


This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

November 8, 2017

MR. JOHN GREENEWALD JR.
THE BLACK VAULT
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384-4520

FOIPA Request No.: 1352597-000
Subject: ANGLETON, JAMES JESUS

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act. Enclosed is one CD containing 338 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Documents or information referred to other Government agencies were not included in this release.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for this request, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Hardy", followed by a stylized flourish or number "3".

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

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

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

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

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

FROM :

SUBJECT

CIVIL RIGHTS

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION
EXEMPTION CODE 25X(1)
DATE 08-28-2009

DATE: 8-18-75

- 1 - Mr. Gallagher
- 1 - [redacted]
- 1 - Mr. Boyd
- 1 - Mr. Wannall
- 1 - Mr. Mintz

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 ☒

Enclosures

CONTINUED - OVER

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

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

REPORTING OFFICE: ALEXANDRIA
OFFICE OF ORIGIN: ALEXANDRIA
DATE: 9/16/75
INVESTIGATIVE PERIOD: 8/27/75 - 9/11/75

TITLE OF CASE: [REDACTED]
REPORT MADE BY: SA CODY HEBER SMITH
TYPED BY: clh

CHARACTER OF CASE

CIVIL RIGHTS

b1

b1

LEADS:

ALEXANDRIA

CLASSIFIED BY [REDACTED]
DECLASSIFY ON: 25X

- P - CLASSIFIED BY SP7 CUC/AMC
DECLASSIFY ON: OADR
3/15/95 C.A. #88-1826
ALL CLASSIFICATION PER
CIA REVIEW OF 3/8/95

AT MC LEAN, VIRGINIA.

CLASSIFIED BY [REDACTED]
DECLASSIFY ON: 25X

ACCOMPLISHMENTS CLAIMED			<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	RECOVERIES		
					PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

COPIES MADE:

R6K/AMC
1 copy destroyed 9-19-75

- ② - Bureau
- 1 - USA, Alexandria, Virginia
- 2 - Alexandria (44-183)

1 copy of report destroyed 9/19/75

Dissemination Record of Attached Report

Agency	Request Recd.	Date Fwd.	How Fwd.	By
ICC CRD		9-19-75	0-20(B)	

56 OCT 09 1975

DO NOT WRITE IN SPACES BELOW

44-66042-13 REC-46

3 SEP 18 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

DATA PROC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION

AUTHORITY DERIVED FROM:

FBI AUTOMATIC DECLASSIFICATION GUIDE

EXEMPTION CODE 25X(1)

DATE 10-01-2009

Copy to:

51601
CLASSIFIED BY 39063 *clm/ble/pk*
DECLASSIFY ON: 25X *1*

Report of: SA CODY HEBER SMITH
Date: 9/16/75

Office: ALEXANDRIA, VIRGINIA

Field Office File #: 44-183

Bureau File #:

Title:

(S)

CLASSIFIED BY SP 9 *clm/ble/pk*
DECLASSIFY ON: OADR

3/15/95 C.A. #88-1826

ALL CLASSIFICATION PER
CIA REVIEW of 3/8/95

Character: CIVIL RIGHTS

Synopsis:

(S)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

- P EXEMPT FROM GDS CATEGORY 1 2 3 4

DATE OF DECLASSIFICATION: INDEFINITE

DETAILS:

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.

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date of transcription 9/9/75

(S)

(S)

(S)

(S)

CLASSIFIED BY ~~3695~~
EXEMPT FROM GDS, CATEGORY 3
DATE OF DECLASSIFICATION: INDEFINITE

Interviewed on 9/2/75 at McLean, Virginia File # AX 44-183by SA EDWARD C. RUDIGER
SA [redacted] ECR:smb Date dictated 9/3/75

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.

~~SECRET~~

b1

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

9/10/75

1

Date of transcription

(S)

(S)

(S)

(S)

Interviewed on 9/3/75 at Fairfax, Virginia File # AX 44-183
by SAs [redacted], and
CODY HEBER SMITH CHS:ljb Date dictated 9/4/75

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.

~~SECRET~~

b1

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~1Date of transcription 9/16/75

(S)

X

(S)

(S)

X

(S)

X

X

(S)

X

~~SECRET~~Interviewed on 9/10/75 at Fairfax, Virginia File # AX 44-183by SA CODY HEBER SMITH
SA [REDACTED] CHS/clh Date dictated 9/15/75

b1

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 9/16/75~~SECRET~~

(S)

X

(S)

X

b1

Interviewed on 9/10/75 at McLean, Virginia File # AX 44-183by SA EDWARD C. RUDIGER/clh Date dictated 9/10/75

-9-

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.

~~SECRET~~

FD-302 (Rev. 11-27-70)
EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-01-2009

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

1

Date of transcription 9/16/75

(S)

(S)

(S)

(S)

(S)

(S)

(S)

b1

(S)

(S)

Interviewed on 9/11/75 at McLean, Virginia File # AX 44-183

by SA [redacted] /clh Date dictated 9/15/75

-14-

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.

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-01-2009

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Date of transcription 9/11/75

1

(S)

(S)

(S)

(S)

~~SECRET~~

b1

Interviewed on 9/4/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH:ljb Date dictated 9/5/75

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.

~~SECRET~~

FBI

Date: 9/25/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: ACTING SAC, RICHMOND (44-1143) -RUC-

[REDACTED] ET AL;

- VICTIM;
- VICTIMb6
b7C

CR

(00 - Alexandria)

Re Richmond report of SA [REDACTED]
9/23/75.Enclosed for the Bureau and Alexandria are two
corrected copies each of Page 2 (FD-302 of [REDACTED])
of re report. Correction relates to Paragraph 1, Line 18,
next to last word and Line 25, third word.b6
b7CBureau and Alexandria requested to insert corrected
pages in report.

Richmond copy has been corrected.

*Detached and
filed in Ser. 14.
cons. mmd
11/19/75**1 cc RO Attention
9-30-75
JJB/az*

ENCLOSURE

- 2 - Bureau (Enc. 2)
 - 2 - Alexandria (Enc. 2) (44-183)
 - 1 - Richmond
- TJO:jbp
(5)

~~44-66072~~
NOT RECORDED

15 SEP 29 1975

DATA PROC
CONSOLIDATIONApproved: _____
Special Agent in Charge

Sent _____ M Per _____

NOV 20 1975

FBI

Date: 12/3/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (62-0)

ATTENTION: OFFICE OF LEGAL COUNCIL

MARY CHANDLER, Et. Al.

vs.

RICHARD HELMS, Et. Al.
U.S. DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA
CIVIL ACTION # 75-1773

Enclosed for the Bureau are a summons (and complaint) delivered to the Washington Field Office by the U.S. Marshal's Service on 12/3/75.

Washington Field Office indices contained several references to plaintiffs of which the Bureau is already aware.

This is a class action suit against Government agencies and their heads by the plaintiffs for violation of plaintiffs constitutional rights by those agencies. Both injunctive relief and punitive damages are being sought.

2-Bureau
1-WFO

JFL:jmm
(3)

EX 104

DE-5

REC-15

116878

5 DEC 4 1975

JAN 22

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/30/88 BY SP-7

SP-7 CAC/ACM
7/29/94 C.A. # PP-1826

Approved: 61 FEB 9 1976

Special Agent in Charge

Per _____

United States District Court

FOR THE

District of Columbia

CIVIL ACTION FILE NO. 75-1773

Mary Chandler, et al.

Plaintiff

v.

Richard Helms, et al.

Defendant

SUMMONS

To the above named Defendant

Clarence Kelley

You are hereby summoned and required to serve upon

Jerry J. Berman

plaintiff's attorney, whose address

122 Maryland Avenue, N
Washington, D.C. 20002

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES F. DAVEY

Clerk of Court.

Escher & Cruden

Deputy Clerk

Date:

1/14/77 G. O. #25-1990
26 of 100 1975
DEC 2 1975

[Seal of Court]

RECORDED
INDEXED

NOTE:—This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

RETURN ON SERVICE OF WRIT

I hereby certify and return, that on the

day of

19

I received this summons and served it together with the complaint herein as follows:

10/30/89 SP4 ELW/KFA C.A. # 88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/30/82 BY SP4

SP4 ELW/KFA
7/29/94 C.A. # 88-1826

62 116878

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 3 1975	
FBI - WASH. F. O.	

MARSHAL'S FEES

Travel \$

United States Marshal

Service

By

Deputy United States Marshal

Subscribed and sworn to before me, a

this

day of 19

[SEAL]

Note:—Affidavit required only if service is made by a person other than a United States Marshal or his Deputy

No.

United States District Court
FOR THE

SUMMONS IN CIVIL ACTION

Returnable not later than
after service

Attorney for Plaintiff

FPM-2 13-74 100M-1760

RICHARD HELMS

Department of State
United States Embassy
Teheran, Iran;

JAMES R. SCHLESINGER
Department of Defense
The Pentagon

Washington, DC 20301;

RUFUS N. TAYLOR

90-A North Lake View Drive
Whispering Pines, North Carolina 28389;

ROBERT E. CUSHMAN, JR.
Commandant of the Marine Corps,
Navy Department, Washington, D.C. 20380;

VERNON A. WALTERS
22955 Ocean Boulevard
Palm Beach, Florida 33480;

WILLIAM E. COLBY
Central Intelligence
Washington, DC. 20505;

CORD MEYER, JR.
Central Intelligence Agency
Washington, DC 20505;

JAMES J. ANGLETON
4814 33rd Road
North Arlington, VA. 22210;

WILLIAM HOOD
4450 South Park Avenue
Chevy Chase, Maryland;

RAYMOND P. ROCCA
3355 Tennyson Street
Washington, D.C.;

RICHARD OBER
Old Executive Office Building
Washington, DC 20505;

HOWARD OSBORN
6803 East Avenue
Chevy Chase, Maryland;

JAMES MURPHY
Central Intelligence Agency
Washington, DC 20505;

MARSHALL CARTER
c/o U.S. Milpercen
200 Stovall Street
Alexandria, Virginia 22332
Attn. DAPC-PAS-A;

NOEL GAYLER
Department of the Navy
The Pentagon

Washington, DC 20301;

SAMUEL C. PHILLIPS
Department of the Air Force

The Pentagon
Washington, DC 20301;

WILLIAM ALLEN, JR.
National Security Agency
Fort Meade, Maryland;

LOUIS W. TORDELLA
9518 E. Stanhope Road
Kensington, Maryland;

L. PATRICK GRAY III
325 State Street
New London, Connecticut 06320;

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----X

MARY CHANDLER
11042 Newbort Mill Road
Silver Spring, Maryland 20902;
ADELE HALKIN

56 E. Bellevue Place
Chicago, Illinois 60611;
STEVE HALLIWELL
c/o Goddard College
Plainfield, Vermont 05667;
DON LUCE

c/o Clergy and Laity Concerned
235 East 49th Street
New York, N.Y. 10017;

JONATHAN MIRSKY
Thetford, Vermont 05074;
SIDNEY PECK

15 Farrar
Cambridge, Mass. 02138;

NANCY ANN RAMSEY
1826 Varnum Street, N.W.
Washington, DC 20011;

DANIEL SCHECHTER
5005 Prudential Tower
Boston, Mass. 02199;

ETHEL TAYLOR
41 Conshohocken State Road
Apt. 714

Bala Cynwyd, Pa. 19004;
EDITH VILLASTRIGO
10216 Sutherland Road
Silver Spring, Maryland 20901;
CORA WEISS

5022 Waldo Road
Riversdale, New York 10471;

AMERICAN INDIAN MOVEMENT

704 University Avenue
St. Paul, Minnesota 55101;

AMERICAN FRIENDS SERVICE COMMITTEE, INC.
1501 Cherry Street

Philadelphia, Pennsylvania 19102;

CLERGY AND LAITY CONCERNED

235 East 49th Street

New York, New York 10017;

COMMITTEE OF CONCERNED

ASIAN SCHOLARS, c/o Angus

McDonald, National Coordinator,

614 Social Science Building,

University of Minnesota,

Minneapolis, Minn. 55455;

COMMITTEE OF LIAISON WITH

FAMILIES OF SERVICEMEN

DETAINED IN VIETNAM

365 West 42nd Street

New York, New York 10036;

WOMEN STRIKE FOR PEACE

145 South 13th Street, Room 407

Philadelphia, Pa. 19107;

CIVIL ACTION
NO. 75-1773
FIRST AMENDED
COMPLAINT-CLASS
ACTION FOR
DECLARATORY AND
INJUNCTIVE RELIEF
AND MONEY DAMAGES
(Judge Green)

on behalf of themselves and all other persons
and organizations similarly situated,

Plaintiffs,

v.

(2)

62.

116878



CLARENCE KELLEY
Director, Federal Bureau of Investigation
Washington, D.C.;
JAMES J. ROWLEY
9615 Glencrest Lane
Kensington, Maryland;
H. STUART KNIGHT
Director, U.S. Secret Service
Department of the Treasury
Washington, D.C.;
JOSEPH CARROLL
7306 Rippon Road
Alexandria, Virginia;
DONALD BENNETT
c/o Defense Intelligence Agency
The Pentagon
Washington, D.C. 20301;
VINCENT DE POIX
2782 N. Wakefield
Arlington, Virginia;
JOHN INGERSOLL
c/o Drug Enforcement Administration
U.S. Department of Justice
Washington, D.C.;
JOHN R. BARTELS, JR
c/o Drug Enforcement Administration
U.S. Department of Justice
Washington, D.C.;
WESTERN UNION INTERNATIONAL, INC.
2100 M Street, NW
Washington, D.C.;
RCA GLOBAL COMMUNICATIONS, INC.
60 Broad Street
New York, N.Y. 10004;
ITT WORLD COMMUNICATIONS, INC.
67 Broad Street
New York, N.Y. 10004;
JOHN DOE, RICHARD ROE and other unknown
agents and employees of the United
States Government.

Defendants.

-----X

Plaintiffs, by their attorneys, allege as follows for their
First Amendment^{ed} Complaint:

JURISDICTION

1. This is a civil action for declaratory and injunctive relief and money damages, arising under the First, Fourth, Fifth and Ninth Amendments to the Constitution; Title 18, United States Code, Sections 2510-2520; and Title 47, United States Code, Section 605; and Title 50 United States Code, Section 403(d)(3). The jurisdiction of this Court is predicated on Title 18, United States Code Section 2520; Title 28, United States Code, Sections 1331(a), 1343(4) and 1361; Title 47, United States Code, Section 605; Title 42, United

States Code, Section 1985(3); and the First, Fourth, Fifth and Ninth Amendments to the Constitution.

2. The matter in controversy, exclusive of interests and costs, exceeds \$10,000.

PARTIES

3. Plaintiffs:

a. MARY CHANDLER is an American citizen and a member of Women Strike for Peace.

b. ADELE HALKIN is an American citizen and a member of Women Strike for Peace.

c. STEVE HALLIWELL is an American citizen, a former officer of Students for a Democratic Society and a founding member of the Committee for Liaison with Families of Servicemen Detained in Vietnam.

d. DON LUCE is an American citizen and Executive Director of Clergy and Laity Concerned.

e. JONATHAN MIRSKY is an American citizen and from 1963 to the present he has been a leader of anti-war activities.

f. SIDNEY PECK is an American citizen, a former Co-chairperson of the National Mobilization Committee to End the War in Vietnam and the former National Coordinator of People's Coalition for Peace and Justice.

g. NANCYANN RAMSEY is an American citizen and a member of Women Strike for Peace.

h. DANIEL SCHECHTER is an American citizen formerly associated with Ramparts Magazine and the Africa Research Group, and a participant in various anti-war activities over the last decade.

i. ETHEL TAYLOR is an American citizen and the National Coordinator of Women Strike for Peace.

j. EDITH VILLASTRIGO is an American citizen, a member of Women Strike for Peace and was a delegate to the 1973 World Congress of Peace Forces.

k. CORA WEISS is an American citizen, a leader of Women Strike for Peace, a former Co-chairperson of the New Mobilization

Committee to End the War in Vietnam, a member of the Board of Directors of Clergy and Laity Concerned and a former Co-chairperson of the Committee of Liaison with Families of Servicemen Detained in Vietnam.

1. THE AMERICAN INDIAN MOVEMENT (AIM) is a nonprofit corporation dedicated to advancing the well being, self-determination and cultural preservation of the native peoples of the American continents.

m. THE AMERICAN FRIENDS SERVICE COMMITTEE, INC. (AFSC) is a non-profit corporation dedicated to furthering the historic peace testimony and the social aims of the several branches of the Religious Society of Friends.

n. CLERGY AND LAITY CONCERNED (CALC) is a non-profit inter-faith peace organization which has protested U.S. involvement in the Indochina War since 1965.

o. The COMMITTEE OF CONCERNED ASIAN SCHOLARS (CCAS) is a non-profit organization dedicated to opposing American intervention in the internal affairs of countries in Southeast Asia.

p. The COMMITTEE OF LIAISON WITH FAMILIES OF SERVICEMEN DETAINED IN VIETNAM (COLIAFAM) is a non-profit organization which has worked for an end to U.S. involvement in the War in Indochina and the release of prisoners of war.

q. WOMEN STRIKE FOR PEACE is a non-profit organization dedicated to anti-war activities, including activities to end the war in Indochina.

4. Defendants:

a. Defendant RICHARD HELMS is the United States Ambassador to Iran and was Director of the Central Intelligence Agency (hereinafter sometimes "CIA") from 1966 to 1973.

b. Defendant JAMES R. SCHLESINGER was Secretary of Defense from August 1973 to November 1975 and Director of the CIA from February to July 1973.

c. Defendant RUFUS N. TAYLOR is a Vice Admiral in the U.S. Navy and was Deputy Director of the CIA from 1966 to 1969.

d. Defendant ROBERT E. CUSHMAN, JR. is a General in the U.S. Marine Corps and a member of the Joint Chiefs of Staff, and was Deputy Director of the CIA from 1969 to 1971.

e. Defendant VERNON A. WALTERS is a Lieutenant General in the U.S. Army and was Deputy Director of the CIA in 1972.

f. Defendant WILLIAM E. COLBY is Director of Central Intelligence and of the CIA, and was Executive Director of the CIA from 1972 to 1973, and Deputy Director for Operations of the CIA in 1973.

g. Defendant CORD MEYER, JR. was, at times material to this complaint, Assistant Deputy Director for Plans of the CIA.

h. Defendant JAMES J. ANGLETON was, at times material to this complaint, Chief of the Counterintelligence Staff of the CIA.

i. Defendant WILLIAM HOOD was, at times material to this complaint, Deputy Chief of the Counterintelligence Staff of the CIA.

j. Defendant RAY ROCCA was, at times material to this complaint, Assistant to the Chief of the Counterintelligence Staff of the CIA.

k. Defendant RICHARD OBER was, at times material to this complaint, in charge of a domestic surveillance operation of the Counterintelligence Staff of the CIA designated as CHAOS.

l. Defendant HOWARD OSBORN was, at times material to this complaint, Director of Security of the CIA.

m. Defendant JAMES MURPHY was, at times material to this complaint, Director of the Office of Operations of the CIA.

n. Defendant MARSHALL CARTER, a retired Lieutenant-General in the U.S. Army, was Director of the National Security Agency (hereinafter sometimes "NSA") from 1967 to 1969.

o. Defendant NOEL GAYLER, Vice Admiral in the U.S. Navy, was Director of the NSA from January 1969 to July 1972.

p. Defendant SAMUEL C. PHILLIPS, a Lieutenant-General in the U.S. Air Force, was Director of the NSA from August 1972 to July 1973.

q. Defendant LEW ALLEN, JR., a Lieutenant-General in the U.S. Air Force, is Director of the NSA.

r. Defendant LOUIS TORDELLA was, at times material to this complaint, the Deputy Director of the NSA.

s. Defendant L. PATRICK GRAY III was, at times material to this complaint, Acting Director of the Federal Bureau of Investigation (hereinafter sometimes "FBI").

t. Defendant CLARENCE KELLEY is Director of the FBI.

u. Defendant JAMES J. ROWLEY was Director of the United States Secret Service (hereinafter sometimes "Secret Service") from 1967 until October 1973.

v. Defendant H. STUART KNIGHT is Director of the Secret Service.

w. Defendant JOSEPH CARROLL is a Lieutenant-General in the United States Air Force and was Director of the Defence Intelligence Agency (hereinafter sometimes "DIA") from 1961 to 1969.

x. Defendant DONALD BENNETT is a Lieutenant-General in the United States Army and was Director of DIA from September 1969 to August 1972.

y. Defendant VINCENT DE POIX is a Vice Admiral in the United States Navy and was Director of DIA from August 1972 until September 1974.

z. Defendant JOHN INGERSOLL was Director of the Bureau of Narcotics and Dangerous Drugs (hereinafter "BNDD") and its predecessor agency from 1968 to June 1973.

aa. Defendant JOHN R. BARTELS, JR. was Director of the BNDD and its successor agency from June 1973 to May 1975.

bb. Defendants JOHN DOE, RICHARD ROE and other unknown agents or employees of the United States Government are persons unknown to Plaintiffs who participated with the other Defendants in the actions alleged in this complaint.

cc. All the foregoing individual defendants are sued in their individual and official or former official capacities.

dd. Defendant WESTERN UNION INTERNATIONAL, INC. a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

ee. Defendant RCA GLOBAL COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

ff. Defendant ITT WORLD COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas telegraph and cable service.

CLASS ACTION ALLEGATIONS

5. This suit is brought as a class action pursuant to Rule 23(a) of the Federal Rules of Civil Procedure, and is maintainable under Rule 23(b)(1)(A), 23(b)(2) and 23(b)(3).

6. Plaintiffs represent a class of United States citizens and domestic organizations who at various times during and after 1967 engaged in activities in opposition to the war in Indochina or in other lawful political activities, as a result of which (a) their international wire, cable or radio communications were intercepted and divulged without any judicial or statutory authorization by the National Security Agency acting at the request of other United States government agencies, and/or (b) **their political and other** constitutionally protected activities became the subject of intrusive counterintelligence actions and files, conducted and maintained by a Special Operations Group within the Central Intelligence Agency known as "Operation CHAOS".

7. The class is so numerous as to make joinder of all members impossible. The total number and identity of the class members is known only to the NSA and the CIA, but plaintiffs estimate, on information and belief, that the class numbers at least 8,820 individuals, and 1,000 organizations.

8. The common questions of law and fact affecting all members of the class predominate over any questions affecting only individual members to such a degree that a class action is the only method

available for the fair and efficient adjudication of this controversy. The prosecution of separate claims by the members of the class would constitute an undue burden on the vindication of their rights and create the risk of inconsistent or varying adjudications, and could establish incompatible standards for the defendants' conduct.

9. The claims of the representative parties have the same legal and factual basis as the claims of the members of the class, the defendants have acted on similar grounds with respect to all members of the class, common relief is sought, and plaintiffs will fairly and adequately protect the interests of the class.

FACTS

10. On information and belief, in and after August 1967 defendants HELMS, TAYLOR, COLBY, MEYER, ANGLETON, HOOD, ROCCA, OBER, OSBORN, SCHLESINGER, CUSHMAN, WALTERS and MURPHY (hereinafter sometimes "the CIA defendants") established and administered a Special Operations Group, known as Operation CHAOS (hereinafter "CHAOS"), within the CIA's counterintelligence staff.

11. On information and belief, the purpose of the CIA defendants in establishing CHAOS was to collect, coordinate, evaluate, file and report information on "foreign contacts" of American citizens resident in the United States who expressed in various forms their political and moral opposition to the war in Indochina and other policies of the national government.

12. On information and belief, reports prepared by CHAOS and other units of the CIA beginning in 1967 concluded that domestic opposition to the Indochina war, of which the activities of plaintiffs, and their class were a part, had no significant foreign connection.

13. On information and belief, ~~CHAOS gathered information from~~ other units of the CIA and from other agencies, including the FBI, much of which related to the constitutionally protected associational and domestic political activities of the plaintiff class.

14. On information and belief, CHAOS recruited and trained approximately 40 undercover agents who infiltrated domestic organi-

zations, and reports on their constitutionally protected associational and domestic political activities, which reports, or information derived from them, were filed with CHAOS and disseminated to other units of the CIA and to other agencies.

14a. On information and belief, the CIA defendants authorized and directed their CHAOS agents and employees to discredit and disrupt the constitutionally protected associational and domestic political activities of the plaintiffs and their class through the actions of undercover agents who infiltrated the plaintiff organizations, and through other counterintelligence actions.

15. On information and belief, between 1967 and 1974 CHAOS opened and maintained "201" or "personality" files on approximately 7,200 individual United States citizens engaged in constitutionally protected associational and domestic political activities, including each of the named individual plaintiffs.

16. On information and belief, between 1967 and 1974 CHAOS opened and maintained approximately 1000 separate subject files on domestic organizations, including each of the named plaintiff organizations.

17. On information and belief, the information in the personality and organization files opened and maintained by CHAOS related to constitutionally protected associational and domestic political activities of the plaintiffs and members of their class.

18. On information and belief, information on the plaintiffs and members of their class which was gathered by CHAOS was conveyed by the CIA defendants to the White House, the FBI, and to other government agencies.

19. On information and belief, sometime after September 1969 CHAOS supplied a "watchlist" of United States citizens, including plaintiffs and their class, to another unit of the CIA, as a result of which first class mail from and to individuals on the watchlist was opened without any warrant or other form of judicial or legislative authorization, and copies of the opened letters or

information derived from them were supplied to CHAOS, made a part of the CHAOS files and used by the CIA defendants.

20. On information and belief, sometime after September 1969 CHAOS also supplied a "watchlist" to agents and employees of the NSA, which included the names of all the named plaintiffs.

21. On information and belief, for a period of time not known to plaintiffs, defendants, CARTER, GAYLER, PHILLIPS, TORDELLA and ALLEN (hereinafter sometimes "the NSA defendants"), have authorized and directed the monitoring or interception, by their agents and employees, of the international communications of United States citizens, including cable and radio channels between the United States and foreign countries, selected telephone channels between the United States and foreign countries, and selected telephone and cable channels between foreign countries, all without warrants or any other form of judicial or legislative authorization.

22. On information and belief, at various times beginning in 1967, the NSA defendants, without warrants or any other forms of judicial or legislative authorization, authorized and directed their agents and employees to intercept and divulge or procure the interception and divulgence, of wire, cable or radio communications of, or relating to, members of the plaintiff class on the CHAOS "watchlist" provided to NSA by the CIA, and on other "watchlists" provided to NSA by defendants GRAY, KELLEY and other officials of the Federal Bureau of Investigation ("the FBI defendants"); defendants ROWLEY, KNIGHT and other officials of the United States Secret Service ("the Secret Service defendants"); defendants CARROLL, BENNETT, DE POIX and other officials of the Defense Intelligence Agency ("the DIA defendants"); and defendants INGERSOLL and BARTELS and other officials in the Bureau of Narcotics and Dangerous Drugs ("the BNDD defendants").

23. On information and belief, agents and employees of the NSA defendants procured the assistance and cooperation of defendants WESTERN UNION INTERNATIONAL, INC., RCA GLOBAL COMMUNICATIONS INC.; and

ITT WORLD COMMUNICATIONS, INC. (hereinafter sometimes "the company defendants") in intercepting and divulging, without warrants or any other forms of judicial or legislative authorization, the wire, cable or radio communications of, or relating to the plaintiff class.

24. On information and belief, as a result of the warrantless and judicially and legislatively unauthorized interception and divulgence of the wire, cable or radio communications of plaintiffs and their class by the NSA and company defendants, at the request of the CIA, FBI, Secret Service, DIA and BNDD defendants, NSA supplied the CIA, FBI, Secret Service, DIA and BNDD defendants with summaries of the intercepted communications (hereinafter "the NSA materials") of the plaintiff class, which related to anti-war activities, travel abroad and other constitutionally protected movements and activities of members of the class.

25. On information and belief, information derived from the NSA materials was used and shared by the CIA, FBI, Secret Service, DIA and BNDD defendants and placed in files maintained by these defendants relating to the plaintiffs and their class.

26. On information and belief, in November 1974 some of the NSA materials were returned by the CIA defendants to NSA.

27. On information and belief, the CIA defendants caused the NSA materials to be returned to NSA because they knew the materials were the products of illegal and unconstitutional interceptions and divulgence of the plaintiffs' wire, cable or radio communications.

28. On information and belief, originals or copies of the NSA materials are intact in the possession of the NSA, FBI, Secret Service, DIA and BNDD.

29. On information and belief, the CIA, FBI, Secret Service, DIA and BNDD continue to maintain and disseminate files containing information about the constitutionally protected associational and political activities of the plaintiffs and their class, including information illegally and unconstitutionally obtained by intercepting and divulging the private mail and wire, cable or radio communications

of members of the class.

30. On information and belief, the individual and company defendants have engaged in an extended conspiracy unlawfully to conceal the acts complained of in paragraphs 10-29, supra, from the named plaintiffs and members of their class, from Congress, and from the public.

31. On information and belief, each of the defendants knew of and participated in, and/or concealed the illegal and unconstitutional activities described in paragraphs 10-29, supra.

32. On information and belief, each of the CIA defendants knew that their actions described above were taken in violation of the CIA's charter.

33. On information and belief, none of the defendants who participated in the actions described in paragraphs 10-29 above had a good faith belief that his or its actions were lawful.

FIRST CAUSE OF ACTION

34. The defendants' procurement of interception and divulgence and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class were unreasonable and illegal, and were not made in good faith reliance on any judicial, legislative or other valid authorization, or other reasonable belief in their legality.

35. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class violated Title 18, United States Code, Sections 2511 and 2520, and Title 47 United States Code, Section 605.

36. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment, their right to security against unreasonable searches and seizures guaranteed by the Fourth Amendment, and their right of privacy

guaranteed by the First, Fourth, Fifth and Ninth Amendments.

SECOND CAUSE OF ACTION

37. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

38. The defendants' maintenance and dissemination of files on the constitutionally protected associational and political activities of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment and their right to privacy under the First, Fourth, Fifth and Ninth Amendments.

39. Defendants' infiltration of the plaintiff organizations and members of their class by the use of undercover agents with false or concealed identities who disrupted, discredited and reported on the plaintiffs' constitutionally protected associational and political activities deprived plaintiffs of their freedom of speech and association protected by the First Amendment, their right to security against unreasonable searches and seizures protected by the Fourth Amendment and their right to privacy protected by the First, Fourth, Fifth and Ninth Amendments.

40. The activities of the defendants set forth above continue to interfere with, discourage and deter the plaintiffs in the exercise of their rights of free speech, assembly and association, and their right to petition the government for redress of grievances, guaranteed by the First Amendment.

THIRD CAUSE OF ACTION

41. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

42. The CIA defendants' actions described above are in violation of Title 50, United States Code, Section 403(d)(3).

WHEREFORE, plaintiffs request that the Court grant the following relief:

A. A declaratory judgment that the course of conduct and activities of the defendants set forth above are illegal and unconstitutional;

B. Preliminary and permanent injunction enjoining the defendants from engaging in the activities declared to be illegal and unconstitutional;

C. A mandatory injunction or writ of mandamus ordering the defendants to produce before the Court, for delivery to the plaintiffs and members of their class for destruction, all files, reports, records, photographs, data computer tapes and cards, and all other materials derived from defendants' illegal and unconstitutional activities relating to plaintiffs and all other persons similarly situated;

D. Each named plaintiff and member of the plaintiff class have judgment against each defendant in the sum of \$100.00 per day of procurement of interception, divulgence and use, and interception, divulgence and use of the plaintiffs' wire, cable or radio communications, as liquidated damages pursuant to Title 18, United States Code Section 2520 and Title 47, United States Code, Section 605.

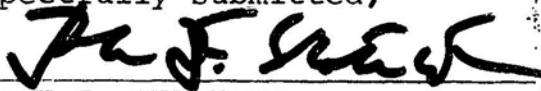
E. Each named plaintiff and member of the plaintiff class have judgment against each defendant in a sum to be determined by the Court for violation of plaintiffs' First, Fourth, Fifth and Ninth Amendment rights.

F. Recovery in the amount of \$50,000 punitive damages for the willful violation of constitutional rights for each plaintiff and each member of the plaintiff class.

G. The reasonable costs of this action and attorneys' fees of plaintiffs.

H. Such other and further relief as the Court shall deem just and proper.

Respectfully submitted,



JOHN H.F. SHATTUCK


MELVIN L. WULF

American Civil Liberties Union
Foundation

22 East 40th Street

New York, New York 10016

(212) 725-1222


JERRY J. BERMAN
122 Maryland Avenue, NE
Washington, D.C. 20002
(202) 544-5380

PHILIP J. HIRSCHKOP
P.O. Box 1226
108 N. Columbus St.
Alexandria, Va. 22313
(703) 836-5555

WALTER SLOCOMBE
1101 17th Street, N.W.
Washington, D.C. 20036
(202) 293-3900

HOPE EASTMAN
American Civil Liberties Union
Foundation
410 First Street, SE
Washington, DC 20003
(202) 544-1681

Dated: November 1975

Attorneys for Plaintiffs

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 1/14/76

FROM : Legal Counsel *JAM*

SUBJECT: MARY CHANDLER, et al. v. RICHARD HELMS, et al.,
CIVIL ACTION NO. 75-1773 (D.D.C.)

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 _____

Plaintiffs in captioned civil action represent a class of United States citizens and domestic organizations who at various times during and after 1967 engaged in activities opposing United States involvement in the Indochina War. In their complaint plaintiffs allege that their wire, cable or radio communications were intercepted and divulged by the National Security Agency acting at the request of other Government agencies and that their political activities became the subject of counterintelligence actions, including mail openings, by the CIA, which gathered information furnished by the FBI. Defendants include former Acting Director Gray, Director Kelley, and numerous other present and former Federal officials. *XA*

By attached memorandum dated 12/23/75, the Assistant Attorney General, Criminal Division, requested a litigation report concerning captioned civil action. As a part of this report, he requested that we advise whether this Bureau, or anyone on behalf of this Bureau, engaged in the following at any times material to the allegations in the complaint (during and after 1967):

- a. Authorized, conducted or procured electronic surveillance of any plaintiff or the interception or opening of any plaintiff's mail;

Enclosure

1 - Mr. Wannall
1 - Mr. Mintz
1 -
1 - ~~File~~

GML:bjr

(5)

(CONTINUED - OVER)

b6
b7c

ENCLOSURE

10/30/89 SP4 ELW/KFA C. A. #88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/30/80 BY SP4

SP 7 ccc/Alm
7/29/94 C. A. #88-1826

Memo To
DSF: rsm

6/17/76

54 NOV 18 1976

Memo to Mr. J. B. Adams

Re: MARY CHANDLER, et al. v. RICHARD HELMS, et al.,
CIVIL ACTION NO. 75-1773 (D.D.C.)

- b. Intercepted or monitored any conversation or other communication to which any plaintiff was a party;
- c. Received from any source, used, or disclosed to any other agency of the United States or any governmental instrumentality or personnel thereof any communication of any plaintiff obtained by mail interception or any kind of electronic surveillance or interception; or
- d. Otherwise been involved in the use, disclosure, or interception of any of the plaintiffs' postal or electrical communications, including the provision of, generation of, or contribution to a watchlist or functionally similar compilation whereby any plaintiff's name was provided for the purpose of obtaining information about the plaintiff from such postal or electrical communications. //

In his memorandum, the Assistant Attorney General noted that the Department is presently conducting an investigation of possible criminal violations concerning mail openings and the interception of wire, cable or radio communications. Accordingly, any information submitted by this Bureau in connection with these allegations may be made available to Departmental Attorneys engaged in such investigations.

A response to the complaint in this civil action is to be filed on behalf of Director Kelley on or before February 6, 1976.

(CONTINUED - OVER)

Memo to Mr. J. B. Adams

Re: MARY CHANDLER, et al., v. RICHARD HELMS, et al.
CIVIL ACTION NO. 75-1773 (D.D.C.)

RECOMMENDATIONS:

1. That the Intelligence Division furnish pertinent factual information responsive to allegations in the complaint against the FBI.

2. That the Intelligence Division furnish information responsive to the Department's inquiry concerning electronic surveillance of any of the plaintiffs or the interception or opening of any plaintiff's mail, etc. (A - D).

3. That upon receipt of above Legal Counsel Division correspond with the Department.

JBS
per *WHL*
HEJ

10/30/89 SP4ELW/KFA C.A. #88-1826

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 4/30/80 BY SP-1

ysk/02

62-116878-1X

SP7 CLC/acm

7/29/94 C.A. #88-1826

ENCLOSURE

memorandum

DATE:

REPLY TO
ATTN OF:

Barbara Allen Babcock
Assistant Attorney General
Civil Division

BAB:DJA:GWDaiger:mlh
95-16-3837

SUBJECT:

FEDERAL GOVERNMENT

MAY 5 1977

TO:

Adele Halkin, et al. v. Richard Helms, et al.,
Civil Action No. 75-1773 (D.D.C.)

Mr. Clarence M. Kelley
Director
Federal Bureau of Investigation
Attn: Assistant Director
Legal Counsel Division

Enclosed for your information and files is a copy of the district court's Order of April 12, 1977, denying class action treatment of any part of the above referenced case. Please note that the court did grant leave to join additional parties plaintiff, however. To date, we have received no notice that additional plaintiffs have been joined.

There is also enclosed a copy of our April 25, 1977 answer to the plaintiffs' petition for writ of mandamus, which was filed with the Court of Appeals for the District of Columbia Circuit on March 31, 1977. The petition seeks an extraordinary writ from the court of appeals vacating Judge Green's protective order of February 14, 1977. That order prohibits extra-judicial publication or comment by the parties or their counsel of any information provided during the course of pretrial discovery. The CIA documents and plaintiffs' proposed press release which precipitated this discovery controversy have been filed with the court of appeals under seal. The common carrier defendants, RCA Global, ITT Worldcom, and WUI, have also filed a joint answer to the petition.

Enclosures (2)

ENCLOSURE

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/94 BY SP7 CUC/ALM

C.A. # 88-1806
CIA INFO. IS UNCLAS. Fwd EX-103
PER CIA REVIEW of 6/21/94

DE-30 REC-1

MAY 8 1977

7338

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

APR 15 1977
FILED

APR 12 1977

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES F. DAVEY, Clerk

ADELE HALKIN, et al

Plaintiffs

v.

RICHARD HELMS, et al

Defendants

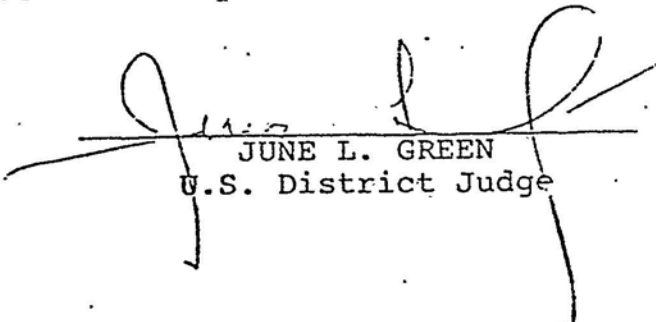
Civil Action No. 75-1773

ORDER

Plaintiffs having moved this Court for class action certification pursuant to Rule 23 of the Federal Rules of Civil Procedure, and the Court having considered plaintiffs' memorandum of points and authorities in support of the motion, defendants' opposition thereto, and the entire record herein, and it appearing to the Court that this action is not appropriate for class action certification, it is by the Court this 12 day of April 1977,

ORDERED that plaintiffs' motion for class action certification be and hereby is denied; and it is further

ORDERED that, pursuant to Rule 21 of the Federal Rules of Civil Procedure, plaintiffs be permitted to amend the complaint to add named party plaintiffs as necessary.


JUNE L. GREEN
U.S. District Judge

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/94 BY SP-7 CUC/ACM
C.A. #88-1826

95-16-3837

DEPARTMENT OF JUSTICE

APR 15 1977

CIVIL DIV.

GENERAL LITIGATION SECTION

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 77-1313

In re Adele Halkin, et al., Petitioners

CERTIFICATE REQUIRED BY RULE 8(c) OF THE GENERAL
RULES OF THE UNITED STATES COURT OF APPEALS FOR
THE DISTRICT OF COLUMBIA CIRCUIT

The undersigned, counsel of record for Respondents
(Federal defendants below), certifies that the following
listed parties appeared below:

Petitioners (Plaintiffs below):

Adele Halkin

Edith Villastrigo

Steve Halliwell

Cora Weiss

Don Luce

American Indian Movement

Jonathan Mirsky

American Friends Service
Committee, Inc.

Sidney Peck

Clergy and Laity Concerned

Nancy Ann Ramsey

Committee of Concerned
Asian Scholars

Daniel Schechter

Committee of Liaison with
Families of Servicemen
Detained in Vietnam

Ethel

Women Strike for Peace

Institute for Policy Studies

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/94 BY SP7 ccc/Am

C.A. #88-1826
CIA INFO. IS UNCLASSIFIED
PER CIA REV: SW
of 6/21/94

ENCLOSURE

62 - 116878-30

Respondents (Federal defendants below)

Richard Helms	John Ingersoll
James R. Schlesinger	Howard Osborn
Rufus N. Taylor	James Murphy
Robert E. Cushman, Jr.	Marshall Carter
Vernon A. Walters	Noel Gayler
William B. Colby	Samuel C. Phillips
Cord Meyer, Jr.	Lew Allen, Jr.
James J. Angleton	Louis W. Tordella
William Hood	L. Patrick Gray, III
Raymond P. Rocca	Clarence Kelley
Richard Ober	Joseph Carroll
James J. Rowley	Vincent de Poix
H. Stuart Knight	John R. Bartels, Jr.
Donald Bennett	

Respondents (Carrier Defendants below):

RCA Global Communications, Inc.
Western Union International, Inc.
ITT World Communications, Inc.

Positions of Parties:

Petitioners (Plaintiffs below) seek review, by way of a petition for a writ of mandamus/prohibition, of a protective order entered by the District Court on the motion of the Director of the CIA.

Respondents (Federal defendants below) oppose the grant of the requested writ.

Respondents (Carrier defendants below) also oppose the grant of the requested writ.

* * *

These representations are made in order that the Judges of this Court, inter alia,^{*/} may evaluate possible disqualification or recusal.

Elizabeth Gere Whitaker
ELIZABETH GERE WHITAKER
Attorney of record for
Respondents (Federal defendants
below)

*/ Although they were sued in their individual capacities by the Amended Complaint, several of the Federal defendants have not yet been served. The insufficiency of the service of process and lack of in personam jurisdiction, inter alia, will be presented to the District Court by motion.

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 77-1313

In re Adele Halkin, et al., Petitioners

ANSWER TO PETITION FOR
MANDAMUS/PROHIBITION

TABLE OF CONTENTS

	<u>Page:</u>
TABLE OF CASES AND AUTHORITIES	ii
STATEMENT OF ISSUES PRESENTED	1
STATEMENT OF FACTS	2
SUMMARY OF ARGUMENT	5
ARGUMENT	5
I. MANDAMUS CANNOT BE USED AS A SUBSTITUTE FOR APPEAL FROM THE DISCRETIONARY ORDER ENTERED BY THE DISTRICT COURT	5
II. THE DISTRICT COURT'S ORDER WAS A REASONABLE EXERCISE OF ITS DISCRETION IN IMPLEMENTING LOCAL RULE 1-27(d) AND THE FEDERAL RULES OF CIVIL PROCEDURE	16
III. NEITHER LOCAL RULE 1-27(d) NOR THE DISTRICT COURT'S APPLICATION OF IT IS VIOLATIVE OF THE FIRST AMENDMENT .	26
CONCLUSION	34

TABLE OF CASES AND AUTHORITIES

<u>Cases:</u>	<u>Page:</u>
<u>*Bankers Life & Cas. Co. v. Holland,</u> 346 U.S. 3792 (1953)	7
<u>Bivens v. Six Unknown Named Agents of</u> <u>the Federal Bureau of Narcotics,</u> 403 U.S. 388 (1971)	2
<u>Bridges v. California,</u> 314 U.S. 252 (141)	9
<u>Carroll v. President and Commissioners</u> <u>of Princess Anne,</u> 393 U.S. 175 (1968)	9
<u>C.B.S. v. Young,</u> 522 F. 2d 234 (6th Cir. 1975)	26,32
<u>Chase v. Robson,</u> 435 F. 2d 1059 (7th Cir. 1970)	31
<u>Chicago Council of Lawyers v. Bauer,</u> 522 F. 2d 242 (7th Cir. 1975), cert. denied, 427 U.S. 912 (1976)	18,25,26,28,29 30,32
<u>*Colonial Times, Inc. v. Gasch,</u> U.S.App.D.C. _____, 509 F. 2d 517 (1975)	7,10,13,14
<u>*Dellums v. Powell,</u> U.S.App.D.C. _____, F. 2d _____ (D.C. Cir. Jan. 28, 1977)....	4,11,12,20,21
<u>Donnelly v. Parker,</u> 158 U.S.App.D.C. 335, 486 F. 2d 402 (1973)	7,11
<u>Harves v. Club Ecuestre El Commandante,</u> 535 F. 2d 140 (1st Cir. 1976)	16
<u>International Products Corporation</u> <u>v. Koons,</u> 325 F. 2d 403 (2nd Cir. 1963)	19,30
<u>*Kerr v. United States District Court for the</u> <u>Northern District of California,</u> 426 U.S.394 (1976)	11
<u>La Buy v. United States,</u> 352 U.S. 249 (1957) ...	11

*Cases and authorities chiefly relied upon are marked by asterisks.

<u>Cases:</u>	<u>Page:</u>
<u>Nader v. Butz</u> , Civil No. 148-72 (D.D.C., December 21, 1973)	25
* <u>National Right to Work Legal Defense v.</u> <u>Richey</u> , U.S.App.D.C. _____, 510 F. 2d 1239 (1975), <u>cert. denied</u> , 422 U.S. 1008 (1975)	7,9,11,12,13,
<u>Nebraska Press Association v. Stuart</u> , 427 U.S. 539 (1976)	31
<u>New York Times Co. v. United States</u> 403 U.S. 713 (1971)	9
* <u>Patterson v. Colorado</u> , 205 U.S. 454 (1907)	28
<u>Perlman v. United States</u> , 247 U.S. 7 (1918)	14
<u>Red Lion Broadcasting Co. v. F.C.C.</u> , 395 U.S. 367 (1969)	31
<u>Reliance Insurance Co. v. Barron's</u> , 45 U.S.L.W. 2454 (S.D.N.Y., April 5, 1977)	29,30,32
<u>Ryan v. United States</u> , 402 U.S. 530 (1971)	14
<u>In Re Sawyer</u> , 260 F. 2d 189 (9th Cir. 1958), rev'd on other grounds, 360 U.S. 622 (1959)	31
<u>Schlagenhauf v. Holder</u> , 379 U.S. 104 (1964)	7
* <u>Sheppard v. Maxwell</u> , 384 U.S. (1966)	31
<u>United States v. Anderson</u> , 150 U.S.App.D.C. 336, 464 F. 2d 1390 (1972)	9,14
<u>United States v. Coast of Maine Lobster Co.</u> , 538 F. 2d 895 (1st Cir. 1976)	22.
<u>United States v. Di Stefano</u> , 464 F. 2d 845 (2nd Cir. 1972)	12
<u>United States v. Tijerina</u> , 412 F. 2d 661 (10th Cir.), <u>cert. denied</u> , 396 U.S. 990 (1969)	31

Cases:Page:

<u>United States v. Simmons</u> , 476 F. 2d 33 (9th Cir. 1973)	16
<u>Will v. United States</u> , 389, U.S. 90 (1967)	7,8
<u>Wiss v. Weinberger</u> , 415 F. Supp. 293 (E.D. Pa. 1976)	16
* <u>Wolfe v. Froehlke</u> , 358 F. Supp. 1318 (D.D.C. 1973), <u>aff'd</u> , U.S.App.D.C. _____, 510 F. 2d 654 (1974)	27,28

Statutes and Regulations

* Local Rule 1-27(d)	1,6,12,17,18,21 23,27,30
28 U.S.C. § 1257(3)	9
28 U.S.C. § 1292(b)	9
F.R.Civ.P., Rule 26(c)	1,23
Rule 30	18,19
Rule 33	18,19
Rule 34	1,2,12,18,19,20
Rule 36	18,19

Miscellaneous

* Disciplinary Rules of the Code of Professional Responsibility, §§ 107(G) and (H)	4
Final Report of the Senate Select Committee to Study Government Operations with Respect to Intelligence Activities, S. Rep. No. 94-755, 94th Cong., 2d Sess. (1976)	16
Report to the President by the Commission on CIA Activities Within the United States (Rockefeller Commission Report)	16

Miscellaneous (Cont.)

Page:

Supplemental Report of the Committee on the
Operation of the Jury System on the
"Free Press-Fair Trial" Issue,
51 F.R.D. 135 (1970)

17

8 Wright & Miller, Federal Practice and
Procedure § 2207

20

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 77-1313

In re Adele Halkin, et al., Petitioners

ANSWER TO PETITION FOR
MANDAMUS/PROHIBITION

STATEMENT OF ISSUES PRESENTED

1. Whether, in an action for damages against individual defendants, mandamus can be used to review a District Court protective order prohibiting extra-judicial statements and comment about documents and information obtained through pretrial discovery, which interlocutory order was entered to protect the individuals' rights to a fair trial and which was entered in view of counsel's obligations under the Code of Professional Responsibility and District Court Local Rule 1-27(d)?

2. Whether the District Court acted within its discretion in entering a protective order pursuant to Local Rule 1-27(d) and Rules 26(c) and 34, F.R.Civ.P., under the above circumstances?

STATEMENT OF FACTS

The petitioners, who are ten individuals ^{1/} and seven organizations, instituted this lawsuit with allegations that investigative and intelligence activities of certain Government agencies--particularly NSA's Operation SHAMROCK and CIA's Operation CHAOS--violated their statutory and constitutional rights, including their right to engage in political activities in opposition to the Vietnam war. They seek an injunction, a declaratory judgment, and monetary damages in excess of one million dollars from the 27 present and former federal officials, whom they have named as defendants, and from three commercial communications common carriers. As an action for damages brought on statutory and Bivens ^{2/} theories of recovery, petitioners maintain the suit solely to compensate themselves for the defendants' alleged interference with their asserted statutory and constitutional rights.

^{1/} Petitioners' General Rule 8(c) certification omitted the Institute for Policy Studies, a plaintiff in District Court.

^{2/} Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971).

In the course of discovery petitioners sought production of documents by Rule 34, F.R.Civ.P., from the Central Intelligence Agency. After excision of information to protect the national security and the privacy interests of third persons not parties to the litigation, more than three thousand pages of documents were made available to petitioners in three installments. The individual defendants' names appear throughout documents that were made available to the petitioners.

The first installment of documents, which contained those documents submitted to this Court under seal, was released to petitioners and their counsel without any express constraints or caveats, but with the assumption that members of the bar practicing before the United States District Court for the District of Columbia were bound by its published rules and by the ABA Code of Professional Responsibility as interpreted by the District of Columbia Court of Appeals, and with the further assumption that counsel would abide by them. Those rules prohibit extra-judicial statements, other than a quotation from or reference to public records, if there is a reasonable likelihood that such dissemination would

interfere with a fair trial. [Local Rule 1-27(d); Disciplinary Rules of the Code of Professional Responsibility, §§ 107(G) and (H).]

However, upon notification by plaintiffs' counsel that they planned a press conference to release selected documents and a commentary on them, respondents immediately sought a protective order from the District Court. The protective order was sought to ensure an uncolored and unbiased climate including a fair trial, for the adjudication of all claims against the respondents. The respondents sought and continue to seek resolution of this lawsuit in the courts rather than in the public media.

On February 14, 1977, shortly after the entry of this Court's opinion in Dellums, et al. v. Powell, et al., ____ U.S.App.D.C. ____, ____ F. 2d ____, (D.C. Cir. Jan. 28, 1977), the District Court, upon consideration of all the pleadings and the petitioners' proposed press release, entered a protective order prohibiting extra-judicial comment on or disclosure of material not a part of the public record except in proceedings before the Court, until further order of the Court. The petitioners continued to inspect and copy documents after the Court entered its Protective Order on February 14, 1977, as that order did not impede or restrict the availability of documents for discovery.

SUMMARY OF ARGUMENT

Petitioners seek to have this Court review the entry by the District Court of a discovery order that implements a Local Rule of the District Court. Under the circumstances at bar the extraordinary relief of a writ of mandamus is inappropriate. Even assuming, arguendo, the availability of review by mandamus, petitioners have failed to demonstrate that the District Court's Order was inappropriate or in contravention of any rule of the District Court, the Federal Rules of Civil Procedure or the Constitution, or that the entry of the Order has in any manner impeded petitioners' ability to fully litigate their claims in a court of law whose jurisdiction they have invoked.

ARGUMENT

I. MANDAMUS CANNOT BE USED AS A SUBSTITUTE FOR APPEAL FROM THE DISCRETIONARY ORDER ENTERED BY THE DISTRICT COURT.

This matter arises from petitioners' discovery request in District Court for internal Central Intelligence Agency documents relating to Operation CHAOS. This request encompasses several thousand documents. Individually, the documents are not self-explanatory, but only provide fragments of a larger picture. Consequently, what these

documents reflect about Operation CHAOS and the defendants' actions normally would await development by the parties in their open record presentation through trial testimony and briefs.

Nevertheless, while the documents were still being produced, counsel for petitioners announced their intention to release a press statement on behalf of two organizations which are not parties to this litigation, the American Civil Liberties Union and the Center for National Security Studies. The stated purpose of the press release was to enable counsel to 'interpret' for the media what they had received. By counsel's letter of January 24, 1977, they further advised that they and their staff and consultants would be available ". . . to explain the significance of such documents, and to answer any questions from the public or press regarding such documents. . . ." [Pet. App. at 19.] Under these circumstances and in light of Local Rule 1-27(d), the District Court entered the protective order at issue here.

The threshold question is whether mandamus is available in this situation. The general rule, of course, is that piecemeal appeals are to be assiduously avoided, in view of the congressional policy that appeals should be had only after a final judgment or where certification of

an interlocutory appeal is appropriate under 28 U.S.C. § 1292(b). See generally, Will v. United States, 389 U.S. 90, 104 (1967); Donnelly v. Parker, 158 U.S.App.D.C. 335, 486 F. 2d 402, 408 (1973). As this Court recently cautioned along a similar vein:

. . . a final judgment is effective only if it deters mandamus petitions in the first place. So if there are to be exemptions to the final judgment rule, those exemptions should be indulged only in clearly and narrowly defined areas to maintain the wholesome deterrence of the final judgment rule.

Colonial Times, Inc. v. Gasch, ____ U.S.App.D.C. ____, 509 F. 2d 517, 523 (1975) [Footnote omitted].

In view of this policy, the availability of mandamus has always been restricted. Traditionally, mandamus has only been proper where the action of the district court amounted to a ". . . clear abuse of discretion or usurpation of judicial power'" Bankers Life & Cas. Co. v. Holland, 346 U.S. 379, 383 (1953) [Citation omitted]. More recently, both the Supreme Court and this Court have recognized that mandamus should also be available in limited circumstances for supervisory or advisory purposes. See generally, Schlagenhauf v. Holder, 379 U.S. 104 (1964); National Right to Work Legal Defense v. Richey, ____ U.S.App.D.C. ____, 510 F. 2d 1239

(1975), cert. denied, 422 U.S. 1008 (1975) [hereinafter Right to Work]. But regardless of the type of mandamus involved, the availability of the writ is independent of the existence of error vel non in the trial court's ruling:

Mandamus, it must be remembered, does not "run the gauntlet of reversible errors." Bankers Life & Cas. Co. v. Holland, 346 U.S. 379, 382 (1953). Its office is not to "control the decision of the trial court," but rather merely to confine the lower court to the sphere of its discretionary power. Id., at 383.

Will v. United States, supra, at 104.

Turning to the petition here, it is claimed that mandamus is appropriate in the traditional sense--that the District Court's entry of the protective order was an usurpation of judicial power or a clear abuse of discretion. [Pet. at 25.] This is so, petitioners contend, because the protective order violated their constitutional rights.

First, the ability of a party to allege that a trial court order violated his constitutional rights does not automatically entitle the party to appellate review, nor do the cases cited by petitioners support such an exception to the general policy against piecemeal

appeals. [Pet. at 26] ^{3/} To the contrary, this Court has previously recognized that discovery orders which allegedly violate constitutional rights are not appealable, at least prior to entry of an order of contempt. See United States v. Anderson, 150 U.S.App.D.C. 336, 464 F. 2d 1390, 1392 (1972); Right to Work, supra, at 1245. Likewise, petitioners cannot claim that the district court exceeded its power or abused its discretion simply by entering (in their view) an erroneous order. This theory was expressly rejected by the Supreme Court:

Acceptance of this semantic fallacy would undermine the settled limitations upon the power of an appellate court to review interlocutory orders. Courts faced with petitions for the peremptory writs must be careful lest they suffer themselves to be misled by labels such as "abuse of discretion" and "want of power" into interlocutory review of nonappealable orders on the mere ground that they may be erroneous.

Will v. United States, supra, at 98 n. 6; see also Bankers Life & Cas. Co. v. Holland, supra, at 383.

^{3/} Petitioners cite the concurring opinion of Justice Brennan in New York Times Co. v. United States, 403 U.S. 713, 725 (1971), which does not discuss mandamus; Carroll v. President and Commissioners of Princess Anne, 393 U.S. 175 (1968), which concerned an appeal pursuant to 28 U.S.C. § 1257(3); and Bridges v. California, 314 U.S. 252 (1941), which concerned an appeal from an order of contempt.

This was explained further in Colonial Times, where the Court wrote:

This view of "jurisdiction" errors suggests the possibility that a trial court has no jurisdiction to enter an erroneous ruling; but that suggestion has been specifically rejected. The concept of legal power to act implies not only a limitation on the type of error cognizable in mandamus (i.e. whether the court merely abused its discretion or instead acted in a manner in which it had no discretion to act) but also on the class of errors so cognizable. . . . As a general proposition, discovery orders are not jurisdictional and thus may not be reached under traditional concepts of mandamus except in the most extraordinary circumstances.

509 F. 2d at 523-24 [Footnotes omitted] [Emphasis in original].

Here, the District Court clearly had the power to enter a protective order. Not only was there a local rule of the district court which expressly provided restrictions on counsel in this situation (notably, petitioners do not argue the rule itself is unconstitutional), but the Court also had before it the proposed press statement and petitioners' avowed intention to continue to publicize their interpretations and comments.. Confronted with these circumstances, it cannot be said that entry of the protective order to preserve the right of fair trial constituted a clear abuse of discretion--

particularly in view of this Court's recent statement in

Dellums v. Powell, supra, that:

Disclosure because of the potential needs of litigation need not be made to the public and indeed in a case of this kind should be restricted to counsel, unless and until the documents are made a part of the public trial record.

[Slip Op. at 14.] See Kerr v. United States District Court for the Northern District of California, 426 U.S. 394, 403-04 (1976):

As stated previously, there are also supervisory and advisory concepts of mandamus, in addition to the traditional functions of the writ. Petitioners do not rely on these concepts, and it is submitted that both are inapplicable. The supervisory writ of mandamus is not available unless the district court has shown a ". . . persistent or deliberate disregard of limiting rules" Right to Work, supra, at 1243; see also, Donnelly v. Parker, supra, at 409 n. 29. For example in La Buy v. United States, 352 U.S. 249, 259-60 (1957), the Supreme Court agreed with the Seventh Circuit that mandamus was appropriate, where judges of the district court had consistently referred antitrust cases for trial before a master, contrary to repeated admonishment from the

court of appeals that the practice should be limited to unusual situations only.

There is no persistent or deliberate disregard of the rules here, however. ^{4/} The Local Rule relied upon by the District Court, Local Rule 1-27(d), specifically provides for restraints on extra-judicial statements of counsel to protect the right of fair trial. Indeed, Rule 34, itself, does not provide for automatic public filing of responses, unlike other rules of discovery. Thus, rather than showing a deliberate disregard of governing rules, the District Court's entry of the protective order concerned enforcement of a Local Rule. Consequently, the criteria for supervisory mandamus is not met.

Likewise, advisory mandamus is not available in this situation. Although advisory mandamus is available ". . . to clarify novel and important questions of law" [Right to Work, supra, at 1243], ^{5/} this Court cautioned

^{4/} See United States v. Di Stefano, 464 F. 2d 845, 850 (2nd Cir. 1972):

Will v. United States, 389 U.S. 90, 95, 104, 88 S.Ct. 269, 19 L.Ed. 2d 305 (1967), makes plain that mere error, even gross error in a particular case, as distinguished from a calculated and repeated disregard of governing rules, does not suffice to support issuance of the writ.

^{5/} Such advice already appears in the portion of Dellums v. Powell, supra, quoted above.

in Colonial Times that, "Not every issue of first impression or every 'basic, undecided' problem should be the basis for mandamus relief." 509 F. 2d at 525. Rather, advisory mandamus is appropriate

. . . only where the decision will serve to clarify a question that is likely to confront a number of lower court judges in a number of suits before appellate review is possible, as, for example, where the district judges are in error, doubt, or conflict of the meaning of a rule of procedure.

Right to Work, supra, at 1243 [Citations omitted]. There is little likelihood that this issue will arise frequently before appellate review can be had, however. Consequently, this situation is identical to that confronting this Court in Right to Work:

No deliberate avoidance of applicable rules or holdings is evident such as would justify supervisory mandamus--indeed, petitioners concede that this is a novel question. Petitioners rely principally on the concept of advisory mandamus in regard to this question, arguing that it is novel, and that it will determine whether the discovery--and consequent alleged First Amendment violations--goes forward in the manner ordered. The question is not, however, one likely of significant repetition prior to effective review, such as is required for advisory mandamus.

510 F. 2d at 1244 [Emphasis added].

Nor are there equitable reasons to support review by mandamus. Unlike the situation in Colonial Times, denial of the writ will not affect the record before the District

Court and, in the event of appellate review, before this Court. 510 F. 2d at 525. Indeed, petitioners here are asking that they be permitted to build a record before the press, not before the District Court, which is precisely what the local rule seeks to avoid.

Likewise, this is not a case where the petitioners lack any adequate means of appellate review. As this Court held in Right to Work: ". . . mandamus is neither necessary nor appropriate in the instant case since the order may be challenged through disobedience." 510 F. 2d at 1245. ^{6/} See also, Ryan v. United States, 402 U.S. 530, 533 (1971). And ". . . this principle extends even to the assertion of constitutional privilege." Ibid., citing United States v. Anderson, 150 U.S.App.D.C. 336, 462 F. 2d 1390 (1972).

* * *

The congressional policy against piecemeal appeals argues strongly against frequent use of the mandamus writ. As this Court stressed in Colonial Times

. . . if there are to be exemptions to the final judgment rule, those exemptions should be indulged only in clearly and narrowly defined areas to maintain the wholesome deterrence of the final judgment rule.

^{6/} This Court went on to distinguish the situation in Right to Work from the situation where the person who would have to risk contempt was not sufficiently interested in the issue to do so, citing Perlman v. United States, 247 U.S. 7 (1918) (custodian of property to be produced was a court clerk).

509 F. 2d at 523 [Footnote omitted]. Petitioners have given no reason why this principle should be abandoned here. In the absence of circumstances which would justify the exercise of this Court's traditional, supervisory, or advisory mandamus power over the trial court, the Court should conclude the writ is not available.

II. THE DISTRICT COURT'S ORDER WAS A REASONABLE EXERCISE OF ITS DISCRETION IN IMPLEMENTING LOCAL RULE 1-27(d) AND THE FEDERAL RULES OF CIVIL PROCEDURE.

Petitioners' counsel's announced intention of selectively releasing and commenting on documents produced pursuant to Rule 34, F.R.Civ.P., was a patent violation of Local Rule 1-27(d) of the Local Rules of the District Court for the District of Columbia. That rule expressly prohibits an attorney in a civil action from

. . . participat[ing] in making an extra-judicial statement [about evidence regarding the occurrence involved], other than a quotation from or reference to public records . . . if there is a reasonable likelihood that such dissemination will interfere with a fair trial. 7/

7/ The District of Columbia Court of Appeals has recently amended the Disciplinary Rules of the Code of Professional Responsibility, sections 107(G) and (H). The Court condemned newspaper publications by a lawyer ". . . as to pending or anticipated litigation [which] may interfere with a fair trial in the courts and otherwise prejudice the due administration of justice." [Pertinent portions are attached.]

The District Court in entering its Order of February 14, 1977 simply reduced the prohibitions of the Local Rule to a specific order of the District Court.

The District Court, of course, has a large measure of discretion in applying its Local Rules since those Rules are promulgated primarily to promote the efficiency of the court. United States v. Simmons, 476 F. 2d 33, 35 (9th Cir. 1973); Harves v. Club Ecuestre El Commandante, 535 F. 2d 140, 143-44 (1st Cir. 1976). "Noncompliance with any Local Rule is a practice to be strongly condemned and one which will be penalized if the circumstances warrant such action." Wiss v. Weinberger, 415 F. Supp. 293, 294 n. 4 (E.D. Pa. 1976).

The appropriateness of the District Court's Order is particularly apparent in the context of the entire litigation. The subject matter of petitioners' claims has already generated publicity and discussion. Both the Congress and a Presidential Commission have reviewed many of the activities referred to by petitioners in their complaint. [See Report to the President by the Commission on CIA Activities Within the United States (Rockefeller Commission Report); Final Report of the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities, S. Rep. No. 94-755, 94th Cong.

2d Sess. (1976).] Thus, the Court took cognizance not only of the complexity of the issues and the time needed to resolve those issues, but also the potential for exacerbating a highly charged and controversial issue. Accordingly, the District Court entered a narrowly drawn protective order to minimize the prejudicial effect of pretrial publicity and to prevent parties from abusing the judicial process by seeking discovery for non-litigation purposes.

That this particular Local Rule, Local Rule 1-27(d), had been given careful scrutiny, not just by this District Court, is of significance. This Local Rule is the result of a report on the "Free Press-Fair Trial" issue by a committee composed of twelve federal court judges from throughout the country. The report was ultimately adopted by the Judicial Conference of the United States.^{8/} Thus, Local Rule 1-27(d) has undergone serious study and review by jurists who must daily resolve problems of publicity, fair trials and the free press. Those jurists concluded

^{8/} Supplemental Report of the Committee on the Operation of the Jury System on the "Free Press-Fair Trial" Issue, chaired by the Honorable Irving R. Kaufman, 51 F.R.D. 135, 138 (1970), noting:

. . . civil litigants, as well as criminal, can be prejudiced in their right to a fair trial by out-of-court statements. [This provision] is based on, but is not identical with, paragraph (G) of Disciplinary Rule 7-107 of the ABA Code of Professional Responsibility.

that the language contained in Local Rule 1-27(d) was both necessary and proper. ^{9/}

Petitioners urge that there was no violation of the Local Rule because the documents were public records upon which they were permitted to comment. This argument is miscast in that documents provided to counsel pursuant to a Rule 34, F.R.Civ.P., request are not public documents, since responses to such requests are made only to counsel. The responses are not filed with the court and do not become a part of the court or public record until such time as a party seeks to introduce them into evidence or to rely on them in a pleading. In contrast, the other methods of discovering information set forth in the Federal Rules, including the taking of depositions under Rule 30, F.R.Civ.P., responding to interrogatories under Rule 33, F.R.Civ.P., and filing responses to requests for admissions under Rule 36, F.R.Civ.P., provide that such responsive material be filed with the Court and thus made a part of the public record.

Different treatment is accorded to discovered material under Rule 34 for a variety of reasons. In each of the other instances which require response to discovery requests (Rules 30, 33 and 36), the responses are prepared in an adversarial setting. No party is forced to respond without aid of counsel in framing suitable

^{9/} Although the United States Court of Appeals for The Seventh Circuit has reached a contrary conclusion in Chicago Council of Lawyers v. Bauer, 522 F. 2d 242, (7th Cir. 1975), cert. denied, 427 U.S. 912 (1976), respondents submit that this Court, faced with different facts, need not reach or adopt the Seventh Circuit's conclusion.

responses. ^{10/} However, in responding to a Rule 34 request, which is customarily very broad, ^{11/} a party has no opportunity to comment on or offer an explanation about any document, or its contents. Additionally, the party inspecting the proffered documents may pick and choose for copying and use only those documents which are helpful to his case. He may well not be interested in exculpatory documents, knowing that his opponent will, at time of trial, have ample opportunity to bring such documents to the Court or jury's attention. Thus, initial production under Rule 34 lacks the adversarial safeguards which attend Rules 30, 33 and 36. In addition, public filing of every document made available for inspection and copying would place an unmanageable physical burden on the court, its personnel and its storage facilities. It is for these reasons that responses to Rule 34 requests are

^{10/} In fact, one must obtain a special order of court under Rule 30, F.R.Civ.P., to preclude the public filing of a deposition. International Products Corporation v. Koons, 325 F. 2d 403 (2nd Cir. 1963).

^{11/} Rule 34 permits inspection and copying of any documents which are relevant to the subject matter of the litigation or which appear reasonably calculated to lead to the discovery of admissible evidence.

not automatically made a part of the public record. ^{12/}

This Court has recently recognized the intention of the Federal Rules to guard against potential harm to a litigant by premature public disclosure of documents which are produced to counsel in response to a discovery request, saying:

Disclosure because of the potential needs of litigation need not be made to the public, and indeed in a case of this kind should be restricted to counsel, unless and until the documents are made part of the public trial record.

Dellums v. Powell, supra, [Slip op. at 14] [Citation omitted] [Emphasis added]. In Dellums, the Court concluded that former President Nixon, whose taped presidential conversations were sought pursuant to a subpoena, would be entitled to a protective order. The Court further stated that Mr. Nixon would have an opportunity, prior to any public disclosure by those receiving material, ". . . to litigate the issue of need for public disclosure. . . ." Ibid. Here, similarly, the petitioners

^{12/} And, of course, documents produced pursuant to Rule 34 need only be produced for inspection and copying. Copies of all documents need not be physically given to an opposing party pursuant to a Rule 34 request. "If the request [for production] is granted, the inspection will take place without any involvement of the Court." 8 Wright & Miller, Federal Practice and Procedure § 2207.

have demonstrated no need for public statement or disclosures, nor have they been denied an opportunity to litigate an asserted need. Thus, not only did the petitioners fail to establish that the discovered documents were a part of the public record ^{13/} upon which they could comment, but they failed, in the District Court, to establish the requisite necessity for public disclosure, as required in Dellums, supra.

Assuming, arguendo, that petitioners could establish that these documents were part of the public record, their actions still exceeded the bounds of Local Rule 1-27(d), for the Rule permits only a "quotation from" or "reference to" public records. Petitioners' proposed press conference and press release clearly demonstrate that much more was contemplated. It is noted that there is considerable difficulty in identifying whether the interests herein are those of the petitioners or their counsel. For example, the proposed press release and comment were to be made by counsel, rather than the petitioners. It is respondents' position that the Local Rule, although

^{13/} Petitioners argue that these documents are public records because they are Central Intelligence Agency documents which could be obtained under the Freedom of Information Act. Simply because the documents may be obtained via another method does not make them public records.

applicable specifically to counsel, cannot be subverted by using a party as a spokesman for those things which counsel is prohibited from voicing. First, only selected documents were to be released by petitioners. The selectively, in itself, exercised by petitioners is prejudicial, since petitioners have intentionally chosen only documents which they believe support their allegations. The remaining fifty-two documents of the first installment, which may be exculpatory or explanatory of the respondents' actions, were retained by petitioners, and they elected not to comment on them. Such selective presentation of evidence cannot be construed as a "quotation from" or "reference to" public records. ^{14/}

^{14/} Additionally, respondents may believe that those remaining documents refute petitioners' conclusions. But, for the respondents to hold a "counter" press conference to assert their opinions would quickly lead to a degeneration of the litigation into a battle of press statements. Such a battle in no way advances the orderly disposition of the lawsuit.

As the United States Court of Appeals for the First Circuit has recently stated, the proper function of an attorney is

. . . to present his case in the courtroom, not to make extrajudicial statements interpreting or explaining the evidence, anticipating his own or his adversary's strategy, or attempting to build a favorable climate of opinion.

United States v. Coast of Maine Lobster Co., 538 F. 2d 899, 901-02 (1st Cir. 1976).

Second, the proposed press release is not merely a quotation or reference to public records. Instead, it is a series of arbitrary and highly colored inferences and characterizations. In many instances, petitioners' proposed commentary goes to the ultimate facts and conclusions to be resolved by the District Court. Such selective presentation of evidence and commentary thereon are not permitted by Local Rule 1-27(d).

Faced with a blatant disregard for the Local Rule, the District Court upon respondents' motion for a protective order, found that the entry of such an order was indeed justified. Although petitioners assert that the requirements of Rule 26(c), F.R.Civ.P., specifically the showing of good cause, were not met by respondents, the facts and the record indicate otherwise. As conceded by petitioners, subsections (5) and (6) of Rule 26(c) are available to shield a producing party from prejudicial publicity. [Pet. at 24]. Petitioners' proposed press release and comment clearly provided "good cause" for the entry of an order to restrict prejudicial publicity. That the release and comment would be prejudicial to defendants' right to a fair trial is similarly apparent from the face of the petitioners' proposed release and comment. The petitioners' announced course of action was specifically designed to generate a hostile atmosphere in a forum

(the press) within which the respondents could neither
respond nor defend themselves. ^{15/}

Moreover, petitioners overlook the fact that individuals are personally sued for recovery of money damages. Documents which have been produced contain, where they appear, the names of such individuals. To permit selective and colored commentary on the roles and actions of these individuals is tantamount to trying the issue of liability not at the time of trial before the District Court, but in the media, prior to presentation of all evidence. The individuals named as defendants, many of whom have not even been properly served with process, may have additional and independent reasons for non-disclosure of documents. Indeed, for a variety of reasons, the documents released in discovery may not be admissible at trial. As recognized by the District Court, the

^{15/} Petitioners (and their counsel) also made their proposed course of litigation very clear in their Opposition to the Protective Order, filed in the District Court in which they stated

. . . counsel and their associates
. . . should be free to set these
documents in context with information
disclosed in other forums and to express
their views on the significance of the
documents.

[Plaintiffs' Opp. at 15] [Emphasis added].

defendants should not be deprived of the right to timely present their objections to ensure their right to a fair trial.

Although petitioners are quick to point out that there has been no jury demand and thus, they claim, there is less likelihood of prejudicing potential jurors, prejudicial public disclosure can have a similar detrimental effect on the court in a bench trial. As the Seventh Circuit stated in Chicago Council of Lawyers v. Bauer, supra, at 256-57, "judges are human" and prejudicial material should be kept from coming to the attention of a judge in a bench trial for the same reasons it should be kept from a jury.

In sum, the District Court entered an order which was entirely proper and within its discretion to enforce the Local Rule, to maintain control over its own calendar of cases, and to ensure that the defendants receive a fair trial. ^{16/} As the Sixth Circuit has noted in an analagous case, the entry of such a non-disclosure ruling

^{16/} Former Chief Judge Jones of this District, in a similar situation, entered a protective order directing counsel not to publicly disclose material submitted to them under a request for documents ". . . unless and until such material is publicly filed with the Court" Nader v. Butz (D.D.C. Civil No. 148-72, December 21, 1973). (A copy is attached hereto).

may be necessary to achieve such ends for:

Every trial judge is charged with the primary responsibility of ensuring that the judicial proceedings over which he presides are carried out with decorum and dispatch and thus has a very broad discretion in ordering the day to day activities of his court.

C.B.S. v. Young, 522 F. 2d 234, 241 (6th Cir. 1975). ^{17/}

Here, as in the Sixth Circuit, a trial judge may take appropriate steps to ensure the integrity and dignity of proceedings in his or her court. The protective order which petitioners attack was a reasonable method of discharging the trial court's responsibility.

III. NEITHER LOCAL RULE 1-27(d) NOR THE DISTRICT COURT'S APPLICATION OF IT IS VIOLATIVE OF THE FIRST AMENDMENT.

Petitioners seek to endow the issue before this Court with constitutional dimensions, claiming that the District Court's application of the Local Rule is violative of the First Amendment. ^{18/} However, those

^{17/} Contrary to petitioners' characterizations of C.B.S. v. Young, supra, the Court did not condemn the use of non-disclosure orders in appropriate circumstances, but rather found the particular language in the non-disclosure order before it to be overbroad and thus unacceptable.

^{18/} It is unclear whether petitioners also attack the constitutionality of the Local Rule, for while they rely heavily on Chicago Council of Lawyers, supra, they stop short of arguing unconstitutionality of the Local Rule here. [Pet. at 21 n.3.]

constitutional overtones arise only from petitioners' desire to invest this Court with jurisdiction over and interest in resolution of this issue.

Succintly stated, petitioners' contention is that they have been precluded by the non-disclosure order ". . . from revealing to the public important new information about CIA surveillance programs . . ." [Pet. at 9.]

Petitioners label this prohibition as a "prior restraint" which they claim to be a violation of their First Amendment rights. ^{19/}

When faced with a similar contention, the District Court for the District of Columbia, in an opinion affirmed by this Court, stated

Plaintiffs raise an argument that because they seek files . . . which will contribute to the public knowledge and information they are somehow clothed with First Amendment interests in this case. This Court firmly rejects the effort to imply a Constitutional right to disclosure of Government files. . . . The First Amendment cannot be said to impose an affirmative duty on the part of the Government to assist in [that] research or to disclose Government files.

^{19/} Petitioners conceded in pleadings before the District Court that Local Rule 1-27(d) did not constitute a prior restraint. [Plaintiffs' Opposition to Motion for Protective Order at 13.]

Wolfe v. Froehlke, 358 F. Supp. 1318, 1321 (D.D.C. 1973),
aff'd, ____ U.S.App.D.C. ____, 510 F. 2d 654 (1974)

[Emphasis in original]. Similarly petitioners' asserted
"right" to disclose documents obtained in litigation does
not rise to the level of a Constitutional guarantee, nor
does the "right" to public disclosure serve any conceivable
need for a full adjudication of petitioners' claims. ^{20/} In
fact, petitioners have continued to inspect and copy docu-
ments just as they did before the protective order was entered.

Petitioners' asserted demand to disclose and comment
upon documents does, however, interfere with respondents'
right to a fair trial. It is a fundamental tenet of our
system of justice that

. . . the conclusions to be reached
in a case will be induced only by
evidence and argument in open
court, and not by any outside
influence, whether of private
talk or public print.

Patterson v. Colorado, 205 U.S. 454, 462 (1907). Moreover,
Chicago Council of Lawyers v. Bauer, supra, a case upon
which petitioners rely heavily, specifically rejects the
contention that nondisclosure orders constitute a prior
restraint forbidden by the First Amendment.

^{20/} Petitioners have not filed this lawsuit under any
"private attorney general theory" to assist the public.
Rather, relief is sought only on behalf of a narrow group of
persons and organizations claiming to have suffered personal
injury.

Id. at 247-9. ^{21/} Thus, petitioners' efforts to portray the District Court's order as a violation of their First Amendment rights is without legal foundation.

Even assuming that petitioners have some protectable First Amendment right, the Local Rule and the District Court's application of it do not contravene any constitutional guarantee. Petitioners again in this regard rely on Chicago Council of Lawyers, supra, which held a similar local rule unconstitutional because it was overbroad, for the proposition that this District Court's Local Rule is unconstitutional. Petitioners' argument ignores the fact that the Seventh Circuit was asked in the Chicago Council case for a general, non-specific review of the Local Rules of the District Court of the Northern District of Illinois pertaining to pretrial publicity in both civil and criminal cases. Such a general review by the court caused Judge Wyzanski to observe that

. . . the nature of this proceeding raises questions whether as a matter of discretion it is consistent with the prudent exercise of discretionary judicial power . . . for this Court

^{21/} Particularly instructive on this issue is the District Court's opinion in the Chicago Council of Lawyers case (Chicago Council of Lawyers v. Bauer, 371 F. Supp. 689 (N.D. Ill. 1974)), which was apparently adopted by the Court of Appeals. Counsel for petitioners orally advised undersigned counsel they will also rely on Reliance Insur. Co. v. Barron's, 45 U.S.L.W. 2454 (S.D.N.Y., Mar. 16, 1977), where the district court denied a protective order to prevent the defendants, a magazine and writer, from disclosing in a libel action information received pursuant to a Rule 34 request. The court ruled that the plaintiff had not established a need for the protective order, focusing in part on the fact that the defendants were an intrinsic part of (Footnote continued on following page)

to pass judgment upon imaginary cases sometimes scorned as "a parade of horrors."

Chicago Council of Lawyers, supra, 522 F. 2d at 259

(Wyzanski, J., concurring) [Emphasis in the original].

This Court, however, is presented with a specific breach by petitioners of the Local Rule that is likely to deprive the respondents of a fair trial. Under these circumstances, this Court can assess the impact of an extra-judicial statement.

The Court of Appeals for the Seventh Circuit's primary criticism of the district court's local rules lay with the standard enunciated in those rules which the circuit court found to be overbroad. That standard was, as it is in the District of Columbia District Court's Local Rule 1-27, that lawyers' comments about pending litigation must be proscribed if ". . . there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice." Chicago Council of Lawyers, supra, at 249. The Seventh Circuit, however, concluded that a "narrower and more restrictive standard" should apply. "Only those comments that pose a 'serious and imminent threat' of interference with the fair administration of justice can be constitutionally proscribed."

(Footnote continued from previous page)
the press and on the court's inability to enforce the requested protective order. But see Int'l. Products Corp. v. Koons, 325 F. 2d 403 (2nd Cir. 1963). Here, the need for an order has been demonstrated. That need is the fundamental right to a fair trial as contrasted with the asserted need in Reliance Insurance v. Barron's to protect business secrets.

Ibid. ^{22/} This is the standard which petitioners urge in the matter at bar, yet the "reasonable likelihood" standard is one whose language is taken verbatim from the guidance enunciated by the Supreme Court in its seminal opinion on prejudicial pretrial publicity, Sheppard v. Maxwell, 384 U.S. 333, 362-63 (1966), reaffirmed last term in Nebraska Press Association v. Stuart, 427 U.S. 539 (1976). In light of those two decisions, the "reasonable likelihood" standard is, in the Supreme Court's view, sufficiently narrow. See also United States v. Tijerina, 412 F. 2d 661, 666 (10th Cir. 1969), cert. denied, 396 U.S. 990 (1969) and In Re Sawyer, 260 F. 2d 189 (9th Cir. 1958), rev'd on other grounds, 360 U.S. 622 (1959) which held that the proper standard in forbidding extra-judicial statements was the "reasonable likelihood" standard. The standard embodied in Local Rule 1-27 is thus constitutionally acceptable.

Petitioners' final argument is that even if the Local Rule passes constitutional muster, the District Court's order applying it does not, again because of some constitutional infirmity. Assuming arguendo that the respondents must overcome a heavy presumption against the

^{22/} The Seventh Circuit Court thus reiterated a standard which it had previously enunciated in Chase v. Robson, 435 F. 2d 1059, 1061-1062 (7th Cir. 1970).

entry of a non-disclosure order, that burden has been met. First, petitioners have not demonstrated that the prosecution of their claims is any way injured by the order; and certainly they have not established that any such alleged injury outweighs the respondents' right to a fair trial (See pp. 17-18 supra.) Second, the District Court drew its order, in the given circumstances, in the narrowest manner possible.

The potential necessity for an order restricting comment was even recognized by the court in Chicago Council of Lawyers, supra, at 259--as long as the order was narrowly drawn. Accord C.B.S. v. Young, supra; Reliance Insurance Co. v. Barron's, 45 U.S.L.W. 2454 (S.D. N.Y. April 5, 1977). Here, the District Court's Order of non-disclosure was limited only to documents which are not a part of the public record. Petitioners are free to quote from or refer to all other pleadings and discovery materials. The coverage of the Order extends only to the parties and their counsel. It does not extend to "Court personnel, relatives and friends", C.B.S. v. Young, supra, nor does it extend to the media. It is apparent that the public's right to know, about which petitioners are concerned, is not substantially impaired. See Red Lion Broadcasting Co. v. F.C.C., 395 U.S. 367 (1969). The media as well as private citizens remain

unrestrained in their ability to comment on pending proceedings.

Finally, the duration of the Order is not excessive. It expires of course at the conclusion of the litigation. ^{23/} Petitioners state that this case will be in litigation for many months and that any delay in their ability to comment is violative of their rights. However, the longer the case is in litigation, the more extrajudicial comments and disclosures can be made and the greater the likelihood of prejudice to the respondents: it will be months before respondents can present their defense to a court of law. Under these circumstances non-disclosure during pendency of the litigation is reasonable.

^{23/} The District Court's Order does not preclude its modification before conclusion of the litigation.

CONCLUSION

For the foregoing reasons, this Court should deny petitioners' Petition for a Writ of Mandamus and/or Prohibition.

Respectfully submitted,


BARBARA ALLEN BABCOCK
Assistant Attorney General


DAVID J. ANDERSON

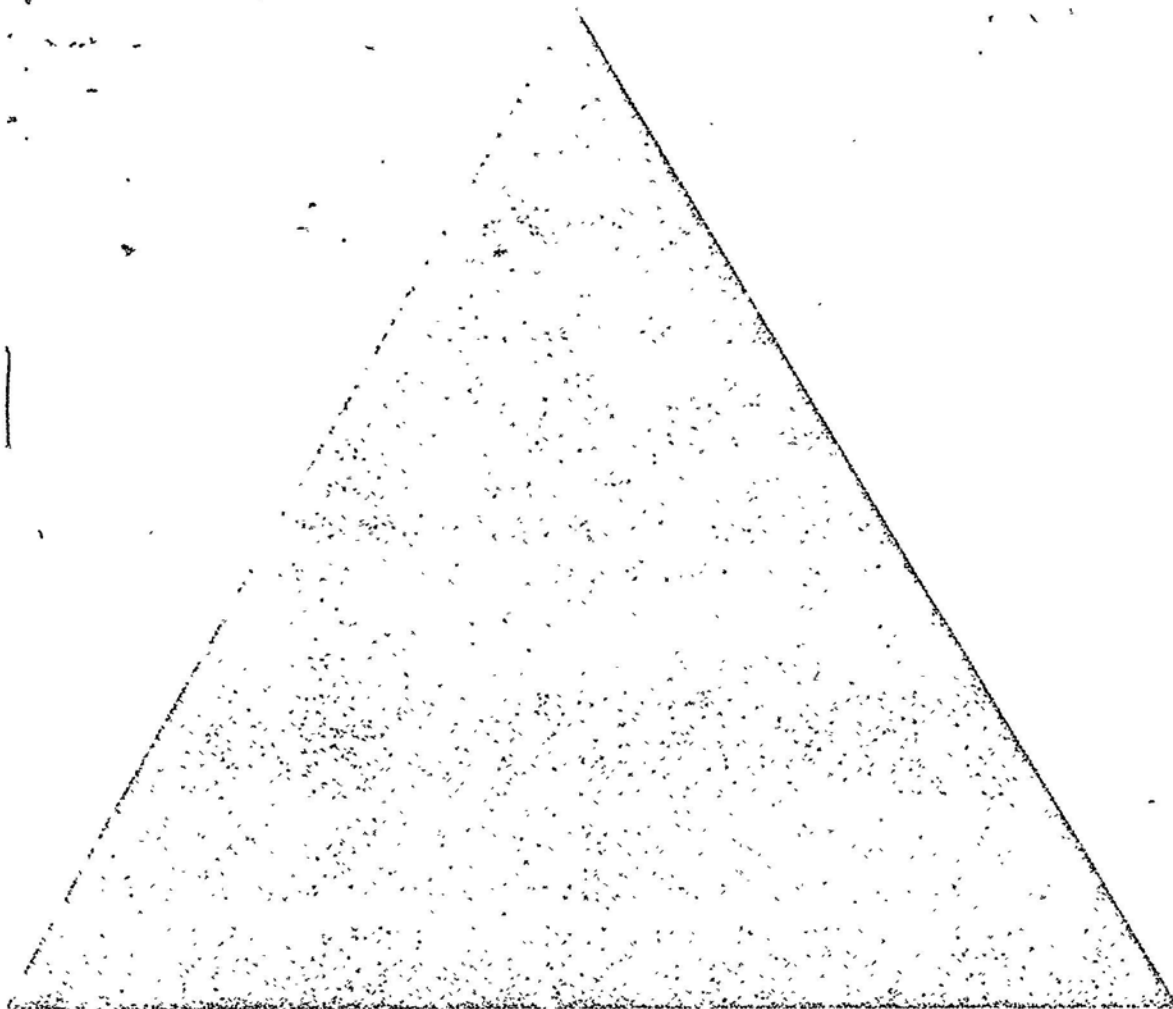

ELIZABETH GERT WHITAKER


GORDON W. DAIGER


LARRY L. GREGG

Attorneys, Department of
Justice
Attorneys for Respondents
(Federal Defendants)
Washington, D. C. 20530
Telephone: (202) 739-3953

April 25, 1977



CODE OF
PROFESSIONAL RESPONSIBILITY
AS AMENDED BY
THE DISTRICT OF COLUMBIA
COURT OF APPEALS

April 1, 1972

DISTRICT OF COLUMBIA COURT OF APPEALS

4. DR 2-105(A)(1) is amended to read as follows:

"(1) A lawyer admitted to practice before the United States Patent Office may use the designation 'Patents,' 'Patent Attorney,' or 'Patent Lawyer,' or any combination of those terms, on his letterhead and office sign. A lawyer engaged in the trademark practice may use the designation 'Trademarks,' 'Trademark Attorney,' or 'Trademark Lawyer,' or any combination of those terms, on his letterhead and office sign, and a lawyer engaged in the admiralty practice may use the designation 'Admiralty,' 'Proctor in Admiralty,' or 'Admiralty Lawyer,' or any combination of those terms, on his letterhead and office sign."

5. DR 2-108(B) is amended to read as follows:

"In connection with the settlement of a controversy or suit, a lawyer shall not enter into an agreement that restricts his right to practice law."

6. DR 7-102(B)(1) is amended to read as follows:

"(B) A lawyer who receives information clearly establishing that:

(1) His client has, in the course of the representation, perpetrated a fraud upon a person or tribunal shall promptly call upon his client to rectify the same."

7. DR 7-107(G) and (H) are deleted and in lieu thereof Canon 20 of the Canons of Professional Ethics is retained. Canon 20 reads as follows:

"20. Newspaper Discussion of Pending Litigation.

Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial in the Courts and otherwise prejudice the due administration of justice. Generally they are to be condemned. If the extreme circumstances of a particular case justify statement to the public, it is unprofessional to make it anonymously. An ex parte reference to the facts should not go beyond quotation from the records and papers on file in the court; but even in extreme cases it is better to avoid any ex parte statement."

8. There is added to the DEFINITIONS section a new subsection:

"7. 'A bar association representative of the general bar' includes a bar association of specialists as referred to in DR 2-105(A)(1) or (4)."

he has no counsel, of the existence of evidence, known to the prosecutor or other government lawyer, that tends to negate the guilt of the accused, mitigate the degree of the offense, or reduce the punishment.

DR 7-104 Communicating With One of Adverse Interest.⁷⁴

(A) During the course of his representation of a client a lawyer shall not:

- (1) Communicate or cause another to communicate on the subject of the representation with a party he knows to be represented by a lawyer in that matter unless he has the prior consent of the lawyer representing such other party⁷⁵ or is authorized by law to do so.
- (2) Give advice to a person who is not represented by a lawyer, other than the advice to secure counsel,⁷⁶ if the interests of such person are or have a reasonable possibility of being in conflict with the interests of his client.⁷⁷

DR 7-105 Threatening Criminal Prosecution.

(A) A lawyer shall not present, participate in presenting, or threaten to present criminal charges solely to obtain an advantage in a civil matter.

DR 7-106 Trial Conduct.

(A) A lawyer shall not disregard or advise his client to disregard a standing rule of a tribunal or a ruling of a tribunal made in the course of a proceeding, but he may take appropriate steps in good faith to test the validity of such rule or ruling.

(B) In presenting a matter to a tribunal, a lawyer shall disclose:⁷⁸

- (1) Legal authority in the controlling jurisdiction known to him to be directly adverse to the position of his client and which is not disclosed by opposing counsel.⁷⁹
- (2) Unless privileged or irrelevant, the identities of the clients he represents and of the persons who employed him.⁸⁰

(C) In appearing in his professional capacity before a tribunal, a lawyer shall not:

- (1) State or allude to any matter that he has no reasonable basis to believe is relevant to the case or that will not be supported by admissible evidence.⁸¹
- (2) Ask any question that he has no reasonable basis to believe is relevant to the case and that is intended to degrade a witness or other person.⁸²
- (3) Assert his personal knowledge of the facts in issue, except when testifying as a witness.
- (4) Assert his personal opinion as to the justness of a cause, as to the credibility of a witness, as to the culpability of a civil litigant, or as to the guilt or innocence of an accused;⁸³ but he may argue, on his analysis of the evidence, for any position or conclusion with respect to the matters stated herein.
- (5) Fail to comply with known local customs of courtesy or practice of the bar or a particular tribunal without giving to opposing counsel timely notice of his intent not to comply.⁸⁴
- (6) Engage in undignified or discourteous conduct which is degrading to a tribunal.
- (7) Intentionally or habitually violate any established rule of procedure or of evidence.

DR 7-107 Trial Publicity.⁸⁵

(A) A lawyer participating in or associated with the investigation of a criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that does more than state without elaboration:

- (1) Information contained in a public record.
- (2) That the investigation is in progress.
- (3) The general scope of the investigation including a description of the offense and, if permitted by law, the identity of the victim.
- (4) A request for assistance in apprehending a suspect or assistance in other matters and the information necessary thereto.
- (5) A warning to the public of any dangers.

(B) A lawyer or law firm associated with the prosecution or defense of a criminal matter shall not, from the time of the filing of a complaint, information, or indictment, the issuance of an arrest warrant, or

arrest until the commencement of the trial or disposition without trial, make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to:

- (1) The character, reputation, or prior criminal record (including arrests, indictments, or other charges of crime) of the accused.
- (2) The possibility of a plea of guilty to the offense charged or to a lesser offense.
- (3) The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement.
- (4) The performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests.
- (5) The identity, testimony, or credibility of a prospective witness.
- (6) Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case.

(C) DR 7-107 (B) does not preclude a lawyer during such period from announcing:

- (1) The name, age, residence, occupation, and family status of the accused.
- (2) If the accused has not been apprehended, any information necessary to aid in his apprehension or to warn the public of any dangers he may present.
- (3) A request for assistance in obtaining evidence.
- (4) The identity of the victim of the crime.
- (5) The fact, time, and place of arrest, resistance, pursuit, and use of weapons.
- (6) The identity of investigating and arresting officers or agencies and the length of the investigation.
- (7) At the time of seizure, a description of the physical evidence seized, other than a confession, admission, or statement.
- (8) The nature, substance, or text of the charge.
- (9) Quotations from or references to public records of the court in the case.
- (10) The scheduling or result of any step in the judicial proceedings.
- (11) That the accused denies the charges made against him.

(D) During the selection of a jury or the trial of a criminal matter, a lawyer or law firm associated with the prosecution or defense of a criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to the trial, parties, or issues in the trial or other matters that are reasonably likely to interfere with a fair trial, except that he may quote from or refer without comment to public records of the court in the case.

(E) After the completion of a trial or disposition without trial of a criminal matter and prior to the imposition of sentence, a lawyer or law firm associated with the prosecution or defense shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by public communication and that is reasonably likely to affect the imposition of sentence.

(F) The foregoing provisions of DR 7-107 also apply to professional disciplinary proceedings and juvenile disciplinary proceedings when pertinent and consistent with other law applicable to such proceedings.

(G) A lawyer or law firm associated with a civil action shall not during its investigation or litigation make or participate in making an extrajudicial statement, other than a quotation from or reference to public records, that a reasonable person would expect to be disseminated by means of public communication and that relates to:

- (1) Evidence regarding the occurrence of a transaction involved.
- (2) The character, credibility, or criminal record of a party, witness, or prospective witness.
- (3) The performance or results of any examinations or tests or the refusal or failure of a party to submit to such.
- (4) His opinion as to the merits of the claims or defenses of a party, except as required by law or administrative rule.

*See amendments p. 2

- (5) Any other matter reasonably likely to interfere with a fair trial of the action.

*(H) During the pendency of an administrative proceeding, a lawyer or law firm associated therewith shall not make or participate in making a statement, other than a quotation from or reference to public records, that a reasonable person would expect to be disseminated by means of public communication if it is made outside the official course of the proceeding and relates to:

- (1) Evidence regarding the occurrence or transaction involved.
- (2) The character, credibility, or criminal record of a party, witness, or prospective witness.
- (3) Physical evidence or the performance or results of any examinations or tests or the refusal or failure of a party to submit to such.
- (4) His opinion as to the merits of the claims, defenses, or positions of an interested person.
- (5) Any other matter reasonably likely to interfere with a fair hearing.

(I) The foregoing provisions of DR 7-107 do not preclude a lawyer from replying to charges of misconduct publicly made against him or from participating in the proceedings of legislative, administrative, or other investigative bodies.

(J) A lawyer shall exercise reasonable care to prevent his employees and associates from making an extrajudicial statement that he would be prohibited from making under DR 7-107.

DR 7-108 Communication with or Investigation of Jurors.

(A) Before the trial of a case a lawyer connected therewith shall not communicate with or cause another to communicate with anyone he knows to be a member of the venire from which the jury will be selected for the trial of the case.

(B) During the trial of a case:

- (1) A lawyer connected therewith shall not communicate with or cause another to communicate with any member of the jury.⁶¹
- (2) A lawyer who is not connected therewith shall not communicate with or cause another to communicate with a juror concerning the case.

(C) DR 7-108 (A) and (B) do not prohibit a lawyer from communicating with veniremen or jurors in the course of official proceedings.

(D) After discharge of the jury from further consideration of a case with which the lawyer was connected,

the lawyer shall not ask questions of or make comments to a member of that jury that are calculated merely to harass or embarrass the juror or to influence his actions in future jury service.⁶²

(E) A lawyer shall not conduct or cause, by financial support or otherwise, another to conduct a vexatious or harassing investigation of either a venireman or a juror.

(F) All restrictions imposed by DR 7-108 upon a lawyer also apply to communications with or investigations of members of a family of a venireman or a juror.

(G) A lawyer shall reveal promptly to the court improper conduct by a venireman or a juror, or by another toward a venireman or a juror or a member of his family, of which the lawyer has knowledge.

DR 7-109 Contact with Witnesses.

(A) A lawyer shall not suppress any evidence that he or his client has a legal obligation to reveal or produce.⁶³

(B) A lawyer shall not advise or cause a person to secrete himself or to leave the jurisdiction of a tribunal for the purpose of making him unavailable as a witness therein.⁶⁴

(C) A lawyer shall not pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent upon the content of his testimony or the outcome of the case.⁶⁵ But a lawyer may advance, guarantee, or acquiesce in the payment of:

- (1) Expenses reasonably incurred by a witness in attending or testifying.
- (2) Reasonable compensation to a witness for his loss of time in attending or testifying.
- (3) A reasonable fee for the professional services of an expert witness.

DR 7-110 Contact with Officials.⁶¹

(A) A lawyer shall not give or lend any thing of value to a judge, official, or employee of a tribunal.

(B) In an adversary proceeding, a lawyer shall not communicate, or cause another to communicate, as to the merits of the cause, with a judge or an official before whom the proceeding is pending, except:

- (1) In the course of official proceedings in the cause.
- (2) In writing if he promptly delivers a copy of the writing to opposing counsel or to the adverse party if he is not represented by a lawyer.
- (3) Orally upon adequate notice to opposing counsel or to the adverse party if he is not represented by a lawyer.
- (4) As otherwise authorized by law.⁶²

NOTES

1. "The right to be heard would be, in many cases, of little avail if it did not comprehend the right to be heard by counsel. Even the intelligent and educated layman has small and sometimes no skill in the science of law." *Powell v. Alabama*, 287 U.S. 45, 68-69, 77 L. Ed. 158, 170, 53 S. Ct. 55, 64 (1932).

2. Cf. ABA Canon 4.
"At times . . . [the tax lawyer] will be wise to discard some arguments and he should exercise discretion to emphasize the arguments which in his judgment are most likely to be persuasive. But this process involves legal judgment rather than moral attitudes. The tax lawyer should put aside private disagreements with Congressional and Treasury policies. His own notions of policy, and his personal view of what the law should be, are irrelevant. The job entrusted to him by his client is to use all his learning and ability to protect his client's rights, not to help in the process of promoting a better tax system. The tax lawyer need not accept his client's economic and social opinions, but the client is paying for technical attention and undivided concentration upon his affairs. He is equally entitled to performance unfettered by his attorney's economic and social predilections." *Paul, The Lawyer as a Tax Adviser*, 25 *Rocky Mt. L. Rev.* 412, 418 (1953).

3. See ABA Canons 15 and 32.
ABA Canon 5, although only speaking of one accused of crime, imposes a similar obligation on the lawyer: "[T]he lawyer is bound, by all fair and honorable means, to present every defense that the law of the land permits, to the end that no person may be deprived of life or liberty, but by due process of law."

"Any persuasion or pressure on the advocate which deters him from planning and carrying out the litigation on the basis of 'what, within the framework of the law, is best for my client's interest?' interferes with the obligation to represent the client fully within the law."

"This obligation, in its fullest sense, is the heart of the adversary process. Each attorney, as an advocate, acts for and seeks that which in his judgment is best for his client, within the bounds authoritatively established. The advocate

does not decide what is just in this case—he would be usurping the function of the judge and jury—he acts for and seeks for his client that which he is entitled to under the law. He can do no less and properly represent the client." *Thode, The Ethical Standard for the Advocate*, 39 *TEXAS L. REV.* 575, 584 (1961).

"The [Texas public opinion] survey indicates that distrust of the lawyer can be traced directly to certain factors. Foremost of these is a basic misunderstanding of the function of the lawyer as an advocate in an adversary system."

"Lawyers are accused of taking advantage of 'loopholes' and 'technicalities' to win. Persons who make this charge are unaware, or do not understand, that the lawyer is hired to win, and if he does not exercise every legitimate effort in his client's behalf, then he is betraying a sacred trust." *Rochelle & Payne, The Struggle for Public Understanding*, 25 *TEXAS B.J.* 109, 159 (1962).

"The importance of the attorney's undivided allegiance and faithful service to one accused of crime, irrespective of the attorney's personal opinion as to the guilt of his client, lies in Canon 5 of the American Bar Association Canon of Ethics."

"The difficulty lies, of course, in ascertaining whether the attorney has been guilty of an error of judgment, such as an election with respect to trial tactics, or has otherwise been actuated by his conscience or belief that his client should be convicted in any event. All too frequently courts are called upon to review actions of defense counsel which are, at the most, errors of judgment, not properly reviewable on habeas corpus unless the trial is a farce and a mockery of justice which requires the court to intervene. . . . But when defense counsel, in a truly adverse proceeding, admits that his conscience would not permit him to adopt certain customary trial procedures, this extends beyond the realm of judgment and strongly suggests an invasion of constitutional rights." *Johns v. Smith*, 176 F. Supp. 949, 952 (E.D. Va. 1959), *modified*, *United States ex rel. Watkins v. Banfill*, 205 F. Supp. 123, 128, n. 5 (E.D. Pa. 1962), *aff'd*, 325 F.2d 514 (3d Cir. 1963), *cert. denied*, 379 U.S. 847, 13 L. Ed. 2d 51, 85 S. Ct. 87 (1964).

* See amendments n. 2

which the lawyer expressly relies, which would reasonably be considered important by the judge sitting on the case.

"The test in every case should be: Is the decision which opposing counsel has overlooked one which the court should clearly consider in deciding the case? Would a reasonable judge properly feel that a lawyer who advanced, as the law, a proposition adverse to the undisclosed decision, was lacking in candor and fairness to him? Might the judge consider himself misled by an implied representation that the lawyer knew of no adverse authority?" *ABA Opinion 289* (1949).

80. "The authorities are substantially uniform against any privilege as applied to the fact of retainer or identity of the client. The privilege is limited to confidential communications, and a retainer is not a confidential communication, although it cannot come into existence without some communication between the attorney and the—at that stage prospective—client." *United States v. Pope*, 144 F.2d 773, 782 (2d Cir. 1944), cert. denied, 323 U.S. 752, 89 L. Ed. 2d 602, 65 S. Ct. 86 (1944).

"To be sure, there may be circumstances under which the identification of a client may amount to the prejudicial disclosure of a confidential communication, as where the substance of a disclosure has already been revealed but not its source." *Colton v. United States*, 306 F.2d 633, 637 (2d Cir. 1952).

81. See ABA CANON 22; cf. ABA CANON 17.

"The rule allowing counsel when addressing the jury the widest latitude in discussing the evidence and presenting the client's theories falls far short of authorizing the statement by counsel of matter not in evidence, or indulging in argument founded on no proof, or demanding verdicts for purposes other than the just settlement of the matters at issue between the litigants, or appealing to prejudice or passion. The rule confining counsel to legitimate argument is not based on etiquette, but on justice. Its violation is not merely an overstepping of the bounds of propriety, but a violation of a party's rights. The jurors must determine the issues upon the evidence. Counsel's address should help them do this, not tend to lead them astray." *Cherry Creek Nat. Bank v. Fidelity & Cas. Co.*, 207 App. Div. 787, 790-91, 202 N. Y. S. 611, 614 (1924).

82. Cf. ABA CANON 18.

"§6068. . . . It is the duty of an attorney:

"(f) To abstain from all offensive personality, and to advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which he is charged." CAL. BUSINESS AND PROFESSIONS CODE §6068 (West 1962).

83. "The record in the case at bar was silent concerning the qualities and character of the deceased. It is especially improper, in addressing the jury in a murder case, for the prosecuting attorney to make reference to his knowledge of the good qualities of the deceased where there is no evidence in the record bearing upon his character. . . . A prosecutor should never inject into his argument evidence not introduced at the trial." *People v. Dukes*, 12 Ill. 2d 334, 341, 146 N. E. 2d 14, 17-18 (1957).

84. "A lawyer should not ignore known customs or practice of the Bar or of a particular Court, even when the law

permits, without giving timely notice to the opposing counsel." ABA CANON 25.

85. The provisions of Sections (A), (B), (C), and (D) of this Disciplinary Rule incorporate the fair trial-free press standards which apply to lawyers as adopted by the ABA House of Delegates, Feb. 19, 1968, upon the recommendation of the Fair Trial and Free Press Advisory Committee of the ABA Special Committee on Minimum Standards for the Administration of Criminal Justice.

Cf. ABA CANON 20; see generally ABA ADVISORY COMMITTEE ON FAIR TRIAL AND FREE PRESS, STANDARDS RELATING TO FAIR TRIAL AND FREE PRESS (1966).

"From the cases coming here we note that unfair and prejudicial news comment on pending trials has become increasingly prevalent. Due process requires that the accused receive a trial by an impartial jury free from outside influences. Given the pervasiveness of modern communications and the difficulty of effacing prejudicial publicity from the minds of the jurors, the trial courts must take strong measures to ensure that the balance is never weighed against the accused. And appellate tribunals have the duty to make an independent evaluation of the circumstances. Of course, there is nothing that prescribes the press from reporting events that transpire in the courtroom. But where there is a reasonable likelihood that prejudicial news prior to trial will prevent a fair trial, the judge should continue the case until the threat abates, or transfer it to another county not so permeated with publicity. . . . The courts must take such steps by rule and regulation that will protect their processes from prejudicial outside interferences. Neither prosecutors, counsel for defense, the accused, witnesses, court staff nor enforcement officers coming under the jurisdiction of the court should be permitted to frustrate its function. Collaboration between counsel and the press as to information affecting the fairness of a criminal trial is not only subject to regulation, but is highly censurable and worthy of disciplinary measures." *Sheppard v. Maxwell*, 384 U.S. 333, 362-63, 16 L. Ed. 2d 600, 620, 86 S. Ct. 1507, 1522 (1966).

86. See ABA CANON 23.

87. "[I]t would be unethical for a lawyer to harass, entice, induce or exert influence on a juror to obtain his testimony." *ABA Opinion 319* (1968).

88. See ABA CANON 5.

89. Cf. ABA CANON 5.

"Rule 15. . . . A member of the State Bar shall not advise a person, whose testimony could establish or tend to establish a material fact, to avoid service of process, or secrete himself, or otherwise to make his testimony unavailable." CAL. BUSINESS AND PROFESSIONS CODE §6076 (West 1962).

90. See *In re O'Keefe*, 49 Mont. 369, 142 P. 638 (1914).

91. Cf. ABA CANON 3.

92. "Rule 16. . . . A member of the State Bar shall not, in the absence of opposing counsel, communicate with or argue to a judge or judicial officer except in open court upon the merits of a contested matter pending before such judge or judicial officer; nor shall he, without furnishing opposing counsel with a copy thereof, address a written communication to a judge or judicial officer concerning the merits of a contested matter pending before such judge or judicial officer. This rule shall not apply to ex parte matters." CAL. BUSINESS AND PROFESSIONS CODE §6076 (West 1962).

CANON 8

A Lawyer Should Assist in Improving the Legal System

ETHICAL CONSIDERATIONS

EC 8-1 Changes in human affairs and imperfections in human institutions make necessary constant efforts to maintain and improve our legal system.¹ This system should function in a manner that commands public respect and fosters the use of legal remedies to achieve redress of grievances. By reason of education and experience, lawyers are especially qualified to recognize deficiencies in the legal system and to initiate corrective measures therein. Thus they should participate in proposing and supporting legislation and programs to improve the system,² without regard to the general interests or desires of clients or former clients.³

EC 8-2 Rules of law are deficient if they are not just, understandable, and responsive to the needs of society. If a lawyer believes that the existence or absence of a rule of law, substantive or procedural, causes or contributes to an unjust result, he should endeavor by lawful means to obtain appropriate changes in the law. He should encourage the simplification of laws and the repeal or amendment of laws that are outmoded.⁴ Likewise, legal procedures should be improved whenever experience indicates a change is needed.

EC 8-3 The fair administration of justice requires the availability of competent lawyers. Members of the public should be educated to recognize the existence of legal problems and the resultant need for legal services, and should be provided method, for intelligent selection of counsel. Those persons unable to pay for legal services should be provided needed services. Clients and lawyers should not be penalized by undue geographical restraints upon representation in legal matters, and the bar should address itself to improvements in licensing, reciprocity, and admission procedures consistent with the needs of modern commerce.

EC 8-4 Whenever a lawyer seeks legislative or administrative changes, he should identify the capacity in which he appears, whether on behalf of himself, a client, or the public.⁵ A lawyer may advocate such changes on behalf of a client even though he does not agree with them. But when a lawyer purports to act on behalf of the public, he should espouse only those changes which he conscientiously believes to be in the public interest.

EC 8-5 Fraudulent, deceptive, or otherwise illegal con-

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

RALPH NADER, et al.,
Plaintiffs,

JAMES F. DAVEY, Clerk

v.

CIVIL ACTION NO. 148-72

EARL BUTZ, et al.,
Defendants.

PROTECTIVE ORDER

This matter having come before the Court at a hearing on December 19, 1973, and defendants having orally moved for a protective order which would prohibit the premature disclosure by counsel of material furnished under subpoena in this case but not yet publicly filed with the Court, and counsel for plaintiffs having indicated that plaintiffs offered no objection to said motion as limited, and the Court finding that good cause exists for the issuance of such an order, it is, therefore, this 21st day of December 1973 hereby

ORDERED

That counsel in this case are directed not to publicly disclose material submitted to them under subpoena unless and until such material is publicly filed with the Court in some appropriate manner or otherwise appropriately utilized in this judicial proceeding.



W. J. Jones
UNITED STATES DISTRICT JUDGE

145-8-909
DEPARTMENT

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 77-1313

IN RE ADELE HALKIN, ET AL.

CERTIFICATE OF SERVICE

On April 25, 1977, two copies each of the attached Answer to Petition for Mandamus/Prohibition were served by prepaid first class mail upon counsel for the petitioners, Mark H. Lynch, Esq., 2000 P Street, N.W., Washington, D.C., 20036; upon the Honorable June L. Green, United States District Judge, Room 2333 United States Courthouse, Washington, D.C., 20001; and upon the following counsel for co-respondents:

Charles P. Sifton, Esq.
LeBoeuf, Lamb, Leiby & MacRae
140 Broadway
New York, New York 10005

Alvin K. Hellerstein, Esq.
Stoock & Stroock & Lavan
61 Broadway
New York, New York 10006

H. Richard Schumacher, Esq.
Cahill, Gordon & Reindel
80 Pine Street
New York, New York 10005

Donald J. Mulvihill, Esq.
Cahill, Gordon & Reindel
1819 H Street, N.W.
Washington, D.C. 20006

Gordon W. Daiger
GORDON W. DAIGER
Attorney, Department of Justice

Attorney Respondents (Federal
Defendants below)
Washington, D.C. 20530
Telephone: 202/739-3688

Envelope only
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/8/89 BY SPUELW/KCA
SA7 CLO/AM
6/26/94 CIA # 88-1826

ENCLOSURE

62-116878-35X

B. Preliminary and permanent injunctions enjoining the defendants from engaging in the activities declared to be illegal and unconstitutional;

C. A mandatory injunction or writ of mandamus ordering the defendants to produce before the Court, for delivery to the plaintiffs and members of their class for destruction, all files, reports, records, photographs, data computer tapes and cards, and all other materials derived from defendants' illegal and unconstitutional activities relating to plaintiffs and all other persons similarly situated;

D. Each named plaintiff and member of the plaintiff class have judgment against each defendant in the sum of \$100.00 per day of procurement of interception, divulgence and use, and interception, divulgence and use of the plaintiffs' wire, cable or radio communications, as liquidated damages pursuant to Title 18, United States Code Section 2520 and Title 47, United States Code, Section 605.

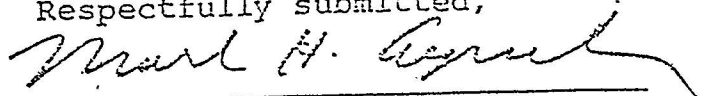
E. Each named plaintiff and member of the plaintiff class have judgment against each defendant in a sum to be determined by the Court for violation of plaintiffs' First, Fourth, Fifth and Ninth Amendment rights.

F. Recovery in the amount of \$50,000 punitive damages for the willful violation of constitutional rights for each plaintiff and each member of the plaintiff class.

G. The reasonable costs of this action and attorneys' fees of plaintiffs.

H. Such other and further relief as the Court shall deem just and proper.

Respectfully submitted,



Mark H. Lynch
John H. F. Shattuck
American Civil Liberties Union
Foundation
600 Pennsylvania Ave., S.E.
Suite 301
Washington, D.C. 20003
(202) 544-1681

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SECOND AMENDED COMPLAINT

✓ ADELE HALKIN
14 West Elm Street
Apartment 1104
Chicago, Illinois 60611
(312) 664-5930;
✓ STEVE HALLIWELL
30 Loomis Street
Montpelier, Vermont 05602
(802) 223-3501;

✓ DON LUCE
159 Second Avenue
Apartment #1
New York, New York 10032
(212) 677-5262;

✓ JOHATHAN MIRSKY
Thetford, Vermont 05074
(802) 785-2042;

✓ SIDNEY PECK
15 Farrar Street
Cambridge, Mass. 02138
(617) 547-3849;

✓ DANIEL SCHECHTER
38 Dartmouth Street
Somerville, Mass. 02145
(617) 266-1111;

✓ ETHEL TAYLOR
41 Conshohocken State Rd.
Apartment 714
Bala Cynwyd, Pa. 19004
(215) 644-5646;

~~CORA WEISS~~
~~5022 Waldo Road~~
~~Riverdale, New York 10471~~
~~(212) 490-3910~~

~~AMERICAN FRIENDS SERVICE COMMITTEE, INC.~~

~~1501 Cherry Street~~
~~Philadelphia, Pennsylvania 19102~~
~~(215) 241-7000;~~

~~CLERGY AND LAITY CONCERNED~~
~~198 Broadway~~

~~New York, New York 10038~~
~~(212) 964-6730;~~

✓ COMMITTEE OF CONCERNED ASIAN SCHOLARS,
c/o Angus McDonald, National Coordinator,
614 Social Science Building,
University of Minnesota,
Minneapolis, Minn. 55455
(612) 378-2571;

✓ WOMEN STRIKE FOR PEACE
145 South 13th Street, Room 407
Philadelphia, Pa. 19107
(215) 923-0861;

✓ NINA S. ADAMS
1717 South Whittier Avenue
Springfield, Illinois 62704
(217) 528-7247;

✓ LEONARD PALMER ADAMS, II
1717 South Whittier Avenue
Springfield, Illinois 62704
(217) 528-7247;

✓ DAVID F. ADDLESTONE
2301 - 39th Street, N.W.
Washington, D.C. 20007
(202) 338-3877;

Civil Action
No. 75-1773

FILED

JUL 28 1977

JAMES E. DAVEY, CLERK

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/94 BY SP7 CCA/aw

C.A. # 88-1826
CIA INFO. IS UNCLASSIFIED
PER CIA REVIEW OF 6/21/94

~~SAMUEL W. BROWN, JR.~~
~~2226 Decatur Place, N.W.~~
~~Washington, D.C. 20006~~
~~(202) 254-3120;~~
~~HOWARD J. DE NIKE~~
~~700 - 27th Street~~
~~San Francisco, Calif. 94102~~
~~(415) 282-3576;~~
~~DOLORES A. DONOVAN~~
~~69 Elsie Street~~
~~San Francisco, Calif. 94110~~
~~(415) 821-1043;~~
~~THE REV. THOMAS L. HAYES~~
~~Bath Road~~
~~R.D. #1~~
~~Dundee, New York 14837~~
~~(607) 292-3842;~~
~~PATRICIA FITTS JACOBSON~~
~~1915 McIntyre Drive~~
~~Ann Arbor, Michigan 48105~~
~~(313) 769-4733;~~
~~CARL WHITNEY JACOBSON~~
~~1915 McIntyre Drive~~
~~Ann Arbor, Michigan 48105~~
~~(313) 769-4733;~~
~~BRENNON JONES~~
~~142 East 27th Street~~
~~New York, New York 10016~~
~~(212) 685-5913;~~
~~LEIGH KAGAN~~
~~1395 Englewood Avenue~~
~~St. Paul, Minnesota 55104~~
~~(612) 644-8800;~~
~~RICHARD CLARK KAGAN~~
~~1395 Englewood Avenue~~
~~St. Paul, Minnesota 55104~~
~~(612) 644-8800;~~
~~ANGUS W. MC DONALD, JR.~~
~~1056 - 13th Avenue, S.E.~~
~~Minneapolis, Minnesota 55414~~
~~(612) 387-2571;~~
~~HUGH I. MANKE~~
~~20 Second Avenue~~
~~Branford, Connecticut 06405~~
~~(203) 481-4526;~~
~~DAVID GARETH PORTER~~
~~235 Emerson Street, N.W.~~
~~Washington, D.C. 20011~~
~~(202) 726-9455;~~
~~JOSEPH REMCHO~~
~~2516 Nason Avenue~~
~~El Cerrito, California 94530~~
~~(415) 237-6471;~~
~~GEORGE WILLIAMS WEBBER~~
~~315 East 106th Street~~
~~Apartment 20-B~~
~~New York, New York 10029~~
~~(212) TE 1-1082;~~
~~MARTHA KENDELL WINNEGAR~~
~~1404 Berkeley Way~~
~~Berkeley, California 94702~~
~~(415) 841-1439;~~
~~RAUL M. WINNEGAR~~
~~1404 Berkeley Way~~
~~Berkeley, California 94702~~
~~(415) 841-1439;~~

Plaintiffs,

v.

RICHARD HELMS)
Department of State)
United States Embassy)
Teheran, Iran;)
JAMES R. SCHLESINGER)
Department of Defense)
The Pentagon)
Washington, D.C. 20301;)
RUFUS N. TAYLOR)
90-A North Lake View Drive)
Whispering Pines, North Carolina 28389;)
ROBERT E. CUSHMAN, JR.)
Commandant of the Marine Corps,)
Navy Department)
Washington, D.C. 20380;)
VERNON A. WALTERS)
22955 Ocean Boulevard)
Palm Beach, Florida 33480;)
WILLIAM E. COLBY)
Central Intelligence Agency)
Washington, D.C. 20505;)
CORD MEYER, JR.)
Central Intelligence Agency)
Washington, D.C. 20505;)
JAMES J. ANGLETON)
4814 - 33rd Road)
North Arlington, Va. 22210;)
WILLIAM HOOD,)
4450 South Park Avenue)
Chevy Chase, Maryland;)
RICHARD OBER)
Old Executive Office Building)
Washington, D.C. 20505;)
HOWARD OSBORN)
6803 East Avenue)
Chevy Chase, Maryland 20015;)
JAMES MURPHY)
Central Intelligence Agency)
Washington, D.C. 20505;)
MARSHALL CARTER)
c/o U.S. Milpercen)
200 Stovall Street)
Alexandria, Virginia 22332)
Attn. DAPC-PAS-A;)
NOEL GAYLER)
Department of the Navy)
The Pentagon)
Washington, D.C. 20301;)
SAMUEL C. PHILLIPS)
Department of the Air Force)
The Pentagon)
Washington, D.C. 20301;)
LEW ALLEN, JR.)
National Security Agency)
Fort Meade, Maryland;)
LOUIS W. TORDELLA)
9518 E. Stanhope Road)
Kensington, Maryland 20795;)
L. PATRICK GRAY, III)
325 State Street)
New London, Conn. 06320;)
CLARENCE KELLEY)
Director, Federal Bureau of Investigation)
Washington, D.C.;)
JAMES J. ROWLEY)
9615 Glencrest Lane)
Kensington, Maryland 20795;)

H. STUART KNIGHT
Director, U.S. Secret Service
Department of the Treasury
Washington, D.C.;
JOSEPH CARROLL
7306 Rippon Road
Alexandria, Virginia;
DONALD BENNETT
c/o Defense Intelligence Agency
The Pentagon
Washington, D.C. 20301;
VINCENT DE POIX
2782 N. Wakefield
Arlington, Virginia;
WESTERN UNION INTERNATIONAL, INC.
2100 M Street, N.W.
Washington, D.C.;
RCA GLOBAL COMMUNICATIONS, INC.
60 Broad Street
New York, N.Y. 10004;
ITT WORLD COMMUNICATIONS, INC.
67 Broad Street
New York, N.Y. 10004;
JOHN DOE, RICHARD ROE and other unknown
agents and employees of the United
States Government.

Defendants.

Plaintiffs, by their attorneys, allege as follows for their Second Amended Complaint:

JURISDICTION

1. This is a civil action for declaratory and injunctive relief and money damages, arising under the First, Fourth, Fifth and Ninth Amendments to the Constitution; Title 18, United States Code, Sections 2510-2520; and Title 47, United States Code, Section 605; and Title 50 United States Code, Section 403(d)(3). The jurisdiction of this Court is predicated on Title 18, United States Code, Section 2520; Title 28, United States Code, Sections 1331(a), 1343(4) and 1361; Title 47, United States Code, Section 605; Title 42, United States Code, Section 1985(3); and the First, Fourth, Fifth and Ninth Amendments to the Constitution.

2. The matter in controversy, exclusive of interests and costs, exceeds \$10,000.

PARTIES

3. Plaintiffs:

a. ADELE HALKIN is an American citizen and a member of Women Strike for Peace.

b. STEVE HALLIWELL is an American citizen, a former officer of Students for a Democratic Society and a founding member of the Committee for Liaison with Families of Servicemen Detained in Vietnam.

c. DON LUCE is an American citizen and Executive Director of Clergy and Laity Concerned.

d. JONATHAN MIRSKY is an American citizen and from 1963 to the present he has been a leader of anti-war activities.

e. SIDNEY PECK is an American citizen, a former Co-chairperson of the National Mobilization Committee to End the War in Vietnam and the former National Coordinator of People's Coalition for Peace and Justice.

f. DANIEL SCHECHTER is an American citizen formerly associated with Ramparts Magazine and the Africa Research Group, and a participant in various anti-war activities over the last decade.

g. ETHEL TAYLOR is an American citizen and the National Coordinator of Women Strike for Peace.

h. CORA WEISS is an American citizen, a leader of Women Strike for Peace, a former Co-chairperson of the New Mobilization Committee to End the War in Vietnam, a member of the Board of Directors of Clergy and Laity Concerned and a former Co-chairperson of the Committee of Liaison with Families of Servicemen Detained in Vietnam.

i. THE AMERICAN FRIENDS SERVICE COMMITTEE, INC. (AFSC) is a non-profit corporation dedicated to furthering the historic peace testimony and the social aims of the several branches of the Religious Society of Friends.

j. CLERGY AND LAITY CONCERNED (CALC) is a non-profit interfaith peace organization which has protested U.S. involvement in the Indochina War since 1965.

k. The COMMITTEE OF CONCERNED ASIAN SCHOLARS (CCAS) is a non-profit organization dedicated to opposing American intervention in the internal affairs of countries in Southeast Asia.

l. WOMEN STRIKE FOR PEACE is a non-profit organization dedicated to anti-war activities, including activities to end the war in Indochina.

m. NINA S. ADAMS is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

n. LEONARD PALMER ADAMS, II is an American citizen and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

o. DAVID F. ADDLESTONE is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

p. SAMUEL W. BROWN, JR. is an American citizen, and at times material to the complaint was an organizer of the Vietnam Moratorium Committee.

q. HOWARD J. DE NIKE is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

r. DOLORES A. DONOVAN is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

s. THE REV. THOMAS L. HAYES is an American citizen, and at times material to the complaint was employed by Clergy and Laity Concerned and conducted a ministry to draft resisters and deserters in Sweden.

t. PATRICIA FITTS JACOBSON is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

u. CARL WHITNEY JACOBSON is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of

Operation CHAOS.

v. BRENNON JONES is an American citizen, and at times material to the complaint worked for Vietnam Christian Service, Dispatch News Service, the Indochina Mobile Education Project, and was an associate producer of Hearts and Minds, an Academy Award winning film about Vietnam.

w. LEIGH KAGAN is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS. She has also received documents from the CIA under the Freedom of Information Act which indicate that she was a target of Operation CHAOS.

x. RICHARD CLARK KAGAN is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS. He has also received documents from the CIA under the Freedom of Information Act which indicate that he was a target of Operation CHAOS.

y. ANGUS W. MC DONALD, JR. is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

z. HUGH I. MANKE is an American citizen, and at times material to the complaint was a member and subsequently Director of International Voluntary Services' Vietnam Team.

aa. DAVID GARETH PORTER is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, a correspondent with Dispatch News Service, and a co-director of the Indochina Resource Center.

bb. JOSEPH REMCHO is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

cc. MARTHA KENDALL WINNEGAR is an American citizen, and at times material to the complaint was a member of the

Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

dd. PAUL M. WINNEGAR is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

4. Defendants:

a. Defendant RICHARD HELMS is the United States Ambassador to Iran and was Director of the Central Intelligence Agency (hereinafter sometimes "CIA") from 1966 to 1973.

b. Defendant JAMES R. SCHLESINGER was Secretary of Defense from August 1973 to November 1975 and Director of the CIA from February to July 1973.

c. Defendant RUFUS N. TAYLOR is a Vice Admiral in the U.S. Navy and was Deputy Director of the CIA from 1966 to 1969.

d. Defendant ROBERT E. CUSHMAN, JR. is a General in the U.S. Marine Corps and a member of the Joint Chiefs of Staff, and was Deputy Director of the CIA from 1969 to 1971.

e. Defendant VERNON A. WALTERS is a Lieutenant General in the U.S. Army and was Deputy Director of the CIA in 1972.

f. Defendant WILLIAM E. COLBY is Director of Central Intelligence and of the CIA, and was Executive Director of the CIA from 1972 to 1973, and Deputy Director for Operations of the CIA in 1973.

g. Defendant CORD MEYER, JR. was, at times material to this complaint, Assistant Deputy Director for Plans of the CIA.

h. Defendant JAMES J. ANGLETON was, at times material to this complaint, Chief of the Counterintelligence Staff of the CIA.

i. Defendant WILLIAM HOOD was, at times material to this complaint, Deputy Chief of the Counterintelligence Staff of the CIA.

j. Defendant RICHARD OBER was, at times material

to this complaint, in charge of a domestic surveillance operation of the Counterintelligence Staff of the CIA designated as CHAOS.

k. Defendant HOWARD OSBORN was, at times material to this complaint, Director of Security of the CIA.

l. Defendant JAMES MURPHY was, at times material to this complaint, Director of the Office of Operations of the CIA.

m. Defendant MARSHALL CARTER, a retired Lieutenant-General in the U.S. Army, was Director of the National Security Agency (hereinafter sometimes "NSA") from 1967 to 1969.

n. Defendant NOEL GAYLER, Vice Admiral in the U.S. Navy, was Director of the NSA from January 1969 to July 1972.

o. Defendant SAMUEL C. PHILLIPS, a Lieutenant-General in the U.S. Air Force, was Director of the NSA from August 1972 to July 1973.

p. Defendant LEW ALLEN, JR., a Lieutenant-General in the U.S. Air Force, is Director of the NSA.

q. Defendant LOUIS TORDELLA was, at times material to this complaint, the Deputy Director of the NSA.

r. Defendant L. PATRICK GRAY, III was, at times material to this complaint, Acting Director of the Federal Bureau of Investigation (hereinafter sometimes "FBI").

s. Defendant CLARENCE KELLEY is Director of the FBI.

t. Defendant JAMES J. ROWLEY was Director of the United States Secret Service (hereinafter sometimes "Secret Service") from 1967 until October 1973.

u. Defendant H. STUART KNIGHT is Director of the Secret Service.

v. Defendant JOSEPH CARROLL is a Lieutenant-General in the United States Air Force and was Director of the Defence Intelligence Agency (hereinafter sometimes "DIA") from 1961 to 1969.

w. Defendant DONALD BENNETT is a Lieutenant-General in the United States Army and was Director of DIA from September 1969 to August 1972.

x. Defendant VINCENT DE POIX is a Vice Admiral in the United States Navy and was Director of DIA from August 1972 until September 1974.

y. Defendants JOHN DOE, RICHARD ROE and other unknown agents or employees of the United States Government are persons unknown to Plaintiffs who participated with the other Defendants in the actions alleged in this complaint.

z. All the foregoing individual defendants are sued in their individual and official or former official capacities.

aa. Defendant WESTERN UNION INTERNATIONAL, INC. a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

bb. Defendant RCA GLOBAL COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

cc. Defendant ITT WORLD COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas telegraph and cable service.

CLASS ACTION ALLEGATIONS

5. This suit is brought as a class action pursuant to Rule 23(a) of the Federal Rules of Civil Procedure, and is maintainable under Rule 23(b)(1)(A), 23(b)(2) and 23(b)(3).

6. Plaintiffs represent a class of United States citizens and domestic organizations who at various times during and after 1967 engaged in activities in opposition to the war in Indochina or in other lawful political activities, as a result of which (a) their international wire, cable or radio communications were intercepted and divulged without any judicial or statutory authorization by the National Security Agency acting at the request of other United States government agencies, and/or (b) their political and other constitutionally protected activities became the subject of intrusive counterintelligence actions and files, conducted and maintained by a Special Operations Group within the Central Intelligence Agency known as "Operation CHAOS".

7. The class is so numerous as to make joinder of all members impossible. The total number and identity of the class members is known only to the NSA and the CIA, but plaintiffs estimate, on information and belief, that the class numbers at least 8,820 individuals, and 1,000 organizations.

8. The common questions of law and fact affecting all members of the class predominate over any questions affecting only individual members to such a degree that a class action is the only method

available for the fair and efficient adjudication of this controversy. The prosecution of separate claims by the members of the class would constitute an undue burden on the vindication of their rights and create the risk of inconsistent or varying adjudications, and could establish incompatible standards for the defendants' conduct.

9. The claims of the representative parties have the same legal and factual basis as the claims of the members of the class, the defendants have acted on similar grounds with respect to all members of the class, common relief is sought, and plaintiffs will fairly and adequately protect the interests of the class.

FACTS

10. On information and belief, in and after August 1967 defendants HELMS, TAYLOR, COLBY, MEYER, ANGLETON, HOOD, ROCCA, OBER, OSBORN, SCHLESINGER, CUSHMAN, WALTERS and MURPHY (hereinafter sometimes "the CIA defendants") established and administered a Special Operations Group, known as Operation CHAOS (hereinafter "CHAOS"), within the CIA's counterintelligence staff.

11. On information and belief, the purpose of the CIA defendants in establishing CHAOS was to collect, coordinate, evaluate, file and report information on "foreign contacts" of American citizens resident in the United States who expressed in various forms their political and moral opposition to the war in Indochina and other policies of the national government.

12. On information and belief, reports prepared by CHAOS and other units of the CIA beginning in 1967 concluded that domestic opposition to the Indochina war, of which the activities of plaintiffs, and their class were a part, had no significant foreign connection.

13. On information and belief, CHAOS gathered information from other units of the CIA and from other agencies, including the FBI, much of which related to the constitutionally protected associational and domestic political activities of the plaintiff class.

14. On information and belief, CHAOS recruited and trained approximately 40 undercover agents who infiltrated domestic organi-

zations, and reported on their constitutionally protected associational and domestic political activities, which reports, or information derived from them, were filed with CHAOS and disseminated to other units of the CIA and to other agencies.

14a. On information and belief, the CIA defendants authorized and directed their CHAOS agents and employees to discredit and disrupt the constitutionally protected associational and domestic political activities of the plaintiffs and their class through the actions of undercover agents who infiltrated the plaintiff organizations, and through other counterintelligence actions.

15. On information and belief, between 1967 and 1974 CHAOS opened and maintained "201" or "personality" files on approximately 7,200 individual United States citizens engaged in constitutionally protected associational and domestic political activities, including each of the named individual plaintiffs.

16. On information and belief, between 1967 and 1974 CHAOS opened and maintained approximately 1000 separate subject files on domestic organizations, including each of the named plaintiff organizations.

17. On information and belief, the information in the personality and organization files opened and maintained by CHAOS related to constitutionally protected associational and domestic political activities of the plaintiffs and members of their class.

18. On information and belief, information on the plaintiffs and members of their class which was gathered by CHAOS was conveyed by the CIA defendants to the White House, the FBI, and to other government agencies.

19. On information and belief, sometime after September 1969 CHAOS supplied a "watchlist" of United States citizens, including plaintiffs and their class, to another unit of the CIA, as a result of which first class mail from and to individuals on the watchlist was opened without any warrant or other form of judicial or legislative authorization, and copies of the opened letters or

of the CHAOS files and used by the CIA defendants.

20. On information and belief, sometime after September 1969 CHAOS also supplied a "watchlist" to agents and employees of the NSA, which included the names of all the named plaintiffs.

21. On information and belief, for a period of time not known to plaintiffs, defendants, CARTER, GAYLER, PHILLIPS, TORDELLA and ALLEN (hereinafter sometimes "the NSA defendants"), have authorized and directed the monitoring or interception, by their agents and employees, of the international communications of United States citizens, including cable and radio channels between the United States and foreign countries, selected telephone channels between the United States and foreign countries, and selected telephone and cable channels between foreign countries, all without warrants or any other form of judicial or legislative authorization.

22. On information and belief, at various times beginning in 1967, the NSA defendants, without warrants or any other forms of judicial or legislative authorization, authorized and directed their agents and employees to intercept and divulge or procure the interception and divulgence, of wire, cable or radio communications of, or relating to, members of the plaintiff class on the CHAOS "watchlist" provided to NSA by the CIA, and on other "watchlists" provided to NSA by defendants GRAY, KELLEY and other officials of the Federal Bureau of Investigation ("the FBI defendants"); defendants ROWLEY, KNIGHT and other officials of the United States Secret Service ("the Secret Service defendants"); and defendants CARROLL, BENNETT, DE POIX and other officials of the Defense Intelligence Agency ("the DIA defendants").

23. On information and belief, agents and employees of the NSA defendants procured the assistance and cooperation of defendants WESTERN UNION INTERNATIONAL, INC., RCA GLOBAL COMMUNICATIONS INC., and

THE WORLD COMMUNICATIONS, INC. (hereinafter "the company defendants") in intercepting and divulging, without warrants or any other forms of judicial or legislative authorization, the wire, cable or radio communications of, or relating to the plaintiff class.

24. On information and belief, as a result of the warrantless and judicially and legislatively unauthorized interception and divulgence of the wire, cable or radio communications of plaintiffs and their class by the NSA and company defendants, at the request of the CIA, FBI, Secret Service, and DIA defendants, NSA supplied the CIA, FBI, Secret Service, and DIA defendants with summaries of the intercepted communications (hereinafter "the NSA materials") of the plaintiff class, which related to anti-war activities, travel abroad and other constitutionally protected movements and activities of members of the class.

25. On information and belief, information derived from the NSA materials was used and shared by the CIA, FBI, Secret Service, and DIA defendants and placed in files maintained by these defendants relating to the plaintiffs and their class.

26. On information and belief, in November 1974 some of the NSA materials were returned by the CIA defendants to NSA.

27. On information and belief, the CIA defendants caused the NSA materials to be returned to NSA because they knew the materials were the products of illegal and unconstitutional interceptions and divulgence of the plaintiffs' wire, cable or radio communications.

28. On information and belief, originals or copies of the NSA materials are intact in the possession of the NSA, FBI, Secret Service, and DIA.

29. On information and belief, the CIA, FBI, Secret Service, and DIA continue to maintain and disseminate files containing information about the constitutionally protected associational and political activities of the plaintiffs and their class, including information illegally and unconstitutionally obtained by intercepting and divulging the private mail and wire, cable or radio communications

of members of the class.

30. On information and belief, the individual and company defendants have engaged in an extended conspiracy unlawfully to conceal the acts complained of in paragraphs 10-29, supra, from the named plaintiffs and members of their class, from Congress, and from the public.

31. On information and belief, each of the defendants knew of and participated in, and/or concealed the illegal and unconstitutional activities described in paragraphs 10-29, supra.

32. On information and belief, each of the CIA defendants knew that their actions described above were taken in violation of the CIA's charter.

33. On information and belief, none of the defendants who participated in the actions described in paragraphs 10-29 above had a good faith belief that his or its actions were lawful.

FIRST CAUSE OF ACTION

34. The defendants' procurement of interception and divulgence and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class were unreasonable and illegal, and were not made in good faith reliance on any judicial, legislative or other valid authorization, or other reasonable belief in their legality.

35. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class violated Title 18, United States Code, Sections 2511 and 2520, and Title 47 United States Code, Section 605.

36. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment, their right to security against unreasonable searches and seizures guaranteed by the Fourth Amendment, and their right of privacy

guaranteed by the First, Fourth, Fifth and Ninth Amendments.

SECOND CAUSE OF ACTION

37. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

38. The defendants' maintenance and dissemination of files on the constitutionally protected associational and political activities of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment and their right to privacy under the First, Fourth, Fifth and Ninth Amendments.

39. Defendants' infiltration of the plaintiff organizations and members of their class by the use of undercover agents with false or concealed identities who disrupted, discredited and reported on the plaintiffs' constitutionally protected associational and political activities deprived plaintiffs of their freedom of speech and association protected by the First Amendment, their right to security against unreasonable searches and seizures protected by the Fourth Amendment and their right to privacy protected by the First, Fourth, Fifth and Ninth Amendments.

40. The activities of the defendants set forth above continue to interfere with, discourage and deter the plaintiffs in the exercise of their rights of free speech, assembly and association, and their right to petition the government for redress of grievances, guaranteed by the First Amendment.

THIRD CAUSE OF ACTION

41. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

42. The CIA defendants' actions described above are in violation of Title 50, United States Code, Section 403(d)(3).

WHEREFORE, plaintiffs request that the Court grant the following relief:

A. A declaratory judgment that the course of conduct and activities of the defendants set forth above are illegal and unconstitutional;

UNITED STATES GOVERNMENT

Memorandum

FEDERAL GOVERNMENT

TO : Director
Federal Bureau of Investigation

DATE: October 14, 1977

FROM : Barbara Allen Babcock
Assistant Attorney General
Civil Division

BAB:LGregg:dms
95-16-3837

SUBJECT: Adele Halkin, et al. v. Richard Helms, et al.,
Civil Action No. 75-1773 (D.D.C.)

Attention: Mr. Dennis Hoffman
Legal Counsel Office

Reference is made to our memorandum dated December 23, 1975, requesting a litigation report in the above-captioned civil action. The purpose of the requested litigation report was to enable Department attorneys to prepare an answer on behalf of your agency. The obligation to answer the Amended Complaint was stayed, however, pending the Court's decision on a claim of state secrets privilege asserted by the Secretary of Defense with regard to National Security Agency acquisition activities and on a related motion to dismiss that part of the civil action which pertains to those activities.

On June 30, 1977, the Court granted and denied in part the claim of privilege and, to the extent the Court granted the claim, dismissed that part of the action with prejudice. A copy of the Memorandum and Order is attached. Cross-appeals have been noticed from the District Court's decision.

By its Order dated October 5, 1977, the Court established an answer and discovery schedule (enclosed) for that part of the litigation which remains in the District Court. Additionally, the Court allowed the plaintiffs to amend their complaint to add 17 additional plaintiffs. Please note that the Second Amended Complaint (enclosed) excludes several of the original group of plaintiffs who voluntarily dismissed rather than respond to discovery. Motions to dismiss five other plaintiffs are pending before the Court; however, we do not expect a decision until after our answer is due.

62-116878-35 X1
6 APR 12 1978

REC-134

1cc
2338
ENCLOSURE
ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/97 BY SP7 ccc/asm
C.A. # 88-1826

84 APR 17 1978

Under the Court's schedule, an answer must be filed to the Second Amended Complaint by November 1, 1977. Consequently, you are requested to review your files and records and prepare a proposed answer as to any allegations involving your agency. Additionally, as the attached discovery schedule reflects, we will now have to respond to interrogatories and Rule 34 requests by November 25, 1977.

In order that we can comply with the Court's schedule, you are requested to provide a draft answer, and documents pertinent thereto, by October 21, 1977. Additionally, you are requested to provide us with proposed responses to the discovery requests by November 10, 1977.

If you have any questions, you may contact either Larry L. Gregg (739-4686) or R. John Seibert (739-4267).

FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JUN 30 1977

JAMES F. DAVEY, CLERK

ADELE HALKIN, et al :
Plaintiffs :
v. : Civil Action No. 75-1773
RICHARD HELMS, et al :
Defendants :

MEMORANDUM AND ORDER

Two matters in this case are before the Court; a claim of state secrets privilege asserted by the Secretary of Defense and a motion to dismiss claims of the plaintiffs based upon communications interception activities of the National Security Agency (NSA). As is explained in more detail below, the Court accepts the claim of privilege, except as it might extend to communications originated within the United States by the plaintiffs ^{1/} and acquired by NSA through its Operation SHAMROCK, and it dismisses plaintiffs' claims to the extent they are encompassed or affected by the portion of the claim of privilege which is upheld. As for the aforementioned excepted matters, the Court will defer ruling on certain aspects of the claim pending further proceedings on legal issues raised by the pleadings. Before discussing the reasons for this decision, it is useful to review the proceedings on these matters to date.

By their First Amended Complaint, the plaintiffs seek damages and equitable relief for, inter alia, alleged interception of their international wire, cable, and radio communications by employees of the National Security Agency. ^{2/} They further allege

^{1/} Defendants distinguish between those plaintiffs who were "watch-listed" and those who were not. The Court does not consider this to be a valid distinction. Therefore, communications originating in the United States by all plaintiffs, whether or not their names appeared on a "watchlist", are excepted from the claim of privilege. It will not be necessary at this time, however, for defendants to distinguish between those plaintiffs which were or were not on a "watchlist".

^{2/} Plaintiffs instituted this suit as a class action. The Court denied class action certification on April 12, 1977.

that these interceptions were procured by employees of several other Government agencies through "watchlists" submitted by them to NSA.

During the initial calendar conference held in this case on February 26, 1976, the Government advised that a formal claim of privilege to protect secrets of state would be asserted with respect to claims based upon the activities of NSA. ^{3/} On April 30, 1976, the Secretary of Defense asserted that claim of privilege, stating in pertinent part in an open record affidavit that:

Civil discovery or a responsive pleading which would (1) confirm the identity of individuals or organizations whose foreign communications were acquired by NSA, (2) disclose the dates and contents of such communications, or (3) divulge the methods and techniques by which the communications were acquired by NSA, would severely jeopardize the intelligence collection mission of NSA by identifying present communications collection and analysis capabilities.

(Rumsfeld Aff., April 30, 1976, ¶10). The Government also submitted a classified affidavit executed by Secretary Rumsfeld for examination by the Court, ex parte, in camera. The Director of Central Intelligence also submitted an open record affidavit in support of the claim of privilege. ^{4/} Concurrently, the federal defendants moved to dismiss claims alleged in the First Amended Complaint to the extent those allegations were encompassed by the claim of privilege. ^{5/}

^{3/} Order dated February 27, 1976; filed of record March 2, 1976.

^{4/} Plaintiffs initially by a letter addressed to the Court objected to any in camera procedure, and the Court returned the sealed classified affidavit of the Secretary of Defense to Government counsel pending filing and consideration of appropriate motions for in camera procedure. On November 15, 1976, in camera procedure was granted. See generally, Kerr v. United States District Court, 426 U.S. 394 (1976); United States v. Nixon, 418 U.S. 683 (1974); United States v. Reynolds, 345 U.S. 1 (1953); Kinoy v. Mitchell, 67 F.R.D. 1 (S.D.N.Y. 1975).

^{5/} At the initial calendar conference on February 26, 1976, the Court directed Government counsel to submit any motions based upon a claim of privilege when the claim was asserted so that the Court might have presented to it the full procedural consequences of the claim. The motion to dismiss was therefore constructed so as to be operative coextensively with those aspects of the claim of privilege ultimately upheld by the Court.

are appropriate for the claim of privilege. It therefore accepts the claim of the Secretary of Defense.

(3) Accordingly, since the claim of privilege made herein must prevail in order to prevent disclosures injurious to the national security, United States v. Reynolds, supra, at 10, those claims of the plaintiffs contained in the First Amended Complaint which are predicated upon the aforementioned communications interception activities by NSA ^{7/} shall be dismissed and the First Amended Complaint shall be deemed amended accordingly. Rule 15, F.R.Civ.P. Dismissal is in order because the threshold and ultimate issue -- the fact of interception -- cannot be admitted or denied without forcing concomitant disclosure of privileged information. See Totten v. United States, 92 U.S. 105 (1875); United States v. Reynolds, supra, 11 n. 26; Kinoy v. Mitchell, supra, 9. Consequently, the interests of the nation as a whole must prevail over the private individual interests of the plaintiffs. See Duncan v. Cammell, Laird & Co., [1942] A.C. 624, 641-42, cited and quoted in United States v. Reynolds, supra, at 7 n. 15, and 8 nn. 20, 21, 22.

(4) With respect to NSA communications interception activities pertaining to wire or telegraphic communications appearing to have been originated by certain of the plaintiffs within the United States and to have been acquired by NSA through the SHAMROCK source, however, the Court finds and concludes that, in view of matters which have to date been made public about the SHAMROCK source, the claim of privilege cannot be extended to preclude the federal defendants from admitting or denying the fact ^{it is} vel non of acquisition of a plaintiff's communication originated in the United States for transmission abroad, where it conclusively can be determined from records and materials now retained by NSA that such

^{7/} These claims are asserted in paragraphs 21 through 24 and paragraph 28 of the First Amended Complaint.

camera, from a Government witness competent to testify about NSA operations. On April 12, 1977, NSA's Deputy Director for Operations appeared and testified before the Court in camera. This proceeding was transcribed by a reporter from the Department of State who possessed a security clearance satisfactory to the Department of Defense. That transcript was filed with the Court, together with an affidavit executed by the Deputy Director, in camera, on June 17, 1977.

In light of the extensive foregoing proceedings and submissions by the Secretary of Defense, the Director of NSA, the plaintiffs, and the federal defendants, and in view of the singular facts and circumstances disclosed to the Court on the open record and through the matter considered in camera affecting questions of great sensitivity to the national interest, the Court finds and orders as follows:

(1) The claim of privilege asserted by the Secretary of Defense here in order to protect secrets of state from disclosures which might be injurious to the national security meets the technical requisites for such a claim. The claim was asserted by the head of that Government agency of which NSA is a part, the Department of Defense, and the detailed nature of the Secretary's three submissions to the Court in support of the claim clearly reflect "personal consideration" by the Secretary of the matters relating to the claim. See United States v. Reynolds, 345 U.S. at 7-8; cf. Kinoy v. Mitchell, supra, at 9. The Court therefore finds that the claim of privilege has been duly asserted in the manner prescribed by law.

(2) With respect to NSA communications interception activities other than those relating to international wire or telegraphic communications appearing to have been originated by certain of the plaintiffs within the United States and to have been acquired, more likely than not, by the National Security Agency through the SHAMROCK source, the Court finds and concludes that the circumstances

On November 26, 1976, following the decision of the Court of Appeals in Phillippi v. Central Intelligence Agency, 546 F.2d 1009 (D.C.Cir. 1976), plaintiffs noticed the deposition of Secretary Rumsfeld and requested the Court to defer in camera examination of the Secretary's classified affidavit pending his deposition. The federal defendants moved for a protective order that no discovery be had. After a hearing on November 30, 1976, the Court concluded that the proposed scope of discovery was too broad; however, in light of Phillippi, plaintiffs were permitted to submit questions for the Court's consideration and approval to be directed to the Secretary for clarification of the claim of privilege. Memorandum Order of December 3, 1976. Secretary of Defense Rumsfeld then submitted an open record affidavit dated December 20, 1976, in response to the questions set forth in the Court's Order. On December 31, 1976, plaintiffs moved for leave to formulate further questions for submission to the Secretary of Defense or his designee. The federal defendants opposed this motion and the proposed questions, relying in part on representations set forth in a concurrently submitted classified affidavit of the Director of the National Security Agency, which was filed in camera January 19, 1977.

On April 7, 1977, another calendar conference was held, at which time the Court indicated to counsel for all parties that the Court was inclined to deny the claim of privilege insofar as it might relate to NSA communications interception activities implemented by way of the SHAMROCK program. ^{6/} Counsel were further advised that the Court would examine and hear testimony ex parte, in

^{6/} The term "SHAMROCK" refers to an arrangement whereby the National Security Agency received copies or magnetic tapes of international communications handled by certain privately owned common access communications carriers corporations. See Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, United States Senate, Book III, 765-776, 94th Cong., 2d Sess.

communication was obtained through the SHAMROCK source. Accordingly, the federal defendants shall be required to respond to those claims of the plaintiffs contained in the First Amended Complaint which are predicated upon the aforementioned acquisition of communications through the SHAMROCK source insofar as such communications appear to have been originated by a plaintiff within the United States.

(5) Upon consideration of the Secretary's request, however, the Court agrees that good cause has been shown to defer ruling whether the claim of privilege precludes disclosure of the actual number relating to any plaintiff of acquisitions of outgoing communications obtained by NSA from the SHAMROCK source. This question relates primarily to damages, and deferring a ruling will not impede resolution of the legal issues raised by SHAMROCK, particularly the issue of whether it affords the plaintiffs a cause of action. See United States v. Standard Oil Co. (New Jersey), 23, F.R.D. 1, 4 (S.D.N.Y. 1958). The Court also finds that good cause has been shown to defer ruling on whether the claim of privilege precludes disclosure of the text of any reports derived from plaintiffs' outgoing communications acquired by NSA through the SHAMROCK source.

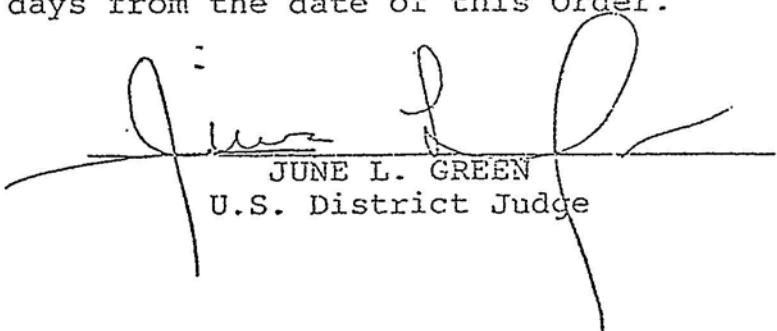
It is therefore by the Court this 30th day of June 1977,

ORDERED that the claim of state secrets privilege is upheld and the First Amended Complaint dismissed with prejudice as to all allegations of NSA interception activities except as they relate to acquisition of plaintiffs' outgoing communications from the SHAMROCK source; and it is further

ORDERED that the Court will defer ruling whether the claim of privilege protects from disclosure the apparent or actual number of any acquisitions of outgoing communications from the SHAMROCK source relating to any plaintiff and the text of any reports derived from plaintiffs' outgoing communications acquired by NSA

through the SHAMROCK source, pending consideration of legal briefs on whether SHAMROCK gives rise to a cause of action, such briefs to be submitted within forty-five days from the date of this Order; and it is further

ORDERED that all defendants shall respond to the remaining allegations of the First Amended Complaint, either by answer or by motion, within forty-five days from the date of this Order.



JUNE L. GREEN
U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADELE HALKIN, ET AL.,

Plaintiffs,

v.

RICHARD HELMS, ET AL.,

Defendants.

Civil Action No. 75-1773

PLAINTIFFS' FIRST INTERROGATORIES
TO DEFENDANTS KELLEY, KNIGHT AND BROWN

Pursuant to Rule 33, Fed. R. Civ. P., plaintiffs request that defendants Clarence Kelley, H. Stuart Knight, and Harold Brown answer the following interrogatories.* As used herein, "your agency" means the agency which each defendant now heads; viz: for defendant Kelley, the Federal Bureau of Investigation; for defendant Knight, the Secret Service; for defendant Brown, the Department of Defense and all components thereof, including the Defense Intelligence Agency. Also as used herein, "information received from NSA" is limited to plaintiffs' outgoing communications or information derived therefrom which the National Security Agency acquired through its SHAMROCK source.

1(a). Has your agency at any time since August, 1967 requested in any manner -- including submission of "watchlists" -- information from the Central Intelligence Agency (CIA) concerning any of the plaintiffs in this lawsuit.

1(b). If the answer to interrogatory 1(a) is affirmative, state which plaintiffs and the dates on which such request were made.

*Harold Brown is the current Secretary of Defense and is automatically substituted as a defendant in his official capacity for defendants Schlesinger and Rumsfeld.

2(a). Has your agency ever requested in any manner -- including submission of "watchlists" -- information from the National Security Agency (NSA) concerning any of the plaintiffs in this lawsuit?

2(b). If the answer to interrogatory 2(a) is affirmative, state which plaintiffs and the dates on which such requests were made.

3(a). Has your agency at any time since August, 1967 received information, whether requested or not, concerning any of the plaintiffs in this lawsuit from the CIA.

3(b). If the answer to interrogatory 3(a) is affirmative, state which plaintiffs and the dates on which such information was received.

4(a). Has your agency ever received information from NSA, whether requested or not, concerning any of the plaintiffs in this lawsuit?

4(b). If the answer to interrogatory 4(a) is affirmative, state which plaintiffs and the date on which such information was received.

5(a). Does your agency currently have in its files any records concerning any of the plaintiffs which were received from the CIA, or derived from information received from the CIA?

5(b). If the answer to interrogatory 5(a) is negative and the answer to interrogatory 3(a) is affirmative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

6(a). Does your agency currently have in its files any records concerning any of the plaintiffs which were received from NSA, or derived from information received from NSA.

6(b). If the answer to interrogatory 6(a) is negative and the answer to interrogatory 4(a) is affirmative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

7(a). Has your agency ever provided information concerning any of the plaintiffs in this lawsuit to the CIA or to the NSA.

7(b). If the answer to interrogatory 7(a) is affirmative, state which plaintiffs and the dates on which the information was provided.

7(c). Does your agency currently have in its files any records concerning any of the plaintiffs in this lawsuit, copies of which or the substance of which were provided to the CIA or NSA.

7(d). If the answer to interrogatory 7(a) is affirmative and the answer to interrogatory 7(c) is negative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

The following interrogatory is addressed solely to defendant Brown.

8. Please provide the current address at which each of the following individuals resides. If the current address is unavailable to you, please provide the

last known address at which each individual resided. Please specify whether the address provided is the current or last known address.

- (a). Donald Bennet, who served as Director of the Defense Intelligence Agency from 1969 to 1972.
- (b). Vincent dePoix, who served as Director of the Defense Intelligence Agency from 1972 to 1974.
- (c). Vernon Walters, a General in the United States Army, who served as Deputy Director of the CIA in 1972.
- (d). Marshall Carter, who served as Director of the National Security Agency from 1967 to 1969.

DATED: Washington, D.C.
July 15, 1977

Respectfully Submitted,

Mark H. Lynch

Mark H. Lynch

John H. Shattuck

John H. Shattuck

American Civil Liberties Union
Foundation
600 Pennsylvania Avenue, S.E.
Suite 301
Washington, D.C. 20003
(202) 544-1681

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADELE HALKIN, ET AL.,
Plaintiffs,

v.

RICHARD HELMS, ET AL.,
Defendants.

Civil Action No. 75-1773

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Plaintiffs' First Interrogatories to Defendants Kelley, Knight and Brown was mailed first class, postage paid, this 15th day of July, 1977 to the following:

Gordon Daiger, Esquire
Department of Justice
Washington, D.C. 20530

R. Bruce Dickson, Esq.
Cahill Gordon & Reindel
1819 H Street, N.W.
Washington, D.C. 20006

H. Richard Schumacher, Esq.
Cahill Gordon & Reindel
80 Pine Street
New York, N.Y. 10005

Walter Pozen, Esq.
Stroock, Stroock & Lavan
1150 Seventeenth Street, N.W.
Washington, D.C. 20036

Alvin K. Hellerstein, Esq.
Stroock, Stroock & Lavan
61 Broadway
New York, N.Y. 10006

Charles P. Sifton, Esq.
LeBoeuf, Lamb, Leiby & McRae
140 Broadway
New York, N.Y. 10005

Jay G. Safer, Esq.
LeBoeuf, Lamb, Leiby & McRae
1757 N Street, N.W.
Washington, D.C. 20036



Mark H. Lynch

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADELE HALKIN, ET AL.,

Plaintiffs,

v.

RICHARD HELMS, ET AL.,

Defendants.

)
)
)
) Civil Action No. 75-1773
)
)
)

PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF
DOCUMENTS TO DEFENDANTS KELLEY, KNIGHT AND
BROWN

Pursuant to Rule 34, Fed. R. Civ. P. plaintiffs request that defendants Kelley, Knight, and Brown produce for inspection and copying at the undersigned attorneys' office the following documents.* As used herein "document" includes correspondence, memoranda, papers, records, reports, minutes or information carried electronically, on computer equipment, tape recorder, or any other form of written or electronic recordation. "Documents received from NSA" means outgoing communications which NSA acquired from its SHAMROCK source or documents derived from outgoing communications which NSA acquired from its SHAMROCK source. "Your agency" means the agency which each defendant now heads, viz: for defendant Knight, the Secret Service; for defendant Brown, the Department of Defense and all components thereof, including the Defense Intelligence Agency; for defendant Kelley, the FBI

1. All documents concerning any of the plaintiffs which your agency has received from the CIA since August, 1967.

*Harold Brown is the current Secretary of Defense and therefore is automatically substituted as a defendant in his official capacity for defendants Schlesinger and Rumsfeld.

RECEIVED

JUL 20 1977

Special Litigation Section

95-16-3837	
DEPARTMENT OF JUSTICE	R
22 JUL 19 1977	E
R.A.O.	C
	O
	R
	D

2. All documents concerning any of the plaintiffs, copies of which your agency has transmitted to the CIA since August, 1967.

3. All documents concerning any of the plaintiffs which your agency has ever received from the NSA.

4. All documents concerning any of the plaintiffs; copies of which your agency has transmitted to the NSA.

DATED: Washington, D.C.
July 15, 1977

Respectfully Submitted,

Mark H. Lynch

Mark H. Lynch

John H. F. Shattuck

John H. F. Shattuck

American Civil Liberties Union
Foundation
600 Pennsylvania Avenue, S.E.
Suite 301
Washington, D.C. 20003
(202) 544-1681

Attorneys for Plaintiffs

FILED

OCT 4 1977

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JAMES F. DAVEY, Clerk

ADELE HALKIN, et al.,)
)
Plaintiffs,)
)
v.)
)
RICHARD HELMS, et al.,)
)
Defendants.)

Civil Action No. 75-1773

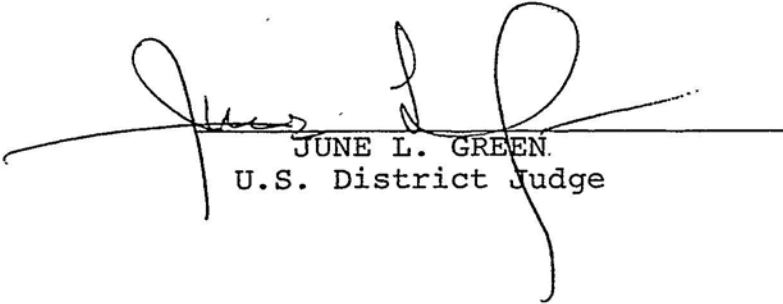
ORDER

This matter is currently before the Court on the federal defendants' motion to vacate the second amended complaint and plaintiffs' opposition thereto. The Court has fully reviewed the second amended complaint and the memorandum submitted by plaintiffs in support thereof. While the Court is certainly cognizant of the burden that 19 additional plaintiffs place on defendants, it is equally aware of plaintiffs' difficulty in specifying the precise extent to which, or the exact manner in which, they were affected by the activities complained of pending receipt of responses to certain of their discovery requests. The Court has previously ordered plaintiffs to answer the majority of interrogatories which the federal defendants propounded in order to further define the specific allegations of each plaintiff with respect to each defendant. While said answers may not have completely determined the scope of each plaintiff's allegations, in view of the nature of the suit, the Court cannot deny the additional 19 plaintiffs leave to join in this action, especially when it appears they have

complied with the minimal requirements of both Rules 20(a) and 24(b), Federal Rules of Civil Procedure.

Accordingly, it is by the Court this 4th day of October, 1977,

ORDERED that the federal defendant's motion to vacate the second amended complaint is hereby denied and the 19 additional plaintiffs shall be permitted to join in this action.



JUNE L. GREEN.
U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 4 1977

JAMES F. DAVEY, Clerk

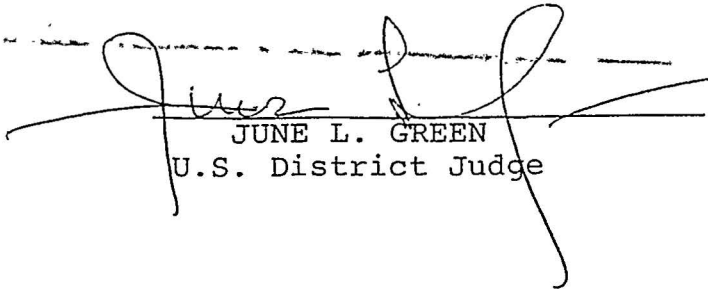
ADELE HALKIN, et al.,)
)
Plaintiffs,)
)
v.)
)
RICHARD HELMS, et al.,)
)
Defendants.)

Civil Action No. 75-1773

ORDER

Upon consideration of the plaintiffs' MOTION TO COMPEL PRODUCTION OF DOCUMENTS and the memoranda submitted in support thereof and in opposition thereto, and upon further consideration of defendant's offer to treat plaintiffs' motion as a request for production of documents pursuant to Rule 34 of the Federal Rules of Civil Procedure, it appearing to the Court that plaintiffs have now more specifically identified or described the documents which they seek; it is by the Court this 4th day of October, 1977,

ORDERED that plaintiffs' motion to compel is hereby denied and that the motion shall be treated as a request for production of documents pursuant to Rule 34 of the Federal Rules of Civil Procedure to the extent the motion does not encompass documents which already have been provided plaintiffs, and that defendants' response shall be due thirty days from the date hereof.


JUNE L. GREEN
U.S. District Judge

FILED

OCT 4 1977

ADELE HALKIN, ET AL.,

Plaintiffs,

v.

RICHARD HELMS, ET AL.,

Defendants.

JAMES F. DAVEY, Clerk

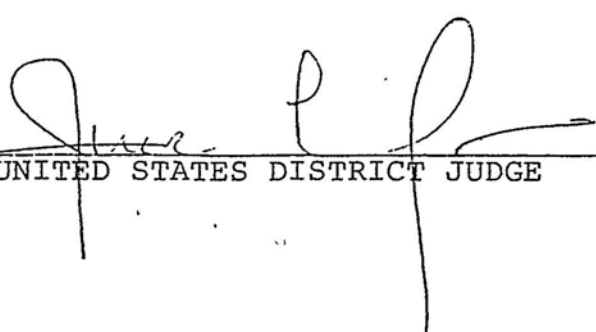
Civil Action No. 75-1773

ORDER

Upon consideration of plaintiffs' motion to make clerical changes in the second amended complaint, federal defendants' response thereto, and the entire record herein, it is this 4th day of October, 1977

ORDERED that the Clerk of the Court is hereby directed to note in the record the following changes in the second amended complaint:

1. The Institute for Policy Studies be listed as a plaintiff.
2. Admiral Stansfield Turner, the Director of Central Intelligence, Mr. Harold Brown, the Secretary of Defense, and Vice Admiral Bobby R. Inman, the Director of the National Security Agency be listed as defendants in their official capacities.
3. Paul and Martha Winnegar be stricken as plaintiffs.


UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 4 1977

ADELE HALKIN, et al.,
Plaintiffs,

/ JAMES F. DAVEY, Clerk

v.

Civil Action No. 75-1773

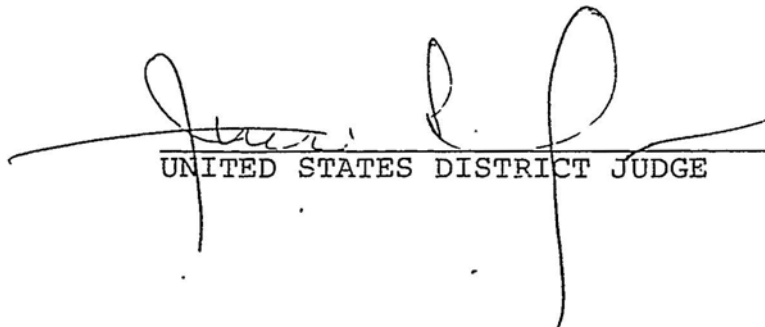
RICHARD HELMS, et al.,
Defendants.

ORDER

Upon consideration of the motion of the Federal defendants for an extension of time in which to respond to the complaint, and the Court finding that good cause has been shown for such an extension, it is hereby

ORDERED that all defendants shall have to and including November 1, 1977 in which to respond to the complaint.

Date: Oct. 4, 1977

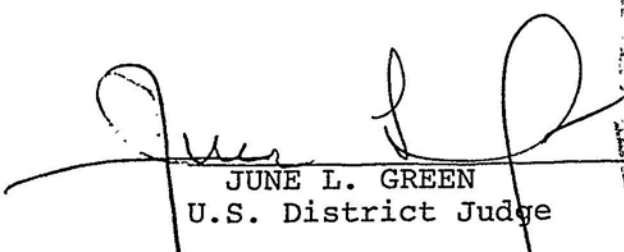

UNITED STATES DISTRICT JUDGE

(N)

As for paragraph 29, insofar as it relates to activities separate from maintenance and dissemination of information which was allegedly derived from NSA acquisitions,^{2/} said matters are, in the Court's view, relevant to this case and shall not be stayed.

Accordingly, upon consideration of federal defendants' motion to stay proceedings; plaintiffs' response thereto; and the entire record herein, it is by the Court this 5th day of October, 1977,

ORDERED that all proceedings which concern allegations that the NSA acquired plaintiffs' messages shall be stayed pending appellate review of this Court's Memorandum Opinion and Order of June 30, 1977. Specifically, this stay includes the allegations contained in paragraphs 20 through 29 of the second amended complaint and to paragraphs 30 through 42 (to the extent those paragraphs incorporate by reference paragraphs 20 through 29), except as paragraphs 20 and 22 extend to allegations that the CIA, FBI, Secret Service, and Defense Intelligence Agency defendants submitted "watchlists" containing plaintiffs' names to NSA, and as paragraph 29 extends to files maintained and disseminated with regard to activities separate from any alleged NSA acquisitions.


JUNE L. GREEN
U.S. District Judge

^{2/} Plaintiffs have indicated that this refers to Operations RESISTENCE and MERRIMAC.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 5 1977

ADELE HALKIN, ET AL.,
Plaintiffs,

v.

RICHARD HELMS, ET AL.,
Defendants

JAMES F. DAVEY, Clerk

Civil Action No. 75-1773

ORDER

Upon consideration of federal defendants' motion to stay certain discovery; plaintiffs' partial opposition and partial consent thereto; and the entire record herein, the Court having already ruled that it will not vacate plaintiffs' second amended complaint and that all proceedings concerning NSA's alleged acquisition of plaintiffs' messages shall be stayed pending appellate review of this Court's Memorandum and Order of June 30, 1977 except for paragraphs 20 and 22 of the second amended complaint as they relate to the submission of "watchlists" and paragraph 29 as it relates to activities other than alleged NSA interceptions, it is by the Court this 5th day of October, 1977,

ORDERED that the 19 plaintiffs who were joined in the second amended complaint shall respond to defendants' first interrogatories within 30 days of the entry of this Order; and it is further

ORDERED that defendants' obligations to respond to plaintiffs' discovery requests served July 15 and July 26, 1977 are stayed insofar as the questions relate to NSA's alleged acquisition of plaintiffs' messages which is currently pending appellate review. Insofar as they relate to other matters, including the presence of plaintiffs' names on any "watchlists" submitted to NSA, but not extending to Operations MERRIMAC and RESISTENCE, defendants shall respond as to all plaintiffs within 20 days following the filing of the answers to interrogatories of the

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/13/89 BY SP4GLW/KGA
CA # 88-1826
SP 7 CUC/ACW
P/11/94 C.A. # 88-1826

ENCLOSURE



62-116878-

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SECOND AMENDED COMPLAINT

ADELE HALKIN
14 West Elm Street
Apartment 1104
Chicago, Illinois 60611
(312) 664-5930;
STEVE HALLIWELL
30 Loomis Street
Montpelier, Vermont 05602
(802) 223-3501;
DON LUCE
159 Second Avenue
Apartment #1
New York, New York 10032
(212) 677-5262;
JOHATHAN MIRSKY
Thetford, Vermont 05074
(802) 785-2042;
SIDNEY PECK
15 Farrar Street
Cambridge, Mass. 02138
(617) 547-3849;
DANIEL SCHECHTER
38 Dartmouth Street
Somerville, Mass. 02145
(617) 266-1111;
ETHEL TAYLOR
41 Conshohocken State Rd.
Apartment 714
Bala Cynwyd, Pa. 19004
(215) 644-5646;
CORA WEISS
5022 Waldo Road
Riverdale, New York 10471
(212) 490-3910
AMERICAN FRIENDS SERVICE COMMITTEE, INC.
1501 Cherry Street
Philadelphia, Pennsylvania 19102
(215) 241-7000;
CLERGY AND LAITY CONCERNED
198 Broadway
New York, New York 10038
(212) 964-6730;
COMMITTEE OF CONCERNED ASIAN SCHOLARS,
c/o Angus McDonald, National Coordinator,
614 Social Science Building,
University of Minnesota,
Minneapolis, Minn. 55455
(612) 378-2571;
WOMEN STRIKE FOR PEACE
145 South 13th Street, Room 407
Philadelphia, Pa. 19107
(215) 923-0861;
NINA S. ADAMS
1717 South Whittier Avenue
Springfield, Illinois 62704
(217) 528-7247;
LEONARD PALMER ADAMS, II
1717 South Whittier Avenue
Springfield, Illinois 62704
(217) 528-7247;
DAVID F. ADDLESTONE
2301 - 39th Street, N.W.
Washington, D.C. 20007
(202) 338-3877;

Civil Action
No. 75-1773

SAMUEL W. BROWN, JR.
2226 Decatur Place, N.W.
Washington, D.C. 20006
(202) 254-3120;
HOWARD J. DE NIKE
700 - 27th Street
San Francisco, Calif. 94102
(415) 282-3576;
DOLORES A. DONOVAN
69 Elsie Street
San Francisco, Calif. 94110
(415) 821-1043;
THE REV. THOMAS L. HAYES
East Road
R.D. #1
Dundee, New York 14837
(607) 292-3842;
PATRICIA FITTS JACOBSON
1915 McIntyre Drive
Ann Arbor, Michigan 48105
(313) 769-4733;
CARL WHITNEY JACOBSON
1915 McIntyre Drive
Ann Arbor, Michigan 48105
(313) 769-4733;
BRENNON JONES
142 East 27th Street
New York, New York 10016
(212) 685-5913;
LEIGH KAGAN
1395 Englewood Avenue
St. Paul, Minnesota 55104
(612) 644-8800;
RICHARD CLARK KAGAN
1395 Englewood Avenue
St. Paul, Minnesota 55104
(612) 644-8800;
ANGUS W. MC DONALD, JR.
1056 - 13th Avenue, S.E.
Minneapolis, Minnesota 55414
(612) 387-2571;
HUGH I. MANKE
20 Second Avenue
Branford, Connecticut 06405
(203) 481-4526;
DAVID GARETH PORTER
235 Emerson Street, N.W.
Washington, D.C. 20011
(202) 726-9455;
JOSEPH REMCHO
2516 Nason Avenue
El Cerrito, California 94530
(415) 237-6471;
GEORGE WILLIAMS WEBBER
315 East 106th Street
Apartment 20-B
New York, New York 10029
(212) TE 1-1082;
MARTHA KENDELL WINNEGAR
1404 Berkeley Way
Berkeley, California 94702
(415) 841-1439;
PAUL M. WINNEGAR
1404 Berkeley Way
Berkeley, California 94702
(415) 841-1439;

Plaintiffs,

v.

RICHARD HELMS
Department of State
United States Embassy
Teheran, Iran;
JAMES R. SCHLESINGER
Department of Defense
The Pentagon
Washington, D.C. 20301;
RUFUS N. TAYLOR
90-A North Lake View Drive
Whispering Pines, North Carolina 28389;
ROBERT E. CUSHMAN, JR.
Commandant of the Marine Corps,
Navy Department
Washington, D.C. 20380;
VERNON A. WALTERS
22955 Ocean Boulevard
Palm Beach, Florida 33480;
WILLIAM E. COLBY
Central Intelligence Agency
Washington, D.C. 20505;
CORD MEYER, JR.
Central Intelligence Agency
Washington, D.C. 20505;
JAMES J. ANGLETON
4814 - 33rd Road
North Arlington, Va. 22210;
WILLIAM HOOD
4450 South Park Avenue
Chevy Chase, Maryland;
RICHARD OBER
Old Executive Office Building
Washington, D.C. 20505;
HOWARD OSBORN
6803 East Avenue
Chevy Chase, Maryland 20015;
JAMES MURPHY
Central Intelligence Agency
Washington, D.C. 20505;
MARSHALL CARTER
c/o U.S. Milpercen
200 Stovall Street
Alexandria, Virginia 22332;
Attn. DAPC-PAS-A;
NOEL GAYLER
Department of the Navy
The Pentagon
Washington, D.C. 20301;
SAMUEL C. PHILLIPS
Department of the Air Force
The Pentagon
Washington, D.C. 20301;
LEW ALLEN, JR.
National Security Agency
Fort Meade, Maryland;
LOUIS W. TORDELLA
9518 E. Stanhope Road
Kensington, Maryland 20795;
L. PATRICK GRAY, III
325 State Street
New London, Conn. 06320;
CLARENCE KELLEY
Director, Federal Bureau of Investigation
Washington, D.C.;
JAMES J. ROWLEY
9615 Glencrest Lane
Kensington, Maryland 20795;

SP 7 CCE/ACW
8/1/94 C.A. #BP-1826

11/13/89 SP4ELW/KAC, A, #8-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/17/84 BY SP-5RJC/mc

F. STUART KNIGHT
Director, U.S. Secret Service
Department of the Treasury
Washington, D.C.;
JOSEPH CARROLL
7306 Rippon Road
Alexandria, Virginia;
DONALD BENNETT
c/o Defense Intelligence Agency
The Pentagon
Washington, D.C. 20301;
VINCENT DE POIX
2782 N. Wakefield
Arlington, Virginia;
WESTERN UNION INTERNATIONAL, INC.
2100 M Street, N.W.
Washington, D.C.;
RCA GLOBAL COMMUNICATIONS, INC.
60 Broad Street
New York, N.Y. 10004;
ITT WORLD COMMUNICATIONS, INC.
67 Broad Street
New York, N.Y. 10004;
JOHN DOE, RICHARD ROE and other unknown
agents and employees of the United
States Government.

Defendants.

Plaintiffs, by their attorneys, allege as
follows for their Second Amended Complaint:

JURISDICTION

1. This is a civil action for declaratory and injunctive relief and money damages, arising under the First, Fourth, Fifth and Ninth Amendments to the Constitution; Title 18, United States Code, Sections 2510-2520; and Title 47, United States Code, Section 605; and Title 50 United States Code, Section 403(d)(3). The jurisdiction of this Court is predicated on Title 18, United States Code, Section 2520; Title 28, United States Code, Sections 1331(a), 1343(4) and 1361; Title 47, United States Code, Section 605; Title 42, United States Code, Section 1985(3); and the First, Fourth, Fifth and Ninth Amendments to the Constitution.

2. The matter in controversy, exclusive of interests and costs, exceeds \$10,000.

PARTIES

3. Plaintiffs:

a. ADELE HALKIN is an American citizen and a member of Women Strike for Peace.

b. STEVE HALLIWELL is an American citizen, a former officer of Students for a Democratic Society and a founding member of the Committee for Liaison with Families of Servicemen Detained in Vietnam.

c. DON LUCE is an American citizen and Executive Director of Clergy and Laity Concerned.

d. JONATHAN MIRSKY is an American citizen and from 1963 to the present he has been a leader of anti-war activities.

e. SIDNEY PECK is an American citizen, a former Co-chairperson of the National Mobilization Committee to End the War in Vietnam and the former National Coordinator of People's Coalition for Peace and Justice.

f. DANIEL SCHECHTER is an American citizen formerly associated with Ramparts Magazine and the Africa Research Group, and a participant in various anti-war activities over the last decade.

g. ETHEL TAYLOR is an American citizen and the National Coordinator of Women Strike for Peace.

h. CORA WEISS is an American citizen, a leader of Women Strike for Peace, a former Co-chairperson of the New Mobilization Committee to End the War in Vietnam, a member of the Board of Directors of Clergy and Laity Concerned and a former Co-chairperson of the Committee of Liaison with Families of Servicemen Detained in Vietnam.

i. THE AMERICAN FRIENDS SERVICE COMMITTEE, INC. (AFSC) is a non-profit corporation dedicated to furthering the historic peace testimony and the social aims of the several branches of the Religious Society of Friends.

j. CLERGY AND LAITY CONCERNED (CALC) is a non-profit interfaith peace organization which has protested U.S. involvement in the Indochina War since 1965.

k. The COMMITTEE OF CONCERNED ASIAN SCHOLARS (CCAS) is a non-profit organization dedicated to opposing American intervention in the internal affairs of countries in Southeast Asia.

1. WOMEN STRIKE FOR PEACE is a non-profit organization dedicated to anti-war activities, including activities to end the war in Indochina.

m. NINA S. ADAMS is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

n. LEONARD PALMER ADAMS, II is an American citizen and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

o. DAVID F. ADDLESTONE is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

p. SAMUEL W. BROWN, JR. is an American citizen, and at times material to the complaint was an organizer of the Vietnam Moratorium Committee.

q. HOWARD J. DE NIKE is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

r. DOLORES A. DONOVAN is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

s. THE REV. THOMAS L. HAYES is an American citizen, and at times material to the complaint was employed by Clergy and Laity Concerned and conducted a ministry to draft resisters and deserters in Sweden.

t. PATRICIA FITTS JACOBSON is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

u. CARL WHITNEY JACOBSON is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of

Operation CHAOS.

v. BRENNON JONES is an American citizen, and at times material to the complaint worked for Vietnam Christian Service, Dispatch News Service, the Indochina Mobile Education Project, and was an associate producer of Hearts and Minds, an Academy Award winning film about Vietnam.

w. LEIGH KAGAN is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS. She has also received documents from the CIA under the Freedom of Information Act which indicate that she was a target of Operation CHAOS.

x. RICHARD CLARK KAGAN is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS. He has also received documents from the CIA under the Freedom of Information Act which indicate that he was a target of Operation CHAOS.

y. ANGUS W. MC DONALD, JR. is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

z. HUGH I. MANKE is an American citizen, and at times material to the complaint was a member and subsequently Director of International Voluntary Services' Vietnam Team.

aa. DAVID GARETH PORTER is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, a correspondent with Dispatch News Service, and a co-director of the Indochina Resource Center.

bb. JOSEPH REMCHO is an American citizen, and at times material to the complaint was an attorney associated with the Lawyers Military Defense Committee which was a target of Operation CHAOS.

cc. MARTHA KENDALL WINNEGAR is an American citizen, and at times material to the complaint was a member of the

Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

dd. PAUL M. WINNEGAR is an American citizen, and at times material to the complaint was a member of the Committee of Concerned Asian Scholars, which was a target of Operation CHAOS.

4. Defendants:

a. Defendant RICHARD HELMS is the United States Ambassador to Iran and was Director of the Central Intelligence Agency (hereinafter sometimes "CIA") from 1966 to 1973.

b. Defendant JAMES R. SCHLESINGER was Secretary of Defense from August 1973 to November 1975 and Director of the CIA from February to July 1973.

c. Defendant RUFUS N. TAYLOR is a Vice Admiral in the U.S. Navy and was Deputy Director of the CIA from 1966 to 1969.

d. Defendant ROBERT E. CUSHMAN, JR. is a General in the U.S. Marine Corps and a member of the Joint Chiefs of Staff, and was Deputy Director of the CIA from 1969 to 1971.

e. Defendant VERNON A. WALTERS is a Lieutenant General in the U.S. Army and was Deputy Director of the CIA in 1972.

f. Defendant WILLIAM E. COLBY is Director of Central Intelligence and of the CIA, and was Executive Director of the CIA from 1972 to 1973, and Deputy Director for Operations of the CIA in 1973.

g. Defendant CORD MEYER, JR. was, at times material to this complaint, Assistant Deputy Director for Plans of the CIA.

h. Defendant JAMES J. ANGLETON was, at times material to this complaint, Chief of the Counterintelligence Staff of the CIA.

i. Defendant WILLIAM HOOD was, at times material to this complaint, Deputy Chief of the Counterintelligence Staff of the CIA.

j. Defendant RICHARD OBER was, at times material

to this complaint, in charge of a domestic surveillance operation of the Counterintelligence Staff of the CIA designated as CHAOS.

k. Defendant HOWARD OSBORN was, at times material to this complaint, Director of Security of the CIA.

l. Defendant JAMES MURPHY was, at times material to this complaint, Director of the Office of Operations of the CIA.

m. Defendant MARSHALL CARTER, a retired Lieutenant-General in the U.S. Army, was Director of the National Security Agency (hereinafter sometimes "NSA") from 1967 to 1969.

n. Defendant NOEL GAYLER, Vice Admiral in the U.S. Navy, was Director of the NSA from January 1969 to July 1972.

o. Defendant SAMUEL C. PHILLIPS, a Lieutenant-General in the U.S. Air Force, was Director of the NSA from August 1972 to July 1973.

p. Defendant LEW ALLEN, JR., a Lieutenant-General in the U.S. Air Force, is Director of the NSA.

q. Defendant LOUIS TORDELLA was, at times material to this complaint, the Deputy Director of the NSA.

r. Defendant L. PATRICK GRAY, III was, at times material to this complaint, Acting Director of the Federal Bureau of Investigation (hereinafter sometimes "FBI").

s. Defendant CLARENCE KELLEY is Director of the FBI.

t. Defendant JAMES J. ROWLEY was Director of the United States Secret Service (hereinafter sometimes "Secret Service") from 1967 until October 1973.

u. Defendant H. STUART KNIGHT is Director of the Secret Service.

v. Defendant JOSEPH CARROLL is a Lieutenant-General in the United States Air Force and was Director of the Defence Intelligence Agency (hereinafter sometimes "DIA") from 1961 to 1969.

w. Defendant DONALD BENNETT is a Lieutenant-General in the United States Army and was Director of DIA from September 1969 to August 1972.

x. Defendant VINCENT DE POIX is a Vice Admiral in the United States Navy and was Director of DIA from August 1972 until September 1974.

y. Defendants JOHN DOE, RICHARD ROE and other unknown agents or employees of the United States Government are persons unknown to Plaintiffs who participated with the other Defendants in the actions alleged in this complaint.

z. All the foregoing individual defendants are sued in their individual and official or former official capacities.

Defend : WESTERN UNION INTERNATIONAL, INC. a
communications common carrier, does business in the District of
Columbia and provides overseas cable and telegraph service.

Lb. Defendant RCA GLOBAL COMMUNICATIONS, INC., a communica-
tions common carrier, does business in the District of Columbia and
provides overseas cable and telegraph service.

cc. Defendant ITT WORLD COMMUNICATIONS, INC., a communica-
tions common carrier, does business in the District of Columbia and
provides overseas telegraph and cable service.

CLASS ACTION ALLEGATIONS

5. This suit is brought as a class action pursuant to Rule
23(a) of the Federal Rules of Civil Procedure, and is maintainable
under Rule 23(b)(1)(A), 23(b)(2) and 23(b)(3).

6. Plaintiffs represent a class of United States citizens and
domestic organizations who at various times during and after 1967
engaged in activities in opposition to the war in Indochina or in
other lawful political activities, as a result of which (a) their
international wire, cable or radio communications were intercepted
and divulged without any judicial or statutory authorization by the
National Security Agency acting at the request of other United States
government agencies, and/or (b) their political and other
constitutionally protected activities became the subject of intrusive
counterintelligence actions and files, conducted and maintained by
a Special Operations Group within the Central Intelligence Agency
known as "Operation CHAOS".

7. The class is so numerous as to make joinder of all members
impossible. The total number and identity of the class members is
known only to the NSA and the CIA, but plaintiffs estimate, on
information and belief, that the class numbers at least 8,820
individuals, and 1,000 organizations.

8. The common questions of law and fact affecting all members
of the class predominate over any questions affecting only individual
members to such a degree that a class action is the only method

available for the fair and efficient adjudication of this controversy. The prosecution of separate claims by the members of the class would constitute an undue burden on the vindication of their rights and create the risk of inconsistent or varying adjudications, and could establish incompatible standards for the defendants' conduct.

9. The claims of the representative parties have the same legal and factual basis as the claims of the members of the class, the defendants have acted on similar grounds with respect to all members of the class, common relief is sought, and plaintiffs will fairly and adequately protect the interests of the class.

FACTS

10. On information and belief, in and after August 1967 defendants HELMS, TAYLOR, COLBY, MEYER, ANGLETON, HOOD, ROCCA, OBER, OSBORN, SCHLESINGER, CUSHMAN, WALTERS and MURPHY (hereinafter sometimes "the CIA defendants") established and administered a Special Operations Group, known as Operation CHAOS (hereinafter "CHAOS"), within the CIA's counterintelligence staff.

11. On information and belief, the purpose of the CIA defendants in establishing CHAOS was to collect, coordinate, evaluate, file and report information on "foreign contacts" of American citizens resident in the United States who expressed in various forms their political and moral opposition to the war in Indochina and other policies of the national government.

12. On information and belief, reports prepared by CHAOS and other units of the CIA beginning in 1967 concluded that domestic opposition to the Indochina war, of which the activities of plaintiffs, and their class were a part, had no significant foreign connection.

13. On information and belief, CHAOS gathered information from other units of the CIA and from other agencies, including the FBI, much of which related to the constitutionally protected associational and domestic political activities of the plaintiff class.

14. On information and belief, CHAOS recruited and trained approximately 40 undercover agents who infiltrated domestic organi-

ations, and reports on their constitutionally protected associational and domestic political activities, which reports, or information derived from them, were filed with CHAOS and disseminated to other units of the CIA and to other agencies.

14a. On information and belief, the CIA defendants authorized and directed their CHAOS agents and employees to discredit and disrupt the constitutionally protected associational and domestic political activities of the plaintiffs and their class through the actions of undercover agents who infiltrated the plaintiff organizations, and through other counterintelligence actions.

15. On information and belief, between 1967 and 1974 CHAOS opened and maintained "201" or "personality" files on approximately 7,200 individual United States citizens engaged in constitutionally protected associational and domestic political activities, including each of the named individual plaintiffs.

16. On information and belief, between 1967 and 1974 CHAOS opened and maintained approximately 1000 separate subject files on domestic organizations, including each of the named plaintiff organizations.

17. On information and belief, the information in the personality and organization files opened and maintained by CHAOS related to constitutionally protected associational and domestic political activities of the plaintiffs and members of their class.

18. On information and belief, information on the plaintiffs and members of their class which was gathered by CHAOS was conveyed by the CIA defendants to the White House, the FBI, and to other government agencies.

19. On information and belief, sometime after September 1969 CHAOS supplied a "watchlist" of United States citizens, including plaintiffs and their class, to another unit of the CIA, as a result of which first class mail from and to individuals on the watchlist was opened without any warrant or other form of judicial or legislative authorization, and copies of the opened letters or

information derived from them were supplied to CHAOS, made a part of the CHAOS files and used by the CIA defendants.

20. On information and belief, sometime after September 1969 CHAOS also supplied a "watchlist" to agents and employees of the NSA, which included the names of all the named plaintiffs.

21. On information and belief, for a period of time not known to plaintiffs, defendants, CARTER, GAYLER, PHILLIPS, TORDELLA and ALLEN (hereinafter sometimes "the NSA defendants"), have authorized and directed the monitoring or interception, by their agents and employees, of the international communications of United States citizens, including cable and radio channels between the United States and foreign countries, selected telephone channels between the United States and foreign countries, and selected telephone and cable channels between foreign countries, all without warrants or any other form of judicial or legislative authorization.

22. On information and belief, at various times beginning in 1967, the NSA defendants, without warrants or any other forms of judicial or legislative authorization, authorized and directed their agents and employees to intercept and divulge or procure the interception and divulgence, of wire, cable or radio communications of, or relating to, members of the plaintiff class on the CHAOS "watchlist" provided to NSA by the CIA, and on other "watchlists" provided to NSA by defendants GRAY, KELLEY and other officials of the Federal Bureau of Investigation ("the FBI defendants"); defendants ROWLEY, KNIGHT and other officials of the United States Secret Service ("the Secret Service defendants"); and defendants CARROLL, BENNETT, DE POIX and other officials of the Defense Intelligence Agency ("the DIA defendants").

23. On information and belief, agents and employees of the NSA defendants procured the assistance and cooperation of defendants WESTERN UNION INTERNATIONAL, INC., RCA GLOBAL COMMUNICATIONS INC.; and

ITT WORLD COMMUNICATIONS, INC. (hereinafter sometimes "the company defendants") in intercepting and divulging, without warrants or any other forms of judicial or legislative authorization, the wire, cable or radio communications of, or relating to the plaintiff class.

24. On information and belief, as a result of the warrantless and judicially and legislatively unauthorized interception and divulgence of the wire, cable or radio communications of plaintiffs and their class by the NSA and company defendants, at the request of the CIA, FBI, Secret Service, and DIA defendants, NSA supplied the CIA, FBI, Secret Service, and DIA defendants with summaries of the intercepted communications (hereinafter "the NSA materials") of the plaintiff class, which related to anti-war activities, travel abroad and other constitutionally protected movements and activities of members of the class.

25. On information and belief, information derived from the NSA materials was used and shared by the CIA, FBI, Secret Service, and DIA defendants and placed in files maintained by these defendants relating to the plaintiffs and their class.

26. On information and belief, in November 1974 some of the NSA materials were returned by the CIA defendants to NSA.

27. On information and belief, the CIA defendants caused the NSA materials to be returned to NSA because they knew the materials were the products of illegal and unconstitutional interceptions and divulgence of the plaintiffs' wire, cable or radio communications.

28. On information and belief, originals or copies of the NSA materials are intact in the possession of the NSA, FBI, Secret Service, and DIA.

29. On information and belief, the CIA, FBI, Secret Service, and DIA continue to maintain and disseminate files containing information about the constitutionally protected associational and political activities of the plaintiffs and their class, including information illegally and unconstitutionally obtained by intercepting and divulging the private mail and wire, cable or radio communications

of members of the class.

30. On information and belief, the individual and company defendants have engaged in an extended conspiracy unlawfully to conceal the acts complained of in paragraphs 10-29, supra, from the named plaintiffs and members of their class, from Congress, and from the public.

31. On information and belief, each of the defendants knew of and participated in, and/or concealed the illegal and unconstitutional activities described in paragraphs 10-29, supra.

32. On information and belief, each of the CIA defendants knew that their actions described above were taken in violation of the CIA's charter.

33. On information and belief, none of the defendants who participated in the actions described in paragraphs 10-29 above had a good faith belief that his or its actions were lawful.

FIRST CAUSE OF ACTION

34. The defendants' procurement of interception and divulgence and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class were unreasonable and illegal, and were not made in good faith reliance on any judicial, legislative or other valid authorization, or other reasonable belief in their legality.

35. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class violated Title 18, United States Code, Sections 2511 and 2520, and Title 47 United States Code, Section 605.

36. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment, their right to security against unreasonable searches and seizures guaranteed by the Fourth Amendment, and their right of privacy

guaranteed by the First, Fourth, Fifth and Ninth Amendments.

SECOND CAUSE OF ACTION

37. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

38. The defendants' maintenance and dissemination of files on the constitutionally protected associational and political activities of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment and their right to privacy under the First, Fourth, Fifth and Ninth Amendments.

39. Defendants' infiltration of the plaintiff organizations and members of their class by the use of undercover agents with false or concealed identities who disrupted, discredited and reported on the plaintiffs' constitutionally protected associational and political activities deprived plaintiffs of their freedom of speech and association protected by the First Amendment, their right to security against unreasonable searches and seizures protected by the Fourth Amendment and their right to privacy protected by the First, Fourth, Fifth and Ninth Amendments.

40. The activities of the defendants set forth above continue to interfere with, discourage and deter the plaintiffs in the exercise of their rights of free speech, assembly and association, and their right to petition the government for redress of grievances, guaranteed by the First Amendment.

THIRD CAUSE OF ACTION

41. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

42. The CIA defendants' actions described above are in violation of Title 50, United States Code, Section 403(d)(3).

WHEREFORE, plaintiffs request that the Court grant the following relief:

A. A declaratory judgment that the course of conduct and activities of the defendants set forth above are illegal and unconstitutional;

B. Preliminary, and permanent injunctions enjoining the defendants from engaging in the activities declared to be illegal and unconstitutional;

C. A mandatory injunction or writ of mandamus ordering the defendants to produce before the Court, for delivery to the plaintiffs and members of their class for destruction, all files, reports, records, photographs, data computer tapes and cards, and all other materials derived from defendants' illegal and unconstitutional activities relating to plaintiffs and all other persons similarly situated;

D. Each named plaintiff and member of the plaintiff class have judgment against each defendant in the sum of \$100.00 per day of procurement of interception, divulgence and use, and interception, divulgence and use of the plaintiffs' wire, cable or radio communications, as liquidated damages pursuant to Title 18, United States Code Section 2520 and Title 47, United States Code, Section 605.

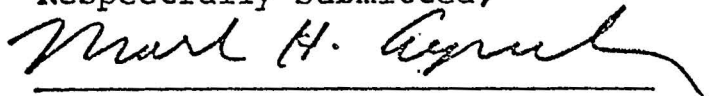
E. Each named plaintiff and member of the plaintiff class have judgment against each defendant in a sum to be determined by the Court for violation of plaintiffs' First, Fourth, Fifth and Ninth Amendment rights.

F. Recovery in the amount of \$50,000 punitive damages for the willful violation of constitutional rights for each plaintiff and each member of the plaintiff class.

G. The reasonable costs of this action and attorneys' fees of plaintiffs.

H. Such other and further relief as the Court shall deem just and proper.

Respectfully submitted,



Mark H. Lynch
John H. F. Shattuck
American Civil Liberties Union
Foundation
600 Pennsylvania Ave., S.E.
Suite 301
Washington, D.C. 20003
(202) 544-1681

United States District Court

FOR THE

District of Columbia

CIVIL ACTION FILE NO. 75-1773

ADELE HALKIN, ET AL.,

Plaintiffs

v.

RICHARD HELMS, ET AL.,

Defendants

SUMMONS

To the above named Defendant : Clarence M. Kelley

You are hereby summoned and required to serve upon

Mark H. Lynch, Esquire.

plaintiff's attorney, whose address

Suite 301

600 Pennsylvania Avenue, S.E.

Washington, D.C. 20003

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you; exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

JAMES F. DAVEY,

Clerk of Court.

Esther E. Creeden
Deputy Clerk.

Date: November 14, 1977

[Seal of Court]

NOTE: This summons is issued pursuant to Rule 14 of the Federal Rules of Civil Procedure.

7 10.30.1977

NOT RECORDED
21 NOV 29 1

11/13/89 SP4ELW/KFA C.A. 75-1826
AL: ... CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5-2-80 BY SP7 CLC/ACM
P/11/94 C.A. 75-1826

ENCLOSURE
ENCLOSURE ATTACHED

RETURN ON SERVICE OF WRIT

I hereby certify and return, that on the _____ day of _____, 19____, I received this summons and served it together with the complaint herein, as follows:

RECEIVED
NOV 21 11 12 AM 1977
MARSHAL

DEPT. OF COMMERCE

JAMES E. DAVEY

MARSHAL'S FEES

Travel \$ _____

Service \$ _____

By _____

Deputy United States Marshal

8/11/77 C-24 11-55-1898
26 J 050/400

Subscribed and sworn to before me, a

day of _____, 19____

[SEAL]

Note:—Affidavit required only if service is made by a person other than a United States Marshal or his Deputy.

No. 75-1773

United States District Court
FOR THE
District of Columbia

ADELE HAKIN, ET AL,

Plaintiffs,

RICHARD HELLS, ET AL.,

Defendants.

SUMMONS IN CIVIL ACTION

Returnable not later than 20 days
after service.

Mark H. Lynch, Esquire

Attorney for Plaintiff

FBI-NI-3-573-200M-5926

CIVIL ACTION FILE NO. 75-1773

DEPT. OF COMMERCE

FOR THE

United States District Court

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA.

ADELE HALKIN, et al.,
Plaintiffs,
v.
RICHARD HELMS, et al.,
Defendants.

Civil Action No. 75-1773

ANSWERS TO PLAINTIFFS' FIRST INTERROGATORIES
TO DEFENDANT KELLEY

William F. Shubatt, Special Agent of the Federal Bureau of Investigation (FBI), having been designated to answer PLAINTIFFS' FIRST INTERROGATORIES TO DEFENDANT KELLEY on behalf of Clarence M. Kelley, Director of the FBI, hereby deposes and answers as follows on the basis of a review of the main files (except criminal and FOIA) maintained on the plaintiffs at the Federal Bureau of Investigation Headquarters:

INTERROGATORY NO. 1:

1(a). Has your agency at any time since August, 1967 requested in any manner -- including submission of "watchlists" -- information from the Central Intelligence Agency (CIA) concerning any of the plaintiffs in this lawsuit.

1(b). If the answer to interrogatory 1(a) is affirmative, state which plaintiffs and the dates on which such requests were made.

ANSWER TO INTERROGATORY NO. 1:

1(a). Yes.

NOT RECORDED
2 NOV 29 1977

1(b). The files reveal that information was requested of the Central Intelligence Agency with respect to plaintiff Committee of Concerned Asian Scholars, plaintiff Peck, and plaintiff Schechter. The dates on which such information was

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5-2-80 BY SP-1
-388k/672

5 NOV 30 1977

LEGISLATIVE COUNSEL

requested are reflected in the documents made available in response to PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT KELLEY, Request No. 1.

INTERROGATORY NO. 3:

3(a). Has your agency at any time since August, 1967 received information, whether requested or not, concerning any of the plaintiffs in this lawsuit from the CIA.

3(b). If the answer to interrogatory 3(a) is affirmative, state which plaintiffs and the dates on which such information was received.

ANSWER TO INTERROGATORY NO. 3:

3(a). Yes.

3(b). The files reveal that information was received from the Central Intelligence Agency with respect to plaintiffs Leonard Palmer Adams, III, Nina Adams, Howard J. DeNike, Adele Halkin, Steve Halliwell, Don Luce, Sidney Peck, Daniel Schechter, Committee of Concerned Asian Scholars, and Women Strike for Peace. The dates on which such information was received are reflected in the documents made available in response to PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT KELLEY, Request No. 1.

INTERROGATORY NO. 4:

4(a). Has your agency ever received information from NSA, whether requested or not, concerning any of the plaintiffs in this lawsuit?

4(b). If the answer to interrogatory 4(a) is affirmative, state which plaintiffs and the date on which such information was received.

RESPONSE TO INTERROGATORY NO. 4:

(a-b). An answer is not required to this interrogatory in view of the Court's Order of October 5, 1977, staying all proceedings with respect to allegations that the National Security Agency acquired plaintiffs' messages.

INTERROGATORY NO. 5:

5(a). Does your agency currently have in its files any records concerning any of the plaintiffs which were received from the CIA, or derived from information received from the CIA?

5(b). If the answer to interrogatory 5(a) is negative and the answer to interrogatory 3(a) is affirmative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

ANSWER TO INTERROGATORY NO. 5:

5(a). Yes.

5(b). Not applicable, please see my answer to subpart (a), above.

INTERROGATORY NO. 6:

6(a). Does your agency currently have in its files any records concerning any of the plaintiffs which were received from NSA, or derived from information received from NSA.

6(b). If the answer to interrogatory 6(a) is negative and the answer to interrogatory 4(a) is affirmative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

RESPONSE TO INTERROGATORY NO. 6:

(a-b) An answer is not required to this interrogatory in view of the Court's Order of October 5, 1977, staying all proceedings with respect to allegations that the National Security Agency acquired plaintiffs' messages.

INTERROGATORY NO. 7:

7(a). Has your agency ever provided information concerning any of the plaintiffs in this lawsuit to the CIA or to the NSA.

7(b). If the answer to interrogatory 7(a) is affirmative, state which plaintiffs and the dates on which the information was provided.

7(c). Does your agency currently have in its files any records concerning any of the plaintiffs in this lawsuit, copies of which or the substance of which were provided to the CIA or NSA.

7(d). If the answer to interrogatory 7(a) is affirmative and the answer to interrogatory 7(c) is negative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

PARTIAL ANSWER TO INTERROGATORY NO. 7:

7(a). The files reveal that the Federal Bureau of Investigation has provided information concerning some of the plaintiffs to the Central Intelligence Agency.

7(b). The files reveal that information was provided to the Central Intelligence Agency with respect to plaintiffs Leonard Palmer Adams III, Nina Adams, Adele Halkin, Steve Halliwell, Carl Whitney Jacobson, Leigh Kagan, Richard Clark Kagan, Jonathan Mirsky, Sidney Peck, David Gareth Porter, Daniel Schechter, Ethel Taylor, Committee of Concerned Asian Scholars, and Women Strike for Peace. The dates on which such information was provided are reflected in the documents made available in response to PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT KELLEY, Request No. 2.

7(c). The Federal Bureau of Investigation currently has in its files copies of or the substance of records concerning some of the plaintiffs which were provided by the Central Intelligence Agency.

7(d). Not applicable, please see my answer to subpart (c), above.

I, William F. Shubatt, declare under penalty of perjury that the foregoing answers are true and correct based on the main files (except criminal and FOIA) maintained on the plaintiff at the Federal Bureau of Investigation Headquarters.

Signed by me this 23rd day of November, 1977.


WILLIAM F. SHUBATT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADELE HALKIN, et al.,

Plaintiffs,

v.

Civil Action No. 75-1773

RICHARD HELMS, et al.,

Defendants.

OBJECTIONS TO PLAINTIFFS' FIRST INTERROGATORIES
TO DEFENDANT KELLEY

Pursuant to Rule 33, Federal Rules of Civil Procedure, Clarence M. Kelley, Director of the Federal Bureau of Investigation, by his undersigned attorneys, hereby objects as follows to certain of PLAINTIFFS' FIRST INTERROGATORIES TO DEFENDANT KELLEY:

INTERROGATORY NO. 2:

(a) Has your agency ever requested in any manner -- including submission of "watchlists" -- information from the National Security Agency (NSA) concerning any of the plaintiffs in this lawsuit?

(b) If the answer to interrogatory 2(a) is affirmative, state which plaintiffs and the dates on which such requests were made.

OBJECTION TO INTERROG. 2:

The defendant objects to answering this interrogatory pending the disposition of the MOTION OF OFFICIAL DEFENDANTS FOR PARTIAL DISMISSAL AND, ALTERNATIVELY, TO RECONSIDER THE DENIAL OF A STAY.

INTERROGATORY NO. 7:

(a) Has your agency ever provided information concerning any of the plaintiffs in this lawsuit to the CIA or to the NSA.

(b) If the answer to interrogatory 7(a) is affirmative,

ENCLOSURE

62-116878-

state which plaintiffs and the dates on which the information was provided.

(c) Does your agency currently have in its files any records concerning any of the plaintiffs in this lawsuit, copies of which or the substance of which were provided to the CIA or NSA.

(d) If the answer to interrogatory 7(a) is affirmative and the answer to interrogatory 7(c) is negative, please provide: (i) the dates on which records concerning each of the plaintiffs were removed from the files of your agency; (ii) the method of removal; (iii) the reason for removal; and (iv) the identity of the person who authorized the removal.

PARTIAL OBJECTION TO INTERROGATORY NO. 7:

The defendant objects to answering this interrogatory, insofar as it pertains to the submission of names to the National Security Agency, pending disposition of the MOTION OF OFFICIAL DEFENDANTS FOR PARTIAL DISMISSAL AND, ALTERNATIVELY, TO RECONSIDER THE DENIAL OF A STAY.

Respectfully submitted,

Barbara Allen Babcock
BARBARA ALLEN BABCOCK
Assistant Attorney General

David J. Anderson
DAVID J. ANDERSON

Larry L. Gregg
LARRY L. GREGG

R. John Seibert
R. JOHN SEIBERT

Paul A. Gaukler
PAUL A. GAUKLER

Attorneys, Department of Justice
Washington, D.C. 20530
Telephone: 202/739-4686

Attorneys for Defendant Kelley

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ADELE HALKIN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 75-1773
)	
RICHARD HELMS, et al.,)	
)	
Defendants.)	
	/	

OBJECTIONS OF DEFENDANT KELLEY TO
PLAINTIFFS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and in response to PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANTS KELLEY, KNIGHT AND BROWN, now comes defendant Clarence M. Kelley in his official capacity as Director of the Federal Bureau of Investigation, through his undersigned counsel, and states that subject to the objections set forth below he will produce for inspection and copying materials sought by the foregoing request for documents in the offices of Larry L. Gregg, Department of Justice, Room 3330, Washington, D.C. on November 25, 1977.

REQUEST NO. 1 All documents concerning any of the plaintiffs which your agency has received from the CIA since August, 1967.

REQUEST NO. 2 All documents concerning any of the plaintiffs, copies of which your agency has transmitted to the CIA since August, 1967.

OBJECTION TO REQUESTS NO. 1 AND NO. 2 Defendant Kelley objects to producing the requested documents or portions thereof, which would reveal the following information:

1. Identities of confidential FBI sources and informants normally precluded from disclosure in the public interest of encouraging

ENCLOSURE

62-116878-

the providing of useful intelligence and law enforcement information;

2. Information obtained from or about the investigative or intelligence activities of another United States Government Agency;
3. Information concerning the privacy interests of a non-party normally precluded from disclosure to prevent embarrassment and prejudice to personal and professional interests;
4. Information revealing that non-party individuals are or have been the subjects of an FBI investigation, the disclosure of which is precluded in the public interest of furthering the investigative function;
5. Information revealing that non-party organizations are the subjects of an FBI investigation, the disclosure of which is precluded in the public interest of furthering the investigative function;
6. Information obtained by the FBI from or revealing the identity of a cooperating foreign intelligence source, disclosure of which is precluded in the interest of avoiding harm to the national security; and
7. FBI administrative markings, including but not limited to classification stamps, internal routing slips, and file numbers, which are not related to the subject matter of the litigation in that they have

no substantive association with the purpose or motivation behind the preparation of the document on which they appear;

Defendant Kelley further objects to those portions of requested FBI files containing information provided by the CIA whose disclosure has been objected to by the defendant Director of Central Intelligence, Stansfield Turner, in his response to Plaintiffs' First Request to Defendant Turner for Production of Documents. Defendant Kelley accordingly incorporates herein by reference all objections made by defendant Turner to plaintiffs' aforementioned request for documents to the extent they pertain to those portions of FBI documents containing information supplied by CIA which has been deleted.

In order to assist plaintiffs in matching the foregoing objections to documents sought by Requests No. 1, and No. 2 the following letters have been used in place of excised information to denote the particular objection and grounds therefor:

- AA -- Informants' identities;
- BB -- Information obtained from or about the investigative or intelligence activities of another United States Government agency;
- CC -- Information concerning the privacy of non-party individuals;
- DD -- Information concerning non-party individuals who are or have been the subjects of an FBI investigation;
- EE -- Information concerning non-party organizations who are the subjects of current FBI investigations;

FF -- Information received from or disclosing
the identity of cooperating foreign
intelligence sources;

GG -- Administrative markings containing in-
formation not relevant to the subject
matter of the litigation;

HH -- Classification markings; and

II -- File numbers.

The use of the foregoing abbreviated objection symbols
in the accompanying documents is not exclusive or conclusive
as to all pertinent objections, and the absence of a letter
or number in a space corresponding to a deletion should not
be deemed a waiver or failure to assert any of the objections
set forth in the preceding paragraph.

REQUEST NO. 3 All documents concerning any of the plaintiffs
which your agency has ever received from the NSA.

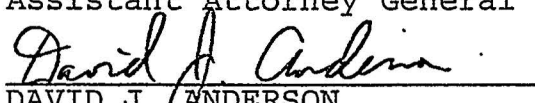
OBJECTION TO REQUEST NO. 3 Defendant Kelley objects to respon-
ding to Request No. 3 in view of the Court's Order of
October 5, 1977 staying all proceedings relating to allegations
that NSA acquired plaintiffs' messages.


REQUEST NO. 4 All documents concerning any of the plaintiffs,
copies of which your agency has transmitted to the NSA.

OBJECTION TO REQUEST NO. 4 Defendant Kelley objects to
responding to Request No. 4 pending disposition of the MOTION
OF OFFICIAL DEFENDANTS FOR PARTIAL DISMISSAL AND, ALTERNATIVELY,
TO RECONSIDER THE DENIAL OF A STAY.

Respectfully submitted,


BARBARA ALLEN BABCOCK
Assistant Attorney General


DAVID J. ANDERSON


R. JOHN SEIBERT
LARRY I. GREGG
PAUL A. GAUKLER

Attorneys for defendant
Kelley in official capacity

Attorneys, Department of Justice
Washington, D.C. 20530
Telephone: (202) 739-4686

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

P

ADELE HALKIN, et al.,)	FEDERAL GOVERNMENT
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 75-1773
)	
RICHARD HELMS, et al.,)	
)	
Defendants.)	

MEMORANDUM OF POINTS AND AUTHORITIES IN
SUPPORT OF MOTION TO DISMISS OF DEFENDANTS
GRAY, KELLEY, KNIGHT, ROWLEY, ALLEN, AND
CARROLL

Respectfully submitted,

BARBARA ALLEN BABCOCK
Assistant Attorney General

DAVID J. ANDERSON
LARRY L. GREGG
R. JOHN SEIBERT
PAUL A. GAUKLER

Attorneys, Department of Justice
Washington, D.C. 20530
Telephone: 202/ 739-4686

Attorneys for defendants Gray,
Kelley, Knight, Rowley, Allen,
and Carroll in their individual
capacities

10
ENCLOSURE

ENC. BEHIND FILE

62-116,828-
~~NOT RECORDED~~

2 NOV 8 1977

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *5/1/81* BY *SP-10*

~~LEGAL COUNSEL~~

242
1977
54 NOV 11 1977

11/13/89 SP4 ELW/KFA C.A. #88-1826

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1/17/94 BY SP-SRTG/mk

SP7 CEC/ACW

8/11/94 C.A. #88-1826

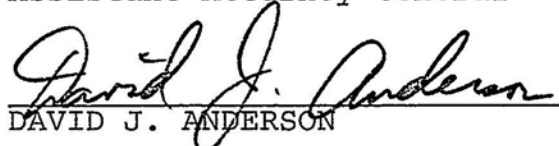
NOV 09 1972

62-116878
11/11/76

In support of their motions, defendants submit their Memorandum in Support of Motion to Dismiss of Defendants Gray, Kelley, Knight, Rowley, Allen and Carroll, supporting Exhibits, and ~~a~~ proposed Order.

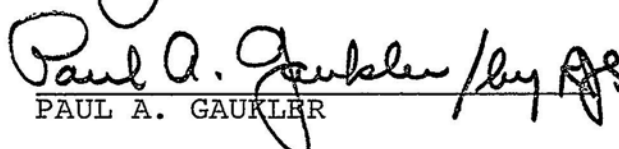
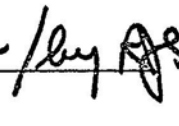
Respectfully submitted,


BARBARA ALLEN BABCOCK
Assistant Attorney General


DAVID J. ANDERSON

 / by 
LARRY L. GREGG


R. JOHN SEIBERT

 / by 
PAUL A. GAUKLER

Attorneys, Department of Justice
Washington, D.C. 20530
Telephone: (202) 739-4267

Attorneys for Federal Defendants

OCT 5 1977

JAMES F. DAVEY, Clerk

ADELE HALKIN, ET AL.,)
)
Plaintiffs,)
)
v.)
)
RICHARD HELMS, ET AL.,)
)
Defendants)

Civil Action No. 75-1773

ORDER

This matter is currently before the Court on federal defendants' motion to stay proceedings relating to NSA-Shamrock matters and plaintiffs' response thereto. ^{1/} Plaintiffs have indicated they do not oppose this motion except as it relates to those aspects of paragraphs 20 and 22 of the second amended complaint which deal with the submission of "watchlists" to NSA, and paragraph 29 which deals with maintenance and dissemination of files relating to activities separate and apart from any NSA acquisitions.

The Court is basically in agreement with plaintiffs' position as to paragraphs 20 and 22. This is not to be construed, however, as an indication of any determination by the Court as to whether the allegations contained in paragraphs 20 and 22 are actionable in and of themselves without the actual fact of interception. Rather the Court at this time finds only that plaintiffs are entitled to know whether their names are contained on any watchlists submitted to NSA by the CIA, FBI, DIA, and the Secret Service. The Court considers this information to be independent of those allegations concerning NSA's acquisition of plaintiffs' international communications.

^{1/} On September 30, 1977 the United States Court of Appeals for the District of Columbia granted defendants' petition for permission to file an interlocutory appeal of this Court's June 30, 1977 Memorandum Opinion and Order dealing with these matters. Therefore, only those objections to the stay specifically raised by plaintiffs remain to be ruled on by this Court.

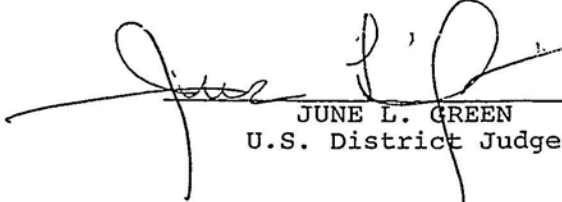
19 new plaintiffs; and it is further

ORDERED that defendants shall respond to any discovery requests concerning Operations MERRIMAC and RESISTANCE as to all plaintiffs within 30 days following the filing of the answers to interrogatories of the 19 new plaintiffs; and it is further

ORDERED that counsel for the individual defendants shall enter his/her appearance on the record, if in fact this has not yet been done, within 20 days of the filing of this Order; and it is further

ORDERED that any further discovery or other matters regarding plaintiffs Weiss, Institute for Policy Studies, American Friends Service Committee, and Clergy and Laity Concerned is hereby stayed pending an oral hearing on October 19, 1977 at 10:00 a.m. on the possible imposition of sanctions.




JUNE L. GREEN
U.S. District Judge



FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1352597-0

Total Deleted Page(s) = 19

Page 12 ~ b1;
Page 13 ~ b1;
Page 14 ~ b1;
Page 15 ~ b1;
Page 16 ~ b1;
Page 17 ~ b1;
Page 18 ~ b1;
Page 19 ~ b1;
Page 36 ~ b1;
Page 37 ~ b6; b7C;
Page 38 ~ b6; b7C;
Page 39 ~ b6; b7C;
Page 40 ~ b6; b7C;
Page 45 ~ b6; b7C;
Page 46 ~ b6; b7C;
Page 47 ~ b6; b7C;
Page 49 ~ b6; b7C;
Page 50 ~ b6; b7C;
Page 53 ~ b6; b7C;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-01-2009

UNITED STATES GOVERNMENT

Memorandum

~~SECRET~~

~~SECRET~~

DATE: 7/29/77

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

TO : Assistant Director
Special Investigative Division

FROM : Legal Counsel

SUBJECT: ADELE HALKIN, et al., v.
RICHARD HELMS, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 75-1773

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

DECLASSIFIED BY SP-5 RJG/mhw
ON 1/17/79

PURPOSE: To report a request from the Department for suggested answers to the allegations in the Complaint in captioned civil suit which pertain to the Bureau and the actions of present or former officials thereof.

SYNOPSIS: Eight individual and five organizational plaintiffs in captioned civil suit seek declaratory, injunctive and monetary relief for alleged violations of certain constitutional and statutory rights as a result of the actions of a Special Operations Group within the Central Intelligence Agency (CIA) Counterintelligence Staff, known as "Operation CHAOS." Plaintiffs allege, inter alia, that the Bureau furnished the National Security Agency (NSA) "watchlists", requested interception of their communications, and used, shared, placed in files, maintained and disseminated information derived from summaries of intercepted communications supplied to the Bureau by the NSA.

The Department has requested that we furnish information responsive to the allegations in the Complaint that pertain to actions taken by the Bureau with regard to the plaintiffs. The Department must file an answer to the Complaint by 8/15/77.

This memorandum requests that the Special Projects Review Unit (SPRU) or the Special Case Review Unit (SCRU), Special Investigative Division (SID) review FBIHQ main files on the plaintiffs and furnish Legal

Enclosures (4)

1 - Mr. Fehl

Attn: Mr. Hetherington

EX-120 REC-24 62-116878-489-und
OCT 3 1978
CLASS BY 2-1-78 Mr. Mintz
REASON FCIM 11, 1-2.4.2 1 - Civ. Lit. Unit
DATE OF REVIEW 7/29/77

DFH:jab

CLASSIFIED BY 2-1-78
REASON FCIM 11, 1-2.4.2
DATE OF REVIEW 7/29/77
SECRET MATERIAL ATTACHED
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE



62 OCT 12 1978
ENCLOSURE

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

~~SECRET~~

FBI/DOJ

Legal Counsel to Special Investigative Division
Re: ADELE HALKIN, et al., v.
RICHARD HELMS, et al.

~~SECRET~~

~~SECRET~~

Counsel Division (LCD) information responsive to specific questions set forth in the Details of this memorandum.

The information is requested by 8/5/77, in order that LCD can respond to the Department by 8/15/77.

RECOMMENDATION: That the SPRU or SCR, SID furnish LCD information responsive to the specific questions set forth in the Details of this memorandum.

APPROVED:

Director _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Spec. Inv. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

*On 8-2-77
LCD
b6
b7C
advised additional
reviews would be needed
& additional plaintiffs
was being added, and
therefore, no deadline is
set at this time for
the compilation of
requested info.
ML*

DETAILS: Captioned civil suit was originally filed in U.S. District Court for the District of Columbia by eleven individual and six organizational plaintiffs seeking declaratory, injunctive, and monetary relief for alleged violations of certain constitutional and statutory rights as a result of the actions of a Special Operations Group within the CIA Counterintelligence Staff, known as "Operation CHAOS." Plaintiffs alleged, inter alia, that the Bureau furnished the NSA "watchlists", requested interception of their communications, and used, shared, placed in files, maintained and disseminated information derived from summaries of intercepted communications supplied to the Bureau by the NSA. Among those named as defendants are Director Kelley and former Acting Director L. Patrick Gray, III. Both are sued individually and in their official and former official capacities. A copy of the Complaint is attached.

Subsequent to the filing of the suit,

The American Indian Movement (AIM) and The Committee of Liaison With Families of Servicemen Detained in Vietnam (COLIAFAM) were voluntarily dismissed as plaintiffs and the Complaint was amended to add The Institute For Policy Studies (IPS) as a plaintiff.

By memorandum dated 12/23/75, the Department

-2- ~~SECRET~~

~~SECRET~~

b6
b7C

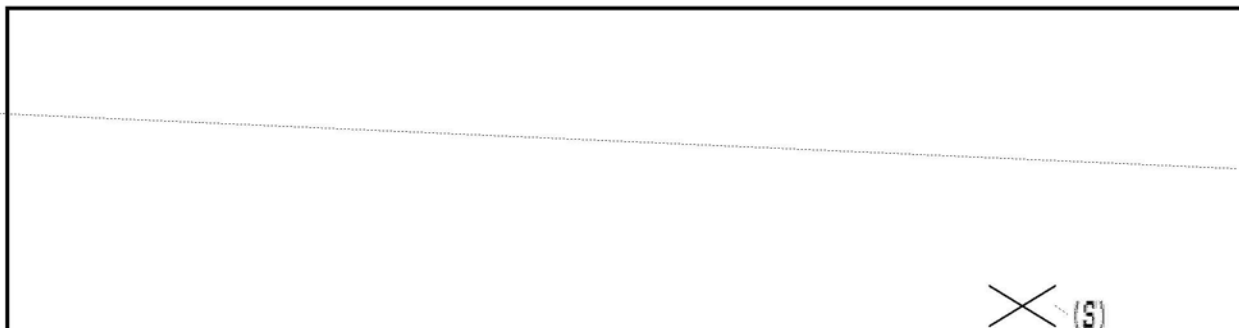
Legal Counsel to Special Investigative Division
Re: ADELE HALKIN, et al., v.
RICHARD HELMS, et al.

~~SECRET~~

~~SECRET~~

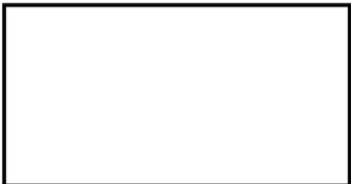
requested a litigation report in this civil suit, including information responsive to four specific questions concerning electronic surveillance and interception of plaintiffs' postal or electrical communications. By memorandum (attached) from R. L. Shackelford to Mr. T. W. Leavitt, dated 6/17/76, information responsive to those requests as to all the plaintiffs except IPS was furnished to LCD.

On 6/17/76, the Department advised LCD that no litigation report would be necessary at that time.



On 7/18/77, Departmental Attorney Gordon W. Daiger requested a litigation report in captioned civil suit and advised LCD that an answer to the Complaint must be filed by 8/15/77.



<u>Plaintiff</u>	<u>File</u>	<u>Section</u>
	105-170067	
	105-166181	
	100-442267	1, 2
American Friends Service Committees, Inc.	100-11392	23, 25
Clergy and Laity Concerned	105-170160	1, 4, 8

~~SECRET~~

~~SECRET~~

b6
b7C

~~SECRET~~

Legal Counsel to Special Investigative Division
Re: ADELE HALKIN, et al., v.
RICHARD HELMS, et al.

Committee Of
Concerned
Scholars

105-192628

1, 2

~~SECRET~~

IPS

100-447935
44-56700

3, 4

Women Strike
For Peace

62-107350

1-40,

50-end *su*

b2

The SPRU or SCRUI, SID is requested to review appropriate FBIHQ files and furnish LCD information responsive to the following questions in order that LCD can respond to certain allegations in the Complaint:

2 1. Did the Bureau furnish information concerning the plaintiffs to "Operation CHAOS?" If so, what information, as to each plaintiff, was furnished to CIA?

3 2. Was information gathered by "Operation CHAOS" conveyed to the FBI? If so, what information, as to each plaintiff, was conveyed? b2

4
5
6
7 6. Does the FBI continue to maintain files on the plaintiffs? In responding to this question, please indicate each date in the period 8/1/67 - 4/30/74, that the case was opened or closed and the reason that the case was opened, re-opened, or closed. This question pertains only to main case files on the plaintiffs. *su*

~~SECRET~~

~~SECRET~~

~~SECRET~~

Legal Counsel to Special Investigative Division
Re: ADELE HALKIN, et al., v.
RICHARD HELMS, et al.

~~TOP SECRET~~
The SPRU or SCRU, SID is requested to furnish the information requested above by 8/5/77, in order that LCD can furnish the Department suggested answers to the allegations in the Complaint by 8/12/77.

APPROVED: _____

Director _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. *m/pt* _____
Plan. & Insp. _____
Rec. Mgnt. _____
Spec. Inv. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

~~SECRET~~

~~SECRET~~

**For Forwarding
Purposes Only**

**For Forwarding
Purposes Only**

~~CONFIDENTIAL~~ ~~SECRET~~

Assistant Attorney General ~~FEDERAL GOVERNMENT~~
Criminal Division
(Attn: Mr. Gordon Daiger)

November 18, 1976

Assistant Director - Legal Counsel
Federal Bureau of Investigation

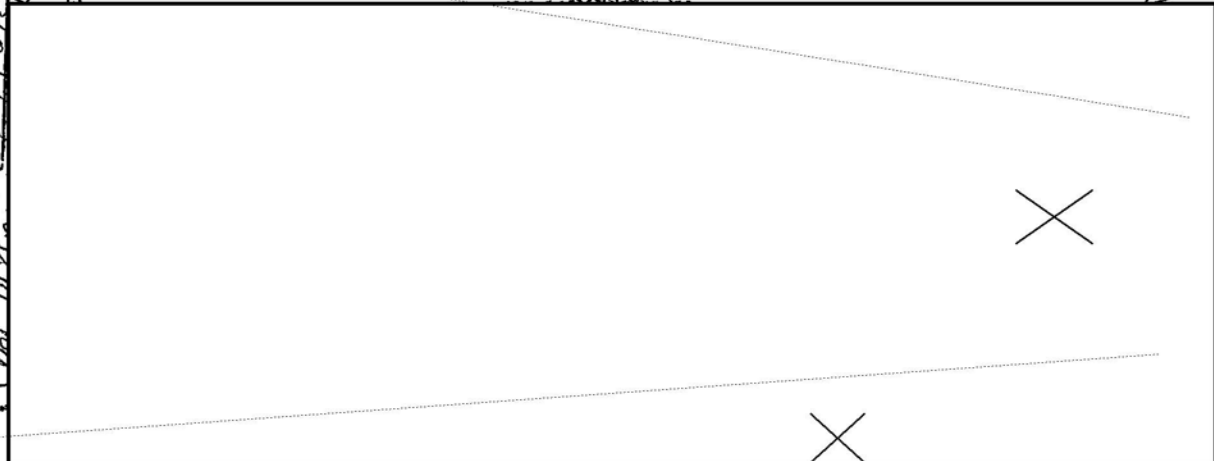
- 1 - Mr. Gallagher
(Attn: Mr. Nugent)
- 1 - Mr. Leavitt
(Attn: Mr. Murphy)
- 1 - Mr. Mintz
- 1 - Mr. Flanders

ADELE HALKIN, et al. v.
RICHARD HELMS, et al.
(U.S.D.C., D.C.)

CIVIL ACTION FILE NO. 75-1773



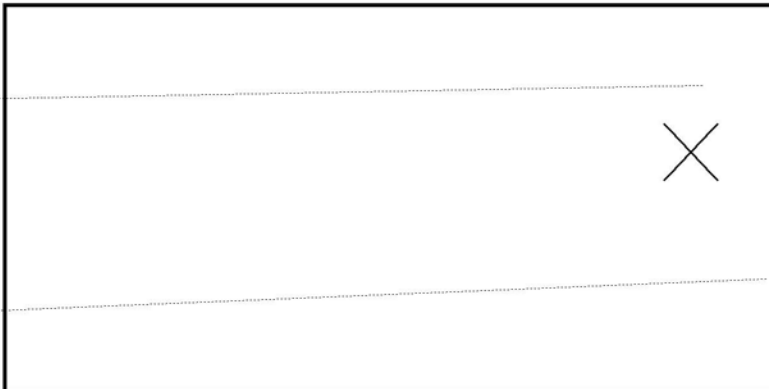
b6
b7C



b1

LASS. & EXT. BY SP-2 TAP/CLK 2/11/80
REASON - FCIM II 1-2.4.2
DATE OF REVIEW 11/18/94

MAILED 3
NOV 19 1976
FBI



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

(S)

88-2978-8

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

Classified by SP-5 ATG/lmk
Declassify on: OADR
SP-4 elw/alm 2/14/90
C.A.#
88-1826

CONFIDENTIAL

5 NOV 28 1976

Classified By 6419
Exempt from GDS, Category 2
Date of Declassification Indefinite

62-117113
DGF:kiw

~~SECRET~~ ENCLOSURE

(See NOTE, Page 9.)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-X

~~CHANDLER~~

~~11042 Newport Mill Road
Silver Spring, Maryland 20902;~~

~~ADELE HALKIN~~

56 E. Bellevue Place
Chicago, Illinois 60611;

~~STEVE HALLIVELL~~

c/o Goddard College
Plainfield, Vermont 05667;

~~DON LUCE~~

c/o Clergy and Laity Concerned
235 East 49th Street

New York, N.Y. 10017;

~~JONATHAN MIRSKY~~

Thetford, Vermont 05074;

~~SIDNEY PECK~~

15 Farrar
Cambridge, Mass. 02138;

~~NANCY ANN RAMSEY~~

~~1626 Vermont Street, N.W.~~

~~Washington, DC 20011;~~

~~DANIEL SCHECHTER~~

5005 Prudential Tower

Boston, Mass. 02199;

~~ETHEL TAYLOR~~

41 Conshohocken State Road

Apt. 714

Bala Cynwyd, Pa. 19004;

~~EDITH VILLAGASTRICO~~

~~16216 Sutherland Road~~

~~Silver Spring, Maryland 20901;~~

~~CORA WEISS~~

5022 Waldo Road

Riverdale, New York 10471;

~~AMERICAN INDIAN MOVEMENT~~

~~701 University Avenue~~

~~St. Paul, Minnesota 55101;~~

~~AMERICAN FRIENDS SERVICE COMMITTEE, INC.~~

1501 Cherry Street

Philadelphia, Pennsylvania 19102;

~~CLERGY AND LAITY CONCERNED~~

235 East 9th Street

New York, New York 10017;

~~COMMITTEE OF CONCERNED~~

~~ASIAN SCHOLARS, c/o Angus~~

~~McDonald, National Coordinator,~~

~~614 Social Science Building,~~

~~University of Minnesota,~~

~~Minneapolis, Minn. 55455;~~

~~COMMITTEE OF LIAISON WITH~~

~~FAMILIES OF SERVICEMEN~~

~~DECEASED IN VIETNAM~~

~~365 West 42nd Street~~

~~New York, New York 10036;~~

~~WOMEN STRIKE FOR PEACE~~

145 South 13th Street, Room 407

Philadelphia, Pa. 19107;

~~INSTITUTE FOR POLICY STUDIES~~

~~1520 NEW HAMPSHIRE AVE. N.W., WDC~~
on behalf of themselves and all other persons
and organizations similarly situated,

Plaintiffs,

v.

CIVIL ACTION

NO. 75-1773

FIRST AMENDED

COMPLAINT-CLASS

ACTION FOR

DECLARATORY AND

INJUNCTIVE RELIEF

AND MONEY DAMAGES

(Judge Green)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/2/80 BY SP-1

SP-4 elw/alw 2/14/90
C.A. # 88-1826

62-116878-48

ENCLOSURE (3)

RICHARD HELMS

Department of State
United States Embassy
Tehran, Iran;

JAMES R. SCHLESINGER
Department of Defense
The Pentagon

Washington, DC 20301;

RUFUS N. TAYLOR

50-1 North Lake View Drive
Whispering Pines, North Carolina 28389;

ROBERT E. CUSHMAN, JR.

Commandant of the Marine Corps;
Navy Department, Washington, D.C. 20380;

VERNON A. VALTERS

12955 Ocean Boulevard
Palm Beach, Florida 33480;

WILLIAM F. COLBY

Central Intelligence
Washington, DC. 20505;

CORD MEYER, JR.

Central Intelligence Agency
Washington, DC 20505;

JAMES J. ANGLETON

4314 33rd Road
North Arlington, VA. 22210;

WILLIAM HOOD

4450 South Park Avenue
Chevy Chase, Maryland;

RAYMOND P. ROCCA

3355 Tennyson Street
Washington, D.C.;

RICHARD OBER

Old Executive Office Building
Washington, DC 20505;

HOWARD OSBORN

6603 East Avenue
Chevy Chase, Maryland;

JAMES MURPHY

Central Intelligence Agency
Washington, DC 20505;

MARSHALL CARTER

c/o U.S. Milpercen
200 Stovall Street
Alexandria, Virginia 22332
Attn. DAPC-PAS-A;

NOEL GAYLER

Department of the Navy
The Pentagon
Washington, DC 20301;

FRANK C. PHILLIPS

Department of the Air Force
The Pentagon
Washington, DC 20301;

LEW ALLEN, JR

National Security Agency
Fort Meade, Maryland;

LOUIS W. TORDELLA

9512 D. Stanhope Road
Kensington, Maryland;

L. PATRICK GRAY III

325 State Street
New London, Connecticut 06320;

CLARENCE KELLEY
Director, Federal Bureau of Investigation
Washington, D.C.;

JAMES J. ROWLEY
9615 Glencrest Lane
Kensington, Maryland;
H. STUART KNIGHT

Director, U.S. Secret Service
Department of the Treasury
Washington, D.C.;

JOSEPH CARROLL
7306 Rippon Road
Alexandria, Virginia;
DONALD BENNETT

c/o Defense Intelligence Agency
The Pentagon
Washington, D.C. 20301;

VINCENT DE POIX
2782 N. Wakefield
Arlington, Virginia;

JOHN INGERSOLL
c/o Drug Enforcement Administration
U.S. Department of Justice
Washington, D.C.;

JOHN R. BARTELS, JR
c/o Drug Enforcement Administration
U.S. Department of Justice
Washington, D.C.;

WESTERN UNION INTERNATIONAL, INC.
2100 M Street, NW
Washington, D.C.;

RCA GLOBAL COMMUNICATIONS, INC.
60 Broad Street
New York, N.Y. 10004;

ITT WORLD COMMUNICATIONS, INC.
67 Broad Street
New York, N.Y. 10004;

JOHN DOE, RICHARD ROE and other unknown
agents and employees of the United
States Government.

Defendants.

-----X

Plaintiffs, by their attorneys, allege as follows for their
First Am^{ed}endment Complaint:

JURISDICTION

1. This is a civil action for declaratory and injunctive relief and money damages, arising under the First, Fourth, Fifth and Ninth Amendments to the Constitution; Title 18, United States Code, Sections 2510-2520; and Title 47, United States Code, Section 605; and Title 50 United States Code, Section 403(d)(3). The jurisdiction of this Court is predicated on Title 18, United States Code, Section 2520; Title 28, United States Code, Sections 1331(a), 1343(4) and 1361; Title 47, United States Code, Section 605; Title 42, United

States Code, Section 1985(3); and the First, Fourth, Fifth and Ninth Amendments to the Constitution.

2. The matter in controversy, exclusive of interests and costs, exceeds \$10,000.

PARTIES

3. Plaintiffs:

a. ~~MARY CHANDLER is an American citizen and a member of Women Strike for Peace.~~

b. ADELE HALKIN is an American citizen and a member of Women Strike for Peace.

c. STEVE HALLIFELL is an American citizen, a former officer of Students for a Democratic Society and a founding member of the Committee for Liaison with Families of Servicemen Detained in Vietnam.

d. DON LUCE is an American citizen and Executive Director of Clergy and Laity Concerned.

e. JONATHAN MIRSKY is an American citizen and from 1963 to the present he has been a leader of anti-war activities.

f. SIDNEY PECK is an American citizen, a former Co-chairperson of the National Mobilization Committee to End the War in Vietnam and the former National Coordinator of People's Coalition for Peace and Justice.

g. ~~MICHAEL RAMSEY is an American citizen and a member of Women Strike for Peace.~~

h. DANIEL SCHECHTER is an American citizen formerly associated with Ramparts Magazine and the Africa Research Group, and a participant in various anti-war activities over the last decade.

i. ETHEL TAYLOR is an American citizen and the National Coordinator of Women Strike for Peace.

j. ~~EDITH VILLAFRUE is an American citizen, a member of Women Strike for Peace and was a delegate to the 1973 World Congress of Peace Forces.~~

k. CORA WEISS is an American citizen, a leader of Women Strike for Peace, a former Co-chairperson of the New Mobilization

Committee to End the War in Vietnam, a member of the Board of Directors of Clergy and Laity Concerned and a former Co-chairperson of the Committee of Liaison with Families of Servicemen Detained in Vietnam.

1. ~~THE AMERICAN INDIAN MOVEMENT (AIM) is a nonprofit corporation dedicated to advancing the well-being, self-determination and cultural preservation of the native peoples of the American continents.~~

m. THE AMERICAN FRIENDS SERVICE COMMITTEE, INC. (AFSC) is a non-profit corporation dedicated to furthering the historic peace testimony and the social aims of the several branches of the Religious Society of Friends.

n. CLERGY AND LAITY CONCERNED (CALC) is a non-profit inter-faith peace organization which has protested U.S. involvement in the Indochina War since 1965.

o. The COMMITTEE OF CONCERNED ASIAN SCHOLARS (CCAS) is a non-profit organization dedicated to opposing American intervention in the internal affairs of countries in Southeast Asia.

p. ~~The COMMITTEE OF LIAISON WITH FAMILIES OF SERVICEMEN DETAINED IN VIETNAM (COLIFAM) is a non-profit organization which has worked for an end to U.S. involvement in the War in Indochina and the release of prisoners of war.~~

q. WOMEN STRIKE FOR PEACE is a non-profit organization dedicated to anti-war activities, including activities to end the war in Indochina.

4. Defendants:

a. Defendant RICHARD HELMS is the United States Ambassador to Iran and was Director of the Central Intelligence Agency (hereinafter sometimes "CIA") from 1966 to 1973.

b. Defendant JAMES R. SCHLESINGER was Secretary of Defense from August 1973 to November 1975 and Director of the CIA from February to July 1973.

c. Defendant RUFUS N. TAYLOR is a Vice Admiral in the U.S. Navy and was Deputy Director of the CIA from 1966 to 1969.

d. Defendant ROBERT E. CUSHMAN, JR. is a General in the U.S. Marine Corps and a member of the Joint Chiefs of Staff, and was Deputy Director of the CIA from 1969 to 1971.

e. Defendant VERNON A. WALTERS is a Lieutenant General in the U.S. Army and was Deputy Director of the CIA in 1972.

f. Defendant WILLIAM E. COLBY is Director of Central Intelligence and of the CIA, and was Executive Director of the CIA from 1972 to 1973, and Deputy Director for Operations of the CIA in 1973.

g. Defendant CORD MEYER, JR. was, at times material to this complaint, Assistant Deputy Director for Plans of the CIA.

h. Defendant JAMES J. ANGLETON was, at times material to this complaint, Chief of the Counterintelligence Staff of the CIA.

i. Defendant WILLIAM HOOD was, at times material to this complaint, Deputy Chief of the Counterintelligence Staff of the CIA.

j. Defendant RAY ROCCA was, at times material to this complaint, Assistant to the Chief of the Counterintelligence Staff of the CIA.

k. Defendant RICHARD OBER was, at times material to this complaint, in charge of a domestic surveillance operation of the Counterintelligence Staff of the CIA designated as CHAOS.

l. Defendant HOWARD OSBORN was, at times material to this complaint, Director of Security of the CIA.

m. Defendant JAMES MURPHY was, at times material to this complaint, Director of the Office of Operations of the CIA.

n. Defendant MARSHALL CARTER, a retired Lieutenant-General in the U.S. Army, was Director of the National Security Agency (hereinafter sometimes "NSA") from 1967 to 1969.

o. Defendant NOEL GAYLER, Vice Admiral in the U.S. Navy, was Director of the NSA from January 1969 to July 1972.

p. Defendant SAMUEL C. PHILLIPS, a Lieutenant-General in the U.S. Air Force, was Director of the NSA from August 1972 to July 1973.

q. Defendant LEW ALLEN, JR., a Lieutenant-General in the U.S. Air Force, is Director of the NSA.

r. Defendant LOUIS TORDELLA was, at times material to this complaint, the Deputy Director of the NSA.

s. Defendant L. PATRICK GRAY III was, at times material to this complaint, Acting Director of the Federal Bureau of Investigation (hereinafter sometimes "FBI").

t. Defendant CLARENCE KELLEY is Director of the FBI.

u. Defendant JAMES J. ROWLEY was Director of the United States Secret Service (hereinafter sometimes "Secret Service") from 1967 until October 1973.

v. Defendant H. STUART KNIGHT is Director of the Secret Service.

w. Defendant JOSEPH CARROLL is a Lieutenant-General in the United States Air Force and was Director of the Defence Intelligence Agency (hereinafter sometimes "DIA") from 1961 to 1969.

x. Defendant DONALD BENNETT is a Lieutenant-General in the United States Army and was Director of DIA from September 1969 to August 1972.

y. Defendant VINCENT DE POIX is a Vice Admiral in the United States Navy and was Director of DIA from August 1972 until September 1974.

z. Defendant JOHN INGERSOLL was Director of the Bureau of Narcotics and Dangerous Drugs (hereinafter "BNDD") and its predecessor agency from 1968 to June 1973.

aa. Defendant JOHN R. BARTELS, JR. was Director of the BNDD and its successor agency from June 1973 to May 1975.

bb. Defendants JOHN DOE, RICHARD ROE and other unknown agents or employees of the United States Government are persons unknown to Plaintiffs who participated with the other Defendants in the actions alleged in this complaint.

cc. All the foregoing individual defendants are sued in their individual and official or former official capacities.

dd. Defendant WESTERN UNION INTERNATIONAL, INC. a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

ee. Defendant RCA GLOBAL COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas cable and telegraph service.

ff. Defendant ITT WORLD COMMUNICATIONS, INC., a communications common carrier, does business in the District of Columbia and provides overseas telegraph and cable service.

CLASS ACTION ALLEGATIONS

5. This suit is brought as a class action pursuant to Rule 23(a) of the Federal Rules of Civil Procedure, and is maintainable under Rule 23(b)(1)(A), 23(b)(2) and 23(b)(3).

6. Plaintiffs represent a class of United States citizens and domestic organizations who at various times during and after 1967 engaged in activities in opposition to the war in Indochina or in other lawful political activities, as a result of which (a) their international wire, cable or radio communications were intercepted and divulged without any judicial or statutory authorization by the National Security Agency acting at the request of other United States government agencies, and/or (b) their political and other constitutionally protected activities became the subject of intrusive counterintelligence actions and files, conducted and maintained by a Special Operations Group within the Central Intelligence Agency known as "Operation CHAOS".

7. The class is so numerous as to make joinder of all members impossible. The total number and identity of the class members is known only to the NSA and the CIA, but plaintiffs estimate, on information and belief, that the class numbers at least 8,820 individuals, and 1,000 organizations.

8. The common questions of law and fact affecting all members of the class predominate over any questions affecting only individual members to such a degree that a class action is the only method

available for the fair and efficient adjudication of this controversy. The prosecution of separate claims by the members of the class would constitute an undue burden on the vindication of their rights and create the risk of inconsistent or varying adjudications, and could establish incompatible standards for the defendants' conduct.

9. The claims of the representative parties have the same legal and factual basis as the claims of the members of the class, the defendants have acted on similar grounds with respect to all members of the class, common relief is sought, and plaintiffs will fairly and adequately protect the interests of the class.

FACTS

10. On information and belief, in and after August 1967 defendants HELMS, TAYLOR, COLBY, MEYER, ANGLETON, HOOD, ROCCA, OBER, OSBORN, SCHLESINGER, CUSHMAN, WALTERS and MURPHY (hereinafter sometimes "the CIA defendants") established and administered a Special Operations Group, known as Operation CHAOS (hereinafter "CHAOS"), within the CIA's counterintelligence staff.

11. On information and belief, the purpose of the CIA defendants in establishing CHAOS was to collect, coordinate, evaluate, file and report information on "foreign contacts" of American citizens resident in the United States who expressed in various forms their political and moral opposition to the war in Indochina and other policies of the national government.

12. On information and belief, reports prepared by CHAOS and other units of the CIA beginning in 1967 concluded that domestic opposition to the Indochina war, of which the activities of plaintiffs, and their class were a part, had no significant foreign connection.

13. On information and belief, CHAOS gathered information from other units of the CIA and from other agencies, including the FBI, much of which related to the constitutionally protected associational and domestic political activities of the plaintiff class.

14. On information and belief, CHAOS recruited and trained approximately 40 undercover agents who infiltrated domestic organi-

zations, and report on their constitutional(protected associational and domestic political activities, which reports, or information derived from them, were filed with CHAOS and disseminated to other units of the CIA and to other agencies.

14a. On information and belief, the CIA defendants authorized and directed their CHAOS agents and employees to discredit and disrupt the constitutionally protected associational and domestic political activities of the plaintiffs and their class through the actions of undercover agents who infiltrated the plaintiff organizations, and through other counterintelligence actions.

15. On information and belief, between 1967 and 1974 CHAOS opened and maintained "201" or "personality" files on approximately 7,200 individual United States citizens engaged in constitutionally protected associational and domestic political activities, including each of the named individual plaintiffs.

16. On information and belief, between 1967 and 1974 CHAOS opened and maintained approximately 1000 separate subject files on domestic organizations, including each of the named plaintiff organizations.

17. On information and belief, the information in the personality and organization files opened and maintained by CHAOS related to constitutionally protected associational and domestic political activities of the plaintiffs and members of their class.

18. On information and belief, information on the plaintiffs and members of their class which was gathered by CHAOS was conveyed by the CIA defendants to the White House, the FBI, and to other government agencies.

19. On information and belief, sometime after September 1969 CHAOS supplied a "watchlist" of United States citizens, including plaintiffs and their class, to another unit of the CIA, as a result of which first class mail from and to individuals on the watchlist was opened without any warrant or other form of judicial or legislative authorization, and copies of the opened letters or

information derived from them were supplied to TOS, made a part of the CHAOS files and used by the CIA defendants.

20. On information and belief, sometime after September 1969 CHAOS also supplied a "watchlist" to agents and employees of the NSA, which included the names of all the named plaintiffs.

21. On information and belief, for a period of time not known to plaintiffs, defendants, CARTER, GAYLER, PHILLIPS, TORDELLA and ALLAN (hereinafter sometimes "the NSA defendants"), have authorized and directed the monitoring or interception, by their agents and employees, of the international communications of United States citizens, including cable and radio channels between the United States and foreign countries, selected telephone channels between the United States and foreign countries, and selected telephone and cable channels between foreign countries, all without warrants or any other form of judicial or legislative authorization.

22. On information and belief, at various times beginning in 1967, the NSA defendants, without warrants or any other forms of judicial or legislative authorization, authorized and directed their agents and employees to intercept and divulge or procure the interception and divulgence, of wire, cable or radio communications of, or relating to, members of the plaintiff class on the CHAOS "watchlist" provided to NSA by the CIA, and on other "watchlists" provided to NSA by defendants GRAY, KELLEY and other officials of the Federal Bureau of Investigation ("the FBI defendants"); defendants ROWLEY, KNIGHT and other officials of the United States Secret Service ("the Secret Service defendants"); defendants CARROLL, BENNETT, DE POIX and other officials of the Defense Intelligence Agency ("the DIA defendants"); and defendants INGERSOLL and BARTELS and other officials in the Bureau of Narcotics and Dangerous Drugs ("the BNDD defendants").

23. On information and belief, agents and employees of the NSA defendants procured the assistance and cooperation of defendants WESTERN UNION INTERNATIONAL, INC., RCA GLOBAL COMMUNICATIONS INC.; and

ITT WORLD COMMUNICATIONS, INC. (hereinafter sometimes "the company defendants") in intercepting and divulging, without warrants or any other forms of judicial or legislative authorization, the wire, cable or radio communications of, or relating to the plaintiff class.

24. On information and belief, as a result of the warrantless and judicially and legislatively unauthorized interception and divulgence of the wire, cable or radio communications of plaintiffs and their class by the NSA and company defendants, at the request of the CIA, FBI, Secret Service, DIA and BNDD defendants, NSA supplied the CIA, FBI, Secret Service, DIA and BNDD defendants with summaries of the intercepted communications (hereinafter "the NSA materials") of the plaintiff class, which related to anti-war activities, travel abroad and other constitutionally protected movements and activities of members of the class.

25. On information and belief, information derived from the NSA materials was used and shared by the CIA, FBI, Secret Service, DIA and BNDD defendants and placed in files maintained by these defendants relating to the plaintiffs and their class.

26. On information and belief, in November 1974 some of the NSA materials were returned by the CIA defendants to NSA.

27. On information and belief, the CIA defendants caused the NSA materials to be returned to NSA because they knew the materials were the products of illegal and unconstitutional interceptions and divulgence of the plaintiffs' wire, cable or radio communications.

28. On information and belief, originals or copies of the NSA materials are intact in the possession of the NSA, FBI, Secret Service, DIA and BNDD.

29. On information and belief, the CIA, FBI, Secret Service, DIA and BNDD continue to maintain and disseminate files containing information about the constitutionally protected associational and political activities of the plaintiffs and their class, including information illegally and unconstitutionally obtained by intercepting and divulging the private mail and wire, cable or radio communications

of members of the ss.

30. On information and belief, the individual and company defendants have engaged in an extended conspiracy unlawfully to conceal the acts complained of in paragraphs 10-29, supra, from the named plaintiffs and members of their class, from Congress, and from the public.

31. On information and belief, each of the defendants knew of and participated in, and/or concealed the illegal and unconstitutional activities described in paragraphs 10-29, supra.

32. On information and belief, each of the CIA defendants knew that their actions described above were taken in violation of the CIA's charter.

33. On information and belief, none of the defendants who participated in the actions described in paragraphs 10-29 above had a good faith belief that his or its actions were lawful.

FIRST CAUSE OF ACTION

34. The defendants' procurement of interception and divulgence and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class were unreasonable and illegal, and were not made in good faith reliance on any judicial, legislative or other valid authorization, or other reasonable belief in their legality.

35. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class violated Title 18, United States Code, Sections 2511 and 2520, and Title 47 United States Code, Section 605.

36. The defendants' procurement of interception and divulgence, and their interception and divulgence of the wire, cable or radio communications of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment, their right to security against unreasonable searches and seizures guaranteed by the Fourth Amendment, and their right of privacy

guaranteed by the First, Fourth, Fifth and Ninth Amendments.

SECOND CAUSE OF ACTION

37. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

38. The defendants' maintenance and dissemination of files on the constitutionally protected associational and political activities of plaintiffs and their class deprived plaintiffs of their rights of free speech and association under the First Amendment and their right to privacy under the First, Fourth, Fifth and Ninth Amendments.

39. Defendants' infiltration of the plaintiff organizations and members of their class by the use of undercover agents with false or concealed identities who disrupted, discredited and reported on the plaintiffs' constitutionally protected associational and political activities deprived plaintiffs of their freedom of speech and association protected by the First Amendment, their right to security against unreasonable searches and seizures protected by the Fourth Amendment and their right to privacy protected by the First, Fourth, Fifth and Ninth Amendments.

40. The activities of the defendants set forth above continue to interfere with, discourage and deter the plaintiffs in the exercise of their rights of free speech, assembly and association, and their right to petition the government for redress of grievances, guaranteed by the First Amendment.

THIRD CAUSE OF ACTION

41. Plaintiffs repeat and reallege each allegation in paragraphs 1-33, supra.

42. The CIA defendants' actions described above are in violation of Title 50, United States Code, Section 403(d)(3).

WHEREFORE, plaintiffs request that the Court grant the following relief:

A. A declaratory judgment that the course of conduct and activities of the defendants set forth above are illegal and unconstitutional;

B. Preliminary and permanent injunction enjoining the defendants from engaging in the activities declared to be illegal and unconstitutional;

C. A mandatory injunction or writ of mandamus ordering the defendants to produce before the Court, for delivery to the plaintiffs and members of their class for destruction, all files, reports, records, photographs, data computer tapes and cards, and all other materials derived from defendants' illegal and unconstitutional activities relating to plaintiffs and all other persons similarly situated;

D. Each named plaintiff and member of the plaintiff class have judgment against each defendant in the sum of \$100.00 per day of procurement of interception, divulgence and use, and interception, divulgence and use of the plaintiffs' wire, cable or radio communications, as liquidated damages pursuant to Title 18, United States Code Section 2520 and Title 47, United States Code, Section 605.

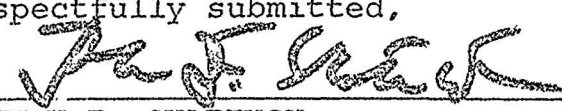
E. Each named plaintiff and member of the plaintiff class have judgment against each defendant in a sum to be determined by the Court for violation of plaintiffs' First, Fourth, Fifth and Ninth Amendment rights.

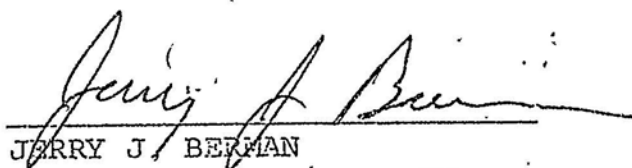
F. Recovery in the amount of \$50,000 punitive damages for the willful violation of constitutional rights for each plaintiff and each member of the plaintiff class.

G. The reasonable costs of this action and attorneys' fees of plaintiffs.

H. Such other and further relief as the Court shall deem just and proper.

Respectfully submitted,


JOHN H.F. SHATTUCK
MELVIN L. WULF
American Civil Liberties Union
Foundation
22 East 40th Street
New York, New York 10016
(212) 725-1222



JERRY J. BERMAN
122 Maryland Avenue, NE
Washington, D.C. 20002
(202) 544-5380

PHILIP J. HIRSCHKOP
P.O. Box 1226
108 N. Columbus St.
Alexandria, Va. 22313
(703) 836-5555

WALTER SLOCOMBE
1101 17th Street, N.W.
Washington, D.C. 20036
(202) 293-3900

HOPE EASTMAN
American Civil Liberties Union
Foundation
410 First Street, SE
Washington, DC 20003
(202) 544-1681

Dated: November 1975

Attorneys for Plaintiffs

4-22.(Rev. 1-2-82) DATE 09-29-2009

Federal Bureau of Investigation
Records Section

, 19__

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention _____
☐ Return to _____

Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject American Friends Service
Birthdate & Place Committee, Inc.
Address _____

Localities _____

R# _____ Date 11-8 Searcher Initials RP

Prod. _____

FILE NUMBER

SERIAL

American Friends Service Committee64-330-858 ✓64-330-234-(350) ✓64-330-364-(67) (72) (106) (124) (132)64-330-370-(197) (198) (199)64-330-370-(195)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1/16/84 BY SP5 RJG/mc OK

Classified by

Declassify on

C.A. # 88-686EXEMPT FROM AUTOMATIC DECLASSIFICATION
EXEMPTION CODE SHOWN
OTHERWISE

4-22 (Rev. 1-28-75)

Federal Bureau of Investigation
Records Section
Name Searching Unit, 4543 JEH-FBI Bldg.
Service Unit, 4654 JEH-FBI Bldg.
Forward to File Review
Attention
Return to

~~SECRET~~

- Type of References Requested:
- ☐ Regular Request (Analytical Search)
 - ☐ All References (Subversive & Nonsubversive)
 - ☐ Subversive References Only
 - ☐ Nonsubversive References Only
 - ☒ Main References Only
- Type of Search Requested:
- ☐ Restricted to Locality of
 - ☐ Exact Name Only (On the Nose)
 - ☐ Buildup
 - ☐ Variations

Ref Sn [62-93202-64-330]

(U) Subject Committee of Concerned Asian Scholars
Birthdate & Place
Address
Localities

R#
Prod. Date 11-8 Searcher Initials RP
FILE NUMBER 14
SERIAL

Classified by SP4 [signature]
Declassify on: ONR 2/14/90
C.A. # 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/6/89 BY SP5 [signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

~~SECRET~~

4-22 (Rev. 1)

DATE 09-29-2009

Federal Bureau of Investigation
Records Section

_____, 19____

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention _____
☐ Return to _____

Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

*Committee of Liaison With
Families of Servicemen
Subject Detained in Vietnam*
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date *11-8* Searcher Initials *RP*

Prod. _____

FILE NUMBER

SERIAL

NY
*Committee of Liaison With
Families of Servicemen
Detained in North Vietnam (and)*

(S) [64-330-730, 656, 658, 557, 695, 725]

Classified by *SP4 dlu/abw*Declassify on: *CADR 2/14/90**C.A.# 88-1826*ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE *1/16/84*BY *SP4 JG/hat*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

4-22 (Rev. 1-28-75)

Federal Bureau of Investigation
Records Section

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention
☐ Return to

SECRET

Type of References Requested:
☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☒ Main

Type of Search Requested:
☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup

Subject Cargy, Luitj Connered
Birthdate & Place _____
Address _____
Localities _____

R# _____
Prod. _____ Date 7-1-8
Searcher Initials RP

FILE NUMBER 114
SERIAL _____

Classified by SP4 [signature]
Declassify on: CADR
2/14/90
C.A. # 88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/16/84 BY SP-5 RJG/mg

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

4-22 (Rev. 1-28-75)

Federal Bureau of Investigation
Records Section

Name Searching Unit, 4543 JEH-PBT Bldg.
Service Unit, 4654 JEH-PBT Bldg.
Forward to File Review
Attention
Return to

~~SECRET~~

Supervisor Room Ext.
Type of References Requested:
☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only

Main References Only
Type of Search Requested:
☐ Restricted to Locality of
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

(IPS)

Subject Institute for Policy Studies
Birthdate & Place
Address
Localities

R#
Prod. Date 11-8 Searcher Initials SP

FILE NUMBER SERIAL

(U) (S) I.P.S.
64-330-345-3-1061X6

(1952 ref -
not in present
large frame)

Classified by SP4 [signature]
Declassify on: OADR 1/14/90
C.A. #88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/16/89 BY SP5 R/L

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

4-22 (Rev. DATE 09-29-2009)

Federal Bureau of Investigation
Records Section

, 19__

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention *Adverse*
☒ Return to *Rugent* X 4643
Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☒ Main References Only

Refs In [62-937076 64-330]

Type of Search Requested:

(U) ☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose) *(S)*
☐ Buildup ☐ Variations

(WSP) W

Subject *Women Strike for Peace*
Birthdate & Place _____
Address _____

Localities

R# _____ Date *11-8* Searcher Initials *RP*

(U) Prod. _____

FILE NUMBER

SERIAL

(S) [64-330 - (858) 514]

o/c

Classified by SP4 clw/alm
Declassify on: OADR 2/14/90
C.A. #88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *1/16/04* BY *SP-5 RTG/alm*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

4-22 (Rev. 4-15-79)

Federal Bureau of Investigation
Records Section

_____, 19____

☐ Name Searching Unit, 4543 JEH-FBI Bldg.
☐ Service Unit, 4654 JEH-FBI Bldg.
☐ Forward to File Review
☐ Attention _____
☐ Return to _____
Supervisor Room Ext.

Type of References Requested:

☐ Regular Request (Analytical Search)
☐ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main References Only

Type of Search Requested:

☐ Restricted to Locality of _____
☐ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject American Indian Movement
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 11-8 Searcher Initials RP

Prod. _____

FILE NUMBER SERIAL

NR

Classified by SP4 elw/alw
Declassify on: OADR 1/4/90
C.A. # PP-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/16/84 BY SP-5 RJC/mg

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1352597-0

Total Deleted Page(s) = 223

Page 31 ~ b1;
Page 33 ~ b1;
Page 35 ~ b1;
Page 37 ~ Referral/Direct;
Page 41 ~ b1;
Page 63 ~ b1;
Page 64 ~ b1;
Page 65 ~ b1;
Page 66 ~ b1;
Page 67 ~ b1;
Page 68 ~ b1;
Page 69 ~ b1;
Page 70 ~ b1;
Page 71 ~ b1;
Page 72 ~ b1;
Page 73 ~ b1;
Page 74 ~ b1;
Page 75 ~ b1;
Page 76 ~ b1;
Page 77 ~ b1;
Page 78 ~ b1;
Page 79 ~ b1;
Page 80 ~ b1;
Page 81 ~ b1;
Page 82 ~ b1;
Page 83 ~ b1;
Page 84 ~ b1;
Page 85 ~ b1;
Page 88 ~ b1;
Page 89 ~ b1;
Page 90 ~ b1;
Page 91 ~ b1;
Page 92 ~ b1;
Page 93 ~ b1;
Page 94 ~ b1;
Page 95 ~ b1;
Page 96 ~ b1;
Page 97 ~ b1;
Page 98 ~ b1;
Page 99 ~ b1;
Page 100 ~ b1;
Page 101 ~ b1;
Page 102 ~ b1;
Page 103 ~ b1;
Page 104 ~ b1;
Page 105 ~ b1;
Page 112 ~ b1;
Page 113 ~ b1;

Page 114 ~ b1;
Page 115 ~ b1;
Page 116 ~ b1;
Page 117 ~ b1;
Page 118 ~ b1;
Page 119 ~ b2;
Page 121 ~ b1;
Page 122 ~ b1;
Page 123 ~ b1;
Page 124 ~ b1;
Page 125 ~ b1;
Page 126 ~ b1;
Page 127 ~ b1;
Page 128 ~ b1;
Page 129 ~ b1;
Page 130 ~ b1;
Page 131 ~ b1;
Page 132 ~ b1;
Page 133 ~ b1;
Page 134 ~ b1;
Page 135 ~ b1;
Page 136 ~ b1;
Page 137 ~ b1;
Page 138 ~ b1;
Page 139 ~ b1;
Page 140 ~ b1;
Page 141 ~ b1;
Page 142 ~ b1;
Page 143 ~ b1;
Page 144 ~ b1;
Page 145 ~ b1;
Page 146 ~ b1;
Page 147 ~ b1;
Page 148 ~ b1;
Page 149 ~ b1;
Page 150 ~ b1;
Page 151 ~ b1;
Page 152 ~ b1;
Page 153 ~ b1;
Page 154 ~ b1;
Page 155 ~ b1;
Page 156 ~ b1;
Page 157 ~ b1;
Page 158 ~ b1;
Page 159 ~ b1;
Page 160 ~ b1;
Page 161 ~ b1;
Page 162 ~ b1;
Page 163 ~ b1;
Page 164 ~ b1;
Page 165 ~ b1;
Page 166 ~ b1;
Page 167 ~ b1;
Page 168 ~ b1;

Page 169 ~ b1;
Page 170 ~ b1;
Page 171 ~ b1;
Page 172 ~ b1;
Page 173 ~ b1;
Page 174 ~ b1;
Page 175 ~ b1;
Page 176 ~ b1;
Page 177 ~ b1;
Page 178 ~ b1;
Page 179 ~ b1;
Page 180 ~ b1;
Page 181 ~ b1;
Page 182 ~ b1;
Page 183 ~ b1;
Page 184 ~ b1;
Page 185 ~ b1;
Page 186 ~ b1;
Page 187 ~ b1;
Page 188 ~ b1;
Page 189 ~ b1;
Page 190 ~ b1;
Page 191 ~ b1;
Page 192 ~ b1;
Page 193 ~ b1;
Page 194 ~ b1;
Page 195 ~ b1;
Page 196 ~ b1;
Page 198 ~ b1;
Page 199 ~ b1;
Page 201 ~ b1;
Page 202 ~ b1;
Page 203 ~ b1;
Page 204 ~ b1;
Page 205 ~ b1;
Page 206 ~ b1;
Page 207 ~ b1;
Page 208 ~ b1;
Page 209 ~ b1;
Page 210 ~ b1;
Page 211 ~ b1;
Page 212 ~ b1;
Page 213 ~ b1;
Page 214 ~ b1;
Page 215 ~ b1;
Page 216 ~ b1;
Page 217 ~ b1;
Page 218 ~ b1;
Page 219 ~ b1;
Page 220 ~ b1;
Page 221 ~ b1;
Page 222 ~ b1;
Page 223 ~ b1;
Page 224 ~ b1;

Page 225 ~ b1;
Page 226 ~ b1;
Page 227 ~ b1;
Page 228 ~ b1;
Page 229 ~ b1;
Page 230 ~ b1;
Page 231 ~ b1;
Page 232 ~ b1;
Page 233 ~ b1;
Page 234 ~ b1;
Page 235 ~ b1;
Page 236 ~ b1;
Page 237 ~ b1;
Page 239 ~ b1;
Page 240 ~ b1;
Page 241 ~ b1;
Page 243 ~ b1;
Page 250 ~ b1;
Page 252 ~ b1;
Page 253 ~ b1;
Page 254 ~ b1;
Page 255 ~ b1;
Page 256 ~ b1;
Page 257 ~ b1;
Page 258 ~ b1;
Page 259 ~ b1;
Page 260 ~ b1;
Page 261 ~ b1;
Page 262 ~ b1;
Page 263 ~ b1;
Page 264 ~ b1;
Page 265 ~ b1;
Page 266 ~ b1;
Page 268 ~ b1;
Page 269 ~ b1;
Page 270 ~ b1;
Page 271 ~ b1;
Page 274 ~ b1;
Page 275 ~ b1;
Page 276 ~ b1;
Page 277 ~ b1;
Page 278 ~ b1;
Page 279 ~ b1;
Page 280 ~ b1;
Page 281 ~ b1;
Page 282 ~ b1;
Page 283 ~ b1;
Page 284 ~ b1;
Page 285 ~ b1;
Page 287 ~ b1;
Page 288 ~ b1;
Page 294 ~ b1;
Page 296 ~ b1;
Page 297 ~ b1;

Page 308 ~ b1;
Page 319 ~ b1;
Page 320 ~ b1;
Page 321 ~ b1;
Page 322 ~ b1;
Page 323 ~ b1;
Page 324 ~ b1;
Page 325 ~ b1;
Page 326 ~ b1;
Page 327 ~ b1;
Page 328 ~ b1;
Page 329 ~ b1;
Page 330 ~ b2; b6; b7C;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

S. J. PAPICH

~~SECRET~~
JUL 7, 1953

0

CENTRAL INTELLIGENCE AGENCY - JAMES ANGLETON
(CONTROL FILE)

(S)

b1

The instant file does not contain copies of re-
ports bearing the following

[REDACTED]

[REDACTED]

(S)

10/5/89
Classified by SP4 GWT/KSA
Declassify on E.O. 13526 CA#188-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

58

67 JUL 20 1953

~~SECRET~~

RECORDED - 1062-99724-3
RECORDED
JUL 17 1953

file
LIAISON - APO

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : V. P. ROSEN

SUBJECT: CLAYTON FRITCHIE
DIRECTOR'S TESTIMONY BEFORE JENNER
COMMITTEE, NOVEMBER 17, 1953

November 23, 1953

RECEIVED
ACTION

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gandy
Mohr
Winterrowd
Tele. Room
Holloman
Sizoo
Miss Gandy

b1

ACTION: ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Declassify on: OADR

10/5/89

SP4 GCH/KCA
CA# 88-1826 '38

DEC 9 1953

SJP:lw

- 1 - Mr. Holloman
- 1 - Mr. Nichols

ADDENDUM: In our first letter of November 8, 1945, we did not say
the information was uncorroborated, we did say "At the present
time it is impossible to determine exactly how many of these
people had actual knowledge of the disposition being made of the
information they were transmitting."

Director's Report
1. From the Memo
The...

01-1 2

~~SECRET~~

FOI/PA #	246,845
APPEAL #	
CIVIL ACT. #	
E.O. #	12356
DATE	1/23/86 INITIALS RTC

b1

162-99724-✓

NOT RECORDED
191 DEC 10 1953

INITIALS ON ORIGINAL

F352

(S)

53 DEC 14 1953

~~SECRET~~

9
ORIGINAL COPY FILED IN 100-44-96

Memo to Mr. Belmont

Re: Central Intelligence Agency
Reaction to Director's Testimony before
Jenner Committee, November 17, 1953

On November 18, 1953, Allen Dulles, Director of CIA, advised the Liaison Agent that he wished to express his sincere admiration for the manner in which the Director presented the Bureau's side of the story. Dulles stated that it was most encouraging to hear a public official make a statement on fundamental principles and facts and not resort to "diplomatic" calling.

Comment:

It is the observation of the Liaison Agent that the statement of the Director before the Jenner Committee had not only enhanced the prestige of the Bureau and CIA but has also assisted materially in orienting the twisted thinking of some CIA people.

ACTION:

None. For your information.

~~SECRET~~

(u)
(S)



b2

James O Angleton

10/5/89
Classified by SP4 ELW/KFA
Declassify on: OADR C.A. # 88-1826

62-97724-8
NOT RECORDED
191 OCT 29 1953

~~CLASSIFIED INFORMATION ENCLOSED~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE



~~SECRET~~

SECRET

Internationalism is generally defined as the principle of co-operation among nations. To internationalize is to bring the subject under discussion under mutual control of nations. The United Nations is perhaps the latest and most ambitious attempt to internationalize—

**INTERNATIONALISM
AT ITS BEST**

to bring under mutual control peace and war, to regulate trade, commerce and finance, to assist backward nations, etc., etc., and, indeed, through the International Labor Organization to bring about a more equitable and fairer standard of life and work for the workers the world over. Progress has been realized in this direction to some extent, but very much yet remains to be done.

A little over fifty years ago, we, as photo engravers, engaged in this attempt to internationalize our industry and calling. It was then that a few photo engravers in Toronto, Canada, joined with a comparatively small group of photo engravers in the United States in bringing the industry under mutual control. These pioneers of Canada applied for a charter from the International Photo Engravers' Union to form a local union in Toronto.

At first, these brave pioneers faced not only the onslaught of their respective employers, but, in general, met with much opposition from a national point of view. How dare these men bring the photo engraving industry under control of men of another nation?

But these brave economic warriors persevered. The road was not an easy or a rosy one. Difficulties of various kinds were encountered. However darkened the horizon, they had faith in their internationalism. Jointly, the craftsmen of the United States and of Canada carried on as one. They met every obstacle encountered without thought of nationalism and at the same time without the slightest taint of disloyalty to their respective national loyalties and citizenry.

And now, after 50 years or more of effort, the photo engravers and gravure workers of Canada and of the United States are joined in one body throughout the Dominion of Canada and the United States. Again, they met in Convention in Toronto, Canada, this year—the 52nd Annual Convention of the International Photo Engravers' Union. Here were approximately 100 delegates and many additional officers and members of the various local unions throughout the North American continent meeting with but one single thought in mind, that of mutual protection and mutual advancement. Here more than 1,200 members and delegates met in social conclave, concerned in the building up of an ever greater international fraternity.

If only all workers of the world could thus unite in that sort of internationalism. If only the peoples of the Dominion of Canada and of the United States could unite in such a spirit to preserve the best traditions of both nations and to enter into compact against a common foe to all that is near and dear to all of us and consider the injury of one the concern of all.

Here, in the holding of the 52nd Annual Convention of the International Photo Engravers' Union, we have again demonstrated internationalism at its best.

Insofar as the Convention itself is concerned, our Toronto local union, its officers and members did themselves proud. It was the best Convention ever. Our hats off to all members of our Toronto union. Our heartfelt appreciation and thanks to each and every one of them.

*Whatever the issue, we shall share one
common danger, one safety.—Vergil.*

After the recent elections in Germany, many Americans heaved a sigh of relief. They saw in the decisive victory scored by West German Chancellor Adenauer added stability in free Europe. They saw in the election outcome a new hope for collaboration between France and Germany

**BAD TURN IN
GERMANY**

and the road cleared for an effective collective security system in Europe.

These hopes are unfounded. These hopes have been dashed on the

of the German Federation of Labor with at least thirty per cent of individuals belonging to their political tendency. To enforce their nefarious will, these political bosses, drunk with victory, are also threatening to split the trade union movement by organizing a dual secessionist organization along denominational lines.

As we see it, such a course would be a costly blow to the cause of democracy in Germany. Only the Communists could gain from a split of the trade unions. It would severely damage the standing the German people have already won on their road to democratic regeneration and economic reconstruction after the destruction of the Hitler regime by the allied powers. Experience has taught us that without a bona fide free trade union movement there can be no democracy in any country. The moment the trade union movement is strangled, democracy goes out of the window and the trend towards dictatorship marches on at an accelerated pace. That holds true for Adenauer today as much as it held true for Hitler yesterday. That would hold true for our own country or any other country in the future, just as much as it holds true for West Germany now.

The whole development is most unfortunate, particularly in that it comes at a moment when labor in eastern Germany is showing such inspiring heroism fighting against the brutal Communist dictatorship of Russia and its fifth column. This bad turn of affairs can only discourage the gallant German labor forces fighting for democratic rights and free trade unions in the Soviet Zone and for the national unification of their country.

It is necessary to state some facts which are somehow being forgotten. First of all, the ruling group in Western Germany ought to keep in mind that the laudable economic progress is due not so much to their own great genius as to the hard work and energy of the German working people. These Ruhr-industrialists might, on occasion, even condescend to recall that well over \$3,500,000,000 of American money—produced by American work—were pumped into German heavy industry to stimulate and assure economic recovery. Elementary decency also requires these financial wizards to realize that the American people have paid for the defense and security of Western Germany against Russian aggression. Without German industry being saved from the armament burdens borne by other countries, the economy of Western Germany could not have achieved the recovery it has attained to date.

Chancellor Adenauer appears to be enraged at the fact that the German Federation of Labor called for "the election of a better Bundestag." We see nothing wrong in this policy. Every citizen in every democracy should strive in every election to choose a better incoming Congress, Bundestag, or parliament than the outgoing legislative body. The Chancellor feels that the DGB leadership really meant this slogan as an appeal to the German voters to cast their ballots for the Social Democratic Party. Very likely some of the members of the German Federation of Labor Executive Board had such intentions. We are no Social Democrats. We hold no brief for the fetish of nationalization of industry. But these trade union leaders have just as much right to be Social Democrats as Christian Democrats or to support any other political party opposed to totalitarian dictatorship of every type.

Besides, all the German Federation of Labor documents on election policy were adopted unanimously—with the votes of the well-known trade union leaders Foehler and Thea Harmuth, who are members and supporters of Adenauer's party. On August 20th, a conference of 600 DGB officials meeting at Essen and representing the Christian Democrats, as well as Social Democrats unanimously endorsed the election policy of the DGB. Actually, the DGB did not participate in the elections to the extent that the A. F. of L. does in carrying out the policy of "rewarding friends and punishing enemies." The DGB did not even publish a voting record of each Bundestag member for

GERMANY

free Europe. They saw in the election outcome a new hope for collaboration between France and Germany and the road cleared for an effective collective security system in Europe.

These hopes are unfounded. These hopes have been dashed on the rocks of political ambition and economic greed. The result is the emergence of an ominous trend threatening the progress of economic stability and democracy inside Germany and gravely jeopardizing the prospects for collective security and peace in Europe. In France and Britain, no less than in the United States, misgivings are now multiplying as to future developments in Germany.

Apparently the election victory was too big for Adenauer forces. Apparently, the extremely reactionary forces and the covered pro-Nazi elements making up much of the vote for the Adenauer administration have decided to lose no time in ramming their program down the throats of the German people.

Arrangements are being made for reorganizing the German parliament (Bundestag) committee in such a manner as to shorten debate to a minimum. Enormous power is to be concentrated in the hands of the dominant individual in the new coalition. This we consider especially dangerous to democracy in a country where the "fuhrer prinzip," the leader complex, is still too virulent a force for the ranks of freedom and democracy to be complacent and at ease as to the future.

There is now open talk in the circles of the political victors of enacting new press and radio legislation which will seriously restrict freedom of expression. Such proposed legislation had been rejected as anti-democratic by the previous Bundestag in which the grip of reaction was nowhere near as strong as it will be in the new body.

Big business interests—the very ones who were the master builders of Hitler's war machine—are now making the most arrogant demands. These reactionaries have learned nothing. Nor have they shown the slightest capacity to unlearn, to break with their horrible past. It is these same steel satraps, coal kings, and money barons who rushed to insert big advertisements in the West German Communist press in July, 1950, when it appeared to them that Russia's North Korean puppets would sweep the then still weak democratic military forces into the sea and that the Soviet Red Army was about to march westward in Europe. These shabby profiteers have also been reaping handsome dividends on their sale of materials and war supplies to Communist China while American and other UN soldiers were paying a very heavy price resisting and defeating Communist aggression in Korea.

What is most dangerous in this whole chain of sinister developments is the attempt now being made by the newly elected West German Government to impose, through devious and direct ways, state domination of the German trade unions. The excuse is that the German Federation of Labor (DGB) has exceeded its rights and violated the policy of political neutrality by taking part in the recent German elections. To make impossible future trade union participation in political campaigns, the bosses of the victorious coalition would enact special legislation. They would also pack the leadership

Democrats, as well as Social Democrats unanimously endorsed the election policy of the DGB. Actually, the DGB did not participate in the elections to the extent that the A. F. of L. does in carrying out the policy of "rewarding friends and punishing enemies." The DGB did not even publish a voting record of each Bundestag member for consideration by the voters. Certainly the DGB did not endorse any candidate the way the A. F. of L. did in the last Presidential elections and the way it does in Congressional, state, and municipal election campaigns.

In Germany, as in every other democracy, the workers are not only trade unionists but also citizens. As citizens, it is their duty to be politically responsive and responsible. Such civil consciousness and responsibility do not make either the DGB or the A. F. of L. adjuncts of political parties.

In this connection, we wonder whether the Chancellor of Western Germany has forgotten that it was none other than he himself, who declared on May 16, 1952, in a letter to President Walther Freitag of the German Federation of Labor:

"Next year there will be elections for a new Bundestag (West German Parliament). Here the German Trade Union Federation will have the opportunity to push through its ideas of a progressive codetermination law, using methods provided for by the Constitution."

This certainly is a strong call to political action by the German Federation of Labor—by none other than Chancellor Adenauer, the same Chancellor who now threatens the DGB with dissension, disruption, and domination. It was in compliance with advice by Adenauer that the German Federation of Labor called upon the workers on September 6, 1953, to exercise their rights as citizens in a democracy and of their own free choice—without designating any party for support or preference—to "elect a better Bundestag." In following this advice, the DGB acted as good citizens and good trade unionists.

Today, after his unexpectedly big election victory, it is Chancellor Adenauer himself who ought to be guided by the advice he gave German labor before his great personal triumph and while he was still seeking it.

We of the A. F. of L. have never spared any effort or energy to aid the development of democracy and free trade unions in Germany. We have consistently sought to have the German people accorded a place of honor in the community of free nations fighting for freedom and peace. In its hours of greatest need, the German Democratic labor movement and its underground fighters have always found in the A. F. of L. friends in deed. So do the workers in the Soviet Zone of Germany today. The latest distressing developments in West Germany, the threat to the emerging democratic institutions and the free trade union movement, does not frighten us. Free labor and democracy in Germany can count on our unstinting support in the present and in the future, as in the past. Their fight is our fight. Their setbacks are our setbacks. And their success will be our success.

* * *
The pride of victory is apt to corrupt even the greatest generals.—Tacitus.
* * *

SECRET

10/5/88
Classified by SPYELWICKA
Declassify on ~~TOP SECRET~~ CA#88-1826

SECRET

62-99734-
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

James C. Nichols

The resignation of Martin P. Durkin as Secretary of Labor came as a surprise to many observers of the national scene. As the first break in the Cabinet so carefully set up by President Eisenhower after his victory last November, the exit of Martin Durkin raised, of course, many other issues in the public mind. At this moment, it is still too early to evaluate definitely all the implications and consequences of this development.

STORM ON THE POTOMAC

However, one phase of the resignation is already clear and deserves examination. We refer to the why and wherefore of the decision of this distinguished representative of American labor and head of one of the energetic Internationals affiliated with the A. F. of L. to part company with the President on this occasion.

It is necessary at the outset to cast a backward glance at events. Mr. Durkin did not enter the Cabinet and assume the post of Secretary of Labor in order to receive a reward for services to the party which won the elections in November. As a matter of fact, Mr. Durkin campaigned against the G.O.P. in the 1952 election contest. When President Eisenhower called upon Mr. Durkin to serve in the Cabinet and when the latter decided to accept the responsibility, there was a common motivation. Both felt that every effort had to be made to improve labor-management relations. Quite naturally, this revolved around the future of the Taft-Hartley law.

With an outstanding representative of the decisive section of the trade union movement, the American Federation of Labor, in the Cabinet, the President felt that the likelihood of improving labor-management relations, through a real revision of the Taft-Hartley law, would be greatly enhanced. That the President realized the urgency of revising the Taft-Hartley law was clear from his position on this vital issue during the election campaign. He then indicated the line of revision he desired. In this regard, he differed with a number of his own party stalwarts. It was much more because of this difference, within the Republican Party than because of any opposition to Mr. Durkin as a person or as a competent labor spokesman that there was criticism (among some in the G.O.P. general staff) of this Cabinet selection by President Eisenhower.

It was in this spirit that Mr. Durkin entered the Cabinet to serve the nation. It was in this spirit that public-spirited citizens of all parties, with true non-partisanship, hailed President Eisenhower for designating Mr. Durkin as Secretary of Labor.

The latter lost no time in proceeding to organize the Department. He succeeded in doing so in the face of political obstacles which mounted high as a result of a whole series of factors flowing out of a change of administration for the first time in two decades. Simultaneously, Mr. Durkin, in closest cooperation with the President himself and in friendly consultation with the late Senator Taft, proceeded to seek an accord for a statement embodying a policy towards revision of the objectionable law. So much progress had been made in this direction that a document was worked out which embodied quite a number of proposed revisions agreed to and even offered by the late Senate leader of the Republican Party.

Indeed, the draft prepared represented the thinking of the President on the problem of revisions. Hence, the Chief Executive agreed to espouse it publicly as such and to seek the enactment into law of its proposed revisions. Though Mr. Durkin, like the rest of organized labor, would much rather have seen the entire Taft-Hartley Act repealed, he was prepared, in the interest of avoiding sharp political clashes over this issue, in order to prevent the Taft-Hartley law from continuing to serve as a political football in election struggles, to come out, as Secretary of Labor, in support of these revisions.

But soon a tidal wave of pressure hit the White House. The President was beset and besieged. The most energetic and powerful labor-hating interests, championed and championed by Secretary of Commerce Weeks, insisted, demanded, and howled that it would be

We of the American labor movement do not blame the French people for the fatal shortsightedness and blunders of the colonial interests and cliques in North Africa. The latest manifestation of crude imperialism is the flagrant violation of international law by the Laniel Cabinet in its deposing and deporting the sovereign Sultan of Morocco.

DON'T BLAME THE FRENCH PEOPLE

We likewise do not feel that the American people are to be blamed because, contrary to the best traditions and ideals of our country, our government's delegation in the U.N. voted against the United Nations discussing or examining the arbitrary action of the French authorities in removing the legitimate religious leader of the Moroccan people and replacing him with a pliant tool of the local colonialist clique and a lackey of the most backward feudal groups.

What is painfully deplorable about the stubborn persistence of French colonialism is that in the eyes of hundreds of millions of people in Asia and Europe, in Africa and Latin America, the United States is being blamed and held responsible for the atrocious policies and depredations of French imperialism. We only wish that there were not the slightest basis for such blame being placed on America's shoulders. But the action of the United States delegation to the U.N. in voting for the position of the French colonialists and against giving the Moroccan people a hearing during their hour of darkest difficulty is not only distressing, it also lends confirmation of, or at least some basis to, the suspicions and slanders spread by the Communists against our nation's real policy towards colonialism and imperialism.

In both Tunisia and Morocco, the French colonialists are not making friends for France. They are instead turning into enemies of France the plain people of these countries and the many millions of people in Asia and other parts of the world. This is a serious blow against democracy in France, against France as a force for democracy abroad and against France as a major power dedicated to human freedom, collective security, and world peace.

The treaty which established the French protectorate over Morocco bound France to lend all support to the Sultan. The French government certainly had no excuse or authority to depose and deport him. Nor can the French authorities hope to get anyone anywhere to believe that their tightly-knit police apparatus in Morocco could not have checked any possible reactionary feudal assault on the Sultan. Certainly, it was done under the very eyes of these local authorities, just as in the murder of Farhat Hached, the head of the Tunisian Federation of Labor, over ten months ago. These murderers are yet to be apprehended by the energetic police force that is always alert and efficient when such vigilance is required in other situations.

Indeed, the internationally renowned British weekly, THE ECONOMIST, put it very well when it said, in its issue of August 22, 1953, that the French government's "claim to detachment and wholly clean hands was forfeited when its Resident-General, General Guillaume, was instructed to use the Sultan's plight to extract from him transfers of power that some Frenchmen have long coveted and that were otherwise unattainable." It is with real regret that we must express our agreement with the conclusion arrived at by THE ECONOMIST that "in Morocco, far too many local Frenchmen are newcomers simply out to make money or avoid home taxation, and behave as if the Moroccans were not there."

We are convinced that the French Government errs against good sense and justice when it refuses to make good friends and loyal allies of the Tunisian, as well as Moroccan people by honoring instead of resisting and conspiring against their aspirations to national freedom and democracy. We believe that such French colonialist policy plays right into the hands of the Communists in France and their masters in Moscow.

In this connection, it is rather significant that while the French colonial authorities do not permit the organization of a Moroccan

come out, as Secretary of Labor, in support of these revisions.

But soon a tidal wave of pressure hit the White House. The President was beseeched and besieged. The most energetic and powerful labor-hating interests, chaperoned and championed by Secretary of Commerce Weeks, insisted, demanded, and howled that it would be a fatal blow against them if the President were to go through with his plan to make public and support the revisions of the Taft-Hartley law as put forward in the plan agreed upon with then Secretary of Labor Durkin.

The President yielded to the pressure of the reactionary groups. He decided not to make public or support the specific program for revision of the law. Whether the President had a change of heart or mind, we do not know. But we do know, he changed his attitude, his position. We stress that we are not now seeking to give or guess the why and wherefore of his changed position, of his refusal to go along with and work for the adoption of the course he had assured Mr. Durkin he would pursue. There was to be no performance to the promise made to the Secretary of Labor.

In this situation, there was nothing else the Secretary of Labor could do but resign. With the President placing more trust in top business circles than in a respected labor leader and Cabinet member in regard to a matter of such vital concern to the working people, with the President determined to throw out of the window the agreement he had on this matter with his Secretary of Labor, the latter simply could not continue his position in the Cabinet. We cannot repeat too frequently or too firmly that under such conditions, Mr. Durkin could not render the high public service he was determined to render.

Martin Durkin was one of those Cabinet members who did not look upon his post as a reward for political plugging in the interest of a party machine. Nor was he interested in chasing honors or having titles. Once the possibility of serving the cause of sound labor-management relations was gone, once the door to serving the public through this channel was barred, there was no reason for Mr. Durkin to continue.

This resignation, obviously, has nothing to do with partisan politics, though there will be plenty of political repercussions as a result. Already, the narrow and myopic party hacks are saying that this whole affair shows that the President should never have appointed a Democrat to his Cabinet. That is nonsense. First of all, Mr. Durkin was not appointed because he was a Democrat, but solely because he was a competent and respected representative of the viewpoint of the working people as citizens of our country. Any Cabinet which reflects and represents the viewpoint of only a small section or particular group in our community, is bound to fail as an instrument of democracy and as an organ of good government.

With the exit of Martin Durkin, the prospect for fair and sound revision of the Taft-Hartley law is dimmer than it has been in a long time. One might be a very successful executive in a soap factory or even a university professor weighed down by many honors and titled engraved on parchment, but that does not at all qualify him to sit in the Cabinet as an expert on labor-management relations or as one who has a practical, as well as sympathetic understanding of the needs and desires of the workers in our national community.

This is no way to assure labor social justice. This is no model course for good government. It is not even a way to woo labor support for any particular party.

* * *
Nothing is so good as it seems before-hand.—George Eliot.
* * *

and democracy. We believe that such French colonialist policy plays right into the hands of the Communists in France and their masters in Moscow.

In this connection, it is rather significant that while the French colonial authorities do not permit the organization of a Moroccan democratic free trade union movement affiliated to the ICFTU, these same authorities do allow the Communist-dominated WFTU to have an affiliate in Morocco. Surely, these authorities do not expect the rest of the world to believe that there is nothing wrong, that all goes well, and that all is just and peaceful in Morocco when such policies are the order of the day.

In 1950 and 1951, if our memory does not betray us, the then Resident-General of Morocco, Marshal Juin, ordered the Sultan to repudiate the democratic national independence party, the Istiqlal. At that time, Juin inspired a march by the Berbers on Rabat and Fez. This is exactly the "stunt" employed a few weeks ago in deposing the same Sultan. Last December, the General Guillaume of present notoriety, tried to exploit the serious riots which then somehow broke out in Casablanca as the excuse for jailing and exiling the great bulk of the nationalist leaders.

We submit this is no way for the French government to prepare the Moroccans for democracy—for the democracy that the Quai d'Orsay says the Moroccan people are not yet ready and, therefore, "unfit for independence" today. We further submit that this is not the kind of democracy that the French people have given to the world or are themselves enjoying today.

Moreover, we insist that such methods of imperialist misrule only weaken the ranks and the cause of freedom and peace. The free world needs the people of Morocco and Tunis as allies in the fight for the preservation and promotion of peace and freedom now gravely menaced by Communist subversion and Russian aggression. Unless the people of Morocco, Tunis, and other lands, today under the yoke of colonialism, have national freedom and democracy, they will feel that they have nothing to fight for and no reason to be actively on the side of the free world at this critical juncture in human history.

Last, but not least, our country maintains in Morocco air bases vital to the defense of world peace and freedom. We cannot maintain these bases effectively and securely unless the people of Morocco are friendly to us and help us. But we cannot expect these people to be our friends when we do not permit the U.N. even to give them a hearing as to their grievances during a period when the worst injustice is perpetrated against them.

We appeal to French labor in particular and to the great liberty-loving French people as a whole to assert their democratic strength and, in line with the glorious tradition of liberty, equality and fraternity, bring pressure to bear on their government to break with every vestige of colonialism in Morocco and Tunis, as well as in Indo-China. We, for our part, will, through our own democratic processes, do everything in our power to correct the mistakes of our own government in this field. Together we will thus help build a better and stronger democratic camp in Europe, as well as in America, in Africa, as well as in Asia.

* * *
*The love of liberty is the love of others;
the love of power is the love of ourselves.*
—William Hazlitt.
* * *

SECRET

~~SECRET~~



PERSONAL ~~ATTENTION~~
STRICTLY ~~CONFIDENTIAL~~
SAC LETTER NO. 54-27
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1-1
2-1
RC

In Reply, Please Refer to
File No.

May 25, 1954

WASHINGTON 25, D.C.

To all SACs James [redacted]

(S)

The Bureau has occasion to receive information from a sensitive source who has been assigned the captioned symbol. When information from this source is transmitted by the Bureau to the Field, the data will be attributed to the captioned informant. If such information is to be included in a report or communication for dissemination outside the Bureau, the Field should attribute the information to an informant described under appropriate T symbol with the characterization, "T-, an informant, who, in the past, has furnished information of a reliable nature." (S)

b1

10/27/89
Classified by SP4ELW/KFA
Declassify on: OADR C.A.# 88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

SE 49

162-99724-7
NOT RECORDED
128 MAY 28 1954

\$(u)

70 JUN 2 1954

~~SECRET~~

ORIGINAL FILED IN 100-4-2037

~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 09-29-2009

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE:
March 18, 1954.

FROM : V. P. Healy

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Trotter
Winklerrowd
Tele. Room
Holloman
Miss Gandy

SUBJECT:

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE BY~~

SJP:lw
1 - Mr. Henrich
- Mr. Wannall

NOT RECORDED

76 MAR 23 1954

~~SECRET~~

~~SECRET~~

(S)

Memo to Belmont

Re:

b1

(S)

(S)

b1

(S)

(S)

~~SECRET~~

~~SECRET~~

(S)

Memo to Belmont

Re:

[Redacted]

b1

b1

b1

ACTION:

[Redacted]

gpk

JPKY ✓

* Letter dated 3/9/54
acknowledged 3/11/54

*Looks like some more
of Alvey's officiousness
before getting all the
facts!*

H.

~~SECRET~~

DIRECTOR, FBI

4/24/56

SAC, KANSAS CITY (105-0)

~~CENTRAL INTELLIGENCE AGENCY~~

~~VISITORS BEHIND THE IRON CURTAIN~~
~~IS~~

Section 105-K, Manual of Instructions, under above captioned, sets forth instructions pertaining to interviews of persons who will or have traveled behind the iron curtain.

Section B, SAC letter 56-20, instructs regular liaison should be established with CIA for the purpose of obtaining cases for the Bureau and also to insure that other agencies are aware of our jurisdiction.

Referral/Consult

REGISTERED MAIL
DJW:bbr
(3)

INDEXED - 15

NOT RECORDED

168 APR 27 1956

71 MAY 1 1956

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/10/89 BY SP4 ELW/KFA

CA 488-1826

ORIGINAL COPY FILED IN 100-207058-306

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: September 18, 1956

FROM : Mr. R. R. Roach

b1

SUBJECT:

(S)

Central Intelligence Agency 2-1
Central Intelligence Agency

Tolson	_____
Nichols	_____
Boardman	_____
Belmont	_____
Mason	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Nease	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

ACTION:

None. For your information.

SJP:clr

(5)

- 1 - Mr. Belmont
- 1 - Mr. Kuno
- 1 - Section
- 1 - Mr. Papich

RECORDED-13

INDEXED-13

62-99224-21
SEP 25 1956

EX-108

63 OCT 19 1956

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1, 6)
DATE 09-29-2009

~~SECRET~~

UNRECORDED COPY FILED IN 100-357661-1

~~CONFIDENTIAL~~

~~SECRET~~

Memo Roach to Belmont

Re: [redacted]

WINSTON M. SCOTT

like to get the Director's reaction to this. In connection with this, it would be noted that the Bureau has not become involved in any arrangement [redacted]

[redacted] We have left this responsibility to the Department. (X)(X)(S)

Winston M. Scott is a former Bureau Agent who entered on duty on March 9, 1942, and voluntarily resigned on January 26, 1944. He entered on duty with the Office of Strategic Services (OSS) on January 27, 1944. [redacted]

ACTION:

In view of Angleton's continuously cooperative attitude over the past few years and because of his desire to maintain a good working relationship with the Bureau [redacted] the Director may wish to give favorable consideration to meeting with Angleton and Scott on Thursday April 18, 1957. If so, the Liaison Agent will accordingly advise Angleton as to an appointment time agreeable to the Director. (X)(X)(S)

I see no need
for Mr Hoover
to see him

Agree
[signature]

~~CONFIDENTIAL~~

~~SECRET~~

MR. A. H. BELMONT

~~SECRET~~

March 8, 1957

W. C. Sullivan

ALLEGATIONS OF GENERAL ARTHUR S. TRUDEAU
RE INFILTRATION OF FABIAN SOCIALISTS INTO HIGH
POLICY-MAKING AREAS OF THE UNITED STATES
GOVERNMENT
INTERNAL SECURITY - C

encl
P.

SYNOPSIS:

Reference is made to allegations of General Arthur S. Trudeau, former Assistant Chief of Staff, U. S. Army, and former G-2 (Army Intelligence) chief, concerning possible infiltration of Fabian socialists and communists into high policy-making areas of Government service. This matter has required very detailed and extensive file review on names submitted by General Trudeau. As there was no urgency, this has been done from time to time by the Central Research Section, other work permitting. Background on Fabian socialism and General Trudeau's feud with Central Intelligence Agency (CIA) set forth.

The Results

6/14/83
Classified by SP7 mac/glt
#128,590

Declassify on: OADR
10/23/85 9145R/glt
10/26/89 SP4ELW/KFR
C.A.#88-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

1. Over 5,500 references were reviewed in Bureau files on 122 names listed on charts and memoranda left with the Bureau by General Trudeau.
2. Three names were not identified in Bureau files, making a total of 119 names which were identified.
3. Identifiable derogatory information was found on 105 of the 119 individuals identified and is set forth in enclosure under separate captions.
4. Of the 105 individuals on whom identifiable derogatory information was found, 94 have been investigated by the Bureau under classifications of Atomic Energy Act, Voice of America, Loyalty of Government Employees, Security of Government Employees, CIA-Applicant, Special Inquiry-White House, Security Matter-C, Internal Security-R, and others. Results of investigations have been disseminated.

ENCLOSURE
2 Enclosure
JMS:mjh
(3)
1 - Section tickler
61 - Mr. Belmont
MAR 21 1957

SNIF 23
11/23/67 #1

1-62-79724
NOT RECORDED
17C MAR 18 1957

~~SECRET~~

ORIGINAL COPY FILED IN

Memorandum to Mr. Belmont
Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

5. Proper dissemination has been made of identifiable derogatory information on the remaining individuals not investigated.
6. Cases are pending on three subjects not now in Government employment. Cases on other individuals have been closed.
7. No attempt was made to verify present number of individuals still in Government because of the Director's instructions to remain out of G-2 and CIA feud. It was correctly assumed that inquiry would have aroused curiosity and questions in high policy-making Government circles.

Conclusions

1. FBI files do not contain any specific, concrete, and conclusive proof that the subjects are Fabian socialists as charged by General Trudeau.
2. FBI files do not contain any similar conclusive proof that these subjects have been and, in some instances, are influencing Government policy along Fabian socialist lines as charged by General Trudeau.
3. FBI files do show, however, that a considerable amount of "smoke" surrounds these subjects in that many have been charged by associates and acquaintances with the following:
 - a. Describing Chinese communists as being harmless "agrarian reformers" when they should have known that they were actually communists
 - b. Suppressing information unfavorable to communists and communism
 - c. Issuing slanted reports favoring communism
 - d. Minimizing the threat of Soviet Russia to peace and democracy
 - e. Manifesting thinking which coincides with socialist thinking in different instances

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

f. Lacking, from a loyalty standpoint, in qualifications desired in strategic or sensitive Government positions

4. Others have been named by Louis Budenz, former official of the Communist Party, USA, as being communist or under communist discipline.

To sum up: While the evidence is not present to prove the validity of General Trudeau's charges, it must be admitted that the persons singled out by General Trudeau do not, in the main, have altogether clean, sound, and unquestionable security backgrounds. However, the FBI has investigated 94 of the 105 subjects on whom there is derogatory information. Proper dissemination of available derogatory information has also been made on those persons not investigated. Therefore, there appears to be no more to do at this time.

It is interesting to note that this study does show the FBI was already aware of these subjects and had information on them long before General Trudeau submitted their names.

RECOMMENDATIONS:

(1) That no dissemination be made of allegations by General Trudeau in accordance with Director's indication that Bureau should not in any way become involved in the dispute between G-2 and CIA.

(2) That no dissemination be made of information set forth in enclosure under individual captions inasmuch as information of a derogatory nature in Bureau files has received proper dissemination.

(3) That no new cases be opened on individuals named by General Trudeau since charges do not constitute sufficient basis for opening new investigations.

~~SECRET~~

Memorandum to Mr. Belmont
Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

(4) That this cover memorandum and enclosure containing information be filed in 100-420468, the file for material furnished by General Trudeau.

(5) That a copy of this cover memorandum be placed in case file of subjects, along with a copy of the summary of information on each particular individual.

~~SECRET~~

Memorandum to Mr. Belmont
Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

DETAILS:

General Trudeau Material

General Trudeau furnished the Director with charts and memoranda purporting to substantiate charges that certain individuals in and out of Government were influencing the United States to take a soft policy against Soviet Russia and world communism. General Trudeau furnished the names of individuals, some allegedly with Fabian socialist leanings and possibly some with communist leanings, who, he stated, had penetrated certain policy-forming organs of our Government, including State Department, CIA, Operations Coordinating Board, Planning Control Group, and Planning Board, as well as academic research units at Harvard, Princeton, and Johns Hopkins Universities, Massachusetts Institute of Technology, and the Ford and Rockefeller Foundations which do research work for the Government.

Trudeau material furnished last names only on majority of individuals. Later, Colonel Earle L. Lerette, G-2, furnished limited additional identifying data.

Bureau files reflect that Colonel Lerette and a [redacted] [redacted] Operations Coordinating Board, associates of General Trudeau, disseminated information regarding Fabian socialist charges outside the Executive Branch and that G-2 did not handle the matter of Fabian socialists in a secure and prudent manner. (62-9798; 100-420468-5, 10, 11) As a result, Colonel Lerette was accused by CIA of releasing false and derogatory information about that agency.

b6
b7C

Fabian Socialism

Fabian socialism had its origin with the Fabian Society in England in 1884, largely as the result of influence and teaching of an American, Professor Thomas Davidson. The end of Fabian socialism is the elimination of private ownership as an exclusive means of production and the substitution of state or social ownership of the means of production; hence, socialism. The name Fabian was derived from a Roman general, Quintus Fabius Maximus Verrucosus, who became famous by his military tactics of avoiding direct battles, resorting to deliberate procrastination, and using delaying procedures

~~SECRET~~

Memorandum to Mr. Belmont
Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

during his defense of Rome against the attacks of Hannibal. The aim of Fabian socialism is to permeate every segment of society with socialistic ideas, words, attitudes, tendencies, and modes of thinking in order to gradually lay the foundation of a slow, steady, peaceful transformation of the social order from capitalism to socialism. The tactics of Fabian socialism include concessions, compromises, advances, avoidance of conflict, all of which are to be made with great patience.

CIA - G-2 Feud

General Trudeau was relieved in August, 1955, of his duties as Assistant Chief of Staff, U. S. Army, and as head of Army G-2, and was transferred to the Far East Command. General Trudeau's removal stemmed from charges by Allen Dulles, Director of CIA, who claimed that General Trudeau's dealings

(S) [REDACTED] b1

James Angleton, CIA, confidentially advised the Bureau on August 1, 1955, that CIA had evidence that General Trudeau

(S) [REDACTED] b1

(S) General Trudeau advised the Bureau on August 8, 1955, that in his visits with Ambassador Krekler and Chancellor Adenauer he had discussed nothing of an intelligence nature not already known. He admitted being at odds with CIA and stated that he believed CIA was attempting to gain complete control of the foreign intelligence field. He stated that if CIA accomplished its purpose, the military intelligence services might as well go out of business. (62-9798-2653, 2657, 2661, 2674, 2680)

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

According to an article by John O'Donnell, newspaper columnist, in the New York Daily News, September 2, 1955, page 2, General Trudeau was "fired" by President Eisenhower at the personal request of Allen Dulles, Director of CIA. According to O'Donnell, Dulles complained that Trudeau had talked with Chancellor Adenauer, without notifying CIA, in order to lessen Adenauer's confidence in the "CIA-bankrolled setup" in Germany operated by Reinhard Gehlen.

File Reviews

An analysis of the allegations of General Trudeau required very detailed and extensive file reviews on names submitted by General Trudeau. As there was no urgency, this has been done from time to time by the Central Research Section, other work permitting.

Results

1. Over 5,500 references were reviewed in Bureau files on 122 names in charts and memoranda left with the Bureau by General Trudeau.
2. Three names were not identified in Bureau files, leaving a total of 119 names which were identified.
3. Identifiable derogatory information was found on 105 of the 119 individuals identified and is set forth in enclosure under separate captions.
4. Of the 105 individuals on whom identifiable derogatory information was found, 94 have been investigated by the Bureau under classifications of Atomic Energy Act, Voice of America, Loyalty of Government Employees, Security of Government Employees, CIA-Applicant, Special Inquiry-White House, Security Matter-C, Internal Security-R, and others. Results of investigations have been disseminated.
5. Proper dissemination has been made of identifiable derogatory information on the remaining individuals not investigated.

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

6. Cases are pending on three subjects not now in Government employment. Cases on other individuals have been closed.

7. No attempt was made to verify present number of individuals still in Government because of the Director's instructions to remain out of G-2 and CIA feud. It was correctly assumed that inquiry would have aroused curiosity and questions in high policy-making Government circles.

Conclusions

1. FBI files do not contain any specific, concrete, and conclusive proof that the subjects are Fabian socialists as charged by General Trudeau.

2. FBI files do not contain any similar conclusive proof that the individuals named by General Trudeau have been and, in some instances, are influencing Government policy along Fabian socialist lines as charged by General Trudeau.

It is to be noted that Bureau files do not contain a record of day-to-day decisions of these individuals and do not set forth the part which they have played in policies formulated. There is no information in individual files regarding the decisions which General Trudeau has stated were influenced by individuals named.

3. Derogatory information is set forth in enclosure regarding individuals who appear to be identical with names on General Trudeau's list. Some reportedly regarded the Chinese communists as "agrarian reformers." Several reportedly suppressed information unfavorable to communist activities in Europe during and after World War II while serving in Office of Strategic Services (OSS) and G-2. Others reportedly minimized the Soviet threat or slanted reports in State Department. Several identified by Whittaker Chambers

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

and Elizabeth T. Bentley, former self-admitted Soviet espionage agents, as participants in espionage activities in Washington, D. C., and New York, New York, in the mid 1930's and early 1940's. Several have been critical of the Bureau. Several alleged to be socialists; others "leftist" and "procommunist." Several reported as members, in the past, of organizations cited by the Attorney General under Executive Order 10450. Allegations generally name many individuals as questionable for strategic or sensitive Government employment.

4. Several were named by Louis Budenz, former Communist Party, USA, official, as being communists or under communist discipline.

Some of the sources of information used in the enclosure were closely associated with the individuals named and requested that their identities be concealed. Others expressed a willingness or unwillingness to testify in loyalty or court proceedings against individuals named. In order to indicate the desires of the source an (a) was placed after the names of sources who requested that their identities be concealed. A (b) was placed after the sources' name when he was willing to testify. A (c) was used to indicate source not willing to testify.

b1

The following eight individuals, who appear to be identical with names furnished by General Trudeau, have been investigated by the Bureau with no identifiable derogatory information developed. Results of investigations have been disseminated.

- (S) 1. ~~(S)~~
Central Intelligence Group-Applcmt, 1947
- (S) 2. ~~(S)~~
Central Intelligence Agency-Applcmt, 1951
Atomic Energy Act-Applcmt, 1952
- (S) 3. ~~(S)~~
Central Intelligence Agency-Applcmt, 1949

b1

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

4. [redacted]
Atomic Energy Act-Applicant, 1954

5. [redacted]
European Recovery Program, 1947
Special Inquiry, 1955

b6
b7C

6. [redacted]
Atomic Energy Act-Applicant, 1951

(C) 7. [redacted] ~~(S)~~
Central Intelligence Agency-Applicant, 1949

b1

8. [redacted]
Atomic Energy Act-Applicant, 1947

b6
b7C

The following six individuals, who appear to be identical with names
furnished by General Trudeau have not been investigated by the Bureau. No
identifiable derogatory information was found in Bureau files on these individuals.

1. [redacted]
2. [redacted]
3. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]

b6
b7C

It was not possible to identify the following three names furnished by
General Trudeau. No first names were given.

(C) 1. [redacted] ~~(S)~~
3. [redacted]

b1
b6
b7C

~~SECRET~~

Memorandum to Mr. Belmont

Re: Allegations of General Arthur S. Trudeau Re Infiltration of
Fabian Socialists into High Policy-making Areas of the
United States Government
Internal Security - C

~~SECRET~~

The enclosure contains an Appendix setting forth the organizations and publications which have been designated by the Attorney General pursuant to Executive Order 10450 or cited by congressional or state committees. The names of pertinent organizations and publications in the summaries have been marked by asterisks for citation in the Appendix.

It is interesting to note that this study does show the FBI was already aware of these subjects and had information on them long before General Trudeau submitted their names in connection with his charges of Fabian socialist infiltration into high policy-making areas of the Government.

~~SECRET~~

SUMMARIES OF PERTINENT INFORMATION
ON INDIVIDUALS NAMED IN GENERAL
TRUDEAU'S ALLEGATIONS RE FABIAN
SOCIALIST INFILTRATION OF HIGH
POLICY-MAKING AREAS OF UNITED STATES
GOVERNMENT

March 8, 1957

260 218
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/21/85 BY 9145 CI/gLT -
274,909 3/17/88 SP1 ag/clk
C.A.# 88-1826 10/17/89 SP4 ELW/KFA

~~SECRET~~

JAMES JAMES ANGLTON

SEE REVERSE
SIDE TWO
CLASSIFICATION
ACTION

James Angleton is probably identical with the Angleton listed in material furnished by General Truett.

Background

James Angleton was born December 9, 1917, at Boise, Idaho. He attended elementary and high schools abroad and received an A.B. degree from Yale University, New Haven, Connecticut, in 1941. He attended Harvard University Law School from 1941 to 1943, but did not graduate. He served in the United States Army from 1943 to 1946, being detailed to the Office of Strategic Services (OSS) and later to Central Intelligence Agency (CIA) from 1946 to 1947. He has been employed by CIA since that time. (100-5171-3)

Unfavorable Information

(S)

Angleton advised Bureau Agents in 1949 that he was extremely sympathetic toward Pound and had a great deal of respect for Pound's literary ability. Angleton said that he subscribed to most of Pound's political theories. Angleton said that Pound favored government with strong cooperative state and community ownership of property. Angleton said that Pound believed that society should evolve to a form of medieval society with a strong church state so that the deacons of the state would carry the sanction of the church. Angleton said that Pound was irrational in his theories due to strong anti-Semitic feelings and hatred of the international banking class. (100-5171-20; 65-50700-701; 100-24629-46)

b1

Favorable Information

Angleton stated in his interview in 1949, that he would be willing to testify against Pound in the treason trial if it was necessary. Angleton has been cooperative with the Bureau while serving with CIA and has furnished voluminous material of interest to the Bureau. (100-24629-46; 62-80724-1)

(S)

Reported by the FBI as a CIA--Applicant, 1949. Results:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

3/25/89
Classified by SP1 AG/KIK
Declassify on: OADR #274,909
10/20/89
SP4 ELW/KFA
CIA # 88-1826

ENC #1

~~SECRET~~

ENCLOSURE

b1

APPENDIX

ORGANIZATIONS AND PUBLICATIONS MENTIONED IN TEXT WHICH HAVE BEEN DESIGNATED BY THE ATTORNEY GENERAL PURSUANT TO EXECUTIVE ORDER 10450 OR CITED BY CONGRESSIONAL OR STATE COMMITTEES

The names of organizations and publications in the summaries which were marked by asterisk for citation in the Appendix are listed below.

Those organizations or publications cited by congressional or state committees are listed in the Guide to Subversive Organizations and Publications prepared and released by the Committee on Un-American Activities, U. S. House of Representatives, Washington, D. C., January 2, 1957. Those cited only by the committees have been identified in the following list by the page number on which the citations appear in the Guide.

Those designated by the Attorney General of the United States pursuant to Executive Order 10450 have been identified with the notation (Executive Order 10450).

Abraham Lincoln Brigade (Executive Order 10450)

Amerasia (Guide, p. 99)

American Committee for Democracy and Intellectual Freedom (Guide, p. 7)

American Committee for Protection of Foreign Born (Executive Order 10450)

American Friends of Spanish Democracy (Guide, p. 10)

American Friends of the Chinese People (Guide, p. 10)

American League Against War and Fascism (Executive Order 10450)

American League for Peace and Democracy (Executive Order 10450)

American Labor Party (Guide, p. 11)

American Peace Mobilization (Executive Order 10450)

American Russian Institute (Executive Order 10450)

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/21/95 BY 9145 CI/917

274,909 3/17/99 SP2ag/cik

C.A. 88-1826 10/17/99 SP4ELW/KCA

ENCLOSURE

Enc #2

American Slav Congress (Executive Order 10450)

American Student Union (Guide, p. 18)

American Youth for a Free World (Guide, p. 19)

American Youth for Democracy (Executive Order 10450)

China Aid Council (Guide, p. 24)

China Today (Guide, p. 99)

Civil Rights Congress (Executive Order 10450)

Civil Rights Federation (Guide, pp. 26, 56)

Committee for a Democratic Far Eastern Policy (Executive Order 10450)

Committee for the Care of Young Children in Wartime (Fourth Report Un-American Activities in California, 1948, Communist Front Organizations, Report of Joint Fact-Finding Committee to the 1948 Regular California Legislature, Sacramento, 1948, p. 168)

Committee of One Thousand (Guide, p. 118)

Committee to Defend America by Keeping out of War (Guide, p. 29)

Commonwealth College, Mena, Arkansas (Executive Order 10450)

Communist Party, USA (Executive Order 10450)

Communist Political Association (Executive Order 10450)

Congress of American Women (Executive Order 10450)

Consumers Union (Guide, p. 141)

Coordinating Committee to Lift the (Spanish) Embargo (Guide, p. 35)

Independent Citizens Committee of the Arts, Sciences, and Professions (Guide, p. 44)

Industrial Workers of the World (Executive Order 10450)

Institute of Pacific Relations (Guide, p. 45)

International Juridical Association (Guide, p. 46)

International Labor Defense (Executive Order 10450)

Joint Anti-Fascist Refugee Committee (Executive Order 10450)

League of American Writers (Executive Order 10450)

League of Women Shoppers (Guide, p. 53)

Morning Freiheit (Guide, p. 104)

National Council of American-Soviet Friendship (Executive Order 10450)

National Council of the Arts, Sciences, and Professions (Guide, p. 61)

National Emergency Conference for Democratic Rights (Guide, p. 62)

National Federation for Constitutional Liberties (Executive Order 10450)

National Free Browder Congress (Guide, p. 63)

National Lawyers' Guild (Guide, p. 64)

North American Committee to Aid Spanish Democracy (Executive Order 10450)

Open Road (Fourth Report Un-American Activities in California, 1948, Communist Front Organizations, Report of Joint Fact-Finding Committee to the 1948 Regular California Legislature, Sacramento, 1948, pp. 336, 341)

Science and Society (Guide, p. 108)

Socialist Workers Party (Executive Order 10450)

Southern Conference for Human Welfare (Guide, p. 81)

Spanish Refugee Relief Campaign (Guide, p. 81)

United American Spanish Aid Committee (Executive Order 10450)

Washington Bookshop Association (Executive Order 10450)

Washington Committee for Democratic Action (Executive Order 10450)

Washington Friends of Spanish Democracy (Guide, p. 90)

Women's International Democratic Federation (Guide, p. 91)

Young Communist League (Executive Order 10450)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/20/89 BY SP4ELW/KFA
CA# 88-1826

CLASSIFIED INFORMATION ENCLOSED

COPIES DESTROYED
848 DEC 11 1964

62-99724-29
ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-05-2009

Office Memorandum • UNITED STATES

TO : A. H. Belmont

DATE: 9-26-58

FROM : S. B. Donahoe

SUBJECT: SUGGESTION NUMBER 287-59
RECORDS BRANCH STREAMLINING COMMITTEE
SUBMITTED BY MRS. MARGARET W. MEAD AND [REDACTED]

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Tele. Room _____
Holloman _____
Gandy _____

Reference is made to a copy of a memo dated 9-18-58 from W. G. Eames to Mr. Nease re the captioned suggestion furnished to this Division by the Training and Inspection Division requesting the views of the Domestic Intelligence Division and requesting a specific recommendation regarding adoption of the captioned suggestion.

(S) The material affected by this suggestion are copies of communications furnished [REDACTED]

RECOMMENDATION:

The Domestic Intelligence Division recommends adoption of the captioned suggestion to the effect that one copy of the material received be filed and indexed in the file entitled "Central Intelligence Agency Information Received from James Angleton." [REDACTED]

[REDACTED] Any additional indexing will be indicated by Bureau supervisors as in the past. When a Bureau supervisor desires an extra copy designated for another file the Records Section will be advised. It is recommended that other material received from Angleton be handled by the Records Section in the same manner as in the past.

EHM:cvg
(8)

- 1 - Belmont
- 1 - Donahoe
- 1 - W. G. Eames
- 1 - Nease
- 1 - Tamm
- 1 - Papich
- 1 - Mossburgh

Enclosures (2)

Classified by SP4 EEW/KFA
Declassify on: OADR
C. A. # 88-1826

EX - 132

CONTINUED

REC-61

OCT 15 1958

~~SECRET~~

PERF. FILES

2-1111

~~SECRET~~

ADDENDUM BY TRAINING AND INSPECTION DIVISION: 10/1/58

RECOMMENDATIONS: 1. That suggestion as modified
be approved.

2. That attached letters to
 and Mrs. Mead be approved.

b6
b7C

3. If approved, Records
Branch will take necessary action to place the suggestion,
as modified, into effect.

www

Keene
10/3

[Signature]

~~SECRET~~



PERSONAL
NO. 1 BER SAC LETTER 58-X
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

December 1, 1958

WASHINGTON 25, D. C.

In Reply, Please Refer to
File No.

(S)

RE:

(S)

(S)

(S)

ORIGINAL COPY FILED IN 66-04-2386

b1

Classified by SPX DRS/100

Declassify on: OADR

8/24/83

RKS

Very truly yours,

John Edgar Hoover.

Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

10/23/89
Classified by SP4ELW/KFA

Declassify on: OADR
CA # 88-1826

162-97724-
191 DEC 8 1958

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-07-2009

~~SECRET~~

EXEMPTED FROM AUTOMATIC

DECLASSIFICATION

AUTHORITY DERIVED FROM:

igation

FBI AUTOMATIC DECLASSIFICATION GUIDE

EXEMPTION CODE 25X(1)

DATE 10-07-2009

, 1959

☐ Name Searching Unit - Room 6527

b6

☐ Service Unit - Room 6524

b7C

☐ Forward to File Review

☐ Attention

☐ Return to

Supervisor

Room

Ext. 2-56

Type of References Requested:

☐ Regular Request (Analytical Search)

☐ All References (Subversive & Nonsubversive)

☒ Subversive References Only

☐ Nonsubversive References Only

ALL INFORMATION CONTAINED

ences Only

HEREIN IS UNCLASSIFIED EXCEPT

WHERE SHOWN OTHERWISE

☐ Restricted to Locality of

☐ Exact Name Only (On the Nose)

☐ Buildup

☐ Variations

Subject

Birthdate

Address

Localities

R#

Date

6/22

Searcher

Initials

pde

Prod.

FILE NUMBER

SERIAL

b1

NR
Bu's
NR
M.
NR

10/23/89

Classified by

SP4ELW/KFA

Declassify on: OADR

G. A. #88-1826

No other Vars Searched

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

EXCEPT WHERE SHOWN OTHERWISE

~~SECRET~~

UNITED STATES

Memorandum

TO : Mr. Belmont

DATE: November 9, 1960

FROM : R. O. L'Allier

SUBJECT: JAMES ANGLETON
CENTRAL INTELLIGENCE AGENCY (CIA)

Tolson	_____
Mohr	_____
Parsons	_____
Belmont	✓
Callahan	_____
DeLoach	_____
Malone	_____
McGuire	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Ingram	_____
Gandy	_____

You will recall that in May of this year Angleton was confined to a sanitarium because of a tubercular ailment. For your information, Angleton returned to his home on November 4, 1960, where he will continue his convalescence. The lung infection has been cleared but he will be required to rest and continue some drug treatments for several more weeks. He very likely will not return to active duty before April 1, 1961.

ACTION:

For your information.

SJP:bas
(5)

- 1 - Mr. Parsons
- 1 - Mr. Belmont
- 1 - Liaison
- 1 - Mr. Papich

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/23/89 BY SP4ELW/KFA
C.A.# 88-1826

REC-76

ZOT-XE

2 NOV 15 1960

50 NOV 18 1960

UNITED STATES

Memorandum

TO : Mr. Belmont

DA1 February 28, 1961

FROM : R. O. L'Allier

SUBJECT: JAMES ANGLETON
CHIEF, COUNTERINTELLIGENCE STAFF
CENTRAL INTELLIGENCE AGENCY (CIA)

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

Due to Angleton's absence because of illness, mail previously directed to him has been sent to [redacted] Chief, Counterintelligence Staff."

b6
b7C

Angleton has returned to duty and in accordance with a discussion held with him on February 24, 1961, we can now officially resume the transmittal of mail to him. Mail to Angleton is sent to the Director, Central Intelligence Agency, "Attention: James Angleton," and should be sent via Liaison.

ACTION:

The above information is being directed to the attention of all Section Chiefs in the Division and to the Reading Room.

SJP:ban
(11)

- 1 - Mr. Parsons
- 1 - Mr. Belmont
- 1 - Reading Room
- 1 - Mr. Branigan
- 1 - Mr. Baumgardner
- 1 - Mr. Bland
- 1 - Mr. Donahoe
- 1 - Mr. Sullivan
- 1 - Liaison
- 1 - Mr. Papich

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/23/89 BY SP4ELW/KFA

C. A. # 88-1826

EX 100

REC- 85

62-99724-56
MAR 7 1961

63 MAR 10 1961

gm
91
EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 10-07-2009

~~CONFIDENTIAL~~

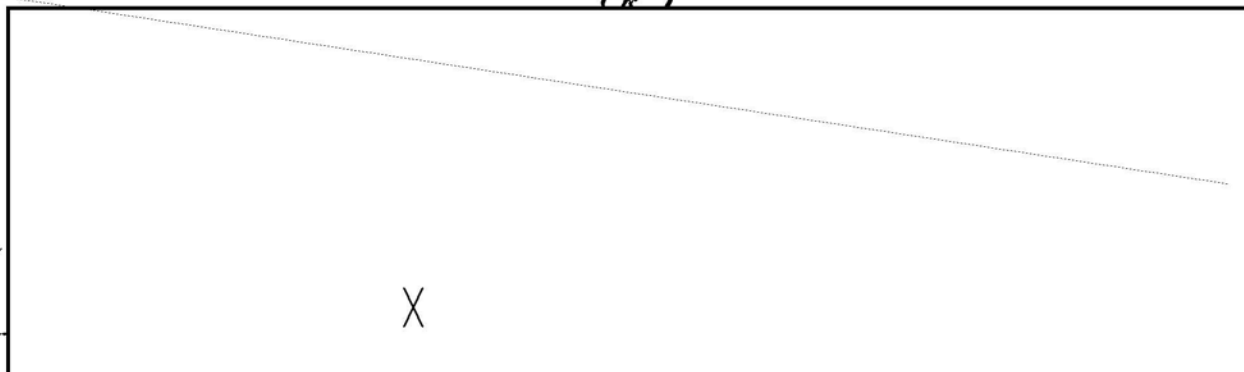
10/23/89 SP4 ELW/KFA
Classified by
Declassify on: OADR
C.A.#88-1826

3-2-83
Classified by ~~SP8 BT3/BCE~~
Declassify on: OADR

James O Angleton

(C)

(X)



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

ORIGINAL COPY FILED IN 66-04-2324

b1

62-99724-3 (24)
NOT RECORDED
57 MAR 31 1965

3/23/65
SAC LETTER NO. 65-15

67 MAR 31 1965

~~CONFIDENTIAL~~

2 - Original & 1
① - Yellow
1 - Liaison
1 - Mr. Papich

SAC, New York

~~SECRET~~

October 1, 1965

Director, FBI

1 - Mr. Cregar

10/24/89
Classified by SP4ELW/KFA

Declassify on: OADR
C.A.H 88-1826

RELATIONS WITH THE CENTRAL
INTELLIGENCE AGENCY (CIA)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

[Redacted Block]

[Redacted Block]

b1

WOC:chs
(6) *chs*

NOV
5

[Redacted Block]

197
OCT 7 1965

MAILED 7
OCT 1 1965
COMM-FBI

REC 14
EX 105
2-99724-223
OCT 4 1965

MAIL ROOM ☐ TELETYPE UNIT ☐

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. W. C. Sullivan

DATE: 1/13/67

FROM : D. J. Brennan, Jr.

Classified by SP4ELW/KFA
Declassify on: OADR
E.A. 488-1826

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

SUBJECT: CENTRAL INTELLIGENCE AGENCY (CIA)
INFORMATION RECEIVED FROM JAMES ANGLETON

In 1953 we created a separate control file (62-99724) under the caption, "CIA - James Angleton," for the purpose of retaining copies of certain types of memoranda disseminated to us by James Angleton, Chief, Counterintelligence Staff, CIA. We believe that it is no longer necessary to maintain this control file.

The information disseminated by Angleton is filed in the case file of an individual or an organization. The control file consists of copies of communications already recorded in separate case files. There has been little or no occasion to use the control file, and its usefulness at this point can be characterized as being obsolete.

RECOMMENDATION:

It is recommended that it no longer be necessary to place copies of [redacted] material in the control file. The file will continue to be used for retention of mail of a policy nature.

62-99724

- | | |
|------------------|----------------|
| 1 - Mr. DeLoach | 1 - Mr. Cotter |
| 1 - Mr. Tavel | 1 - Liaison |
| 1 - Mr. Sullivan | 1 - Mr. Papich |

61 JAN 24 1967

(7)

~~SECRET~~

REC 32

6 JAN 18 1967

EX-115

b1

b1

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: 9/12/68

FROM : D. J. Brennan, Jr. *ATV*

SUBJECT: JAMES ANGLETON
CHIEF, COUNTERINTELLIGENCE STAFF
CENTRAL INTELLIGENCE AGENCY (CIA)

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

PURPOSE:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/89 BY SP4ELW/KGA
CIA #88-1826

The purpose of this memorandum is to recommend a get-well letter be written to Angleton, a valuable liaison contact, who has been hospitalized with a bleeding ulcer.

ANGLETON'S CONDITION:

Liaison learned late in the evening of 9/11/68 that Angleton, who was visiting at the home of a friend, was seized with an attack of hemorrhaging and rushed to the George Washington University Medical Center, where his condition was diagnosed as a bleeding ulcer. He is in Room 6224 South. He can receive no visitors and no telephone calls. Angleton has been an extremely valuable liaison contact at CIA for many years and is well known to a number of Bureau officials.

RECOMMENDATION:

That an appropriate letter be addressed to Angleton expressing regret at his illness and wishing him a speedy recovery. The letter should be addressed to Mr. James Angleton, Room 6224 South, George Washington University Medical Center, 901 23rd Street, Northwest, Washington, D. C. 20037.

- 1 - Mr. DeLoach
- 1 - Mr. Bishop (M. A. Jones)
- 1 - Mr. Sullivan
- 1 - Liaison
- 1 - Mr. Papich

DJB:mlm

(6)

REC-52

62-99724-79

15 SEP 18 1968

EX-105

Let to Angleton
AWT-
9/13/68

SEP 13 1968

JAW

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. D. J. Brennan, Jr. *DM*

DATE: May 19, 1969

FROM : S. J. Papich *SJP*

SUBJECT: CENTRAL INTELLIGENCE AGENCY (CIA)
COUNTER INTELLIGENCE STAFF

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

Val *all* [] of the Counter Intelligence Staff at CIA is scheduled to retire July 1, 1969. On May 16, 1969, James Angleton, CIA, advised the Liaison Agent that [] has been officially designated to succeed []. *2-1* *D. Sullivan* *C.D. Brennan* *A.W. Gray* *R.D. Cotter* *W.R. Wannall* *G.H. Moore*

The appointment of a successor to [] resulted in considerable controversy within CIA. Some people hoped that a top-flight intelligence officer from the field would succeed []. Although [] is not popular within the Agency, he is a seasoned officer and merited consideration because of seniority. He has also worked very closely with Angleton for a number of years. From the Bureau's standpoint, [] cannot be considered an ideal type. He sometimes has an irritating personality and certainly does not have all of the necessary qualities for maintaining a harmonious relationship. He is bright, dedicated, and well grounded in the intelligence business. Despite his personality defects, there should not be any real problem in doing business with him. *b6* *b7C* *N*

ACTION:

The above information is being directed to the attention of the Section Chiefs of the Domestic Intelligence Division.

- 1 - D. E. Moore
- 1 - W. A. Branigan
- 1 - C. D. Brennan
- 1 - R. D. Cotter
- 1 - A. W. Gray
- 1 - G. C. Moore
- 1 - W. R. Wannall
- 1 - Liaison
- 1 - S. J. Papich

REC-87
62-99224 *80*
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/09 BY SP4ELW/KFA
C.A.# 88-1326

10 MAY 1969

3/19
SJP:cjb

70 JUN 11 1969

September 13, 1968

EX-105

REC-52

62-99724-79

Mr. James Angleton
Room 6224 South
George Washington University
Medical Center
901 23rd Street, N. W.
Washington, D. C. 20037

Dear Mr. Angleton:

I certainly was sorry to learn that it was
necessary for you to enter the hospital and hope this note
finds you resting comfortably. Your friends in the FBI
join me in expressing best wishes for a quick and com-
plete recovery.

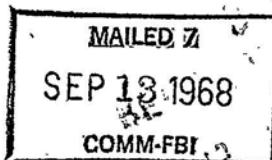
Sincerely yours,
J. Edgar Hoover

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/89 BY SP4 ECU/KAA
C. A. # 88-1826

1 - Liaison

NOTE: See D. J. Brennan, Jr., Memo to W. C. Sullivan dated 9-12-68
captioned "James Angleton, Chief, Counterintelligence Staff, Central
Intelligence Agency (CIA)," DJB:mlm. attached.

AWT:pld (4)



59 SEP 24 1968
MAIL ROOM TELETYPE UNIT

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

UNITED STATES GOVERNMENT

Memorandum

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

FROM : V. V. Kolombatovic *Kolombatovic*

SUBJECT: JAMES J. ANGLETON
REQUEST FOR PUBLIC SOURCE
MATERIAL

1 - Mr. J. E. Adams
1 - Mr. T. J. Jenkins
1 - Mr. D. W. Moore
(Attn: H. A. Boynton)

DATE: 7/31/75

1 - Mr. W. R. Wannall
1 - Mr. V. V. Kolombatovic
1 -

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 _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/26/89 BY SP4ELW/KFA
C. A. #88-1826

This recommends that public source material relating to the Bureau's assessment of the hostile foreign intelligence threat and the importance of counterintelligence be supplied to Angleton.

Angleton is the former Chief, Counterintelligence Staff, Central Intelligence Agency (CIA), who for many years cooperated with the Bureau in connection with some of our most sensitive counterintelligence investigations. He recently resigned from CIA as a result of the current publicity concerning CIA activities.

Mr. Angleton telephonically contacted the Bureau on 7/24/75 and advised that he is still very much interested in the subject of counterintelligence and fully supports the position taken by Mr. Kelley and other Bureau officials as reported in the press concerning the importance of counterintelligence and the need for support of the FBI in fulfilling its responsibilities in this field. Angleton is continuing to do research concerning the importance of counterintelligence and indicated he will do everything he can to encourage support of the Bureau in fulfilling its counterintelligence mission. He stated that it would be most helpful to him if he could be furnished copies of any public source material that is readily available such as press releases, radio TV transcripts, public testimony by Bureau officials, etc., which address this topic.

Enclosures

LFS:lhb

(7)

CONTINUED - OVER

57 SEP 4 1975

Memorandum to Mr. W. R. Wannall
Re: James J. Angleton

The attached material, all of a public nature,
was made available by the External Affairs Division with
which this has been coordinated.

RECOMMENDATION:

If approved, the attached material will be provided
to Mr. Angleton.

US

Wannall

AK

PLM

NBC
1/8

Jan

OK

Wannall
8/1/58
US

Memorandum



FEDERAL GOVERNMENT


Subject

Clearance for Access to Classified
Information re: James (NMN) Angleton

Date

JUL 3 1980

To


Security Officer
Federal Bureau of Investigation

From

D. Jerry Rubino
D. Jerry Rubino, Director
Security Programs Staff
Justice Management Division

b6
b7C

By memorandum dated December 11, 1979, the law offices of Leonard, Cohen, Gettings and Sher requested a security clearance for James (NMN) Angleton, a witness for the defense in the case of the U.S. vs. Felt and Miller. Transmitted herewith is Mr. Angleton's security paperwork including 3 copies of a completed "Security Investigation Data for Sensitive Position" Standard Form 86, one copy of a signed "Authority to Release Information" Form AAG-16, and one copy of a signed "Tax Check Waiver (Individual)" Form AAG-17. Mr. Angleton's paperwork for a name and fingerprint check has been forwarded to the appropriate Federal Bureau of Investigation (FBI) offices.

In view of the urgent need for clearance, it is requested that you conduct the appropriate full-field background investigation. If additional FBI investigative files are available, we would like to have them as soon as possible so that we can see if they are adequate to support a determination for clearance. If such additional files are not available, then we would like to have the investigative reports as soon as they can be made available, rather than waiting for the completion of the full-field investigation.

As you know, very important litigious matters are being delayed pending this clearance; therefore, it is requested that you handle this as a high priority expedited request. To help expedite this request, we will accept short form reporting, unless derogatory information is uncovered.

22 JUL 15 1980

If you will call Bernard A. Gattozzi (633-2325) when the information is available, we will have it hand-carried so that no time is lost.

Thanks for your assistance.

3 Attachments

ENCLOSURE

7/11/80
2cc of SF 86
detached - Rm 1127C
3/04

PRINTG. & SPACE MGMT. SEC.

Memorandum from [redacted]
Re: JAMES (NMN) ANGLETON
CFB:yek 7/9/80

Enclosures (5)

3 copies of SF-86
1 copy of AAG-16
1 copy of AAG-17

2cc's detached

b6
b7C

SP4 [signature] 10/12/89 CA 88-1826
ALL INFORMATION CONTAINED
ON THIS ~~ENCLOSURE~~ IS UNCLASSIFIED
DATE *7/8/88* BY *SP-7 Mkt/BA*
SP7 CUC/ALW
4/24/94
C.A. # 88-1826

ENCLOSURE

77-139535-1

AUTHORITY TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

In connection with the background investigation being conducted by the Federal Bureau of Investigation, I hereby authorize any Special Agent or other authorized representative of the Federal Bureau of Investigation bearing this release, or copy thereof, within one year of its date, to obtain any information in your files pertaining to my employment, military, credit or educational records including, but not limited to, academic, achievement, attendance, athletic, personal history, and disciplinary records; medical records, and credit records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information will be used in connection with the consideration of my employment by the Department of Justice and will be disseminated only to those individuals or agencies directly involved in this determination or to fulfill other obligations imposed by law, regulation or presidential directive or executive order. I hereby release you, as the custodian of such records, and any school, college, university, or other educational institution, hospital, or other repository of medical records, credit bureau, consumer reporting agency, or retail business establishment including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

Full Name:

James Angleton

(Signature)

Full Name

JAMES ANGLETON

(Type or Print)

Parent or Guardian:
(If Required)

Date:

25 June 1980

Current Address:

4814 N. 33rd Road

Arlington Va. 22207

Telephone Number:

703-538-4348

TAX CHECK WAIVER (INDIVIDUAL)

I hereby authorize the Internal Revenue Service (pursuant to Internal Revenue Code § 6103(c) as amended) to provide the FEDERAL BUREAU OF INVESTIGATION with tax information, limited to the following:

1. Whether I have filed returns with respect to Federal income taxes for the immediately preceding 3 years. If the tax check request is received by Internal Revenue Service after July 1st, then the three years referred to are: the year for which a return is required to be filed prior to July 1 (without reference to extensions); and, the immediately preceding two tax years. If the tax check request is received by Internal Revenue Service prior to July 1st, then the three years referred to are the most recent three tax years available in the files of the Internal Revenue Service. Returns delinquenty filed subsequent to the date I have affixed to this authorization will be reported as such to the Requesting Agency.
2. Whether I have failed to pay any tax within 10 days after notice and demand, or have been assessed any penalty under the Internal Revenue Code of 1954, as amended, for negligence in the current year or immediately preceding 3 years.
3. Whether I have been or am under investigation for possible criminal offenses under the internal revenue laws and the results of any such investigation.
4. Whether I have been assessed any civil penalty under the Internal Revenue Code of 1954, as amended, for fraud.
5. In the event of a response in the negative to subparagraph 1, or a response in the affirmative to subparagraph(s) 2, 3, or 4 (herein referred to as an "adverse response"), I hereby authorize the Internal Revenue Service to provide to the FEDERAL BUREAU OF INVESTIGATION any additional tax information pertaining to such adverse response.

In order for the Internal Revenue Service to locate my tax records, I am volunteering the following information:

Name (Type or Print): JAMES ANGLETON Soc. Sec. No.: 227-60-2172

Soc. Sec. No. of Husband (if married woman filing jointly): _____

Current Address: 4814 N. 33RD ROAD ARLINGTON VA 22207

Name(s) and address(es) under which returns were filed:

1978: As Above

1977: " "

1976: " "

1975: " "

DATE: 25 June 1980 TAXPAYER'S SIGNATURE: James Angleton

SECURITY INVESTIGATION DATA
FOR SENSITIVE POSITION

CASE SERIAL NO. (CSC use only)

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME (Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)"	(LAST NAME) ANGLETON	(FIRST NAME) JAMES	(MIDDLE NAME) (NMN)	2. DATE OF BIRTH 9 DEC 1917
	OTHER NAMES USED. (Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.)			3. PLACE OF BIRTH Boise, Idaho
				4. <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
5. HEIGHT 6'1"		WEIGHT 160	COLOR EYES BR	COLOR HAIR GR.

6. <input type="checkbox"/> SINGLE <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> WIDOW(ER) <input type="checkbox"/> DIVORCED	7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (Give same information regarding all previous marriages and divorces.)
--	---

8. DATES AND PLACES OF RESIDENCE. (If actual places of residence differ from the mailing addresses, furnish and identify both. Begin with present and go back to January 1, 1937. Continue under item 28 on other side if necessary.)

FROM	TO	NUMBER AND STREET	CITY	STATE
Jan. 1937	Sept. 1938		Milan	Italy
Sept. 1938	July 1941	Yale University	New Haven,	Conn.
Sept. 1941	Early 1943	Harvard Law School	Cambridge,	Mass.
		(60 Brattle St. Cambridge, Mass.)		
1943	1947	U.S. Army	U.S./England/Italy/France	
1941	1946(?)	Parent's residence	San Carlos Hotel,	NYC, NY.
1947	1948	212 Prince Street,	Alexandria	VA.
1948	1950	601 South Lee Street	Alexandria,	VA.
1950(?)	Present	4014 N 33rd Rd.	Arlington,	VA.

9.	<input checked="" type="checkbox"/> BY BIRTH <input type="checkbox"/> NATURALIZED	ALIEN REGISTRATION NO.	DATE, PLACE, AND COURT
<input checked="" type="checkbox"/> U.S. CITIZEN	CERT. NO.	PETITION NO.	
	<input type="checkbox"/> DERIVED-PARENTS CERT. NO(S).		
<input type="checkbox"/> ALIEN	REGISTRATION NO.	NATIVE COUNTRY	DATE AND PORT OF ENTRY

10. EDUCATION. (All schools above elementary.)

NAME OF SCHOOL	ADDRESS	FROM (Year)	TO (Year)	DEGREES
Malvern College	Malvern Worcs. England	1933	1936	
HIGH SCHOOL - PREP SCHOOL				
* Yale University	New Haven, Conn.	1938	1941	B.A.
* Harvard Law School,	Cambridge, MASS.	1941	Early 1943 (Drafted)	

11. THIS SPACE FOR FBI USE. (See also item 29.)

12. SOCIAL SECURITY NUMBER **227-60-2172**

13. MILITARY SERVICE (Past or present)

SERIAL NO. (If none, give grade or rating at separation)	BRANCH OF SERVICE (Army, Navy, Air Force, etc.)	FROM (Yr.)	TO (Yr.)
0886353	<input checked="" type="checkbox"/> Army	1943	1947

1-555681-11

26a. REFERENCES. (Name three persons, not relatives or employers, who are aware of your qualifications and fitness.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

Retired

28

Retired

37

12

b6

b7C

26b. CLOSE PERSONAL ASSOCIATES. (Name three persons, such as friends, schoolmates or colleagues, who know you well.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

25

37

23

27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. (If your answer is "Yes," show in item 28, (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. (Show item numbers to which answers apply. Attach a separate sheet if there is not enough space here.) See 15, 16, 17. Director, Central Intelligence Agency in-

formed me in December, 1974 he desired to replace me, my Deputy and Chief of Operations. He offered me alternative work. Under the circumstances I chose to retire. Director was Mr. William E. Colby.

SEE 27 - 1) CIA 2) Various Times 3) Top Secret Etc.

29. REPORT OF INFORMATION DEVELOPED. (This space reserved for FBI use.)

DATE:

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form
is punishable by law.

30 June 1980
(DATE)

James Angleton
(SIGNATURE—Sign original and first carbon copy)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the proposed appointment in the other spaces for appointment data. The original and the first carbon copy should be signed by the applicant or appointee. Submit the original and the unsigned carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT <input type="checkbox"/> EXCEPTED <input type="checkbox"/> COMPETITIVE. (Include indefinite and temporary types of competitive appointments.)	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:	
THIS IS A SENSITIVE POSITION			
(SIGNATURE AND TITLE OF AUTHORIZED AGENCY OFFICIAL)			

9. HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
(If your answer is "Yes," give details in item 28.) 1-535681-11

20. FOREIGN COUNTRIES VISITED (SINCE 1930). (Exclusive of military service.)

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
England, Italy, Germany, Holland)		1933 - 1938	Education
Hungry, Czechoslovakia, France)			
Israel, South Africa, Italy - Dec., 1978 - Jan., 1979			Social

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO.

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP. IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD
--------------	---------	------	----	-------------

24. MEMBERSHIP IN OTHER ORGANIZATIONS. (List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.) (If none, so state.)

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
Boy Scouts					NONE
Accuracy in Media	Wash., D.C.		1977	Present	NONE
Security and Intelligence Fund	499 South Capitol St. Washington, D.C.		1977	Present	Chrmn.
Veterans of OSS	110 East 59th St. Suite 10008 NYC., N.Y.		?	Present	NONE

25. RELATIVES. (Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)

RELATION	NAME IN FULL	YEAR OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
Father(Dead)	James Hugh Angleton	5 Dec.1888	31 Crescent Rim Drive, Bojsie, ID.	USA	USA
Mother;	Carmen Mercedes Angleton	9 May 1898	SAME AS ABOVE	Mexico	USA

14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. (List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)

FROM	TO	NAME OF EMPLOYER (Firm or agency) AND SUPERVISOR (Full name, if known)	ADDRESS (Where employed)	TYPE OF WORK	REASON FOR LEAVING
✓ 1943 - Dec.	✓ 1974	(OSS, SSU, Washington, D.C. CIG, CIA) Office of Strategic Services Strategic Services Unit Central Intelligence Group Central Intelligence Agency		Intelligence	Retirement after an offer for other assign- ment

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☐ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

SEE ITEM 28

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY? (You may omit: (1) Traffic violations for which you paid a fine of \$30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☒ YES ☐ NO.

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE	CHARGE	PLACE	LAW ENFORCEMENT AUTHORITY	ACTION TAKEN
------	--------	-------	------------------------------	--------------

07/09/76	Reckless Driving	Arlington, Virginia	Traffic Court,	Arl, VA.
----------	------------------	---------------------	----------------	----------

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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

TO :

[Redacted]

WLB/D

DATE: 7/9/80

b6
b7C

FROM :

[Redacted]

LEB/D

SUBJECT: SECURITY CLEARANCE FOR
JAMES (NMN) ANGLETON

SP 7 CC/Adm 4/24/94 CA # 88-1826
SP 7 CC/Adm 10/12/89 CA # 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *7/8/88* BY *SP-7 mac/BRB*

Reference is made to memorandum from D. Jerry Rubino, Director, Security Programs Staff, Department of Justice, to [Redacted] Security Officer, FBI, dated 7/3/80, captioned "Clearance for Access to Classified Information re: James (NMN) Angleton."

b6
b7C

PURPOSE: To request a background investigation be conducted on captioned individual.

RECOMMENDATION: That the Security and Space Management Unit (SSMU) initiate a background investigation of James (NMN) Angleton and furnish the results to the Classification Training, Review and Clearances (CTRC) Unit.

APPROVED:

Director _____
Exec. AD-Inv. _____
Exec. AD-Adm. _____
Exec. AD-LES _____

Adm. Serv. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

DETAILS: On 7/3/80, Mr. D. Jerry Rubino, Department of Justice (DOJ) Security Officer, granted authority to conduct a full-field background investigation on James Angleton who needs a security clearance in order to have access to classified national security information.

Enclosures (5)

1 - [Redacted]
1 - [Redacted]

22 JUL 15 1980 b6
b7C

CFB:yek

(3)

with attached letter.
3- ENCLOSURE
2cc and SPs removed of handling
11/27
59 DEC 92 1980
gib

TRAINING & OFFICE MGMT. SEC.

Memorandum from [redacted]
Re: Security Clearance for
James (NMN) Angleton

b6
b7C

Mr. Angleton is a witness in the case of the U.S. vs Felt and Miller. To obtain such a clearance, a background investigation must be conducted and the results furnished to the DOJ. The SSMU, Printing and Space Management Unit, Administrative Services Division, will handle the necessary correspondence with field offices and furnish the results to the CTTC Unit for transmittal to DOJ.

It is to be noted that this investigation is to be handled as a high priority expedited request, since litigative matters are being delayed pending this investigation. Field Offices are to be instructed to send results of investigation in a teletype summary and to have investigation completed no later than 7/31/80.

Attached for your convenience are three Security Investigation Data for Sensitive Position (SF-86s), one copy of Authority to Release Information (AAG-16), and one copy of Tax Check Waiver (Individual) (AAG-17). Please note that a Privacy acknowledgment has not been completed by Mr. Angleton. Please have appropriate field office contact Mr. Angleton in order to complete this form.

Return completed investigation to FBI
Headquarters Clearance Office, Room 5434B.

7/11/80
2 cc's of SF-86
Attached - Rm 1127
2/1/80

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - UNCLAS

JUL 15 1980

Precedence ROUTINE

To: SAC, SL

From: DIRECTOR, FBI (77-)

Subject: JAMES (NMN) ANGLETON
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Date: 7/11/80

Time: Transmitted - 12:00 pm

Initials - PCS

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph

☐ Artists Conception ☒ Other SF-86 and FD-406

Special handling instructions:

REBUTEL, 7/10/80.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 7/8/88 BY SP-7 mac/DBSA [redacted]
Approved: [redacted]
Unit Chief / SSMUSP1 clw/mg 10/12/89 CA 88-1826
SP 7 CLC/Acm 4/24/94
CA # 88-1826
FBI/DOJ

57 JUL 31 1980

b6
b7c

SECURITY INVESTIGATION DATA
FOR SENSITIVE POSITION

INSTRUCTIONS.—Prepare in triplicate, using a typewriter. Fill in all items. If the answer is "No" or "None," so state. If more space is needed for any item, continue under item 28.

1. FULL NAME <i>(Initials and abridgements of full name are not acceptable. If no middle name, show "(NMN)"; if initials only, show "(no given or middle name)"</i>	(LAST NAME)	(FIRST NAME)	(MIDDLE NAME)	2. DATE OF BIRTH
	ANGLETON	JAMES	(NMN)	9 DEC. 1917
	OTHER NAMES USED. <i>(Maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, and show dates used.)</i>			3. PLACE OF BIRTH
				Boise, Idaho
				4. <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE
5. HEIGHT		WEIGHT	COLOR EYES	COLOR HAIR
6'1"		160	BR	GR.

6. <input type="checkbox"/> SINGLE <input checked="" type="checkbox"/> MARRIED <input type="checkbox"/> WIDOW(ER) <input type="checkbox"/> DIVORCED	7. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAIDEN NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. <i>(Give same information regarding all previous marriages and divorces.)</i>

8. DATES AND PLACES OF RESIDENCE. <i>(If actual places of residence differ from the mailing addresses, furnish and identify both and go back to January 1, 1937. Continue under item 28 on other side if necessary.)</i>		CITY		STATE
FROM	TO	NUMBER AND STREET		
Jan. 1937	Sept. 1938		Milan	Italy
Sept. 1938	July 1941	Yale University	New Haven,	Conn.
Sept. 1941	Early 1943	Harvard Law School (60 Brattle St. Cambridge, Mass.)	Cambridge,	Mass.
1943	1947	U.S. Army	U.S./England/Italy/France	
1941	1946(?)	Parent's residence	San Carlos Hotel,	NYC, NY.
1947	1948	212 Prince Street,	Alexandria	VA.
1948	1950	601 South Lee Street	Alexandria,	VA.
1950(?)	Present	4814 N. 33rd Rd.	Arlington,	VA.

9.	<input checked="" type="checkbox"/> BY BIRTH	<input type="checkbox"/> NATURALIZED	ALIEN REGISTRATION NO.	DATE, PLACE, AND COURT
	<input checked="" type="checkbox"/> U.S. CITIZEN	CERT. NO.	PETITION NO.	
<input type="checkbox"/> DERIVED-PARENTS CERT. NO(S).				
<input type="checkbox"/> ALIEN	REGISTRATION NO.	NATIVE COUNTRY	DATE AND PORT OF ENTRY	

10. EDUCATION. <i>(All schools above elementary.)</i>				
NAME OF SCHOOL	ADDRESS	FROM (Year)	TO (Year)	DEGREES
Malvern College,	Malvern Worcs. England	1933	1936	
Yale University	New Haven, Conn.	1938	1941	B.A.
Harvard Law School,	Cambridge, MASS.	1941	Early 1943 (Drafted)	

11. THIS SPACE FOR FBI USE. <i>(See also item 29.)</i>	12. SOCIAL SECURITY NUMBER 227-60-2172			
	13. MILITARY SERVICE <i>(Past or present)</i>			
	SERIAL NO. <i>(If none, give grade or rating at separation)</i>	BRANCH OF SERVICE <i>(Army, Navy, Air Force, etc.)</i>	FROM (Yr.)	TO (Yr.)
	30886353	Army	1943	1947

ENCLOSURE

14. HAVE YOU EVER BEEN DISCHARGED FROM THE ARMED FORCES UNDER OTHER THAN HONORABLE CONDITIONS? ☐ YES ☒ NO.
(If answer is "Yes," give details in item 28.)

15. EMPLOYMENT. (List ALL employment dates starting with your present employment. Give both month and year for all dates. Show ALL dates and addresses when unemployed. Give name under which employed if different from name now used.)

FROM

TO

NAME OF EMPLOYER (Firm or agency)
AND SUPERVISOR (Full name, if known)

ADDRESS
(Where employed)

1943 - Dec. 1974

U.S.

Washington, D.C.

RETIREMENT

GOVERNMENT

16. HAVE YOU EVER BEEN DISCHARGED (FIRED) FROM EMPLOYMENT FOR ANY REASON? ☐ YES ☒ NO.

17. HAVE YOU EVER RESIGNED (QUIT) AFTER BEING INFORMED THAT YOUR EMPLOYER INTENDED TO DISCHARGE (FIRE) YOU FOR ANY REASON? ☐ YES ☐ NO.
(If your answer to 16 or 17 above is "Yes" give details in item 28. Show the name and address of employer, approximate date, and reasons in each case. This information should agree with the statements made in item 15—EMPLOYMENT.)

SEE ITEM 28

18. HAVE YOU EVER BEEN ARRESTED, TAKEN INTO CUSTODY, HELD FOR INVESTIGATION OR QUESTIONING, OR CHARGED BY ANY LAW ENFORCEMENT AUTHORITY? (You may omit: (1) Traffic violations for which you paid a fine of \$30 or less; and (2) anything that happened before your 16th birthday. All other incidents must be included, even though they were dismissed or you merely forfeited collateral.) ☒ YES ☐ NO.

IF YOUR ANSWER IS "YES," GIVE FULL DETAILS BELOW:

DATE

CHARGE

PLACE

LAW ENFORCEMENT
AUTHORITY

ACTION TAKEN

07/09/76 Reckless Driving Arlington, Virginia Traffic Court, Arl, VA.

19. HAVE YOU EVER HAD A NERVOUS BREAKDOWN OR HAVE YOU EVER HAD MEDICAL TREATMENT FOR A MENTAL CONDITION? ☐ YES ☒ NO.
(If your answer is "Yes," give details in item 28.)

20. FOREIGN COUNTRIES VISITED (SINCE 1930). (Exclusive of military service.)

COUNTRY	DATE LEFT U.S.A.	DATE RETURNED U.S.A.	PURPOSE
England, Italy, Germany, Holland,		1933 - 1938	Education
Hungry, Czechoslovakia, France)			
Israel, South Africa, Italy - Dec.,	1978 - Jan.,	1979	Social

21. ARE YOU NOW, OR HAVE YOU EVER BEEN, A MEMBER OF THE COMMUNIST PARTY, U.S.A., OR ANY COMMUNIST OR FASCIST ORGANIZATION? ☐ YES ☒ NO

22. ARE YOU NOW OR HAVE YOU EVER BEEN A MEMBER OF ANY FOREIGN OR DOMESTIC ORGANIZATION, ASSOCIATION, MOVEMENT, GROUP, OR COMBINATION OF PERSONS WHICH IS TOTALITARIAN, FASCIST, COMMUNIST, OR SUBVERSIVE, OR WHICH HAS ADOPTED, OR SHOWS, A POLICY OF ADVOCATING OR APPROVING THE COMMISSION OF ACTS OF FORCE OR VIOLENCE TO DENY OTHER PERSONS THEIR RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES, OR WHICH SEEKS TO ALTER THE FORM OF GOVERNMENT OF THE UNITED STATES BY UNCONSTITUTIONAL MEANS? ☐ YES ☒ NO.

23. IF YOUR ANSWER TO QUESTION 21 OR 22 ABOVE IS "YES," STATE THE NAMES OF ALL SUCH ORGANIZATIONS, ASSOCIATIONS, MOVEMENTS, GROUPS, OR COMBINATIONS OF PERSONS AND DATES OF MEMBERSHIP. IN ITEM 28 OR ON A SEPARATE SHEET TO BE ATTACHED TO AND MADE A PART OF THIS FORM, GIVE COMPLETE DETAILS OF YOUR ACTIVITIES THEREIN AND MAKE ANY EXPLANATION YOU DESIRE REGARDING YOUR MEMBERSHIP OR ACTIVITIES.

NAME IN FULL	ADDRESS	FROM	TO	OFFICE HELD
--------------	---------	------	----	-------------

24. MEMBERSHIP IN OTHER ORGANIZATIONS. (List all organizations in which you are now a member or have been a member, except those which show religious or political affiliations.) (If none, so state.)

NAME IN FULL	ADDRESS	TYPE	FROM	TO	OFFICE HELD
Boy Scouts					NONE
Accuracy in Media	Wash., D.C.		1977	Present	NONE
Security and Intelligence Fund	499 South Capitol St. Washington, D.C.		1977-	Present	Chrm
Veterans of OSS	110 East 59th St. Suite 10008 NYC., N.Y. 10022		?	Present	NONE

25. RELATIVES. (Parents, spouse, divorced spouse, children, brothers, and sisters, living or dead. Name of spouse should include maiden name and any other names by previous marriage. If person is dead, state "dead" after relationship and furnish information for other columns as of time of death.)

RELATION	NAME IN FULL	YEAR OF BIRTH	ADDRESS	COUNTRY OF BIRTH	PRESENT CITIZENSHIP
Father(Dead)	James Hugh Angleton	5 Dec.1888	31 Crescent Rim Drive, Boise, ID. 83706	USA	USA
Mother:	Carmen Mercedes Angleton	9 May 1898	SAME AS ABOVE	Mexico	USA

26a. REFERENCES. (Name three persons, not relatives or employers, who are aware of your qualifications and fitness.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

Retired
Retired

28

37

12

26b. CLOSE PERSONAL ASSOCIATES. (Name three persons, such as friends, schoolmates or colleagues, who know you well.)

NAME IN FULL

HOME ADDRESS

BUSINESS ADDRESS

YEARS KNOWN

25

37

23

27. TO YOUR KNOWLEDGE, HAVE YOU EVER BEEN THE SUBJECT OF A FULL FIELD OR BACKGROUND PERSONAL INVESTIGATION BY ANY AGENCY OF THE FEDERAL GOVERNMENT? ☒ YES ☐ NO. (If your answer is "Yes," show in item 28, (1) the name of the investigating agency (2) the approximate date of investigation, and (3) the level of security clearance granted, if known.)

28. SPACE FOR CONTINUING ANSWERS TO OTHER QUESTIONS. (Show item numbers to which answers apply. Attach a separate sheet if there is not

Before signing this form check back over it to make sure you have answered all questions fully and correctly.

CERTIFICATION

I CERTIFY that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

False statement on this form
Is punishable by law.

(DATE)

(SIGNATURE—Sign original and first carbon copy)

INFORMATION TO BE FURNISHED BY AGENCY

INSTRUCTIONS TO AGENCY: See Federal Personnel Manual Chapter 736 and FPM Supplement 296-31, Appendix A, for details on when this form is required and how it is used. If this is a request for investigation before appointment, insert "APPL" in the space for Date of Appointment and show information about the proposed appointment in the other spaces for appointment data. The original and the first carbon copy should be signed by the applicant or appointee. Submit the original and the unsigned carbon copy of the form, Standard Form 87 (Fingerprint Chart), and any investigative information about the person received on voucher forms or otherwise, to the United States Civil Service Commission, Bureau of Personnel Investigations, Washington, D.C., 20415. If this is a request for full field security investigation, submit these forms to the attention of the Division of Reimbursable Investigations; if this is a request for preappointment national agency checks, submit these forms to the attention of the Control Section.

RETAIN THE CARBON COPY OF STANDARD FORM 86 (SIGNED BY THE APPLICANT OR APPOINTEE) FOR YOUR FILES

DATE OF APPOINTMENT	TYPE OF APPOINTMENT <input type="checkbox"/> EXCEPTED <input type="checkbox"/> COMPETITIVE. (Include indefinite and temporary types of competitive appointments.)	CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY	TITLE OF POSITION AND GRADE OR SALARY
DEPARTMENT OR AGENCY	DUTY STATION	SEND RESULTS OF PREAPPOINTMENT CHECK TO:	
THIS IS A SENSITIVE POSITION			
(SIGNATURE AND TITLE OF AUTHORIZING AGENCY OFFICIAL)			

~~FEDERAL GOVERNMENT~~
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile -

UNCLAS

JUL 15 1980

Precedence ROUTINE

To: SAC, LA

Date:

7/11/80 *WJ*

From: DIRECTOR, FBI (77-)

Time: Transmitted

10² AM

Subject: JAMES (NMN) ANGLETON *Encl. 1, 3*
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Initials -

SKS

☐ Fingerprint Photo☐ Fingerprint Record☐ Map☐ Newspaper clipping☐ Photograph☐ Artists Conception☒ Other SF-86 and FD-406

Special handling instructions:

ReButel, 7/10/80.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/98 BY SP-7 mac/DB

b6

b7C

SA

Approved: *[Signature]*
Unit Chief, SSMU

SP4 dw/my 10/12/89 CA 88-1826
SP 7 ccc/Hem 4/24/94
CA # 88-1826

FBI/DOJ

57 JUL 31 1980

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUL 13 1980

Transmit attached by Facsimile - **UNCLAS**

Precedence ROUTINE

To: SAC, DE

Date: 7/11/80

From: DIRECTOR, FBI (77-)

Time: Transmitted - 9:30 PM

Subject: JAMES (NMN) ANGLETON Encl. 1, 3
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Initials - JNL

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☒ Other SF-86 and FD-406

Special handling instructions:

REBUTEL, 7/10/80.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/RS

57 JUL 31 1980
R737

SA
Approved

Unit Chief, SSMU

SP7 clw/mg 10/12/89 CA 88-1826
SP7 clw/ACW 4/24/94
C-A # 88-1826

FBI/DOJ

FEDERAL GOVERNMENT
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile - **UNCLAS** 15 1980

Precedence ROUTINE

To: SAC, BS

Date

7/11/80

From: DIRECTOR, FBI (77-)

Time: Transmitted -

925 AM

Subject: JAMES (NMN) ANGLETON
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Initials - AB

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☒ Other SF-86 and FD-406

Special handling instructions:

REBUTEL 7/10/80
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mae/BB
SP-7 ccl/aw
424194

SA

Approved: [Signature]
Unit Chief, SSMU

NOT RECORDED
6 JUL 21 1980

FBI/DOJ

ENCLOSURE

57 JUL 31 1980

~~FEDERAL GOVERNMENT~~FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile -

UNCLAS

Precedence ROUTINE

JUL 15 1980

To: SAC, NH

From: DIRECTOR, FBI (77-)

Subject: JAMES (NMN) ANGLETON *Encl. 1, 3*
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)Date: *7/11/80*Time: Transmitted - *11:10 AM*Initials - *cmg*☐ Fingerprint Photo☐ Fingerprint Record☐ Map☐ Newspaper clipping☐ Photograph☐ Artists Conception☒ Other SF-86 and FD-406

Special handling instructions:

*REBUTEL, 7/10/80*SA Approved: *[Signature]*
Unit Chief, SSMU

NOT RECORDED

6 JUL 21 1980

FBI/DOJ

b6
b7c

ENCLOSURE

JUL 31 1980

*2237*ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE *7/11/88* BY *SP-7 MAC/PLS**SP4 [Signature] 10/11/89 CA 88-1826
SP7 [Signature] 4/24/94 C.A.# PP-1826*

FEDERAL GOVERNMENT

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile -

UNCLAS

JUL 15 1980

Precedence ROUTINE

To: ADIC, NY

Date: 7/11/80

From: DIRECTOR, FBI (77-)

Subject: JAMES (NMN) ANGLETON
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Time: Transmitted -

Initials -

☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph

☐ Artists Conception ☒ Other SE-86 and FD-406

Special handling instructions:

REBUTEL, 7/10/80.

SA
Approved: Unit Chief, SSMU

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/ob

SP-7 red/mx 10/11/89 CA 88-1826
SP-7 ccl/Am 4/24/94
C.A. #88-1826

FBI/DOJ

b6
b7c

FEDERAL GOVERNMENT
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Transmit attached by Facsimile -

UNCLAS

JUL 15 1980

Precedence ROUTINE

To: SAC, BT

Date: 7/11/80

From: DIRECTOR, FBI (77-)

Time: Transmitted - 1125 AM

Subject: JAMES (NMN) ANGLETON
NONCONTRACT PERSONNEL INVESTIGATION
(NCPI)

Initials - JL

☐ Fingerprint Photo

☐ Fingerprint Record

☐ Map

☐ Newspaper clipping

☐ Photograph

☐ Artists Conception

☒ Other SF-86 and FD-406

Special handling instructions:

REBUTEL, 7/10/80.

77-1139535-9
NOT RECORDED

6 JUL 21 1980

b6
b7C

SA [Redacted]
Unit Chief, SSMU

FBI/DOJ

ENCLOSURE

64 AUG 6 1980

R237

SP7 CUC/ANW 4/24/94
C.A. # PP-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/9/88 BY SP2 MAC/BS
10/11/89 CAGP 1826

MT

ut

SK

D. Jerry Rubino
Director of Security Programs
Department of Justice
Attention: Mr. B. Gafozzi

August 25, 1980

[Redacted] Security Officer

FBI

FEDERAL GOVERNMENT

JAMES (NMN) ANGLETON
SECURITY CLEARANCE

Reference is made to your memorandum dated July 3, 1980, captioned "Clearance for Access to Classified Information re: James (NMN) Angleton."

In view of the time constraints placed on the need for Angleton to receive a security clearance, the following is a summary of the background investigation conducted on Angleton, per your request.

Angleton's birth on December 9, 1917, at Boise, Idaho, was verified through the Bureau of Vital Statistics, Boise, Idaho.

Angleton attended Yale University, New Haven, Connecticut, from September, 1938, through July, 1941. He received his Bachelor of Arts degree on November 8, 1941. There was no record of disciplinary action taken against Angleton. Angleton also attended Howard University Law School, Cambridge, Massachusetts, from September 15, 1941, until January 30, 1943, when he left to enter the Army. He received no degree. No class standing was given in view of the fact that Howard University does not release academic information with or without the students' signed waiver.

Angleton was appointed a second lieutenant in the U.S. Army Reserve (USAR) on July 20, 1944, and he entered on active duty as an officer on the same date at the European Theater of Operations. Angleton was honorably relieved from active duty on December 29, 1947, as a major at Fort Myer, Virginia, and he was transferred to inactive status in the Officers' Reserve Corps. The date and discharge from the Reserve was not indicated.

Exec AD Inv. _____
Exec AD Adm. _____
Exec AD LES _____
Asst. Dir.: 77-139535

Adm. Servs. _____
Crim. Inv. 1
Ident. 1
Intell. 1
Laboratory _____
Legal Coun. _____
Plan. & Insp. CFB: (5)
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y. _____

MAIL ROOM ☒

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mce/ps
SP-1 dec/Am 4/24/94
C.A. # PP-1846

SEP 10 1980

FBI/DOJ

Mr. D. Jerry Rubino

Angleton had prior service as an enlisted man from March 18, 1943, to July 19, 1944. He had foreign service in the European Theater of Operations and was awarded the European African Middle Eastern Theater Medal, Legion of Merit, World War II Victory Medal, Italian War Cross of Merit, Italian Commander, Crown of Italy and Order of Malta. His character and efficiency ratings ranged from "Excellent" to "Superior", and there was no record of court-martial or absence without official leave.

All references and associates contacted highly recommended Angleton for a position of trust and confidence with the U.S. Government.

Angleton's employments have been verified and were favorable. Angleton indicated that he worked with Central Intelligence Agency from 1943 until December, 1974, however investigation is still pending.

No arrest record was located for Angleton; however, numerous traffic violations have been noted. Investigation still pending.

A national agency check has been conducted and no derogatory information was developed concerning James Angleton.

You will be provided a final summary of our investigation when completed.

APPROVED:

Director _____
Exec. AD-Inv. _____
Exec. AD-Adm. _____
Exec. AD-LES _____

Adm. Serv. _____
Crim. Inv. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

August 29, 1980

FBI

JAMES ANGLETON
CLEARANCE MATTER

Security Officer *LED*

Mr. D. Jerry Rubino
Director of Security Programs
Department of Justice
(Attention: Mr. B. Gatozzi)

FEDERAL GOVERNMENT

Reference is made to my letter dated August 25, 1980, captioned as above.

The below-listed information will complete the background investigation on James Angleton.

Angleton's employment with the Central Intelligence Agency (CIA) from 1943 until 1974 was verified and favorable. He was granted a "Top Secret" clearance on October 21, 1943, following a favorable background investigation completed in October, 1943.

This Bureau conducted a background investigation for CIA in 1949, which resulted in a "Top Secret" clearance being issued to Angleton on February 6, 1950. An updated background investigation was conducted on January 28, 1963.

Angleton was granted a "Top Secret Contract" clearance on February 26, 1975.

Angleton's arrest record was checked and revealed numerous traffic violations. During the period of 1950 through 1978, Angleton received 30 traffic offenses as indicated below:

Eight offenses for speeding;
Fourteen offenses for expired Virginia inspection, no Arlington tags, dead state tags, etc.;

77-139535

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 MAC/BB

SP4 *ad* / *ma* 10/11/89 CA 88-1826
SP 7 *cl* / *cl* 4/24/94 CA # 88-1826

77-139535-111

17 AUG 29 1980

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

MAIL ROOM ☐

OPB:dmj
(5)

58 SEP 17 1980
8-27-80 DEC 7 1980

OW

SEP 17 1980

Mr. D. Jerry Rubino

One offense for reckless driving;
One offense for driving while intoxicated;
Three offenses for no drivers license;
Three offenses for improper turn/no control
of car.

Angleton was fined for 23 of the 30 offenses,
including court costs, and seven were dismissed.

It should be noted that at all times an indefinite
number of identified records are out of file and not available
for review. In view of this, no other arrest record was
located for Angleton.

A national agency check was conducted and
no derogatory information was developed concerning
James Angleton.

122

0
A
P
CA

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE 1 OF 4

7/10/80

UNCLAS E F T O

IMMEDIATE

#F122100 AX BS BT DE LA NH NY SL WFIDE HQ H0122 #H4YE10 102055Z JUL 80

FM DIRECTOR FBI

TO FBI ALEXANDRIA IMMEDIATE

FBI BOSTON IMMEDIATE

14 FBI BUTTE IMMEDIATE -P-

FBI DETROIT IMMEDIATE -Ruc-

12 FBI LOS ANGELES IMMEDIATE -P-

FBI NEW HAVEN IMMEDIATE

10 FBI NEW YORK IMMEDIATE -P-

FBI ST. LOUIS IMMEDIATE

8 FBI WASHINGTON FIELD IMMEDIATE

BT

6 UNCLAS E F T O

JAMES {NMN} ANGLETON, NONCONTRACT PERSONNEL INVESTIGATION

4 {NCPI}, BUDED: 7/30/80, WITHOUT FAIL

RE BUTELCAL TO ALEXANDRIA, 7/10/80.

2 AUTHORITY GRANTED FROM DOJ TO CONDUCT FULL-FIELD BACKGROUND

INVESTIGATION FROM BEGINNING RE ANGLETON, WHO WILL REQUIRE

DO NOT TYPE MESSAGE BELOW THIS LINE

APPROVED BY REL/mw	DRAFTED BY CFH:AMM {2}	DATE 7/10/80	FOOMA 1127	TELE EXT 5888
-----------------------	---------------------------	-----------------	---------------	------------------

Spt. 10/1/89 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/199
SP 7/cic/ACW
4/24/94
CA # 88-1826

DO NOT TYPE PAST THIS LINE

77-139535-12

NOT RE

11 NOV 12 1980

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS CENTER

af 2226
R11 10 1980

59 NOV 25 1980

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

FBI/DOJ

2

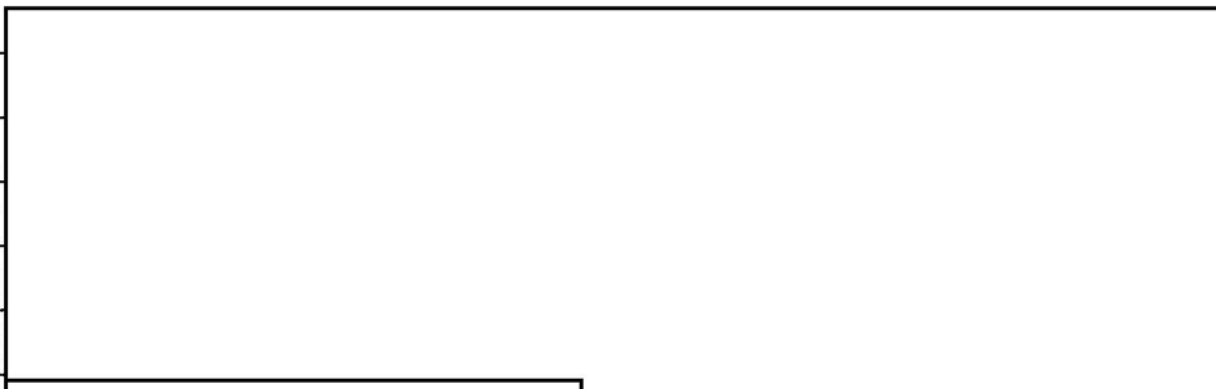
CONTINUATION SHEET

PAGE TWO DE HQ 0122 UNCLAS E F T O

ACCESS TO CLASSIFIED INFORMATION AS A WITNESS FOR THE DEFENSE
IN LITIGATIVE MATTER CONCERNING TWO FORMER FBI SPECIAL AGENTS.
ANGLETON IS RETIRED CIA OFFICIAL.

CONDUCT INVESTIGATION IN ACCORDANCE WITH INSTRUCTIONS
CONTAINED IN PART I, SECTION 77- AND/OR PART II, SECTION 17,
MIOG RE ANGLETON, D/POB: 12/9/17, BOISE, IDAHO; SSAN:
227-60-2172. CASE TO BE ASSIGNED IMMEDIATELY. SUBMIT RESULTS
IN SUMMARY TELETYPE FOLLOWED BY REPORT.

ALEXANDRIA: RESIDENCES: 1947 TO 1950, ALEXANDRIA, VA.,
1950 TO PRESENT: 4814 N. 33RD ROAD, ARLINGTON, VA. RELATIVES:



CONTACT ANGLETON FOR SIGNATURE
ON PRIVACY ACT ACKNOWLEDGMENTS.

BOSTON: EDUCATION: SEPTEMBER, 1941 TO 1943, HARVARD LAW
SCHOOL, CAMBRIDGE, MASS. {NO DEGREE LISTED}.

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

b6
b7C

b6
b7C

3

CONTINUATION SHEET

PAGE THREE DE HQ 0122 UNCLAS E F T O

20

18

16

14

12

10

8

6

4

2

BUTTE: VERIFY BIRTH. RELATIVES: MOTHER, CARMEN MERCEDES
ANGLETON; D/POB: 5/9/1898, MEXICO; RESIDENCES, 31 CRESCENT

RIM DRIVE, BOISE, IDAHO;

✓ DETROIT: VERIFY MARRIAGE, 7/17/43, BATTLE CREEK, MICHIGAN.

✓ LOS ANGELES:

NEW HAVEN: * EDUCATION AND RESIDENCE: SEPTEMBER, 1938 TO
JULY, 1941, YALE UNIV., NEW HAVEN, CONN., BA DEGREE.

NEW YORK: RESIDENCE, 1941 TO 1946, SAN CARLOS HOTEL, NY,

NY. REFERENCE:

ST. LOUIS: FRC-M. US ARMY, 1943 TO 1947, SERIAL NUMBER:
0886353.

WASHINGTON FIELD: REFERENCES:

CONDUCT ARREST

CHECKS. CHECK IRS (ORIGINAL AND COPY OF TAX CHECK WAIVER SENT

DO NOT TYPE MESSAGE BELOW THIS LINE

b6
b7C

b6
b7C

b6
b7C

b6
b7C

b6
b7C

DO NOT TYPE PAST THIS LINE

8/1/80
* Tel call to New Haven.
per ASAC B. ARMS,
Education re Angleton verified
@ YALE - BA degree obtained.
Records reveal no further info. Arrest Neg.
Report forthcoming. 3/cot

PAGE

4

CONTINUATION SHEET

PAGE FOUR DE HQ 0122 UNCLAS E F T O

BY MAIL.

HANDLE AS PRIORITY REQUEST AS IMPORTANT LEGAL MATTERS ARE
BEING DELAYED PENDING COMPLETION OF INVESTIGATION.

RELEASE FORMS AND COPIES OF SF-86 RE ANGLETON SENT UNDER
SEPARATE COVER.

BT

1

DO NOT TYPE MESSAGE BELOW THIS LINE

DO NOT TYPE PAST THIS LINE

NOTE: PER DOJ LET TO FBI DATED 7/3/80, "CLEARANCE FOR ACCESS TO CLASSIFIED INFORMATION RE: JAMES {NMN} ANGLETON," AUTHORITY GRANTED FOR FULL-FIELD BACKGROUND INVESTIGATION TO COMMENCE ON ANGLETON, A FORMER OFFICIAL OF CIA AND A WITNESS FOR THE DEFENSE IN THE CASE OF THE "U.S. VS. FELT AND MILLER," WHO WILL REQUIRE ACCESS TO CLASSIFIED MATERIAL. EXPEDITE FULL-FIELD BACKGROUND INVESTIGATION REQUESTED AS LITIGATIVE MATTERS ARE BEING DELAYED PENDING COMPLETION OF INVESTIGATION AND CLEARANCE. AX AND WFO ADVISED TELEPHONICALLY.

NYO 025 1940312Z

PP HQ

DE NY 025

P 11 2200ZJL 90

FM NEW YORK (77-39873) (P) (M-13)

TO DIRECTOR PRIORITY

BT

U N C L A S

JAMES (NMN) ANGLETON, NON-CONTRACT PERSONNEL INVESTIGATION (NCPI),
BUDED: JULY 30, 1980, WITHOUT FAIL.

REFERENCE BUREAU TELETYPE TO ALEXANDRIA, ET AL, DATED
JULY 10, 1980.

ADMINISTRATIVE:

ALL PERSONS INTERVIEWED WERE ADVISED OF THE PROVISIONS OF
THE PRIVACY ACT OF 1974, NONE OF WHOM REQUESTED CONFIDENTIALITY.

REFERENCE:

ON JULY 11, 1980,

PERSONAL FRIEND FOR PAST 30 YEARS.

NO REASON TO DOUBT THE APPLICANT'S CHARACTER, ASSOCIATES,
REPUTATION OR LOYALTY.

ADVISED APPLICANT IS CLOSE

STATED THAT HE HAS

59 NOV 25 1980

12 JUL 80 03 41 Z

COMMUNICATIONS SECTION

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

b6
b7C

b6
b7C

77-139535-13

cc to T-1

3/14

PAGE TWO U N C L A S

NEW YORK AT NEW YORK, NEW YORK. WILL FURNISH AND CREDIT
INFORMATION UPON RECEIPT. REPORT TO FOLLOW.

BT

#

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATION MESSAGE FORM

PAGE 1 OF 2

DATE

7/14/80

CLASSIFICATION

~~UNCLAS E F T O~~~~CONFIDENTIAL~~

IMMEDIATE

START HERE

FM DIRECTOR FBI {77-}

TO LEGAL ATTACHE ROME IMMEDIATE

BT

14 ~~UNCLAS E F T O~~

JAMES {NMN} ANGLETON, NONCONTRACT PERSONNEL INVESTIGATION {NCPI}

12 ANGLETON, A RETIRED U.S. GOVERNMENT OFFICIAL, BORN 12/9/17,

10 BOISE, IDAHO, REQUIRES ACCESS TO CLASSIFIED INFORMATION IN

LITIGATIVE MATTER CONCERNING TWO FORMER FBI SPECIAL AGENTS.

FULL-FIELD BACKGROUND INVESTIGATION BEING CONDUCTED. APPLICANT

8 LISTS [REDACTED] RESIDING IN ITALY {BOTH U.S. CITIZENS}:

6 [REDACTED]
4 MILAN, 1937 TO 1938.

THROUGH SOURCES AVAILABLE TO YOU, HAVE APPROPRIATE

2 INQUIRIES CONDUCTED. URGENT LEGAL MATTERS BEING DELAYED

PENDING COMPLETION OF INVESTIGATION. (u)

DO NOT TYPE MESSAGE BELOW THIS LINE

APPROVED BY REZ

PREPARED BY

CFH:AMM {33}

DATE

7/14/80

ROOM

1127

TELE EXT.

5888

1 - FOREIGN LIAISON
RM. 4634, TL 232DECLASSIFIED BY SP7 CUC/AM
ON 4/24/94

C.A. # 88-1826

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS CENTER26 20402
JUL 14 1980~~CONFIDENTIAL~~

59 NOV 25 1980

DO NOT FILE WITHOUT COMMUNICATIONS STAMP

RETURN TO [REDACTED]

RM. 1127, TL 253

FBI/DOJ b6
b7C

DO NOT TYPE PAST THIS LINE

b6
b7C

77139535-114

11 NOV 12 1980

PAGE 2

CONTINUATION SHEET

~~CONFIDENTIAL~~

BT

20
18
16
14
12
10
8
6
4
2

DO NOT TYPE PAST THIS LINE

DO NOT TYPE MESSAGE BELOW THIS LINE

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NOTE: ANGLETON, FORMER CIA OFFICIAL, REQUIRES ACCESS TO CLASSIFIED INFORMATION AND DOJ SECURITY CLEARANCE AS DEFENSE WITNESS IN CASE "U.S. VS. FELT AND MILLER." FULL-FIELD BACKGROUND INVESTIGATION AUTHORIZED BY DOJ. ANGLETON LISTS RELATIVES IN ITALY. [LEGAT, ROME REQUESTED TO HAVE APPROPRIATE INQUIRIES CONDUCTED THROUGH AVAILABLE SOURCES.] (S) (u)

~~CONFIDENTIAL~~

BT 0004 1982243Z

RR HQ

DE BT

R 162243Z JUL 80

FM BUTTE (77-3806) (P)

TO DIRECTOR (ROUTINE)

BT

UNCLAS

JAMES (NMN) ANGLETON, NON-CONTRACT PERSONNEL INVESTIGATION.

(NCPI). BUDED: JULY 30, 1980, WITHOUT FAIL.

REBUTEL TO ALEXANDRIA, JULY 10, 1980.

JAMES ANGLETON'S BIRTH VERIFIED THROUGH RECORDS OF THE IDAHO DEPARTMENT OF HEALTH AND WELFARE, BUREAU OF VITAL STATISTICS, BOISE, IDAHO. BIRTH CERTIFICATE INDICATES ANGLETON'S MIDDLE NAME AS JESUS. NO ARREST INFORMATION FOR MOTHER AND BROTHER OF ANGLETON AT BOISE.

REPORT FOLLOWS.

ADMINISTRATIVE:

ALL PERSONS INTERVIEWED WERE ADVISED OF THE ACCESS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/9/88 BY SP-7 mac/pb

SP4 dlo - mg 10/12/89 CA 88-1806
SP7 ccc/acm 4/24/94 CA #88-1826

59 NOV 25 1980

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

NOT RECORDED

NOV 12 1980

THREE/CH

BT 77-3806, PAGE TWO, UNCLAS

PROVISIONS OF THE PRIVACY ACT OF 1974 AND NO ONE REQUESTED
CONFIDENTIALITY.

BT

O 160940Z JUL 80

TELETYPE UNIT

FM ROME (77-330) (P)

TO DIRECTOR (77-) IMMEDIATE

16 JUL 80 10 45Z
303-15

BT

COMMUNICATIONS SECTION

UNCLAS E F T O

JAMES (NMN) ANGLETON; NCPI

REBUTEL JUL 14, 1980.

ON JUL 16, 1980, [REDACTED] ADVISED

A SEARCH OF THEIR CENTRAL FILES AND A CHECK OF THEIR COMPUTERIZED

INDEX WAS NEGATIVE FOR SUBJECT AND [REDACTED] RESIDING IN

ITALY - [REDACTED]

LEADS AT [REDACTED] IN ROME, FLORENCE AND MILAN ARE

OUTSTANDING.

LEGAT FOLLOWING.

BT

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

b7D

b6
b7C
b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/8/98 BY SP-7 mac/RA

SP4 elu-mg 10/11/89 CA 88-1826

Per G-1 guidelines

SP 7 cc/Aim 4/24/94

CA # 88-1826

59 NOV 2003

71-139535-16

THREE

DE0007 1982239

RR HQ

DE DE

R 162239Z JUL 80

FM DETROIT (77-10729) (RUC) (C-7)

TO DIRECTOR ROUTINE

UNCLAS E F T O

JAMES (MMN) ANGLETON, NONCONTRACT PERSONNEL INVESTIGATION (NCPI),
BUDED JULY 30, 1980 WITHOUT FAIL (B)

RE BUREAU TELETYPE TO DETROIT, DATED JULY 10, 1980.

THE FOLLOWING INVESTIGATION WAS CONDUCTED BY SA [REDACTED]

ON JULY 14, 1980, [REDACTED] CALHOUN COUNTY CLERK'S
OFFICE, MARSHALL, MICHIGAN, ADVISED THAT A REVIEW OF HER RECORDS
REFLECT THAT APPLICANT WAS MARRIED ON JULY 17, 1943 AT BATTLE
CREEK, MICHIGAN. APPLICANT LISTED HIS HOME ADDRESS AS NEW YORK
AND OCCUPATION AS A SOLDIER. APPLICANT MARRIED [REDACTED]
WHO LISTED HER HOME ADDRESS AS [REDACTED]

ON JULY 14, 1980, RECORDS OF THE BATTLE CREEK CITY POLICE
DEPARTMENT, BATTLE CREEK, MICHIGAN WERE REVIEWED REGARDING

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/84 BY SP-7 MHC/DC

SP4 [REDACTED] 10/11/89 CA 88-1826
SP7 AC/AM
59 NOV 25 1980 4/24/94
C.A. # 88-1826

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

b6
b7C

b6
b7C

b6
b7C

THREE/CH

PAGE TWO DE 77-L0729 UNCLAS E F T O

APPLICANT. REVIEW MET WITH NEGATIVE RESULTS.

ON JULY 14, 1980, CONTACT WAS MADE WITH THE GREATER BATTLE CREEK CREDIT BUREAU, BATTLE CREEK, MICHIGAN, AND REVEALED THAT THAT AGENCY DID NOT MAINTAIN CREDIT RECORDS DURING 1943.

BT

LA0394 1992007

RR HQ

DE LA 0006

R 172007Z JUL 80 17 JUL 80 20 20Z

FM LOS ANGELES (77-23042) (2) (P)

TO DIRECTOR ROUTINE INVESTIGATION

BT

UNCLAS E F T O

JAMES (NMN) ANGLETON, NONCONTRACT PERSONNEL INVESTIGATION,
BUDED JULY 30, 1980, WITHOUT FAIL. (C)

REBUTEL TO ALEXANDRIA, ET AL, JULY 1, 1980.

ARREST RECORD:

FILES OF CENTRAL COMPUTER FACILITIES OF LOS ANGELES
COUNTY, CALIFORNIA SHERIFF'S OFFICE, USED JOINTLY WITH LOS
ANGELES, CALIFORNIA POLICE DEPARTMENT SINCE JANUARY, 1972,
WERE CHECKED BY SC [REDACTED] ON JULY 15, 1980, AND NO ARREST
RECORD WAS LOCATED IDENTIFIABLE WITH [REDACTED]

REPORT FOLLOWS.

BT

#

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/DB

SP4 [REDACTED] 10/11/89 CABG-1826
SP7 ccc/ALM 4/24/94 C.A. #88-1826

59 NOV 25 1980

Exec AD-Adm.	
Exec AD-LES	
Asst. Dir.:	
Adm. Serv.	
Ident.	
Incl.	
Laboratory	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Public Affs. Off.	
Telephone Rm.	
Director's Sec'y	

b6
b7C

b6
b7C

NOT RECORDED
11 NOV 12 1980

3/CH

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN BUREAU	DATE 7/17/80	INVESTIGATIVE PERIOD 7/10 - 7/17/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY [REDACTED] GRJ	TYPED BY grj
		CHARACTER OF CASE NONCONTRACT PERSONNEL INVESTIGATION	

REFERENCES: Bureau teletype to Alexandria, et al, 7/1/80.
Los Angeles teletype to Bureau, 7/17/80.

- RUC -

- A* -
COVER PAGE

SP4 ALW - MAY 10/11/89 CH-88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 MAC/BB
SP7 CAC/ALW 4/24/94
C.A. #88-1826

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *HDC/154* SPECIAL AGENT
IN CHARGE

COPIES MADE

③ - Bureau (AIR MAIL)

1 - Los Angeles (77-23042)(2)

DO NOT WRITE IN SPACES BELOW

3 JUL 24 1980

PRINTING AND ACT. MGMT. SEC.

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

COVER PAGE

59 NOV 25 1980

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b6
b7C

Report of:

Date:

July 17, 1980

Office: Los Angeles, California

Field Office File #:

77-23042

Bureau File #:

Title:

JAMES (NMN) ANGLETON

Character:

NONCONTRACT PERSONNEL INVESTIGATION

Synopsis:

No arrest record located identifiable
with the [redacted]b6
b7C

[redacted] at Los Angeles, California.

- RUC -

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 MAC/BBSP4 also mg 10/11/89 CA 88-1826
SP7 CAC/Alm 4/24/94
CIA # 88-1826

LA 77-23042

DETAILS:

ARREST RECORD

The [redacted]
[redacted] reportedly resides at [redacted]
[redacted]

b6
b7C

The files of the Central Computer Facilities of the Los Angeles County, California, Sheriff's Office, used jointly with the Los Angeles, California, Police Department since January 1972, were checked by SC [redacted] on July 15, 1980, and no arrest record was located identifiable with the [redacted]
[redacted]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DETROIT	OFFICE OF ORIGIN BUREAU	DATE 7/17/80	INVESTIGATIVE PERIOD 7/10 - 14/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY SA [REDACTED]	TYPED BY vp
		CHARACTER OF CASE NCPI	

REFERENCE: Bureau teletype to Detroit, dated 7/10/80.

- RUC -

ADMINISTRATIVE:

Where appropriate, Privacy Act (e) (3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted where granted.

SP7 CUC/ACM 4/24/94 C.A. #88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7/MK/BB

SP4 LWD/mx 10/11/89 CA 88-1826

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *DEL/m* SPECIAL AGENT
IN CHARGE

COPIES MADE:

3 - Bureau

1 - Detroit (77-10729) (C-7)

DO NOT WRITE IN SPACES BELOW

NOT RECORDED

15 JUL 21 1980

Dissemination Record of Attached Report

Agency	
Request Recd.	
Date Fwd.	
How Fwd.	
By	59 NOV 25 1980

Notations

PRNTG. & SPACE MGMT. SEC.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: Detroit, Michigan

Date:

7/17/80

Field Office File #:

77-10729

Bureau File #:

Title:

JAMES (NMN) ANGLETON

Character:

NONCONTRACT PERSONNEL INVESTIGATION

Synopsis:

Marriage verified. Credit and
arrest check negative regarding
applicant.

- RUC -

DETAILS:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/9/88 BY SP-7 MAC/BB

SP4 MWD-mg 10/11/89 CA 88-1826
SP7 CLC/ALM 4/24/94
C.A. #88-1826

b6
b7C

DE 77-10729

The following investigation was conducted by
SA [REDACTED]

b6
b7C

MARRIAGE

On July 14, 1980 [REDACTED] Calhoun County Clerk's Office, Marshall, Michigan, advised that a review of her records reflect that applicant was married on July 17, 1943 at Battle Creek, Michigan. Applicant listed his home address as New York and occupation as a soldier. Applicant married [REDACTED] who listed her home address as [REDACTED]

b6
b7C

DE 77-10729

SA The following investigation was conducted by

b6
b7C

CREDIT AND ARREST

On July 14, 1980, records of the Battle Creek City Police Department, Battle Creek, Michigan, were reviewed regarding applicant. Review met with negative results.

On July 14, 1980, contact was made with the Greater Battle Creek Credit Bureau, Battle Creek, Michigan, and revealed that that agency did not maintain credit records during 1943.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BUTTE	OFFICE OF ORIGIN BUREAU	DATE 7/23/80	INVESTIGATIVE PERIOD 7/16/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	TYPED BY amg
		CHARACTER OF CASE NON-CONTRACT PERSONNEL INVESTIGATION (NCPI)	

REFERENCE

Bureau teletype to Alexandria, 710/80;
Butte teletype to the Bureau, 7/16/80.

- RUC -

ADMINISTRATIVE

All persons interviewed were advised of the access provisions of the Privacy Act of 1974. None requested confidentiality.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

3 - Bureau (AM)
1 - Butte (77-3806)

NOT RECORDED

3 JUL 28 1980

PRINTG. & SPAC. AGENT. SEC.

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

- A* -
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Date:

7/23/80

Office:

BUTTE

Field Office File #:

77-3806

Bureau File #:

Title:

JAMES (NO MIDDLE NAME) ANGLETON

Character:

NON-CONTRACT PERSONNEL INVESTIGATION
(NCPI)

Synopsis:

JAMES ANGLETON's birth verified through records of the Idaho Department of Health and Welfare, Bureau of Vital Statistics, Boise, Idaho. Birth certificate indicates ANGLETON's middle name as JESUS. No arrest information for mother and brother of ANGLETON at Boise, Idaho.

- RUC -

DETAILS:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/BB

SP4 KD/mg 10/12/89 CA 88-1826
SP7 cec/dm 4/24/94
CA # 88-1826

BT #77-3806

The following investigation was conducted by
SA [REDACTED]

b6
b7C

AT BOISE, IDAHO

BIRTH

b6
b7C

On July 16, 1980, [REDACTED] Clerk, Idaho Department of Health and Welfare, Bureau of Vital Statistics, advised they have on file Idaho Certificate of Birth #55988, which shows JAMES JESUS ANGLETON was born at St. Alphonsus Hospital, Ada County, Boise, Idaho, on December 9, 1917, the son of J. H. ANGLETON, then age 28, and CARMEN MOVENO, then age 19, with JOSEPH R. NUMBERS as attending physician. This certificate of birth was filed with Ada County Registrar on December 24, 1917.

BT #77-3806

The following investigation was conducted by
SA [REDACTED]

b6
b7C

AT BOISE, IDAHO

ARREST

On July 16, 1980, [REDACTED] Clerk,
Idaho Department of Law Enforcement, Criminal Identification
Bureau, advised their files contained no information for
[REDACTED]

b6
b7C

On July 16, 1980, [REDACTED] Records Section,
Boise City-Ada County Law Enforcement Complex, advised they
have no information in their files for [REDACTED]
[REDACTED]

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 7/23/80	INVESTIGATIVE PERIOD 7/15 - 22/80
TITLE OF CASE JAMES (NO MIDDLE NAME) ANGLETON <i>CM</i>		REPORT MADE BY SC 	TYPED <i>b6</i> <i>b7C</i> pmg
		CHARACTER OF CASE NONCONTRACT PERSONNEL INVESTIGATION (NCPI)	

REFERENCE:

Bureau teletype to Alexandria, 7/10/80;
St. Louis teletype to Bureau, 7/23/80.

-RUC-

SP4 JLD-may 10/12/89 CA 88-1876
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *7/8/88* BY *SP-7 MAC/DB*

ADMINISTRATIVE:

All persons contacted were apprised of the provisions of the Privacy Act and those requesting confidentiality have been so noted when confidentiality was granted. When limited confidentiality was granted, the limit of the grant has also been noted.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

*RBK/100*SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- 18*
② - Bureau (AM)
1 - St. Louis (77-M)

SL FILE WILL BE DESTROYED IN
120 DAYS.

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.	<i>mail</i>			
By				

Notations

PRINTED & FILED *SEC*

59 NOV 25 1980

A*

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SC [REDACTED]

Office: ST. LOUIS

Date:

July 23, 1980

Field Office File #:

SL 77-M

Bureau File #:

Title:

JAMES (NO MIDDLE NAME) ANGLETON

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/6/88 BY SP-7 mac/BJT

Character:

NONCONTRACT PERSONNEL INVESTIGATION

SP4 LHO - mgy 10/12/89 CA 88-1826
SP7 CEC/ALW
4/24/94
C.A. #88-1826

Synopsis:

Angleton served in U.S. Army as enlisted man and as officer. Received honorable release from active duty.

-RUC-

DETAILS: AT ST. LOUIS, MISSOURI

On July 22, 1980, a review of partial records (remainder of Army service records damaged by fire) on file at the Federal Records Center (Military Branch), 9700 Page Boulevard, St. Louis, Missouri that James Angleton, service number 0 886 353, was appointed a Second Lieutenant in the U.S. Army Reserve on July 20, 1944, and he entered on active duty as an officer on the same date at Army Post Office 887, European Theater of Operations. He was honorably relieved from active duty on December 29, 1947, as a Major at Fort Myer, Virginia, by reason of demobilization, and he was transferred to inactive status in the Officers' Reserve Corps. The date and discharge from the Reserve was not shown.

The records indicated that Angleton had prior service as an enlisted man from March 18, 1943, to July 19, 1944, under service number 31 330 179. The portion of the records relating to his enlisted service was destroyed by fire.

He had foreign service in the European Theater of Operations, and he was awarded the European African

SL 77-M

Middle Eastern Theater Medal, the Legion of Merit, the World War II Victory Medal, the Italian War Cross of Merit, the Italian Commander, Crown of Italy, and the Order of Malta.

His military occupations were shown as Intelligence NCO, Counterintelligence Officer, Commanding Officer and as Counterintelligence Branch Chief. His character and efficiency ratings ranged from "Excellent" to "Superior", and there was no record of Court-Martial or absence without official leave.

His date and place of birth were shown as December 9, 1917, at Boise, Idaho.

SL0001 2060029Z

RR HQ

DE SL

R 23194Z JUL 80

FM ST. LOUIS (77-M) (P)

TO DIRECTOR (ROUTINE)

BT

UNCLAS

JAMES ANGLETON, NCPI. BUDED: JULY 30, 1980, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALEXANDRIA, JULY 10, 1980.

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS OF THE PRIVACY ACT, AND THOSE REQUESTING CONFIDENTIALITY HAVE BEEN SO NOTED.

PARTIAL FIRE DAMAGED MILITARY SERVICE RECORDS ON FILE AT FEDERAL RECORDS CENTER, MILITARY BRANCH, 9700 PAGE BOULEVARD, ST. LOUIS, DISCLOSED ANGLETON, UNDER SERVICE NUMBERS 31 330 179 AND 0 886 353, SERVED IN U.S. ARMY FROM MARCH 18, 1943, TO DECEMBER 29, 1947. HONORABLY RELIEVED FROM ACTIVE DUTY AS MAJOR BY REASON OF DEMOBILIZATION.

NO UNFAVORABLE INFORMATION NOTED IN AVAILABLE RECORDS.

REPORT FOLLOWS.

BT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/89 BY SP-7 MCM/RLB

SP4 RLD-mg 10/12/89 CA 88-1824
SP7 CEC/ACM 4/24/94 C.A. #88-1824

59 NOV 25 1980

RECEIVED
TELETYPE UNIT

24 JUL 80 00 35Z

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

Exec AD Adm.	
Exec AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Ident.	
Insp.	
Intell.	
Lab.	
Legal Coun.	
Off. Cong. & Public Affs.	
Rec. Mgmt.	
Tech. Serv.	
Training	
Off. Liaison & Int. Affs.	
Director's Sec'y	

Encl. 3
Incl. 3
6823 JUL 27 #251

77-139535-23
3/6/89
cc destroyed

NOTED
FBI

538 2060218Z

P HQ

DE NY 0034

P 230218Z JUL 80

RECEIVED
TELETYPE UNIT

24 JUL 80 02 41z

FM NEW YORK (77-39873) (P) (M7139)
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TO DIRECTOR PRIORITY

BT

U N C L A S

JAMES (NMN) ANGLETON, NON-CONTRACT PERSONNEL, INVESTIGATION
(NCPI), BUDED: JULY 8, 1980, WITHOUT FAIL.

REBUREAUTEL TO ALEXANDRIA AND OTHERS, DATED JULY 10, 1980,
AND NYTEL TO THE BUREAU, DATED JULY 11, 1980.

CREDIT

ON JULY 22, 1980, [REDACTED] CREDIT INFORMATION
CORPORATION OF NEW YORK, NEW YORK, NEW YORK, ADVISED SPECIAL
CLERK [REDACTED] THAT REVIEW OF FILES INDICATES APPLICANT HAS
NO CREDIT RECORD.

ARREST

ON JULY 22, 1980, SPECIAL CLERK [REDACTED] CAUSED
RECORDS OF NEW YORK CITY POLICE DEPARTMENT TO BE CHECKED AND IT
WAS DETERMINED THAT NO RECORD COULD BE LOCATED IDENTIFIABLE WITH
APPLICANT.

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

b6
b7C

b6
b7C

b6
b7C

SP4 [signature] 11/12/89 CA 88-1886
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/84 BY SP-7 MKC/AB
SP 7 ccc/Am 4/24/94
C.A. # 88-1826
59 NOV 25 1980

cc destroyed

77-1204-3127

NOT RECORDED
TO FILE

PAGE TWO U N C L A S

NEW YORK, AT NEW YORK, NEW YORK. REPORT TO FOLLOW.

BT

#

AX0003 2061826Z

RR HQ

DE AX

R 241820Z JUL 80

FM ALEXANDRIA (77-5911) COMMUNICATIONS SECTION

TO DIRECTOR ROUTINE

ET
UNCLAS

RECEIVED
TELETYPE UNIT

24 JUL 80 10 37z

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

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

JAMES (NMN) ANGLETON, NONCONTRACT PERSONNEL INVESTIGATION (NCPI),

BUDED: JULY 30, 1980, WITHOUT FAIL.

RE BUREAU TELETYPE TO ALEXANDRIA, JULY 10, 1980.

APPLICANT'S EMPLOYMENT AT CENTRAL INTELLIGENCE AGENCY VERIFIED
AND FAVORABLE.

APPLICANT'S NEIGHBORHOOD AT 4814 NORTH 33RD ROAD, ARLINGTON,
VIRGINIA, VERIFIED AND FAVORABLE BY FIVE NEIGHBORS.

APPLICANT'S THREE REFERENCES RECOMMEND FAVORABLY.

ARREST CHECKS AT ALEXANDRIA, FAIRFAX COUNTY, AND VCIN NEGATIVE
CONCERNING APPLICANT, SPOUSE, AND DAUGHTER. ARLINGTON COUNTY
ARREST CHECK CONTAINED NUMEROUS TRAFFIC VIOLATIONS FOR APPLICANT
AND HIS SPOUSE.

CREDIT CHECK CONTAINED NO DEROGATORY INFORMATION CONCERNING
THE APPLICANT.

SP4 *WLD* - *max* 10/12/89 EA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/89 BY SP-7 *mac/89*

SP7 *acc/Acm* 4/24/94
C.A. # 88-1826

59 NOV 25 1980

THREE/et

77-1395035-25
cc *dealing*

PAGE TWO AX 77-5911 UNCLAS

ALL INDIVIDUALS CONTACTED WERE APPRISED OF THE PROVISIONS OF
THE PRIVACY ACT AND THOSE REQUESTING CONFIDENTIALITY HAVE BEEN
SO NOTED.

BT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE JUL 25 1980	INVESTIGATIVE PERIOD 7/11-23/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	TYPED BY cmw
		CHARACTER OF CASE NON-CONTRACT PERSONNEL INVESTIGATION (NCPI)	

REFERENCE

Butel to AX and others, dated 7/10/80.
 NYtel to Bu, dated 7/11/80.
 NYtel to Bu, dated 7/23/80.

-RUC-

ADMINISTRATIVE

All persons interviewed were advised of the provisions of the Privacy Act of 1974, none of whom requested confidentiality.

ACCOMPLISHMENTS CLAIMED <input type="checkbox"/> NONE						ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CON.VIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <i>Lee Lasker</i> COPIES MADE: 3 - Bureau 1 - New York (77-39873)						DO NOT WRITE IN SPACES BELOW NOT RECORDED 3 JUL 28 1980 PRNTG. & SPAC. SEC.	
Dissemination Record of Attached Report						Notations	
Agency							
Request Recd.							
Date Fwd.							
How Fwd.							
By							

59 NOV 25 1980

-A*
COVER PAGE

NY 77-39873

ADMINISTRATIVE (Continued)

An individual identified as JAMES ANGLETON was referred to in several NY 65 and 72 classifications as an individual employed with the CIA to whom FBI information was disseminated.

-B*-
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Date:

Field Office File #:

Title:

JUL 25 1980

77-39873

JAMES (NO MIDDLE NAME) ANGLETON

Office: New York, New York

Bureau File #:

Character:

NON-CONTRACT PERSONNEL
INVESTIGATION (NCPI)

Synopsis:

Reference recommends. Credit check no record
Arrest check no record.

-RUC-

SP4 [signature] 10/12/88 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/9/88 BY SP-7 [signature]
SP7 CAC/ACW
4/24/94
C.A. # 88-1826

NY 77-39873

DETAILS:

Reference

On July 11, 1980, [redacted]

[redacted] advised that the applicant has been a close personal friend for the past 30 years. [redacted] stated that the applicant is a very responsible, dependable, honest, and sincere individual of the highest integrity.

[redacted] further stated that he had no reason to doubt the applicant's character, associates, reputation, or loyalty.

Credit

On July 22, 1980, [redacted] Credit Information Corporation of New York, New York, New York, advised Special Clerk [redacted] that a review of their files indicates that the applicant has no credit record.

Arrest

On July 22, 1980, Special Clerk [redacted] caused the records of the New York City Police Department (NYCPD) to be checked by [redacted] Identification Section, and it was determined that no record could be located identifiable with the applicant.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 7/28/80	INVESTIGATIVE PERIOD 7/16-24/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY SA 	TYPED BY vas
		CHARACTER OF CASE NONCONTRACT PERSONNEL INVESTIGATION	

b6
b7CREFERENCE:

Bureau teletype to Alexandria, et al, dated 7/10/80. #88-1826

-P-

ADMINISTRATIVE:

Buded 7/30/80, without fail.

All persons contacted were advised of the provisions of the Privacy Act of 1974; none requested confidentiality except WF T-1. WF T-1 is

b6
b7C
b7D

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>CRM/dgp</i>						SPECIAL AGENT IN CHARGE		
COPIES MADE: 3 Bureau 1- WFO (77-108799)						DO NOT WRITE IN SPACES BELOW A 77-139335-27 11 NOV 12 1980		
Dissemination Record of Attached Report						Notations		
Agency						3/elt		
Request Recd.								
Date Fwd.								
How Fwd.								
By								

-A-

COVER PAGE

FBI/DOJ

59 NOV 25 1980

WFO 77-108799

LEADS

WASHINGTON FIELD:

AT WASHINGTON, D.C.: 1) IRS outstanding. 2) OPM
outstanding.

-*B-

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

SA [REDACTED]

Office: WASHINGTON, D.C.

b6
b7C

Date:

7/28/80

Field Office File #:

77-108799

Bureau File #:

Title:

JAMES (NMN) ANGLETON

Character:

NONCONTRACT PERSONNEL INVESTIGATION

Synopsis:

Close personal associates recommend Mr. Angleton for access to classified information. Local police agency inquiries negative regarding Mr. Angleton and his spouse.

-P-

DETAILS: AT WASHINGTON, D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/BJ

SP-7 W.D.M. 10/14/89 KA 88-1926
SP-7 C.C./H.M. 4/24/94
C.A. # 88-1826

WFO: 77-108799

VR0:vas

1

Close Personal Associates

On July 21, 1980, WF T-1 advised SA [redacted] that he has been a close personal associate of Mr. Angleton, for numerous years. During the period he has known Mr. Angleton, WF T-1 has been acquainted with him professionally and socially. WF T-1 commented that Mr. Angleton was well respected throughout the CIA as being an expert on Soviet covert operations. WF T-1 noted that some individuals were critical of Mr. Angleton; they thought he was too suspicious and too careful about recruits of double agents. However, WF T-1 advised that Mr. Angleton enjoyed a very successful career with the CIA and he added that only time will tell if Mr. Angleton was too suspicious. WF T-1 did note that, to his knowledge, there were no penetrations of Soviet Agents into the agency while Mr. Angleton served as Chief of the Counterintelligence Staff. WF T-1 concluded by stating that Mr. Angleton is indeed a loyal American and he has no reservations in recommending Mr. Angleton for a DOJ Top Secret Clearance.

b6
b7C

On July 24, 1980, [redacted]

[redacted] advised SA [redacted] that he has been acquainted with Mr. Angleton since 1943. [redacted] stated that he has known Mr. Angleton on a professional and social basis. Additionally, [redacted] has had the opportunity to closely observe Mr. Angleton's career as well as [redacted]

b6
b7C

[redacted] and Mr. Angleton was one of the early recruits.

[redacted] while Mr. Angleton remained in the CIA. [redacted] commented that Mr. Angleton's character and reputation are of the highest possible caliber. [redacted] noted that Angleton was extremely competent and he enjoyed an outstanding career with the CIA. Mr. Angleton had the highest secret clearances for the U. S. and British intelligence and his loyalty to the U. S. is unquestionable in [redacted] judgment.

[redacted] advised that Angleton was highly regarded by his associates, they are devoted to him and would support him. [redacted] concluded by stating that Mr. Angleton clearly understands the top secret clearance, he can handle the clearance, and he, [redacted] had no reservations in recommending him for a top secret clearance.

WFO 77-108799

VRO:vas

1

Police

On July 16, 1980, SC [] determined that no arrest record was contained in the Metropolitan Police Department files concerning the applicant or his spouse.

b6
b7C

It is to be noted that at all times an indefinite number of unidentified records are out of file and not available for review.

On July 16, 1980, SC [] determined that no record was contained in the Department of Transportation, Department of Motor Vehicles, Government of the District of Columbia files concerning the applicant or his spouse.

b6
b7C

On July 16, 1980, SC [] searched the files of the U.S. Park Police and no identifiable Adult Criminal or Traffic Records could be located regarding the applicant or his spouse.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 7/29/80	INVESTIGATIVE PERIOD 7/14/80 - 7/23/80
TITLE OF CASE JAMES (NMN) ANGLETON		REPORT MADE BY SA 	TYPED BY vvd
		CHARACTER OF CASE NONCONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Bureau teletype to Alexandria, 7/10/80

-RUC-

ENCLOSURE:

Enclosed for the Bureau are two FD-484's.

ADMINISTRATIVE:

All individuals contacted were apprised of the provisions of the Privacy Act, and those requesting confidentiality have been so noted.

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	UG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED LKY SPECIAL AGENT IN CHARGE COPIES MADE: 20 3-Bureau (Enc. 2) 1-Alexandria (77-5911)	DO NOT WRITE IN SPACES BELOW <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">77-139535-28</div> <div style="border: 2px solid black; padding: 5px; display: inline-block;"> NOT RECORDED JUL 31 1980 </div>
---	---

Dissemination Record of Attached Report					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

59 NOV 25 1980

COVER PAGE

FBI/DOJ

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [redacted]
Date: 7/29/80

Office: Alexandria, Virginia

Field Office File #: 77-5911

Bureau File #:

Title: JAMES (NMN) ANGLETON

Character: NONCONTRACT PERSONNEL INVESTIGATION

Synopsis: Employment verified and favorable. Neighborhood verified and favorable. References recommend favorably. Arrest checks negative, with exception of Arlington County; results set forth. Credit check contained no derogatory information.

-RUC-

DETAILS:EMPLOYMENT

Central Intelligence Agency
1943 - 1974

On July 21, 1980, [redacted] Personnel, Central Intelligence Agency (CIA), Rosslyn, Virginia, advised SA [redacted] that the applicant was employed by the office of Strategic Services, forerunner of the CIA, from 1943 until his retirement on December 31, 1974. At the time of his retirement, the applicant was the Chief, Counter Intelligence Operations, \$36,000 per year.

The applicant was granted an intermittent contract as a Consultant on April 1, 1975, at \$138.48 per day. The contract expired on September 30, 1975.

SP4 [redacted] 10/16/80 CA 48-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 [redacted]
SP 7 CEC/ACW 4/24/94
C.A. # 88-1826

AX 77-5911

[] stated that the applicant was rated as an outstanding employee.

[] further advised that the applicant's supervisor has since retired,

SECURITY FILE REVIEW

The following investigation was conducted by SA []

[]: On July 21, 1980, a representative of the Central Intelligence Agency (CIA), Langley, Virginia, made available for review a security file identifiable with the applicant, date of birth December 9, 1917.

The applicant was granted a Top Secret clearance on October 21, 1943, following a favorable background investigation conducted in October, 1943.

The Federal Bureau of Investigation (FBI) conducted a background investigation for the CIA in 1949, which resulted in a Top Secret clearance being issued to the applicant on February 6, 1950.

An up-date background investigation was conducted on January 28, 1963.

The applicant was granted a Top Secret Contract clearance on February 26, 1975.

The applicant's security file revealed that he received his Bachelor of Arts Degree from Yale University in June, 1941.

The following traffic violations were noted for the applicant at Arlington County:

<u>DATE</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>
September 10, 1962	Speeding 50/35	Fined \$15 and Costs
January 30, 1953	Speeding 45/25	Fined \$10 and Costs

There was no derogatory information contained in the file.

AX 77-5911

REFERENCE

On July 23, 1980, [redacted] advised SA [redacted] that he first met the applicant through a mutual friend in the early 1970's. [redacted] stated that he has been associated with the applicant quite closely for the past three years as [redacted]

[redacted] advised that they have lunch together once a week. [redacted] stated that the applicant is very intelligent, conscientious and well liked by others. [redacted] would recommend the applicant for a position of trust and confidence with the United States Government based on his character, associates, reputation and loyalty:

On July 23, 1980, [redacted] advised SA [redacted] that he has known the applicant since 1943. [redacted] stated that both of them were employed by the CIA, and they served together in the United States and overseas. [redacted]

[redacted] advised that he sees the applicant occasionally on a social basis, and considers him to be of high character, associates, reputation and loyalty. [redacted] would highly recommend the applicant for a position of trust and confidence with the United States Government.

AX 77-5911

DLH:vvd

1

REFERENCE

b6
b7c

On July 14, 1980,

[redacted] advised SA [redacted] that he has known the applicant for over thirty years on a professional and social basis. He stated that he worked with him on a liaison basis when he was employed by the FBI and the applicant was at CIA. He described the applicant as a loyal, stable individual with outstanding character, integrity, reputation and associates. He highly recommended him to a position of trust and confidence with the U.S. Government.

AX 77-5911

GSV: bkl

1

The following investigation was conducted by SA

b6
b7C

NEIGHBORHOOD

The following individuals were contacted in the vicinity of 4814 N. 33rd Road, Arlington, Virginia. They furnished favorable comments concerning the applicant and considered applicant to be an individual of good character, reputation, integrity and loyalty. Each recommended the applicant for a responsible position with the United States Government.

[REDACTED]
Arlington, Virginia
Contacted 7/14/80

[REDACTED]
Arlington, Virginia
Contacted 7/14/80

[REDACTED]
Arlington, Virginia
Contacted 7/14/80

[REDACTED]
Arlington, Virginia
Contacted 7/14/80

[REDACTED]
Arlington, Virginia
Contacted 7/17/80

b6
b7C

AX 77-5911

GSV:vvd

1

ARREST CHECK

SC [] caused a search to be made of the files of the Arlington, Virginia, Police Department, and was advised on July 18, 1980, that the following record was located concerning the applicant, James (NMN) Angleton. It is to be noted that at all times an indefinite number of unidentified records are out of file and not available for review:

b6
b7C

<u>DATE</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>
January 30, 1953	/ Speeding 45/25	February 10, 1953, Fined \$10 and Court Cost
September 10, 1962	/ Speeding 50/35	September 27, 1962, Fined \$15 and Court Cost
March 2, 1963	/ Expired Virginia Inspection	March 15, 1963, Fined \$10 and Court Cost
May 26, 1976	/ No Drivers License	June 29, 1976, Fined \$10 and Court Cost
May 26, 1976	/ No Valid Arlington County Sticker	Dismissed
July 9, 1976	/ Driving while intoxicated	February 23, 1977, Fined \$50 and Court Cost for Reckless Driving
July 8, 1978	/ Speeding 52/35 (Radar)	August 7, 1978, Fined \$34, Cost prepaid

AX 77-5911

GSV:bk1

1

ARREST CHECK

SC [REDACTED] caused a search to be made of the files of the Fairfax County, Virginia, Police Department, and was advised on July 15, 1980, that no record was located regarding [REDACTED]. It is to be noted that in applicant matters only class 3 and 4 misdemeanors are available.

b6
b7C

SC [REDACTED] caused a search to be made of the files of the Alexandria, Virginia, Police Department, and was advised on July 15, 1980, that no record was located concerning the applicant.

b6
b7C

AX 77-5911

GSV:vvd

1

ARREST CHECK

On July 14, 1980, a computerized check of the Central Criminal Records Exchange (CCRE), Virginia State Police (VSP), Richmond, Virginia, failed to reflect any information identifiable with the applicant, applicant's spouse, or daughter.

AX 77-5911

GSV:dle

1

CREDIT CHECK

On July 15, 1980, SC [REDACTED] caused a search to be made of the files of the Credit Bureau of Prince William County, Incorporated, Post Office Box 232, Manassas, Virginia, which covers the Washington Metropolitan Area and was advised the files contained no derogatory record regarding applicant.

b6
b7C

ALL INFORMATION CONTAINED
ON ~~THIS PAGE~~ IS UNCLASSIFIED
DATE 10/16/99 BY SP4 *W.D. King*
LA 88-1826
SP 7 CCC/ALW
4/24/94
C.A. # 8D-1826

249



77-139535-28

RECEIVED
FBI - NEW YORK

INSTRUCTIONS: Please sign
and return one of the two
enclosed copies.

This is to advise you in conformance with the Privacy Act of 1974 that the information solicited from you by personnel of the FBI is needed to complete background inquiries required by the authority granted in Title 28, Part O, Subpart P, paragraph 0.85, subparagraph C, Code of Federal Regulations. The furnishing of this information is voluntary on your part. The information requested from you is needed to complete a background inquiry. The information furnished by you and the results of inquiry will be used to determine your eligibility for access to FBI space. You should be aware that wilfully making a false statement or concealing a material fact could be a basis for refusing you access to FBI space, and may constitute a violation of Section 1001, Title 18, United States Code.

You are not required to execute this form; however, if you do not, the needed investigative information may not be made available to the FBI. Lack of such information may preclude further consideration of your request for access to FBI space.

Tamara Appleton
(Signature of Applicant)

17 July 1980
(Date)

SP7 CC/Aem 4/24/94 C.A. #88-1826
SP4 Aem - mgs 10/17/89 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/DB

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 7/29/80	INVESTIGATIVE PERIOD 7/14-29/80
TITLE OF CASE JAMES ANGLETON		REPORT MADE BY SA [REDACTED]	TYPED BY maj
		CHARACTER OF CASE NON CONTRACT PERSONNEL INVESTIGATION	

REFERENCE: Bureau teletype to Boston, 7/10/80.

- RUC -

ADMINISTRATIVE:

All persons contacted in this matter were advised of the provisions of the Privacy Act of 1974 and none desired confidentiality.

Credit and arrest checks conducted by SC [REDACTED]
Remainder of investigation conducted by SA [REDACTED]

b6
b7C

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CON VIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO
								PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

3 - Bureau

1 - Boston (77-18098)

NOT RECORDED

15 JUL 31 1980

Dissemination Record of Attached Report

Notations

Agency				31
Request Recd.				
Date Fwd.				
How Fwd.				
By				

FBI/DOJ

59 NOV 25 1980

-A*-
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of: SA [redacted]
Date: 7/29/80

Office: Boston, Massachusetts

b6
b7C

Field Office File #: 77-18098

Bureau File #:

Title: JAMES ANGLETON

SP-7 mg 10/12/89 CA 88-1856
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/9/88 BY SP-7 mac/88
SP-7 CC/ALM 4/24/94
C.A. # SP-1826

Character: NON CONTRACT PERSONNEL INVESTIGATION

Synopsis: Education verified. Credit and arrest checks negative.

-RUC-

Details:

Education

On July 29, 1980, [redacted]
[redacted] Harvard University Law School, Cambridge,
Massachusetts, advised James Angleton attended Harvard
University Law School from September 15, 1941 until
January 30, 1943, when he left to enter the Army. He
received no degree. She said due to the passage of time
since he attended Harvard University Law School, there
were no professors available who could recall the applicant.

b6
b7C

It is the policy of Harvard University not to
release academic information with or without the student's
signed waiver. This policy is strictly adhered to by the
University.

13 JUL
2000
REC'D

BS 77-18098

Credit

On July 17, 1980, [redacted] Credit Bureau Services, Inc., 6 St. James Avenue, Boston, Mass., advised their files contain no record for James Angleton.

b6
b7C

Arrest

On July 14, 1980, [redacted] Records Section, Boston, Massachusetts; Police Department, advised their files contain no record with anyone identifiable with [redacted]

b6
b7C

On July 14, 1980, [redacted] Records Section, Cambridge, Mass., Police Department, advised their files contain no record identifiable with James Angleton.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW HAVEN	OFFICE OF ORIGIN BUREAU	DATE 7/30/80	INVESTIGATIVE PERIOD 7/24/80 - 7/29/80
TITLE OF CASE JAMES (NMN) ANGLETON LM		REPORT MADE BY SA [REDACTED]	TYPED ^{b6} pen ^{b7c}
		CHARACTER OF CASE NONCONTRACT PERSONNEL INVESTIGATION (NCPI)	

REFERENCE: Bureau teletype to Alexandria, dated 7/10/80.

-RUC-

ADMINISTRATIVE:

Individuals contacted were advised of the provisions of the Privacy Act and did not request confidentiality.

SP3 ac/aw 4/24/94 C.A. # 88-1826
SP4 [REDACTED] 10/12/88 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 [REDACTED]

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED: [REDACTED]						SPECIAL AGENT IN CHARGE		
COPIES MADE: 3-Bureau 1-New Haven (77-8139)						DO NOT WRITE IN SPACES BELOW 77-139-535-31 NOT RECORDED 17 AUG 4 1980 RECEIVED FBI NEW HAVEN AUG 1 1980		
Dissemination Record of Attached Report						Notations		
Agency						FBI & SP-7 AGT. SEC.		
Request Recd.								
Date Fwd.								
How Fwd.								
By								

59 NOV 25 1980

A*
COVER PAGE

77-

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: JULY 30, 1980

Office: NEW HAVEN

Field Office File #: NH 77-8139

Bureau File #:

Title: JAMES (NMN) ANGLETON

Character: NONCONTRACT PERSONNEL INVESTIGATION (NCPI)

Synopsis: Education verified. Credit and arrest negative

-RUC-

DETAILS:Education

On July 24, 1980, [REDACTED] Yale University, New Haven, Connecticut, advised Angleton was in academic attendance at Yale University from September, 1938 through July, 1941. [REDACTED] advised Angleton received his Bachelor of Arts degree on November 8, 1941. Angleton majored in English and records reflect at the time of his graduation, he was making application to Harvard University. [REDACTED] advises records are necessarily sparse due to the length of time since Angleton graduated. She also advised no professors currently at Yale University would have taught Angleton during his academic attendance.

4/24/94 C.A. #88-1826
SP7 CLO/ACW 10/12/89 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 MAC/EDM

NH 77-8139

Credit and Arrest

The following individuals were contacted on the dates indicated and advised they could locate no record identifiable with Angleton:

[redacted] Credit Bureau of Connecticut, Inc.,
71 Elm Street, New Haven, Connecticut, on July 24, 1980; and

[redacted] Records, New Haven,
Connecticut Police Department, on July 29, 1980.

b6
b7C

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

August 5, 1980

In Reply, Please Refer to
File No. 77-108799

FEDERAL GOVERNMENT

JAMES ANGLETON

NONCONTRACT PERSONNEL INVESTIGATION

Review of Office of
Personnel Management (OPM) Files

Special Clerk (SC) [redacted] caused a search to be made of the files of the OPM and was advised on July 28, 1980, that no record was found concerning the applicant.

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.

SP7 ccc/Acm 4/24/94 C.A. #88-1826
SP4 [redacted] max 10/16/89 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-2 mac/RS

77-1392-32
NOT RECORDED
11 NOV 1980

59 NOV 25 1980
AMERICAN REVOLUTION BICENTENNIAL

3/c4

Date

8-6-80

To: ☒ Director
Att.: _____

FILE #

77-108784

Title

James Bugleton

☐ SAC

☐ ASAC

☐ Supv.

☐ Agent

☐ OSM

☐ Rotor #

☐ M

Room

DAPLI

"P"

"RUC"

RE:

IRS RECEIVED

8-5-80

☐ Acknowledge

☐ Assign ☐ Reassign

☐ Bring file

☐ Call me

☐ Correct

☐ Deadline

☐ Delinquent

☐ Discontinue

☐ Expedite

☐ File

☐ For Information

☐ Handle

☐ Initial & return

☐ Leads need attention

☐ Open case

☐ Prepare lead cards

☐ Prepare tickler

☐ Recharge file ☐ serial

☐ Type

☐ Send to

☐ Return assignment card

☐ Return file ☐ serial

☐ Return with action taken

☐ Return with explanation

☐ Search and return

☐ See me

☐ Type

SP 7 CAC/Am 4/24/94 C.A. #88-1826
SP 7 CAC/Am 10/11/89 CA 88-1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/DB

SAC CHARLES R. MC KINNON

Office WASHINGTON FIELD

See reverse side

77-139535-33
NOT RECORDED

11 NOV 12 1980

59 NOV 25 1980

3/CH

P 121200Z AUG 80

FM ROME (77-330) (P)

TO DIRECTOR PRIORITY 320-121 2 AUG 80 12 15z

BT

UNCLAS E F T O

JAMES (NMN) ANGLETON; NCPI

REROMTEL JULY 16, 1980.

ON AUGUST 12, 1980, [REDACTED]

ADVISED THAT INVESTIGATION [REDACTED] ARE

PENDING. THEY HAVE BEEN REQUESTED TO EXPEDITE INVESTIGATION AND

RESULTS OF PENDING INQUIRIES WILL BE FURNISHED IMMEDIATELY UPON RECEIPT.

LEGAT FOLLOWING.

BT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7MAC/RSB

Set read/mr 10/16/89 CA 88-1826
Per G-1 guidelines
SP 7 ac/Adm 4/24/94
C.A. #88-1826

77-139535-34

77 NOV 25 1980

59 NOV 25 1980

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

b6
b7C

b7D

6/ct

P 031600Z NOV 88

FM ROME (77-330)

TO DIRECTOR PRIORITY 454-03

BT

UNCLAS E F T O

JAMES (CIVIL) ANGLETON; NCPI

ON NOVEMBER 3, 1988, A CONFIDENTIAL SOURCE ADVISED THAT DUE TO FACT THAT APPLICANT'S STAY IN ITALY WAS PRIOR TO WORLD WAR II, RECORDS ARE DIFFICULT TO LOCATE AND EFFORTS TO DATE HAVE BEEN NEGATIVE.

ADMINISTRATIVE

REROMTEL SEPTEMBER 4, 1988, BUDED PAST, RUC.

CONFIDENTIAL SOURCE ABROAD IS [REDACTED]

(PROTECT PER EXPRESS PROMISE OF CONFIDENTIALITY). IT SHOULD BE NOTED THAT SHOULD ANY INFO BE DEVELOPED BY [REDACTED] LEGAT WILL PROVIDE IT IMMEDIATELY.

BT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7 mac/88

SP-7 mac/88 10/16/89 C.A. 88-1826

Page 6.1 guidelines

SP-7 c/c/ALW 4/24/94

C.A. #88-1826

59 NOV 25 1980

RECEIVED
TELETYPE UNIT

3 NOV 00 19 31z

SECTION
OF INFORMATION
COMMUNICATIONS SECTION

b6
b7C

b7D

b6
b7C

P 050930Z SEP 80

FM ROME (77-330)

TO DIRECTOR PRIORITY ³⁶⁴ 064-05

BT

UNCLAS E F T O

RECEIVED
TELETYPE UNIT

5 SEP 80 11 00z

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

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

FOLLOWING IS REENCRYPTION OF OUR ³⁶³ 063-04:

JAMES (NMN) ANGLETON; NCPI

ON SEPTEMBER 4, 1980, A CONFIDENTIAL SOURCE ABROAD ADVISED

[REDACTED]

ADMINISTRATIVE

REROMTEL AUGUST 12, 1980, BUDED PAST. P.

CONFIDENTIAL SOURCE ABROAD IS [REDACTED] (PROTECT
PER EXPRESS PROMISE OF CONFIDENTIALITY). [REDACTED] FURTHER ADVISED THAT

[REDACTED]

MILAN INQUIRIES CONTINUING.

BT

SP 7 acc/Acm 4/24/94 C.A. #PP-1826
Pm 6.1 Jm 10/16/89 CH 88.1826
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/8/88 BY SP-7mce/DB
#254,507

77-139535-36

NOT RECORDED

15 DEC 16 1980

3/cu

66 JAN 28 1981

17-139535