCL:dlg  
(12)

R JEM waf

6 JUL 31 1967

See note page three...

MAIL ROOM  TELETYPE UNIT

**Letter to SAC, New York**  
**RE: UNREPORTED INTERSTATE SHIPMENT**  
**OF CIGARETTES MATTERS**

possession of the cigarettes is transferred require identification by the purchaser. If identification indicates that the purchaser is a nonresident of the state, or if the vehicle for transporting the cigarettes has out-of-state registration, such will be presumptive evidence that a report of the sale must be made by the seller to tax authorities in the destination state.

In addition, S. 1565 provides that the transporter of more than 5,000 cigarettes into or through a state which taxes cigarettes must possess documents identifying the person from whom purchased, the person to whom they are to be delivered, and the person who will assume liability for paying local taxes in the destination state. It also specifies that the transportation of more than 5,000 cigarettes by any person into a state, in violation of any state law imposing tax on the sale or use of cigarettes, is prohibited and that nothing therein shall affect the jurisdiction of a state to enforce local cigarette tax laws nor affect state authority to confiscate cigarettes for violation of state laws.

The Department has thus far opposed adoption of the proposed amendments on the basis that local authorities are now authorized to seize untaxed cigarettes and prosecute individuals involved in smuggling cigarettes from states such as North Carolina to other states such as New York for violation of state laws. The Department has taken the position that if the Jenkins Act was amended, as proposed, the Bureau would become involved in extensive investigation of a police nature which would parallel efforts of local law enforcement officials.

The Department requested the Bureau's views as to the merits of the proposed amendments and the Bureau has deferred to the views of the Department in this regard. You should maintain this position.

As you are aware, the New York Office has under investigation four North Carolina firms which advertise and ship by mail untaxed cigarettes into New York State. The U. S. Attorney's Office, Southern District of New York, has indicated that prosecution would be considered provided violations are established in these cases which are identified as follows:

**Letter to SAC, New York**  
**RE: UNREPORTED INTERSTATE SHIPMENT**  
**OF CIGARETTES MATTERS**

**The Angelica Company, Inc.**  
**Weldon, North Carolina**  
**New York file 62-13628**

**Hack's Shell Station**  
**Weldon, North Carolina**  
**New York file 62-13576**

**North Carolina Tobacco Company**  
**Greenville, North Carolina**  
**New York file 62-13744**

**D & M Cigarettes Company**  
**Summit Station, North Carolina**  
**New York file 62-13803**

Also for your information, Congressman Herbert Tenzer (D-NY) corresponded with the Bureau in May, 1967, alleging that bootlegged cigarettes shipped into New York State had counterfeit state tax stamps affixed, a possible violation of the Interstate Transportation of Stolen Property Statutes. Investigation failed to substantiate Congressman Tenzer's allegation (refer to your file 87-47357).

It is suggested that you also fully acquaint yourself with the above cases prior to the September 12, 1967, conference.

At the conclusion of the conference, you should immediately furnish the Bureau a summary of all pertinent developments.

NOTE: See memo Rosen to DeLoach dated 7-25-67, same caption, WCL:dlg.

EX 101 REC 54 62-91562-49

*note for file*

July 26, 1967

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. Shroder
- 1 - Mr. Bunker
- 1 - Mr. Bolz
- 1 - Mr. Nuzum
- 1 - Mr. Gale
- 1 - Mr. Wick

Honorable Nelson A. Rockefeller  
The Governor of New York  
Albany, New York 12224

Dear Nelson:

With reference to your letter dated July 19, 1967, inviting a representative of the Federal Bureau of Investigation to participate in a Cigarette Tax Enforcement Conference in New York City on September 12, 1967, I am pleased to inform you that I have designated Assistant Director John F. Malone of our New York City Office to attend the conference and to discuss this Bureau's investigative jurisdiction regarding the unreported interstate shipment of cigarettes.

I appreciate this opportunity for a representative of the Bureau to discuss our role in this matter.

Sincerely,  
Edgar

~~19 JUL 26 1967~~

1 - SAC, New York  
Personal Attention: Assistant Director Malone  
Enclosure Assistant Director Malone:

By return mail confirm your proposed attendance at this conference.

WCL:dlg  
(12)

NOTE: Governor Nelson A. Rockefeller is on the Special Correspondents List and is known personally to the Director, on a first-name basis.

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

MAIL ROOM  TELETYPE UNIT

MAILED 6  
JUL 26 1967  
COMM-FBI

*Lee PD*

*BE IN READING ROOM*  
*TH 26 3 33*

*AP*



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

NELSON A. ROCKEFELLER  
GOVERNOR

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

July 19, 1967

Interstate Department of Cigarettes

Dear Mr. Hoover:

As you undoubtedly know, New York and a number of other eastern states have in the past year or so been confronted with an extremely difficult problem in connection with the smuggling of untaxed cigarettes, as well as the counterfeiting of cigarette tax stamps.

Revenue losses to the states and to the City of New York run high into the millions of dollars annually as a result of these illegal operations. Even more serious is the suspected participation of important elements of the underworld and the danger of criminal infiltration of legitimate business.

I understand that agents of the FBI have been rendering valuable service in cooperating with the state and city enforcement agencies which are trying to cope with the problem, and that in recent months some headway has been made against the smuggling and distribution rackets.

Because much more needs to be done, and because I am certain that further immediate as well as long-range solutions lie in an extension of effective intergovernmental cooperation, I have called a 16-state Cigarette Tax Enforcement Conference to be held in New York City on September twelfth.

Governors of 15 other eastern states have been invited to send representatives. Others asked to participate include the City of New York, hub of the evasion problem; various agencies of the Federal Government; the District of Columbia, and representatives of business and industry.

We should be very happy to have you or a representative participate in the conference and discuss the role of the FBI

EXP. PROC.

JUL 24 1967

55 AUG 1 1967

EX 10 REC 54 67-72562-1511

AMM  
2 25 67  
activity

6 JUL 31 1967

31A

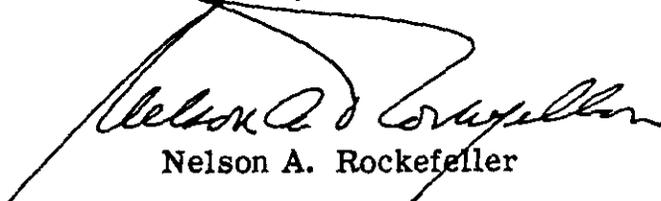
July 19, 1967

in the broad area of enforcement -- an area which may well be extended by pending Federal legislation. The working conference sessions will be closed to news media so that we shall be able to discuss freely the many ramifications of the problem as well as the whole range of possible solutions.

Your participation in our September twelfth conference would be enormously helpful to us in strengthening the cooperative efforts of government, at all levels, to meet the challenge of this criminal invasion of lawful business operations -- an invasion which crosses state lines throughout the eastern seaboard.

Will you please let me know, at the earliest possible time, of your agency's participation so that further details may be furnished by New York Tax Commissioner Joseph H. Murphy, who will serve as Conference Chairman.

Sincerely,



Nelson A. Rockefeller

The Honorable J. Edgar Hoover  
Director  
Federal Bureau of Investigation  
Pennsylvania Avenue at 9th Street, N.W.  
Washington, D. C. 20535

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI  
Attention: Accounting & Fraud Section

DATE: 9/13/67

FROM : ASSISTANT DIRECTOR MALONE

SUBJECT: CIGARETTE TAX ENFORCEMENT CONFERENCE  
SPONSORED BY GOVERNOR NELSON A. ROCKEFELLER,  
9/12/67, NEW YORK HILTON HOTEL, NYC

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

Rebuletts 7/27/67 and 8/31/67, captioned  
"UNREPORTED INTERSTATE SHIPMENT OF CIGARETTES MATTERS  
(JENKINS ACT)".

The writer attended the entire conference. The keynote address was given by Governor ROCKEFELLER, who stated that New York State is losing 40 million dollars and New York City twelve and one half million dollars annually in cigarette tax revenue because of bootlegging of cigarettes from untaxed or low tax states into New York. He went on to say that one way to stop the bootlegging was the passage of a single federal cigarette tax. He felt that if there was no difference in state rates there would be no incentive for bootlegging. Governor ROCKEFELLER suggests that other ways to beat bootlegging would be an expanded role for the FBI, better cooperation between government enforcement agencies and the possibility of collecting taxes at the source of the cigarette manufacturer. He did not elaborate on any of these suggestions.

The morning program was moderated by JOHN MC GUIRE, Deputy Superintendent, New York State Police. The morning session covered three topics, namely, 1. The Enforcement in New York, 2. The Current Effort in Eastern States, and 3. Criminal Infiltration of Legitimate Business. Is the Danger Real?". The panel method of discussion was utilized.

Of interest to the Bureau was a comment by NATHAN MITCHELL, Director of Special Investigations Bureau, New York State Department of Taxation and Finance, in referring to the excellent job of cooperation done by the FBI in this field in New York. Congressman TENZER, with whom I was to appear on the panel, came in during the middle of the first panel session and asked if he could break in at this point because of the necessity of his presence in Washington to vote on an important matter.

2 - Bureau  
1 - New York

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14 ENCLOSURE

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Letter to Director

In his comments, TENZER referred to the Jenkins Act of 1949, which was designed to eliminate the interstate mail order sale of tax free cigarettes by making it a federal crime. He stated that this type of violation has been practically eliminated by the passage of this bill and he feels that an amendment to this bill is recommended by him to eliminate the interstate smuggling of untaxed cigarettes. TENZER commented that his amendment to the bill has the support of Governor ROCKEFELLER, Mayor LINDSAY and Senators from the surrounding area. He stated also that the tobacco industry is supporting his bill and added that the only people who are opposing it are the bootleggers. He stated that although he has no evidence that organized crime has entered the business of smuggling cigarettes, but when smaller trucks loaded with cigarettes are loaded piggy-back into larger trucks and transported into New York State, he stated this is big business.

TENZER stated that he tried to have his bill passed last year but could not arouse sufficient interest. He said he could not get the support of a voice before the Ways and Means Committee. According to TENZER, representatives and senators were not behind the bill. The bill had no hearing last year and he maintains that before the bill will be successfully passed it must have a hearing and the support of everyone interested in the program.

TENZER was opposed to two alternative proposals to curb cigarette smuggling. The first, he stated, seeks to authorize a 20% cigarette tax in lieu of state and local taxes. The second proposal would require the manufacturer to collect cigarette taxes for state and local authorities. It is noted that the press release issued by TENZER contains a statement to the effect that recently at TENZER's request, the FBI initiated a probe to determine the connection between interstate crime syndicates and cigarette smuggling. The Congressman said he was informed yesterday by the FBI that the investigation was continuing. He made no reference to this in his formal remarks before the conference.

The other highlight of the morning session was a talk by IRVING P. SEIDMAN, Assistant District Attorney, Kings County, New York. He stated that Kings County has

Letter to Director

definite information obtained from wiretapping and other sources clearly establishing that organized crime is interested in bootlegging of cigarettes and he feels it will be only a short time before the entire industry is taken over by the criminal element regardless of how vigorous efforts of law enforcement will be in combatting their efforts. SEIDMAN felt that the only answer to the problem was a federal uniform tax of 20% for all states in the union.

<sup>NY</sup>  
CHARLES CONLON, Executive Director, Federal Association of Tax Administrators was the moderator for the afternoon session. Topics discussed at the afternoon session were, 1. Interstate Cooperation, 2. Future Prospects and 3. Federal Cooperation.

This session had mostly to do with methods of taxation as a means of combatting the bootlegging of cigarettes. The conferees seemed to feel that while law enforcement played an important part in combatting cigarette smuggling, it was primarily the responsibility of the tax authorities to come up with the procedure which would make the smuggling of cigarettes unfeasible. The discussion centered around the two systems of taxation, namely, collection at the source as recommended in a proposal introduced in Congress by Congressman DANIEL E. BUTTON, of New York, and the imposition of the 20% tax in all states at a federal level, as proposed by ROY GOODMAN, New York City Finance Administrator.

I explained the jurisdiction of the FBI under the Jenkins Act and pointed out the fact that we are vigorously pursuing our responsibilities in this respect in a number of cases under investigation at the present time in New York. In explaining the Jenkins Act under which the FBI has jurisdiction, I meticulously avoided any statement which might be interpreted as an endorsement or a criticism of Congressman TENZER's amendment to the Act. I spoke extemporaneously and did not have a prepared script.

I also pointed out that the FBI also investigates matters involving illegal traffic in cigarettes under the Theft from Interstate Shipment, Bills of Lading Act and the Illegal Use of Stamp Act statutes. It was also pointed out

Letter to Director

to the group that the FBI disseminated information concerning the smuggling of cigarettes which came to its attention to local and state authorities almost on a daily basis and cooperated with these authorities in any way possible within the jurisdiction of the FBI. There were no questions from the floor.

For the information of the Bureau, there are being enclosed the following items:

Copy of the program.  
Comments of Congressman TENZER.  
Remarks by NATHAN H. MITCHELL.  
Remarks by EDGAR CULLMAN  
Remarks by AMOS TILTON  
Remarks by LOUIS COTTELL  
Remarks by MORRIS WEINTRAUB  
Remarks by JOHN PURCELL  
Extension of remarks by Congressman  
DANIEL E. BUTTON (He was not present but had  
a substitute handle his remarks.  
Remarks of ROY M. GOODMAN  
Schedule setting forth cigarette tax rates  
in effect in various States as of 9/1/67.  
Commission Report by the Advisory Commission  
on Intergovernmental Relations, setting forth  
the overlap in State and Federal cigarette  
taxing programs.  
List of participants.  
Editorial New York Times, 9/13/67.

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FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

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Page 1 of 1 pages.

FROM: <b>SINDICATO NACIONAL DE TRABAJADORES DE LA INDUSTRIA DE LAS FLORES TELEFONO CARIO, SRIO, DEL. INTERIOR CALZADA DE LA VIGA #133 MEXICO, D.F.</b>	TO: <b>MR. NELSON A. ROCKEFELLER, (COORDINATOR) COORDINATOR OF INTER-AMERICAN AFFAIRS COMMERCE DEPARTMENT BUILDING WASHINGTON, D.C.</b>
LIST: NONE	LIST: NONE

Date of letter (or postmark if letter undated): <b>OCT. 23, 1942</b>	To be photographed: <b>NO</b>	To whom photograph is to be sent:	DISPOSAL OF ORIGINAL COMMUNICATION:
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COMMENT

POLITICAL

NATIONAL PRO-DEMOCRACY COMMITTEE FORMED IN MEXICO

Letterhead reads Sindicato Revolucionario De La Industria De Las Flores Y Similares Del D.F. - Miembro De La Federacion General De Trabajadores Del D.F.

Writer explains in his letter and by an enclosed newspaper clipping the recent organization of the Comite Nacional Pro Democracias formed by the Cogetistas (members of the Confederacion General De Trabajadores (Y 756)). [redacted] of the organization.

In a session of the Comite Confederal of the C.G.T. the Comite Nacional Pro Democracias was formed. It is an organization adhering to the principles of P.R.M. (Partido De La Revolucion Mexicana), sustaining the defense of the principles on which Mexican institutions are founded, and acting as an enemy body to all Totalitarian Systems.

Writer states that this organization will develop an extensive campaign of orientation among their union members and asks for copies of "En Guardia" and other propaganda material.

EXAMINER'S NOTE: C.G.T. Confederacion General De Trabajadores, a Mexican labor group formed to oppose Vicente Lombardo Ledezma, Washington in the "To" Box should read Washington.

ENCLOSURES: 1 Clipping from "Ultimas Noticias", October 15, 1942.

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at seven in the evening of Tuesday, May ninth  
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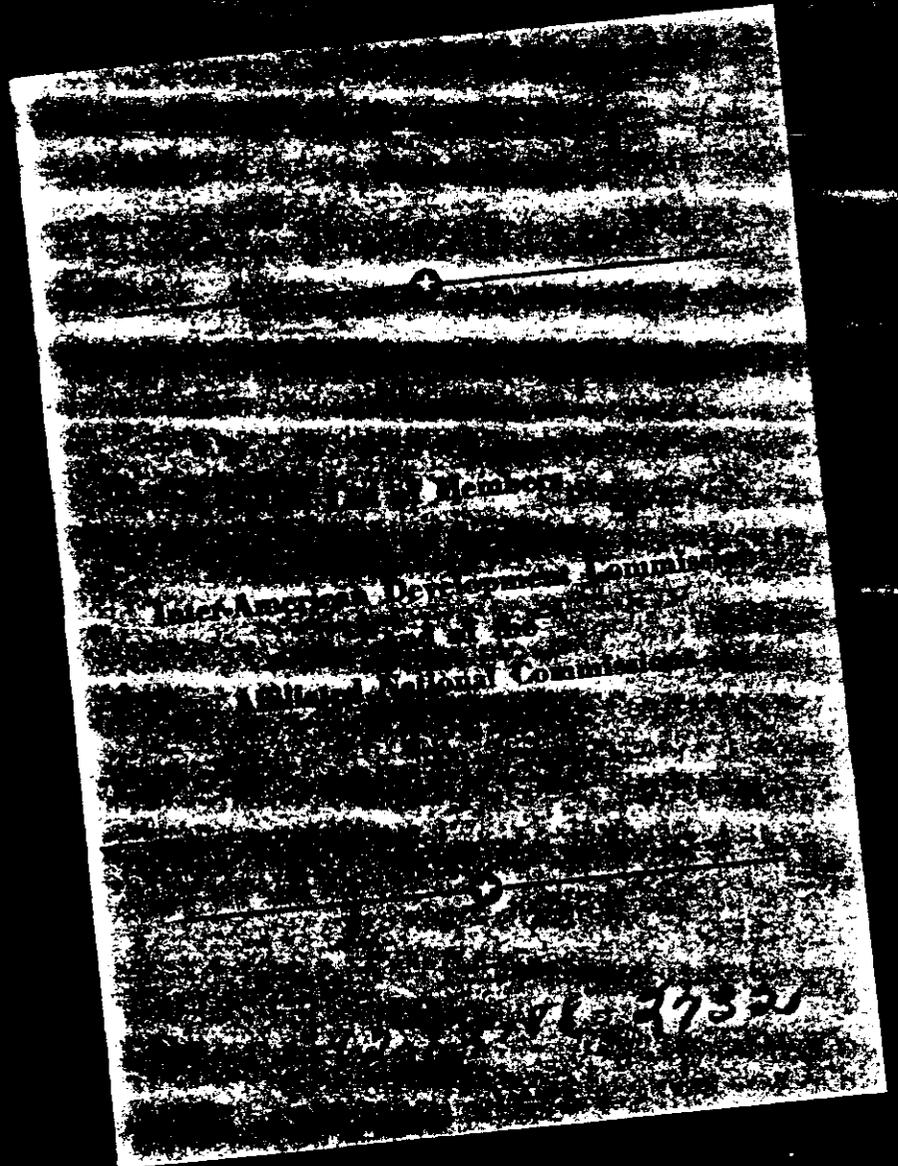
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"Compañía Administradora del Guano"; Former  
Minister of Development  
Dr. Pedro G. Baltran, Lima; Agriculturist and In-  
dustrialist

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OF INTER-AMERICAN DEVELOPMENT

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tional Corporation, Middletown, Ohio  
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men's Mutual Casualty Company, Chicago, Illi-  
nois  
Mr. Thomas B. McCabe, Chairman, Board of Direc-  
tors, Federal Reserve Bank, Philadelphia; Presi-  
dent, Scott Paper Company, Chester, Pennsyl-  
vania

URUGUAYAN COMMISSION OF INTER-  
AMERICAN DEVELOPMENT

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visor and Director; Minister of Finance  
Engineer Pedro Menéndez, Montevideo; Former  
Dean of the Agricultural College

*Secretary*

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Advisor and Director, Ministry of Foreign Rela-  
tions

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AMERICAN DEVELOPMENT

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tion Commission

*Vice Chairman*

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cas; Geologist; Former Director, Central Bank  
of Venezuela

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Rubber Manufacturing Company; Director of  
Central Bank  
Dr. R. R. Ball, Caracas; Member, Industrial Devel-  
opment and Promotion Commission; Member,  
Imports Control Commission; Director Central  
Bank of Venezuela

*General Advisor*

Dr. Oscar Augusto Machado, Caracas; Managing  
Director, Electric Company of Caracas

NTB

FBI

Date: 11/4/74

CP

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

AIRTEL

Via \_\_\_\_\_  
(Priority)

NT

TO: DIRECTOR, FBI (26-433979)

FROM: SAC, WFO (9-3404) (P)

██████████, aka;  
Chief Judge JOHN J. SIRICA,  
District of Columbia,  
ET AL - VICTIMS  
ITSMV- EXTORTION  
(OO:KC)

b2  
gr

Enclosed for Kansas City is a photocopy of each of the ten letters written by ██████████. Enclosed for Albany is photocopy of letter to Governor NELSON ROCKEFELLER. Enclosed for Los Angeles are photocopies of letters to SA ██████████ and Judge DAVID W. WILLIAMS. Enclosed for Memphis is photocopy of letter to HOWARD BAKER.

b7c

For information of Albany and Memphis, subject, while incarcerated in the Los Angeles County Jail, Los Angeles, California, sent through the mail numerous threatening letters to victim SIRICA, SAs ██████████ and ██████████ of the Los Angeles Office, other Federal judges and Government officials. On 8/11/73, ██████████ Psychiatrist, Los Angeles, California, reported that ██████████ "mental and emotional state have at times been blatantly psychotic necessitating mental hospitalization in the form of committment."

b7c

On 2/7/74, subject appeared before USJD DAVID W. WILLIAMS, Los Angeles, who sentenced him to three years custody of the Attorney General with the stipulation that ██████████ be eligible for parole under the provisions of Title 18, USC,

b7c

- 2-Bureau
- 2-Kansas City (Enc. 10)
- 2-Albany (Enc. 1)
- 2-Memphis (Enc. 1)
- 2-Los Angeles (Enc. 2)
- 2-WFO JJM:pep (12)

REC-926-433979-62

21 NOV 6 1974

*[Handwritten signatures and initials]*

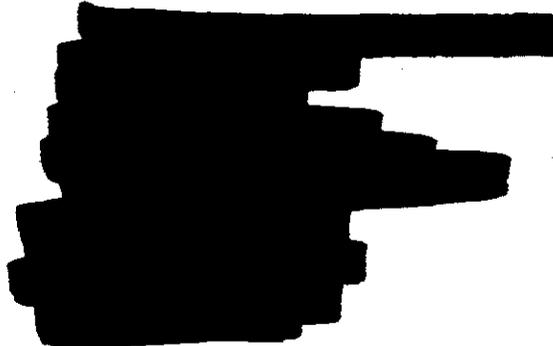
Approved: \_\_\_\_\_ Sent \_\_\_\_\_ M Per \_\_\_\_\_  
Special Agent in Charge

1012 50 NOV 15 1974

WFO 9-3404

Section 4208(a)(2), in connection with the aforementioned threats. On 3/7/74, subject was transferred to the Medical Center for Federal Prisoners (MCFP), Springfield, Missouri, for a 3 month psychiatric study. Subject is described as follows:

Name:  
Sex:  
Race:  
DOB:  
POB:  
Height:  
Weight:  
Hair:  
Eyes:



b7c

Several weeks ago, the U.S. Secret Service (USSS), Liaison Division, WDC, made available photocopies of 10 anonymous letters intercepted at MCFP addressed to the following individuals:

Judge JOHN J. SARICIA, Washington, D.C.

RICHARD M. NIXON, San Clemente, California.

President GERALD FORD, White House, Washington, D.C.

HENRY KISSINGER, Washington, D.C.

Governor NELSON ROCKFELLER, New York State.

Agent [REDACTED] FBI Office, Los Angeles, California.

b7c

HOWARD BAKER, Nashville, Tennessee.

CLARENCE KELLY, Federal Bureau of Investigation, Washington, D.C.

United States Attorney General, Washington, D.C.

DAVID W. WILLIAMS, United States Court House, Los Angeles, California.

WFO 9-3404

Except for slight variations, the letters state, "I am getting out soon so you are dead, guess who." b7c

Accordingly, on 9/9/74, USSS interviewed [REDACTED] and he readily admitted writing the letters. On 9/12/74, AUSA DONALD COBLEY, Western District of Missouri, Springfield, Missouri, declined prosecution for violation T.18, USC, Section 871, with regard to threats against the President because of subject's mental incompetence.

Laboratory is not being requested to conduct a handwriting examination or Identification Division a latent fingerprint examination, as WFO has only photocopies of the original and subject has already admitted writing letters. It is anticipated that AUSA, Springfield, Mo. will decline prosecution due to subject's mental incompetence.

The following individuals were notified at Washington, D.C. of the aforementioned threats:

[REDACTED] Intelligence Unit, MPD. b7c

[REDACTED] U.S. Capitol Police.

LEADS:

ALBANY

AT ALBANY, NEW YORK. Advise appropriate local authorities.

LOS ANGELES

AT LOS ANGELES, CALIFORNIA. Advise appropriate local authorities, SA [REDACTED] and Judge DAVID W. WILLIAMS.

MEMPHIS b7c

AT NASHVILLE, TENNESSEE. Advise appropriate local authorities.

KANSAS CITY

AT SPRINGFIELD, MO. Present to USA. Advise WFO.

FBI

Date: 12/16/74

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL AIRMAIL  
(Priority)

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

TO: DIRECTOR, FBI (26-433979)  
FROM: SAC, KANSAS CITY (9-3091) C

*FC*  
*WFO*  
[Redacted] aka;  
Chief Judge JOHN J. SIRICA,  
ET AL - VICTIMS  
ITSMV - EXTORTION  
OO KC

Re WFO airtel to Bureau, 11/4/74; Bureau Routing Slip, 12/4/74.

Enclosed for Bureau original and three copies Letterhead Memorandum. Two copies Letterhead Memorandum being enclosed for Albany, Los Angeles, and Memphis.

*R/S to ME*  
*Insure local office*  
*of Senator Baker advised*  
*of this matter in*  
*accordance with policy*  
*set forth in Handbook,*  
*Part III, Chapt. 7, p. 153.*  
*12/31/74 KZ/DA*

REC-63 26 - 43 3979 - 63

EX 104

15 DEC 27 1974

ENCLOSURE

- ② Bureau (Encs. 4)
  - 2 Albany (Encs. 2)
  - 2 Los Angeles (Encs. 2)
  - 2 Memphis (Encs. 2)
  - 1 Kansas City
- JAM:dln  
(9)

*1 encl. to USSS*  
*1 encl. to DOJ - Crim Div.*  
*1 encl. to Adm. off. US Courts*  
*1 encl. to T*  
*12/30/74 KZ/DA*

*Bourne 1732*  
*LAB 7601*  
*LHM*  
*1. [Signature]*  
*2. [Signature]*  
*5040*

Approved: [Signature]  
58 JAN 5 Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to  
File No.

Kansas City, Missouri

December 16, 1974

[REDACTED], also known as;  
Chief Judge JOHN J. SIRICA,  
District of Columbia,  
ET AL - VICTIMS  
INTERSTATE TRANSPORTATION OF STOLEN  
MOTOR VEHICLE - EXTORTION

[REDACTED], while incarcerated in the Los Angeles County Jail, Los Angeles, California, sent through the mail numerous threatening letters to victim Sirica, Federal Bureau of Investigation Agents [REDACTED] and [REDACTED] of the Los Angeles Office, other federal judges and government officials. On August 11, 1973, [REDACTED] Psychiatrist, Los Angeles, California, reported that [REDACTED] "mental and emotional state have at times been blatantly psychotic, necessitating mental hospitalization in the form of commitment."

On February 7, 1974, [REDACTED] appeared before U. S. District Judge David W. Williams, Los Angeles, who sentenced him to three years custody of the Attorney General with the stipulation that [REDACTED] be eligible for parole under the provisions of Title 18, U. S. Code, Section 4208(a)(2), in connection with the aforementioned threats. On March 7, 1974, [REDACTED] was transferred to the Medical Center for Federal Prisoners (MCFP), Springfield, Missouri, for a three months' psychiatric study. [REDACTED] is described as follows:

Name  
Sex  
Race  
Date of Birth  
Place of Birth

[REDACTED]

26 - 43 3979 - 63

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

[REDACTED]  
Chief Judge JOHN J. SIRICA,  
ET AL - VICTIMS

Height  
Weight  
Hair  
Eyes

[REDACTED]

b7c

Several weeks ago, the U. S. Secret Service (USSS), Liaison Division, Washington, D. C., made available photocopies of ten anonymous letters intercepted at the Medical Center for Federal Prisoners addressed to the following individuals:

- Judge John J. Saricia, Washington, D. C.
- Richard M. Nixon, San Clemete, California.
- President Gerald Ford, White House, Washington, D. C.
- Henry Kissinger, Washington, D. C.
- Governor Nelson Rockfeller, New York State.
- Agent [REDACTED] Federal Bureau of Investigation Office, Los Angeles, California.
- Howard Baker, Nashville, Tennessee.
- Clarence Kelly, Federal Bureau of Investigation, Washington, D. C.
- United States Attorney General, Washington, D. C.
- David W. Williams, United States Court House, Los Angeles, California.

b7c

Except for slight variations, the letters state, "I am getting out soon so you are dead, guess who."

b7c

Accordingly, on September 9, 1974, U. S. Secret Service interviewed [REDACTED] and he readily admitted writing the letters. On September 12, 1974, Assistant U. S. Attorney Donald Cobley, Western District of Missouri, Springfield, Missouri, declined prosecution for violation Title 18, U. S. Code, Section 871, with regard to threats against the President because of subject's mental incompetence.

[REDACTED]  
Chief Judge JOHN J. SIRICA,  
ET AL - VICTIMS

b7c

Laboratory is not being requested to conduct a hand-writing examination of Identification Division a latent fingerprint examination, as Washington Field Office has only photocopies of the original and subject has already admitted writing letters. It is anticipated that Assistant U. S. Attorney, Springfield, Missouri, will decline prosecution due to [REDACTED] mental incompetence.

b7c

The following individuals were notified at Washington, D. C., of the aforementioned threats:

[REDACTED] Intelligence Unit, Metropolitan Police Department;

[REDACTED] U. S. Capitol Police.

b7c

On December 4, 1974, Assistant U. S. Attorney, Donald R. Cooley, Springfield, Missouri, declined prosecution on the threatening letters written to various officials by Darnell based on his mental incompetence, noting that he had previously declined on the letter to the President.

FBI

Date:

*W. J. ...*  
7/18/75

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

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI ATTENTION: FBI LAB

FROM: SAC, WFO (9-3736) (P)

CHANGED  
 UNSUB; TWO THREATENING LETTERS TO JUDGE  
 JOHN SIRICA, POSTMARKED 6/25 AND 27/75,  
 SPRINGFIELD, MISSOURI;  
 THREATENING LETTER TO VICE PRESIDENT ROCKEFELLER,  
 POSTMARKED 6/26/75, SPRINGFIELD, MISSOURI  
 EXT  
 (OO:KC)

Title of this case is being marked "Changed" to reflect the additional letter to Vice President ROCKEFELLER inasmuch as visual comparison indicates that obviously they were written by the same individual confined to prison in Springfield, Mo.

Re WFO airtel to Director dated 7/7/75.

Enclosed for the Bureau are the original and three xerox copies of a threatening letter to Vice President ROCKEFELLER, White House, WDC, postmarked 6/26/75, Medical Center for Federal Prisoners, P.O. Box 4000, Springfield, Missouri 65802. Enclosed for Kansas City are two copies of letter.

EX 103 REC-75

MCT-31

26-433979-69

The threat is identical consisting of, "I am going to kill you."

ENCLOSURE

CH 391 c. advised 3 JUL 11 1975

- 3-Bureau (Enc. 4)
- 2-Kansas City (Enc. 2)
- 2-WFO
- JEB:pep (7)

has admitted same a USSS 6/27/75 JEB

SEVEN

56 AUG 12 1975

26-433979

Approved: \_\_\_\_\_  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

copy of specimen returned in file

Q 52-953

10  
9  
3  
75070805

B

b7c

R

WFO 9-3736

This material was received on 7/3/75, from [REDACTED]  
[REDACTED], Office of the President of the Senate,  
2203 Dirksen Senate Office Building, WDC. b7c

REQUEST OF THE BUREAU

The Laboratory Division is requested to search this material through the Anonymous Letter File and conduct other appropriate examination. Lab furnish results expeditiously to Office of Origin. //

Identification Division requested to process material for latent fingerprints. Furnish results expeditiously to the Office of Origin.

LEADS:

KANSAS CITY

AT SPRINGFIELD, MO. Conduct in vestigation as previously requested in referenced airtel.

WASHINGTON FIELD

AT WASHINGTON, D.C. Will await results of Kansas City investigation.

P. O. Box 4000  
SPRINGFIELD, MISSOURI 65802  
OFFICIAL BUSINESS

POSTAGE AND FEES PAID  
U. S. DEPARTMENT OF JUSTICE  
JUS-434



To: Vice President & Rockefeller  
White House  
Washington, D. C.

MEDICAL CENTER  
FOR FEDERAL PRISONERS  
JUN 23 1975  
MAILED

MEDICAL CENTER FOR FEDERAL  
PRISONERS. P. O. BOX 4000  
Springfield, Mo. 65802

The attached letter was placed  
in our Prisoners Mail Box for forward-  
ing to you. The letter has neither  
been opened nor inspected. If the  
writer raises a problem over which  
the institution or the Bureau of  
Prisons has jurisdiction, you may  
write to me or the Director, Bureau  
of Prisons, Washington, D. C., 20535.

If the writer enclosed for for-  
warding correspondence addressed to  
another addressee, please return the  
enclosure to me or the Director.

Pasquale J. Ciccone, M. D.  
Director

ENCLOSURE 28-433979-69