

MEMORANDUM

To: File 4.17.2 -- Justice Department Background

From: Phil Golrick

Date: March 21, 1995

Re: Attorney General's Report, 1963

I have copied selected pages from the Report of the Attorney General for the fiscal year ending June 30, 1963. The copied pages are attached.

The Report provides an overview of the structure and responsibilities of the components of DOJ at that time. I noted the following points of interest for our purposes:

Office of Legal Counsel: The Attorney General had given OLC the "special assignment" of "preparation and implementation of the Department of Justice plans for operations in the event of extreme emergency, and has advised other agencies with respect to their emergency plans from the point of view of legality." (Page 60.)

Records Administration Office: Fell under the Administrative Division (which was headed by Assistant AG S.A. Andretta). Its record-management responsibilities are described at page 75.

Criminal Division: Headed by Assistant AG Herbert J. Miller, Jr., the Criminal Division placed "major emphasis . . . on the work of combating organized crime and racketeering The indoctrination of new United States Attorneys throughout the country in the problems of law

enforcement relating to racketeers and the organized crime element having been completed, much greater responsibility was placed on the individual United States Attorney's offices. Organized crime units were established in some of the key cities of the country." (Page 193.)

The Criminal Division had "five law sections" (page 193):

1) General Crimes Section: "In general, the work of [this] Section falls into four major categories" (page 194):

a) Integrity in Government Operations: The indictment of Jimmy Hoffa and others on 5/9/63 for "attempting to influence the jury in Hoffa's recent trial at Nashville, Tennessee" is described at pages 195-96.

b) Protection of the Channels of Interstate Commerce

c) Safeguarding of the Postal System

d) General Law Enforcement in Special Maritime and Territorial Jurisdiction.

2) Fraud Section

3) Organized Crime and Racketeering Section: Generally described at pages 204-06. "Most of the lawyers in the Section are given fixed responsibility for certain criminal operations or individuals of interest to the Section. . . . In the key areas of New York, Chicago, Miami and Los Angeles, permanent units have been maintained in the United States Attorneys' offices to lead the anti-racketeering efforts in those

cities." (Page 204).

a) June 1963 indictment of several Giancana associates under anti-gambling statutes is described at page 207.

b) June 4, 1963 indictment of Hoffa and several others in Chicago under the Welfare and Pension Plans Disclosure Act is described at pages 214-15. Around the same time, an indictment in the same matter against Hoffa in the Southern District of Florida was dismissed. (Page 215.)

c) June 1962 narcotics conviction in SDNY of John Ormento (Apalachin attendee) and several others is described at page 216.

d) Conviction "in early 1963" of Milton Abramson on narcotics charges in the Southern District of Texas is described at page 217. Abramson was "a principal American carrier for well-known racketeer Joseph Stassi." Stassi was indicted March 3/19/63 in the same District on narcotics charges and "is presently a fugitive." He is characterized as having "as associates such infamous racketeers as Vito Genovese, Santo Trafficante and the late Abner Zwillman." (Page 217.)

4) Administrative Regulations Section: "supervises and assists .

. . . [inter alia] in the enforcement of the criminal and civil sanctions of the customs laws;" "also has general supervision over international extradition proceedings, legal matters arising under the immigration, citizenship, naturalization, and related laws, . . . and the enforcement of miscellaneous criminal statutes such as the White Slave Traffic Act, the so-called 'Wire Tapping Statute', and the copyright laws." (Page 221.)

Denaturalization efforts against Anthony Riela and Domenico D'Agostino, both Apalachin attendees, are described at pages 236-37. Deportation proceedings against Carlos Marcello and Herman Frederick Marks ("widely known as Castro's 'butcher'") are described at page 239. The deportation case against Russell Bufalino, another Apalachin attendee, is described at page 240.

5) Appeals and Research Section.

Internal Security Division: Headed by Assistant AG J. Walter Yeagley, the Internal Security Division was "responsible for all functions of the Department relating to internal security other than those assigned" to the FBI or INS. (Page 251.) These included "prosecution of all cases involving subversives and . . . enforcement of all statutes relating to subversive activities," specifically including "administration of the Subversive Activities Control Act of 1950, as amended; the Foreign Agent Registration of Act of 1938, as amended; and the Act of August 1, 1956 which requires the registration of certain persons who have knowledge of or who have received instructions or assignments in the espionage, or sabotage

service or tactics of a foreign government or foreign political party." (Page 251.) The Division also defended civil suits "involving internal security," and directed "all Departmental defense mobilization planning, including such matters as civil defense, alien enemy control and emergency relocation for the Seat of Government and the field." (Page 251.)

"The First Assistant of the Division serves as Chairman of the Interdepartmental Committee on Internal Security and directly supervises the work of the Secretariat of that Committee." (Pages 251-52.) The Assistant AG himself was "the Department's representative on the Interagency Emergency Planning Committee." (Page 272.)

The Internal Security Division comprised four sections:

1) Criminal Section: responsible for what the name suggests -- enforcement of criminal statutes bearing on internal security, including "the Neutrality Act, the Trading with the Enemy Act, the anti-Communist provisions of the Labor Management Reporting and Disclosure Act, the Smith Act and the Port Security Act." (Page 252.) Also prosecuted "cases concerning contempt of Congress, the passport statutes, the Atomic Energy Act, perjury, and false statement violations which involve security," and enforced "all of the criminal provisions of the Subversive Activities Control Act except those relating to the registration of Communist-action organizations and their membership." (Page 252.)

Arrest, indictment, and expulsion of three Cuban saboteurs is

described at page 254. The FBI's characterization of this case is at page 348.

2) Civil Section: functions included "conducting all proceedings instituted before the Subversive Activities Control Board, defending and prosecuting all civil litigation relating to internal security matters and administering the program of the review and designation of organizations required by Executive Order No. 10450." Also responsible "for the criminal prosecution of the Communist Party, USA, its officers and its members, for failing to comply with the registration provisions of the Internal Security Act of 1950, as amended." (Page 257.)

"The Civil Section, during the past year, has continued its program of the review of all FBI reports concerning organizations which have been or may be subject to determination as Communist-infiltrated organizations." (Page 260.)

3) Registration Section: "responsible for the administration and enforcement of three registration statutes: the Foreign Agents Registration Act of 1938, as amended . . . ; the Voorhis Act . . . ; and the Act of August 1, 1956." (Page 270.) These activities are discussed at pages 270-72.

4) Appeals and Research Section.

Tax Division: Headed by Assistant AG Louis F. Oberdorfer. (Page 302.) The Criminal Section of the Tax Division "worked to coordinate its

prosecutive activities with those of the Criminal Division in the prosecution of organized crime," as described at page 311.

See also memorandum to File 4.18.2 for INS report in 1963 Report of the Attorney General.