FILE DESCRIPTION

NEW YORK FILE

SUBJECT MORTON SOBELL

FILE NO. 100-37158

VOLUME NO. 42

SERIALS 2536

THRU

2660

NOTICE

THE BEST COPIES OBTAINABLE ARE INCLUDED IN THE REPRODUCTION OF THE FILE. PAGES INCLUDED THAT ARE BLURRED, LIGHT OR OTHERWISE DIFFICULT TO READ ARE THE RESULT OF THE CONDITION AND OR COLOR OF THE ORIGINALS PROVIDED. THESE ARE THE BEST COPIES AVAILABLE.

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY Yms / Jom

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2536	10-24-67	NY letter to WFO	9	0		
2537	10-25-67	NY FD-304	2	0		
2538	10-26-67	WFO letter to HQ copy to NY	1	0	Yes	BUFILE 101-2483
2538	10-26-67	copy of WFO letter to HQ	1	0	Yes	BUFILE 101-2483
2539	10-31-67	PH letter to HQ copy to NY	1	0	Yes	BUFILE 101-2483
2539	10-31-67	copy of PH letter to HQ	1	0	Yes	BUFILE 101-2483
2540	11-7-67	WFO letter to HQ copy to NY	2	0	Yes	BUFILE 101-2483
2540	11-7-67	copy of WFO letter to HQ	2	0	Yes	BUFILE 101-2483
2541	11-9-67	NY letter to HQ	2	0	Yes	BUFILE 101-2483
2542	11-13-67	NY, SA to SAC memo	1	1		
2543	11-17-67	NY FD-306	2	0		
2544	11-24-67	Attachment to serial 2547	3	3		

*Designated to or from Bureau and/or Albuquerque

New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY Kim

File No: 100-37158 Re: Morton Sobell Date: (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (identify statute if (b)(3) cited)
2545	11-3-67	Attachment to Serial 2547	1	1		
2546	10-27-67	Attachment to serial 2547	1	1		REFERRED TELEPHONICALLY
2547	11-22-67	NY, SA to SAC memo with attachments	1	1		
2548	10-25-67	NY FD-306	2	0		
2549	11-30-67	LA, SA to SAC memo captioned: third party	2	0		
2550	11-30-67	LA, SA to SAC memo captioned: third party	3	0		
2551	11-30-67	NY FD-306	2	0		
2552	11-13-67	NY letter to HQ	1	0	yes	BUFILE 101-2483
2553	12-7-67	NY FD-306	2	0		
2554	12-7-67	NY letter to LA	2	0		
2555	12-14-67	NY, SA to SAC Memo	11	11		
2556	12-15-67	NY letter to LA	7	0		

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY [illegible]

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2557	11-16-67	NY FD-306	1	0		
2558	12-27-67	WFO letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2559	1-15-68	WFO letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2559	1-15-68	copy of WFO letter to HQ	1	0	yes	BUFILE 101-2483
2560	12-21-67	NY FD-306	1	1		
2561	1-16-68	NY - FD-306	1	1		
2562	1-16-68	NY FD-306	2	0		
2563	1-19-68	NY letter to WFO	8	0		
2564	1-19-68	NY, SA to SAC Memo	1	1		
2565	1-29-68	NY, FD-306	2	2		
2566	2-2-68	NY, FD-306	1	1		
2567	2-6-68	NY FD-306	3	0		

*Designated to or from Bureau and/or Albuquerque

New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY Kma

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2568	2-15-68	NY FD-306 to WFO	6	0		
2569	2-20-68	NY FD-306	2	0		
2570	2-26-68	NY FD-306	1	0		
2571	1-10-68	WFO letter to HQ copy to NY	1	0	Yes	BUFILE 101-2483
2572	2-27-68	WFO letter to HQ copy to NY	1	0	Yes	BUFILE 101-2483
2572	2-27-68	copy of WFO letter to HQ	1	0	Yes	BUFILE 101-2483
2573	3-5-68	WFO letter to HQ copy to NY	1	0	Yes	BUFILE 101-2483
2573	3-5-68	copy of WFO letter to HQ	1	0	Yes	BUFILE 101-2483
2574	3-7-68	WFO letter to HQ copy to NY	4	0	Yes	BUFILE 101-2483
2574	3-7-68	copy of WFO letter to HQ	4	0	Yes	BUFILE 101-2483
2575	4-13-68	NY, SA to SAC memo	1	1		
2576	3-15-68	NY, SA to SAC memo	2	2		

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY

File No: 100-37158 Re: Morton Date: (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2577	3-20-68	NY, SA to SAC memo	2	2		
2578	3-20-68	NY letter to HQ	2	0	yes	BUFILE 101-2483
2579	3-6-68	NY letter to WFO	6	0		
2580	3-21-68	LA, SA to SAC Memo	3	0		
2581	3-22-68	NY FD-306	1	1		
2582	3-27-68	Routing Slip	1	1		
2583	3-27-68	WFO letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2584	3-28-68	NY FD-306	1	0		
2585	3-29-68	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2585	3-29-68	copy of PH letter to HQ	1	0	yes	BUFILE 101-2483
2586	4-3-68	NY LHM to HQ	3	0	yes	BUFILE 101-2483
2587	4-3-68	NY letter to HQ	1	0	yes	BUFILE 101-2483

*Designated to or from Bureau and/or Albuquerque

New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY [illegible]

File No: 100-37158 Re: Morton Sobell Date: 1-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2588	4-11-68	NY letter to LA	4	4		
2589		missing				
2590	4-15-68	NY FD-306 to WFO	7	0		
2591	4-22-68	WFO letter to HQ	1	0	yes	BUFILE 101-2483
2592	4-30-68	NY SA to SAC memo	1	1		
2593	4-17-68	NY FD-306	1	1		
2594	4-23-68	NY FD-306	1	1		
2594a	4-30-68	BA FD-306	2	0		
2595	6-13-68	NY letter to WFO	7	0		
2596	6-18-68	NY letter to HQ	2	0	yes	BUFILE 101-2483
2597	6-20-68	U.S.A S.D. NY petition of Morton Sobell	17	0	yes	BUFILE 101-2483
2598	6-21-68	NY LHM to HQ	10	10	yes	PROCESS FILE DOESN'T MATCH

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41 REVIEWED BY Ymf

File No: 100-371158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2599	6-21-68	NY letter to HQ	2	2	yes	Process - Number Doesn't Match
2600	6-27-68	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2601	6-27-68	NY letter to HQ	1	0	yes	BUFILE 101-2483
2602	6-27-68	PH letter to HQ, copy to NY	2	0	yes	BUFILE 101-2483
2602	6-27-68	copy of PH letter to HQ	2	0	yes	BUFILE 101-2483
2603	7-2-68	LA, SA to SAC captioned: third party	4	1		
2604	7-23-68	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2605		Enclosure to serial 2606	20	0	yes	BUFILE 101-2483
2606	7-30-68	NY letter to HQ	1	0	yes	BUFILE 101-2483
2607	7-22-68	NY FD-306 to NK	9	0		
2608	7-31-68	NY letter to NK	4	0		
2609	8-6-68	NY letter to AL	7	7		

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY Vmo

File No: 100-37148 Re: Morton Sobell

Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2610	6-19-68	NY FD-306 to LA	7	7		
2611	7-30-68	Newspaper Clipping from "the Evening Bullentin"	1	1		
2612	8-15-68	PH letter to HQ copy to NY	2	0	yes	BUFILE 101-2483
2612	8-15-68	copy of PH letter to HQ	2	0	yes	BUFILE 101-2483
2613	8-27-68	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2613	8-27-68	copy of PH letter to HQ	1	0	yes	BUFILE 101-2483
2614	9-11-68	NY FD-306 to CV	2	0		
2615	9-13-68	NY FD-306	2	1		
2616	10-11-68	WFO letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2616	10-11-68	Copy of WFO letter to HQ	1	0	yes	BUFILE 101-2483
2617	10-68	petition of Morton Sobell	16	16	yes	Being Processed ~~BUFILE 101-2483~~
2618	10-16-68	NY FD-306	1	1		

*Designated to or from Bureau and/or Albuquerque

New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41 REVIEWED BY Vmd

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2619	10-23-68	NY SA to SAC Memo	1	1		
2620	10-22-68	NY FD-306 to PH	2	0		
2621	10-4-68	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2621	10-4-68	copy of PH letter to HQ	1	0	yes	BUFILE 101-2483
2622	10-23-68	NY FD-306 to PH	8	0		
2623	11-8-68	HQ letter to NY	2	0	yes	BUFILE 101-2483
2624	11-13-68	NY letter to HQ	1	0	yes	BUFILE 101-2483
2625	11-13-68	WFO letter to HQ copy to NY	2	0	yes	BUFILE 101-2483
2625	11-13-68	copy of WFO letter to HQ	2	0	yes	BUFILE 101-2483
2626	11-13-68	NY letter to NH captioned: third party	10	0		
2627	12-23-68	SA to SAC memo	1	1		
2628	1-10-69	NY letter to HQ	1	0	yes	BUFILE 101-2483

*Designated to or from Bureau and/or Albuquerque

New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41 REVIEWED BY [illegible]

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2629	1-14-69	NY letter to HQ	2	0	yes	BUFILE 101-2483
2630	12-31-68	NY FD-306 to NK	5	0		
2631	1-14-69	PH teletype to HQ, NY, WFO + COPY	2	0	yes	BUFILE 101-2483
2632	1-16-69	NY LHM to HQ, captioned: third party	3	3	yes	PROCESS - FILE # DOESN'T MATCH
2633	-1-16-69	NY cover letter to HQ captioned: third party	1	1	yes	PROCESS - FILE # DOESN'T MATCH
2634	1-17-69	court appeal of Morton Sobell	12	0	yes	BUFILE 101-2483
2635	1-17-69	NY cover letter to HQ	1	0	yes	BUFILE 101-2483
2636	1-20-69	NY letter to HQ	2	0	yes	BUFILE 101-2483
2637	1-21-69	NY FD-306	8	0		
2638	1-27-69	NY Identification Record	5	5		
2639	1-27-69	copy of NY Identification Record	5	5		
2640	1-20-69	NY letter to HQ	1	0	yes	BUFILE 101-2483

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY Kms

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2641	2-4-69	NY, SA to SAC memo to file	1	0		
2642	2-7-69	PH letter to HQ copy to NY	1	0	yes	BUFILE 101-2483
2642	2-7-69	copy of PH letter to HQ	1	0	yes	BUFILE 101-2483
2643	2-6-69	NY FD-306	1	1		
2644	2-12-69	NY FD-306	1	0		
2645	2-26-69	NY, SA to SAC memo to file	5	5		
2646	2-27-69	NY FD-306	2	0		
2647	3-4-69	NY FD-306	4	0		
2648	3-10-69	NY letter to HQ	2	0	yes	BUFILE 101-2483
2649	2-27-69	NY FD-306	6	0		
2650	3-6-69	LA, SA to SAC memo	11	5		
2651	3-10-69	LA, SA to SAC memo	14	11		

*Designated to or from Bureau and/or Albuquerque New York

FBI/DOJ

Inventory Worksheet
FD-503 (2-18-77)

NEW YORK FILES

VOLUME 41

REVIEWED BY [illegible]

File No: 100-37158 Re: Morton Sobell Date: 11-77 (month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages Actual	No. of Pages Released	*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
2652	3-17-69	NY FD-306 to WFO	5	0		
2653	3-10-69	LA, SA to SAC Memo	8	6		
2654	3-14-69	BA FD-306 copy to NY	2	0		
2655	3-25-69	NY letter to HQ	2	0	yes	BUFILE 101-2483
2656	3-14-69	BA FD-306 copy to NY	2	0		
2657	3-28-69	NY FD-306	1	0		
2658	3-28-69	NY FD-306 to PH	3	0		
2659	3-26-69	NY letter to AL captioned: third party	18	0		
2660	4-1-69	NY FD-306	2	0		

*Designated to or from Bureau and/or Albuquerque

FBI/DOJ

U. S. Department of Justice

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

FEDERAL BUREAU

of

INVESTIGATION

Bureau File Number 101-2483

SI

Nos.

Newspaper Clippings

Phyt Cl

[redacted]

8-16-69

CLASSIFICATION NO. 100

Volume Number 41

Serials 2536 - 2660

3715-8

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2536 DATE 10-24-67

CONSISTING OF 9 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2537 DATE 10-25-67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (100-37158) DATE: 11/13/67

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP# R

On 11/6/67, AUSA STEPHEN F. WILLIAMS, SDNY, advised the writer that in connection with the appeal of subject's case which is presently being prepared for filing with the Supreme Court, his office was contacted by defense attorney MARSHALL PERLIN. PERLIN stated that in connection with the brief being prepared for filing with the Supreme Court, he desired that the Hilton Hotel registration cards of HARRY GOLD, dated 6/3/45 (Gov't. exhibit #8) ad 9/19/45 be furnished to theSupreme Court along with the record of the case. PERLIN requested that the photostats of the above mentioned cards, which are in the possession of the USA, be turned over to him for transmittal to the Supreme Court along with his brief.

WILLIAMS advised PERLIN that he would not turn the cards over to him, but rather would have the Clerk of the USDC forward them to the Clerk of the Supreme Court.

WILLIAMS advised that PERLIN indicated that his Petition for Writ of Certiorari would be filed with the Supreme Court on 11/6/67

PFD:slf
(1)

Airtel sent to B + WFO
[illegible]

100-37158-2542

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
NOV 20 1967
FBI — NEW YORK

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

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2543 DATE 11-17-67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Committee To Free Morton Sobell

150 Fifth Avenue, New York, N.Y. 10011

Tel: 243-6030

FOR IMMEDIATE RELEASE

Mrs. Morton Sobell
Mrs. Rose Sobell
Chairmen

HONORARY SPONSORS
(partial listing)

Rev. Gross W. Alexander
Dr. Milnor Alexander
David Andrews
Rabbi I. S. Bass
Helen M. Beardsley
Leo Berman
Rabbi Samuel Bernstein
Warren K. Billings
Prof. G. Murray Branch
Rabbi Balfour Brickner
A. Burns Chalmers
Harold A. Cranefield
David Dellinger
Lloyd Donnell
Rev. John E. Evans
Rabbi Morris Fishman
Waldo Frank
Rev. G. Shubert Frye
Rev. Erwin A. Gaede
Maxwell Geismar
Rabbi Robert E. Goldburg
Dr. Luigi Gorini
Rabbi Avery Grossfield
Dr. A. Eustace Haydon
Russell Johnson
Rev. John Paul Jones d.
Rev. Joseph P. King
Dr. Paul L. Lehmann
Donal E. J. MacNamara
Dr. Leo Mayer
Milton Mayer
Rev. Peter McCormack
Hon. Stanley Moffatt
Dr. Gardner Murphy
Reinhold Niebuhr
Dr. Linus Pauling
Rev. Dryden Linsley Phelps
Prof. Dale Pontius
Howard B. Radest
Prof. Anatol Rapaport
Prof. Oscar K. Rice
Henry Roth
Lord Bertrand Russell
Pete Seeger
Prof. Malcolm Sharp
Dr. D. R. Sharpe
Sidney Silverman, M.P.
Rev. Francis S. Tucker
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Rabbi Jacob J. Weinstein
Prof. Francis D. Wormuth

GRANT FIRST REVIEW OF CASE

MORTON SOBELL ASKS U.S. SUPREME COURT

WASHINGTON, D.C.--The United States Supreme Court now has in its hands a new appeal by Morton Sobell charging that "his conviction had been fraudulently contrived, in that the government knowingly used false, perjured and forged evidence."

Legal papers asking that the Supreme Court accept the Sobell case for review also charged that the government had "suppressed evidence which would have impeached its case, and that the prosecution falsely characterized and exaggerated the evidence adduced against the defendants."

The nation's highest court has never reviewed the case of Morton Sobell, now in the 18th year of a 30-year sentence imposed in his trial with Julius and Ethel Rosenberg on a charge of "conspiracy to commit espionage" Sobell has steadfastly sought to prove his innocence. The Rosenbergs insisted on their innocence prior to execution in 1953 which took place despite world-wide protests.

2541
SEARCHED INDEXED
SERIALIZED FILED
NOV 24 1967
FBI — NEW YORK

These Nobel laureates have asked for Morton Sobell's freedom:

The latest appeal contends that lower court Judge Edward Weinfeld acted illegally in denying Mr. Sobell a hearing to prove the fraud against him. The Supreme Court is asked to overrule Judge Weinfeld's decision of last February 14th and order such a hearing. Sobell's legal papers charge that Judge Weinfeld arbitrarily and erroneously decided issues of fact without permitting the hearing required by law to determine the truth.

At the core of the Sobell appeal are two key points:

1. Evidence that the prosecution knowingly presented false testimony and claims to make the court and jury believe that the "secret" of the atomic bomb had been stolen. These charges have been supported by affidavits of nuclear scientists Philip Morrison and Henry Linschitz.

2. Evidence that a forged hotel registration card and false testimony were used to prove an alleged espionage meeting that never took place. This evidence is based on material uncovered in "Invitation to an Inquest" by Walter and Miriam Schneir, published by Doubleday in 1965.

Sobell, while absolved of any connection with the atomic bomb project, was convicted as part of the over-all atomic conspiracy charge. Formerly incarcerated in Alcatraz, he is now imprisoned in Lewisburg, Penna. and has been eligible for parole since July, 1962. Among those who believe in his innocence are Dr. Milnor Alexander, Warren K. Billings, Prof. G. Murray Branch, Rabbi Balfour Brickner, A. Burns Chalmers, Rev. D.G. Colwell, Harold A. Cranefield, Leon J. Davis, Rev. George H. Dunne, Rev. Dr. Erwin Gaede, Maxwell

MacNamara, Dorothy Marshall, Judge Stanley Moffatt, Reinhold Niebuhr, Dr. Linus Pauling, Henry Roth, Bertrand Russell, Pete Seeger, Raphael Soyer, Dr. Harold C. Urey, Rabbi Jacob J. Weinstein, Prof. Francis D. Wormuth.

Attorneys making the Supreme Court appeal for Sobell are Marshall Perlin, William M. Kunstler, Board Member of the American Civil Liberties Union, Arthur Kinoy of Rutgers University Law School, Malcolm Sharp of the University of New Mexico Law School, Benjamin O. Dreyfus and Vern Countryman of Yale University Law School.

Copies of the legal brief are available on request from the Committee to Free Morton Sobell, 150 Fifth Avenue, New York, N.Y. 10011.

####

Committee To Free Morton Sobell

150 Fifth Avenue, New York, N.Y. 10011

Tel: 243-6030

November 3, 1967

Mrs. Morton Sobell
Mrs. Rose Sobell
Chairmen

HONORARY SPONSORS
(partial listing)
Rev. Gross W. Alexander
Dr. Milnor Alexander
David Andrews
Rabbi J. S. Bass
Helen M. Beardsley
Leo Berman
Rabbi Samuel Bernstein
Warren K. Billings
Prof. G. Murray Branch
Rabbi Balfour Brickner
A. Burns Chalmers
Harold A. Cranefield
David Dellinger
Lloyd Donnell
Rev. John E. Evans
Rabbi Morris Fishman
Waldo Frank
Rev. G. Shubert Frye
Rev. Erwin A. Gaede
Maxwell Geismar
Rabbi Robert E. Goldburg
Dr. Luigi Gorini
Rabbi Avery Grossfield
Dr. A. Eustace Haydon
Russell Johnson
Rev. John Paul Jones d.
Rev. Joseph P. King
Dr. Paul L. Lehmann
Donal E. J. MacNamara
Dr. Leo Mayer
Milton Mayer
Rev. Peter McCormack
Hon. Stanley Moffatt
Dr. Gardner Murphy
Reinhold Niebuhr
Dr. Linus Pauling
Rev. Dryden Linsley Phelps
Prof. Dale Pontius
Howard B. Radest
Prof. Anatol Rapaport
Prof. Oscar K. Rice
Henry Roth
Lord Bertrand Russell
Pete Seeger
Prof. Malcolm Sharp
Dr. D. R. Sharpe
Sidney Silverman, M.P.
Rev. Francis S. Tucker
Dr. Harold C. Urey
Mrs. Clara M. Vincent
Rabbi Jacob J. Weinstein
Prof. Francis D. Wormuth

Dear Friends:

The appeal to the Supreme Court is being filed on November the 6th. A press release will be issued, and it is to be hoped that it will be carried as widely as possible.

This is a most critical period. We urge that you do whatever is possible, sparing no effort, to organize interviews with newspaper editors in your area, on your own, and if possible by having VIPs request and participate in such interviews. These papers should be urged to support Morton's appeal for a hearing.

Letters to theeditors should also be helpful at this time. Any editorials, articles, or letters which are published can help tip the scales in favor of Supreme Court review.

Please advise us of any actions you have taken and keep us informed of developments resulting from these actions.

Very sincerely yours,
Helen Sobell
(Mrs. Morton Sobell)
for the Committee

(We delayed mailing this letter so that we may enclose a copy of the Press Release).

2545

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
NOV 24 1967
FBI — NEW YORK

These Nobel laureates have asked for Morton Sobell's freedom:

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
WASHINGTON 20537

October 27, 1967

Mr. William M. Kunstler
Kunstler & Kunstler
Attorneys at Law
511 Fifth Avenue
New York, N. Y. 10017

Dear Mr. Kunstler:

Re: Morton Sobell, Our No. 31408-NF

Please refer to our letter of October 19 concerning the computation of Mr. Sobell's federal sentence, in which we indicated that his mandatory release date, with credit for good-time and extra good-time, was August 15, 1971. This date is incorrect. It includes only 399 days extra good-time earned prior to Mr. Sobell's transfer to Atlanta. The correct mandatory release date is April 3, 1970. This date includes credit for all extra good-time earned at Alcatraz, Atlanta, Springfield, and Lewisburg, from April 23, 1953, when Mr. Sobell entered extra good-time status, until his mandatory release date. He is now earning extra good-time at the rate of 5 days per month.

You should understand this April 3, 1970 release date is a tentative one. It is based upon a projection of extra good-time at the current rate of 5 days per month, which is the maximum possible, under 18 U. S. C. 4162. Should Mr. Sobell's status change so that he earns good-time at a lesser rate, or should he forfeit any good-time (18 U. S. C. 4165), the release date would be retarded.

We regret the error in our earlier letter. Please contact us if there are any further questions.

2546

Sincerely,

Ira B. Kirschbaum

Ira B. Kirschbaum
Attorney

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
NOV 24 1967
FBI — NEW YORK

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (100-37158) DATE: 11/22/67

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

Attached herewith for information in captioned case are the following items which were furnished on [redacted] b7c,d

1. [redacted]

2. Copy of a letter from the CFMS to members regarding the current Supreme Court appeal.

3. Copy of a press release of the CFMS re Supreme Court review of subject's case.

PFD:pm
(1)

2547

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
NOV 24 1967
FBI — NEW YORK

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2548 DATE 10-25-67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2549 DATE 11-30-67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2550 DATE 11-30-67

CONSISTING OF 3 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2551 DATE 11/30/63

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2553 DATE 12/7/67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2554 DATE 12/7/67

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (62-00) DATE: 12/14/67

FROM : SA [redacted] b7c

SUBJECT: BUREAU CASES ON APPEAL

Liaison with AUSAs JEROME DITORE, Appeals Attorney, EDNY and PIERRE N. LEVAL, Chief Appellate Attorney, SDNY, discloses the Bureau cases listed below are on appeal. Reference is made to the Manual of Rules and Regulations, Part II, Section 8K, Page 22, which states the Office of Prosecution is to follow every Bureau case in which a conviction is appealed to the Court of Appeals. (THE CASE AGENT SHOULD FOLLOW THE APPEAL AND OBTAIN COPIES OF BRIEFS OF BOTH THE APPELLANT AND THE GOVERNMENT AND FORWARD THEM TO THE BUREAU, BY COVER LETTER TOGETHER WITH A SUMMARY OF THE POINTS RAISED ON APPEAL AND THE GOVERNMENT'S ANSWERS THERETO.)

Identity of AUSA handling appeals can be obtained by calling Secretaries of DITORE(EDNY) and LEVAL (SDNY), 596-3417 and 264-6522 respectively.

The appealed cases set forth by memorandum of SA [redacted] to the SAC, NY, dated 6/20/67, entitled "BUREAU CASES ON APPEAL", (62-00), which have been affirmed or otherwise disposed of, are not included in the list below:

b7c

1- New York (62-00)
1- SAC RICHARD J. BAKER
1- Supv. ROGER YOUNG #23
1- Supv. Desk #24
1- Supv. Desk #241
1- Supv. Desk #26
1- Supv. Desk #261
1- Supv. Desk #20
1- Supv. Desk #251
1- Supv. Desk #27
1- Supv. Desk #222
1- Supv. Desk #42

WM:JMR
(54)

100-37158-2555

[redacted] b7c

331

100-3715

NY 62-00

COPIES CONTINUED:

1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted] b7c
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]
1- New York [redacted]

NY 62-00

COPIES CONTINUED:

1- New York [redacted]
1- New York
1- New York
1- New York

b7c

NY 62-00

SOUTHERN DISTRICT OF NEW YORK

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	HERBERT ARTHUR ELLENBOGEN [redacted] b7c	Notice of Appeal Filed, 1/24/67. Notice of motion to appeal in forma pauperis. Counsel appointed. To be argued-12/12/67.
[redacted]	CARL MARCUS [redacted] b7c	Notice of appeal filed 11/16/64. Record docketed 1/7/65. Extension to file brief until 2/28/67. Brief received 11/27/67.
[redacted]	ROBERT WALTER COWAN [redacted] b7c	Notice of appeal filed 12/6/65. No further information.
[redacted]	CHARLES KASSELMAN b7c	Notice of appeal filed 5/9/66. No further action listed.
[redacted]	DAVID ARTHUR GEAREY [redacted] b7c	New Notice of Appeal 4/24/67. Argued 6/20/67. Conviction affirmed 7/3/67. Motion to further stay mandate granted 9/7/67.
[redacted]	RALPH H. RAPP [redacted] b7c	Notice of appeal filed, 1/29/64; record docketed 3/26/64. Still pending.

NY 62-00

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	DAVID J. MILLER [redacted] b7c	Conviction affirmed, 10/13/66; motion to reopen with U.S. Supreme Court. Petition for rehearing and stay mandate, 8/10/67.
[redacted]	MARVIN FEINBERG [redacted] b7c	Petition for rehearing denied. Mandate order stayed subject to provisionsof appellate court. Petition for Cert., filed November, 1967.
[redacted]	THOMAS CHARLES CORNELL [redacted] b7c	Notice of appeal filed 11/30/66. Record docketed 1/12/67. Motion 5/31/67, for extension to file brief. Still pending.
[redacted]	DONALD DE SIMONE [redacted] b7c	Notice of appeal filed 9/29/66. Motion for forma pauperis, 11/14/66. Still pending.
[redacted]	MARC PAUL EDELMAN [redacted] b7c	Notice of appeal filed 11/30/66. Record docketed, 1/12/67; argued 6/26/67. Conviction affirmed- 7/18/67 - order granted stay of mandate pending petition for Writ of Certiorari, 8/9/67.

NY 62-00

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	ROY LISKER [redacted] b7c	Notice of appeal filed 11/30/66. Record docketed, 1/12/67. Still pending.
[redacted]	LARRY KNOHL [redacted] b7c	Argued, 2/21/67; decision reserved. Conviction affirmed- 6/22/67. Order staying issuance of mandate - 8/11/67.
[redacted]	ROBERT WHITE [redacted] b7c	Notice of appeal filed 12/10/65. New trial pending after grant of motion, USDC.
[redacted]	CHARLES BENNETT [redacted] b7c	Notice of appeal filed 5/31/67. Still pending.
[redacted]	ALEK DI BRIZZI [redacted] b7c	Notice of appeal filed 4/25/67. Brief filed 9/18/67. Argued 11/14/67.
[redacted]	ARTHUR J. FISHER [redacted] b7c	Notice of appeal filed 5/3/67. Brief filed 9/12/67. Argued 10/18/67.
[redacted]	JAMES FRANKENBERRY, JR. [redacted] b7c	Notice of appeal filed 6/1/67. To be argued 12/6/67.
[redacted]	EDWARD S. FRIEDLAND [redacted] b7c	Notice of appeal filed 5/22/67. Record docketed 7/3/67; appellant's brief filed 11/8/67.

NY 62-00

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	WILLIAM VITO MONACO [redacted] b7c	Notice of appeal filed 10/2/64. Still pending.
[redacted]	RICHARD THOMAS HART [redacted] b7c	Notice of appeal filed 1/24/67. Record docketed 2/23/67. No further action.
[redacted]	CHARLES W. DEATON [redacted] b7c	Notice of appeal filed 1/9/67. Record docketed 3/24/67; argued 6/8/67. 7/28/67- conviction affirmed. 11/2/67 - motion to extend time to file petition for rehearing denied.
100-37158	MORTON SOBELL (SM)	Notice of appeal filed 3/7/67. Record docketed 4/20/67; argued 6/15/67 - conviction affirmed 6/26/67.
[redacted]	C. PARKE MASTERSON [redacted] b7c	Notice of appeal filed 3/15/67. Record docketed 5/5/67; argued 5/18/67; decision reserved. Conviction affirmed - 10/3/67. 11/16/67 - Stay pending of petition for Writ of Certiorari
[redacted]	FREDERICK R. PITTERA [redacted] b7c	Notice of appeal filed 6/9/67. Record docketed 8/21/67. 11/13/67- copy of stipulation dismissing appeal on 11/6/67 filed with Clerk, USDC.

NY 62-00

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	ABIE SUTTON [redacted] b7c	Notice of appeal filed 7/26/67; Record docketed 8/31/67; 10/16/67- two weeks to file brief, bail vacated if brief not filed on that date - no further action.
[redacted]	MICHAEL JOSEPH SCANDIFIA [redacted] b7c	Notice of appeal filed 6/22/67; appellant's brief filed 11/17/67.
[redacted]	JAMES VINCENT KEOGH [redacted] b7c	Notice of appeal filed 8/15/67 - appellant's brief received and forwarded to Washington, D.C. To be argued- 12/4/67.
[redacted]	RICHARD KOUZELOVE [redacted] b7c	Notice of appeal filed 6/28/67; Record docketed 7/27/67; 11/20/67 - extension time to file brief to 12/31/67.
[redacted]	JOHN JAMES BRENNAN [redacted] b7c	Notice of appeal filed 11/9/67.
[redacted]	ANTHONY A. CAPORALE, JR. [redacted]	Notice of appeal filed 11/3/67.
[redacted]	ANTHONY CONTI [redacted] b7c	Notice of appeal filed 11/3/67.

NY 62-00

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	JACK SOLOMON FOX [redacted]	Notice of appeal filed 9/6/67.
[redacted]	CHRISTOPHER HUGHES [redacted] b7c	Notice of appeal filed 7/17/67; 9/21/67, Clerk, USDC, received copy of docket entries. 10/13/67- minutes transcribed.
[redacted]	RICHARD S. KNIGHT [redacted] b7c	Notice of appeal filed 6/20/67; 11/17/67 - motion for assignment of counsel dismissed; Government cross motion to dismiss appeal, denie Directed to file brief by 12/22/67, failure to do so Clerk is directed to dismiss appeal.

NY 62-00

EASTERN DISTRICT OF NEW YORK

NY FILE #	TITLE AND CHARACTER	REMARKS
[redacted]	ARTHUR B. CIVARDI; ET AL [redacted] Appellant-JAMES DE VITO b7c	Notice of appeal filed 12/7/66. Awaiting filing of brief. Dismissed on consent 11/20/67.
[redacted]	THOMAS DANIEL MATTIO [redacted] b7c	Argued 11/30/67; decision pending.
[redacted]	FRANK GUGLIELMINE; JOHN TESTA [redacted]	Argued 5/18/67; Conviction reversed to be retried.
[redacted]	GEORGE R. WILLIAMS; LOUIS VARICK, JR.; STANLEY WARD; HERBERT WALLACE; [redacted] b7c	Notice of appeal filed 3/31/67. Dismissed by motion and order of court-11/3/67
[redacted]	JOHN FRANCHESE; JOSEPH FLORIO; JOHN MATERA; DAVID CRABBE; NICHOLAS TOTERI [redacted] b7c	Notice of appeal filed 4/14/67. To be argued week of 2/19/68.
[redacted]	WILLIAM F. FORTUNATO [redacted] b7c	Notice of appeal filed 6/2/67. Continued until 1/2/68 to file brief. Will not be argued until March, 1967.

NY 62-00

NY FILE #	TITLE AND CHARACTER		REMARKS
[redacted]	JOHN STAFFORD [redacted]	b7c	Notice of appeal filed 8/25/67; has submitted brief. Government preparing answer.
[redacted]	SAMUEL R. TOUSSIE [redacted]	b7c	Notice of appeal filed 9/28/67; appeal directly to U.S. Supreme Court to be handled by USDJ, Washington, D.C.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2556 DATE 12-15-67

CONSISTING OF 7 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2557 DATE 11-16-67

CONSISTING OF 1 PAGE

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Cover Sheet for Informant Report or Material
FD-306 (3-21-58)

CONFIDENTIAL DATE: 12/21/67

b7c

Date received	Received from (name or symbol number)	Received by
11/16/67	[redacted] b1	SA [redacted]

Method of delivery (check appropriate blocks)

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by informant _____

Date of Report

EXHIBIT

Date(s) of activity

CURRENT

Brief description of activity or material

Letter from HELEN SOBEL of CFMS dated 11/3/67, to "Dear Friends" re activities of CFMS; Copy of press release from CFMS re MORTON SOBELL's case on appeal which was enclosed with above letter.

File where original is located if not attached

NY 100-107111-1B1659,166

Remarks:

Xerox copies of exhibit provided on 11/20/67 to agent handling MORTON SOBELL (100-37158) (#331).

CLASSIFIED BY 4913 AD/GAD 3-7-76
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE

[redacted] b1

1-100-107111 (CRMS) (#331)
1-100-109849 (HELEN SOBELL) (#42)
1-100-37158 (MORTON SOBELL) (#331)

HPB:Jal
(3)

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

100-37158-2560

Block Stamp

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
DEC 21 1967
FBI — NEW YORK

[redacted] 2310

b7c

CONFIDENTIAL

331

Cover Sheet for Informant Report or Materi
FD-306 (3-21-58)

CONFIDENTIAL

DATE: 1/16/68

Date received	Received from (name or symbol number)	Received by
12/13/67	[redacted] b1	SA [redacted] b7c

Method of delivery (check appropriate blocks)

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by informant _____

Date of Report

EXHIBIT

Date(s) of activity

Current

Brief description of activity or material

CFMS letter dated December, 1967, to "Dear Friends" from HELEN SOBELL and ROSE SOBELL re support for CFMS and contributions

File where original is located if not attached

NY 100-107111-1B1662
1B1663

Remarks: desired.

Picture of MORTON SOBELL and HELEN SOBELL which accompanied above letter.

b1

G[redacted]
1-NY 100-109849 (HELEN SOBELL) (42)
1-NY 100-128869 (ROSE SOBELL) (46)
1-NY 100-37158 (MORTON SOBELL) (331)
1-NY 100-107111 (CFMS) (42)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

HPB:eac
(5)

CLASSIFIED BY AD/GHB 3-7-76
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE

Block Stamp

100-37158-2561

SCANNED _____ INDEXED _____
SERIALIZED _____ FILED _____
JAN 1 0 1968
FBI - NEW YORK

b7c [redacted]

CONFIDENTIAL

331

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2562 DATE 1-16-68

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has bern given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2563 DATE 1-19-68

CONSISTING OF 8 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NY (100-37158) DATE: 1/19/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

On [redacted] furnished this office with a copy of a letter which was sent out to the friends of the Committee to Free Morton Sobell in December, 1967, to solicit funds for that organization. b7d

Enclosed with the above letter was a photograph of HELEN and MORTON SOBELL, a copy of which informant also furnished.

From the above photograph individual copies have been made of captioned subject, and are being filed in the 1a Section of captioned file.

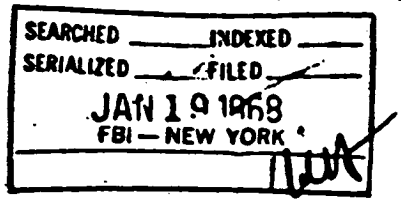
Inasmuch as the photograph of subject which appeared on his SI Card was taken in 1951, appropriate copies of the above mentioned recent photograph of SOBELL have been furnished to the SI Unit to be attached to the SI Cards of the subject.

See 1B 554

PFD:slf
(1)

2564

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 19 1968
FBI — NEW YORK



Cover Sheet - Informant Report or Material
FD-306 (3-21-58)

TO : SAC, NEW YORK b7c DATE: 1/29/68
FROM : SA [redacted] (46)
SUBJECT: ULSTER COUNTY COMMITTEE AGAINST THE WAR IN VIETNAM
IS-C

Date received	Received from (name or symbol number)	Received by
1/8/68	[redacted] b7d	SA [redacted] b7c

Method of delivery (check appropriate blocks)

☐ in person ☐ by telephone ☒ by mail ☐ orally ☐ recording device ☒ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by Informant _____

Date of Report: 12/29/67

Date(s) of activity: 12/29/67

Brief description of activity or material

[redacted] b7d

[redacted] Peace Vigil at Ellenville, NY.

File where original is located if not attached: [redacted] b7d

Remarks:

Index on [redacted] b7c

6 - New York
1 - [redacted]
1 - 100- (ELLENVILLE CITIZENS COMMITTEE FOR PEACE) (46)
1 - [redacted]
1 - [redacted]
1 - 100-37157 (MORTON SOBELL) (331)
1 - 100-153235 (42) b7d

REJ:poc
(6)

Block Stamp

100-[illegible]-2565

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
331 JAN 29 1968
FBI — NEW YORK
[redacted]

NY 100-158285

Friday, Dec. 29-1967

[redacted] the peace [redacted] was held in Ellenville, N.Y. on December 23-1967. [redacted] a copy of the newspaper with pictures and the write-up on the vigil. [redacted] a list of names of imprisoned Vietnam dissenters [redacted] every one send Christmas cards to help keep up the prisoners morale.

b7d

Cover Sheet for Informant Report or Memo
FD-306 (3-21-58)

DATE: 2/2/68

b7c

Date received	Received from (name or symbol number)	Received by
1/11/68	[redacted] b1	SA [redacted]

Method of delivery (check appropriate blocks) [redacted]

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by Informant _____

Date of Report

EXHIBIT

Date(s) of activity

Current

Brief description of activity or material

Letter dated 12/29/67, from CFMS re "Scientists Make Special Plea to Supreme Court For Review of MORTON SOBELL Case"

File where original is located if not attached

NY 100-107111-1B1664

Remarks:

[redacted] b1

1-NY 100-37158 (MORTON SOBELL) (331)
1-NY 100-107111 (CFMS) (42)

HPB:eac
(3)

Block Stamp

100-37158-2566

SEARCHED ____ INDEXED ✓
SERIALIZED ____ FILED ✓

331 FEB 2 1968
FBI - NEW YORK

b7c [redacted]

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2567 DATE 2-6-68

CONSISTING OF 3 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2568 DATE 2-15-68

CONSISTING OF 6 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2569 DATE 2-20-68

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2570 DATE 2-26-68

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (100-37158)

DATE: 3-13-68

FROM : SA [redacted] b7c

SUBJECT: Morton Sobell
I.S.-R.

Subject is on the SI and the last Annual Report or letter in lieu thereof was prepared 4/21/67. Accordingly, another one will be due.

2575

b7c [redacted]

OPTIONAL FORM NO. 10
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NY (100-37158) DATE: 3/15/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

On 2/6,8,28/68 discussions were held with the AUSA handling the above captioned case, STEPHEN F. WILLIAMS, regarding the presently pending legal action being taken by the subject. WILLIAMS has mentioned that he expects that the subject's present appeal to the US Supreme Court will be denied. If such is the case, he expects that attorneys for the subject will return to USDC, SDNY for the purpose of filing some action to have the subject credited with time served which has not been credited to his sentence. In this connection, there are two periods of time involved concerning which the subject's attorneys have been in contact with the US Bureau of Prisons. One period of time concerns time served by the subject from the time of his arrest until the date of his sentence. The other period, which is considerably longer, is time that the subject was allowed to be confined at the Federal House of Detention in NYC rather than being sent to a Federal Penatentiary. This was done only upon the request of the subject and for his personal convenience, in order that he could be handy to confer with his attorneys in connection with the preparation of his appeal following his conviction.

On 3/8/68, the exhibit files in the office of AUSA WILLIAMS were reviewed for material which was loaned to that office by this office in connection with the most recent legal action of the subject. The following items, which were loaned by this office, were obtained and returned to this office:

PFD:lam
(1)

2576

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
MAR 20 1968
FBI — NEW YORK

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

1) Photostat copy of the galley proof sheets of the book "Invitation of an Inquest".

2) A book review prepared by the Bureau of the above mentioned book.

3) A book entitled "The Judgement of Julius and Ethel Rosenberg" by John Wexley.

4) A Senate Sub-Committee transcript of the testimony of HARRY GOLD before the Committee in 1956.

5) A copy of the book "The Atomic Spy Hoax", written by WILLIAM REUBEN.

6) A photostat copy of a handwritten statement of HARRY GOLD, dated 7/20/50.

The above mentioned books have been returned to the office library. The other items have been returned to the exhibit or file from which they were obtained.

The above is submitted for information.

On 3/11/68, AUSA WILLIAMS advised that he had received some correspondence from the attorneys of HARRY GOLD in Philadelphia regarding the voice recordings of statements of HARRY GOLD, which were obtained by this office and loaned to the USA and USDC. WILLIAMS indicated that he desired to return these to the source from which we obtained them. A search of exhibits maintained in the USA's Office by the writer and WILLIAMS, however, failed to locate all of the recordings. WILLIAMS advised that it would therefore be necessary for him to contact former AUSA ROBERT L. KING in order to locate the remainder of the recordings before they could be returned.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK (100-37158) DATE: 3/20/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

On 3/18/68, AUSA STEPHEN F. WILLIAMS, SDNY, advised that he had received information from the Department that the subject had filed a civil suit in USDC, Washington, DC against the Government in an effort to have time that he served prior to sentencing, and time served after sentencing when he remained in NYC at his own request, credited toward time served in connection with his sentense. The Government requested a change of venue to New York in connection with this action, but this was denied by the Court. A hearing on the above matter is scheduled for 3/26/68.

WILLIAMS advised that the times involved in the above action are: (1) from date of arrest to date of sentense, 8/18/50 to 4/5/51, or 7 months, 18 days; (2) dates he remained in the NY House of Detention at his own request in order that he could confer with attorneys in connection with his appeal, or 7/20/51 to 11/19/52, 1 year and 4 months.

WILLIAMS advised that the first mentioned period would probably be given to the subject by the Government. He said the Government would fight the second period of time because the subject, on 7/20/51, had signed a form of "Election Not To Begin Service of Sentense", and was kept in NYC at his own request for his own convenience. The present release date for the subject, not counting either of the above periods, is 4/3/70.

WILLIAMS advised that in connection with the present action, he had been requested by the Department to have the NYO advise if we had any information as to whether any of the following defense attorneys formerly retained by the subject are still living: HAROLD M. PHILLIPS, Edward Kuntz, or HOWARD N. MEYER.

1- [redacted] b7c

PFD:mav
(2)

2577

SEARCHED ___ INDEXED ___
SERIALIZED ___ FILED ___
MAR 21 1968
FBI — NEW YORK

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

Following research in the NYO and at the NY Public Library by the writer and SA [redacted] on 3/19/68, the following information was developed and furnished to AUSA WILLIAMS:

EDWARD KUNTZ, who represented the subject in appeals filed shortly after his sentence was imposed, died in NYC on 4/10/57.

HAROLD M. PHILLIPS, who also represented the subject following his conviction, was a praticing attorney in NYC until his death on 1/7/67, at the age of 92. An article in the NY Times of 1/8/67, reporting his death, mentioned that he had defended the subject and had believed until the time of his death that SOBELL was innocent, and should have been tried separately from the ROSENBERGS.

HOWARD N. MEYER was born in 1914 and is presently an attorney at 50 Broad Street, NYC. He resides in Rockville Center, NY. He was employed by the Justice Department as Special Assistant to the AG, Claims Division, NYC, from 1942 to April, 1948. Following this, he was employed by the law firm of Wolf, Popper, Ross & Wolf, and later entered a law partnership with BELLA S. ABZUG, who was an officer of the National Lawyer's Guild.

[redacted] Our files also contain a clipping form the "Long Island Press" of 5/19/56 reflecting that MEYER resigned from the Presidency of the Rockville Centre Junior High School, after being denounced at a session of the school board by a local attorney, DANIEL G. BUCKLEY. BUCKLEY, who had been Counsel for the Senate Investigations Committee, told the board that MEYER had been a member of the National Lawyer's Guild from 1939 to 1951, had been one of the attorneys who represented SOBELL, convicted accomplice of executed atomic spies JULIUS and ETHEL ROSENBERG, and in 1953 had received $6,600 from the National Committee to Secure Justice in the Rosenberg Case. b7c

AUSA WILLIAMS advised that the above would be sufficient for his purposes. The above is submitted for information.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2579 DATE 3-6-68

CONSISTING OF 6 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2580 DATE 3-21-68

CONSISTING OF 3 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2581 DATE 3-22-68

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Routing Slip
0-7 (Rev. 9-11-67)

(Copies to Offices Checked)

TO: SAC,

- [ ] Albany
- [ ] Albuquerque
- [ ] Anchorage
- [ ] Atlanta
- [ ] Baltimore
- [ ] Birmingham
- [ ] Boston
- [ ] Buffalo
- [ ] Butte
- [ ] Charlotte
- [ ] Chicago
- [ ] Cincinnati
- [ ] Cleveland
- [ ] Columbia
- [ ] Dallas
- [ ] Denver
- [ ] Detroit
- [ ] El Paso
- [ ] Honolulu
- [ ] Houston
- [ ] Indianapolis
- [ ] Jackson
- [ ] Jacksonville
- [ ] Kansas City
- [ ] Knoxville
- [ ] Las Vegas
- [ ] Little Rock
- [ ] Los Angeles
- [ ] Louisville
- [ ] Memphis
- [ ] Miami
- [ ] Milwaukee
- [ ] Minneapolis
- [ ] Mobile
- [ ] Newark
- [ ] New Haven
- [ ] New Orleans
- [X] New York City
- [ ] Norfolk
- [ ] Oklahoma City
- [ ] Omaha
- [ ] Philadelphia
- [ ] Phoenix
- [ ] Pittsburgh
- [ ] Portland
- [ ] Richmond
- [ ] St. Louis
- [ ] Salt Lake City
- [ ] San Antonio
- [ ] San Diego
- [ ] San Francisco
- [ ] San Juan
- [ ] Savannah
- [ ] Seattle
- [ ] Springfield
- [ ] Tampa
- [ ] Washington Field
- [ ] Quantico

TO LEGAT:

- [ ] Bern
- [ ] Bonn
- [ ] Buenos Aires
- [ ] Hong Kong
- [ ] London
- [ ] Manila
- [ ] Mexico, D.F.
- [ ] Ottawa
- [ ] Paris
- [ ] Rome
- [ ] Santo Domingo
- [ ] Tokyo

Date March 27, 1968

RE:

MORTON SOBELL
ESP-R

- [ ] For information
- [ ] Retention optional
- [X] For appropriate action
- [ ] Surep, by _____

- [ ] The enclosed is for your information. If used in a future report, [ ] conceal all sources, [ ] paraphrase contents.

- [ ] Enclosed are corrected pages from report of SA _____ dated _____.

Remarks:

REURLET 3-20-68.
RESUBMIT IN LHM FORM FOR DISSEMINATION.

100-3715 1-2582

SEARCHED ___ INDEXED ___
SERIALIZED ___ FILED ___
MAR 2 1 1968
FBI - NEW YORK

[redacted]

b7c

Enc.
Buffle 101-2483
Urtile 100-37158

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2584 DATE 3-28-68

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

SAC, LOS ANGELES (100-) 4/11/68

SAC, NEW YORK (100-37158)

MORTON SOBELL
ESP - R

The following article appeared in the "Morning Freiheit" of April 4, 1968, on Page 3, Columns 1-2, continued on Page 2, Columns 4-5:

MORTON SOBELL - Eighteen Years Behind Bars

by SARAH FEL-YELLIN

The struggle for his liberation. A meeting in Los Angeles with Prof. HAROLD UREY as the main speaker.

For eighteen years MORTON SOBEL has been kept behind bars. He languishes in jail practically forgotten by the American public. The commercial press is engaged in a conspiracy of silence about the protest meetings which are held from time to time by the National Sobell Committee, as well as by local Committees. Committees in New York and in Los Angeles are struggling to carry on the spirit of protest by distributing information about the course of the MORTON SOBELL case and about the work to free him, which a panel of six important, nationally-famous lawyers is engaged in. A change in the sentence on the basis of new proof, would undoubtedly help free SOBELL by shattering the fabricated charges against the ROSENBERGS and SOBELL.

Victims of Hysteria

By this time everyone knows that ETHEL and JULIUS ROSENBERG were the first victims of an hysterical period of cold war, of reaction, of scaring the population. The MORTON SOBELL case must be considered within the framework of the gruesome sentence against the ROSENBERGS, which has been examined throughout the world and in our country since 1953.

4- Los Angeles (RM)
(1- 100-)(MORTON SOBELL COMMITTEE)
(1- [redacted])
1- New York (100-19[redacted])(MORTON SOBELL COMMITTEE)
1- New York (100-37158) 331

b7c

Serialized
Indexed
Filed 2588

NJP:ptp
(6)

In 1965, WALTER and MIRIAM SCHNEIER published a wonderful, clear, research document under the title: "Invitation To An Inquisition". It took them six years to write this book, each fact is documented, dates, names, places are given. Many, many thousands of copies of this book were distributed. A soft-cover copy has been published. Your hair stands on end when you read how the falsifications were arranged to serve the engineers of the cold war and reaction, but liars must eventually be found out. The SCHNEIERS submitted new proof with which one can judge the innocence of the defendants in the ROSENBERG - SOBELL case. The ROSENBERGS are dead, - but for 18 years MORTON SOBELL has been waiting for the day when his innocence will be officially and publicly confirmed. All that has to be accomplished is for this proof to get a hearing, and the Court will not agree to a hearing for this purpose.

Where is the conscience of America? Where is progressive America?

It will soon be fifteen years since the ROSENBERGS were burned. Masses of people took an oath not to rest until the names of the executed were exonerated, until MORTON SOBELL, who is buried alive, is freed. Have they forgotten all this?

It is 18 years that the Sobell Committee has been trying to get a hearing in the courts, but without result. The highest court in the land, the Supreme Court, never listened to the proof which the Committee assembled and, certainly, never reviewed the conviction.

We Dare Not Forget

Now, during the April days of 1968, it is time to recall MORTON SOBELL. Eighteen years, the best, most fruitful years of his life, have been taken from him by the country for a crime which neither he nor the ROSENBERGS committed. Famous scientists, civic leaders, editors are fighting for him. Their demand was, and continues to be, that he get a new hearing. The new proof should be examined, justice in this country should be rehabilitated, and the honor of America saved.

Someone said, the ROSENBERGS lie uneasy in their graves. Friends of justice travel about in an uneasy world. But forgetting the grave of an innocent person is a serious sin.

Eighteen years have been torn from MORTON SOBELL. He was taken from his work, from his family, from his son, MARKO(ph), who is old enought to be sent to the battlefields to kill. Surprisingly, MORTON SOBELL is not discouraged, not despairing. He has faith in America and he hopes that justice will finally recognize the crime which was committed against him and the ROSENBERGS.

MORTON SOBELL has refused a pardon because that would mean admitting his guilt and receiving his freedom through "someone's goodness". He does not want to accept less than complete vindication. He realizes that a review of the proof is not permitted, because that would automatically be an indictment of their own "justice". That would mean admitting that the ROSENBERGS were burned innocently: that would mean that the cry of millions of people in the United States and throughout the world was ignored.

His Work In Jail

MORTON SOBELL is a very useful citizen even behind bars. He became a mechanical dentist and is teaching this trade to other prisoners. He invented a kind of X-ray machine. He teaches the prisoners electronics and mathematics, maintains contact with the world and with the country. The war in Vietnam, the murder of American and Vietnamese youth makes him very angry. How can anyone think about an innocent person languishing in jail while they are concerned with the madness of murdering people?

But MORTON SOBELL places his hopes on those who remember the bacchanalia of reaction: he knows that they will not quit the Sobell Committee, but support it morally and financially, so that it may gain its objective - his freedom.

The secretary of the Sobell Committee in Los Angeles tells me that at a meeting of young people, a student asked

him: "Who is Morton Sobell?" He heard about the "spies" ETHEL and JULIUS, but not about SOBELL. This proves that the silence of his friends is just as harmful as the silence of his enemies.

Now, after 18 years, where do we stand on SOBELL's liberation? Since he is considered a model prisoner, because of his behavior, he is entitled to a reduction of his sentence by ten years. According to the investigation by the Lonel (ph) Panel, the computer made a mistake of nine months, and the lawyers request that the 469 days that SOBELL was in jail until the sentencing be included. All this could result in SOBELL's liberation around 1970. But he is anxious to win a new hearing and that, on the basis of the new proof, he be exonerated and the basis be established for uncovering the shame of the crime against the ROSENBERGS 15 years ago. The panel, under the leadership of lawyer WILLIAM KUNSTLER, has succeeded in transferring the case from New York to Pennsylvania. There is a spark of hope. SOBELL may be returned to life as a free person.

A Meeting With Prof. UREY

People in Los Angeles are arranging for an important meeting with the famous scientist Professor HAROLD C. UREY, a Nobel Prize winner, international authority on electronics. He has appeared many times and documented his position on the ROSENBERG - SOBELL case. He hopes that now, 18 years later, American justice will permit a review and MORTON SOBELL will be freed from jail.

Let us remember: MORTON SOBELL is still living; he hopes and believes. We can still do something for him. His wife HELEN, his son MARKO, his sick old mother- and all of us want to see him free.

Lend a hand. Don't remain silent. Let them hear your collective voice to save MORTON SOBELL and, thereby, the honor and respect of our America!

The above was translated from the Yiddish and is furnished for your information.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2590 DATE 4-15-68

CONSISTING OF 7 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Memorandum

TO : SAC, NEW YORK (100-37158) DATE: 4/30/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

On 4/26/68, AUSA STEPHEN F. WILLIAMS, SDNY, advised that the recent court action filed by the subject in the nature of a civil suit against the Government, which was filed in USDC, Washington, DC, has been ordered by Judge GEORGE L. HART, JR., to be transfered from Washington to the USDC for the Middle District of Pennsylvania. This district covers Lewisburg, Pennsylvania, where captioned subject is presently incarcerated. In this connection, the Government had argued in an effort to have venue changed from the District of Columbia to the Southern District of New York.

AUSA WILLIAMS furnished the writer with a copy of the original galley proofs of the book "Invitation to An Inquest", by WALTER D. and MIRIAM SCHNEIR. It is noted that these proofs were obtained by the NYO on 5/26/65 from R.R. Bowker Company, NYC, and were furnished to the office of the USA, SDNY, at his request, in connection with pending court proceedings filed by subject SOBELL. (See 100-135207-19)

The above galley proofs are ~~therefore being~~ already contained as ~~made~~ an exhibit in the file of WALTER SCHNEIR, NY file [redacted] the copy in possession of the USA was apparently an extra copy but is therefore being destroyed. b7c

The above is submitted for information in captioned file.

1- [redacted] b7c

BFD:lam
(2)

2552
100-37158-

SEARCHED ✓ INDEXED ✓
SERIALIZED ✓ FILED ✓
MAY 1 1968
FBI — NEW YORK

5-2-68

331

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

Cover Sheet for Informant Report or Material
FD-306 (2-21-58)

CONFIDENTIAL

b1 4/17/68

Date received	Received from (name or symbol number)	Received by
3/20/68	[redacted] (Reliable)	b7c SA [redacted]

Method of delivery (check appropriate blocks) [redacted]

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by informant _____

Date of Report

Exhibit

Date(s) of activity

Current

Brief description of activity or material

Letter dated 3/12/68 to "Rear Friend" from HELEN SOBELL, CFMS re change in time MORTON SOBELL wlill serve in jail.

File where original is located if not attached

[redacted] b1

Remarks:

CLASSIFIED BY 491 SP/GNN 3-3-78
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE

1 - NY (100-107111)(COMMITTEE TO FREE MORTON SOBELL)(42)
1 - NY (100-109849)(HELEN SOBELL)(43)
1 - NY (100-37158)(MORTON SOBELL)(331)

[redacted]

HPB:ljk
(4)

b1

CONFIDENTIAL

Block Stamp

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

100-37158-2593

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
331 APR 17 1968
FBI - NEW YORK

[redacted]

Cover Sheet for Informant Report or Material
FD-306 (3-21-58)

DATE: 4/23/68

CONFIDENTIAL

b1

b7c

Date received	Received from (name or symbol number)	Received by
3/13/68	[redacted] (reliable)	SA [redacted]

Method of delivery (check appropriate block(s))

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by informant

If orally furnished and reduced to writing by Agents.
Date
Dictated _____ to _____
Transcribed _____
Authenticated by informant _____

Date of Report
Exhibit

Date(s) of activity
Current

Brief description of activity or material
(1669) Copy of Supplemental Petition to U. S. Supreme Court, No. 791, from MORTON SOBELL, Petitioner;
(1670) One copy of Motion for Leave to file Amicus Curiae brief to U. S. Supreme Court No. 791

File where original is located if not attached
NY 100-107111-1B1669-1670

Remarks

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

b1

1 - [redacted]
2 - 100-37158 (MORTON SOBELL)(331)
1 - 100-107111 (CFMS)(42)

HPB:msb
(3)

CLASSIFIED BY 1913 AP/CHW 3-7-78
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE

Block Stamp

100-37158-2594
SEARCHED ✓ INDEXED ✓
SERIALIZED ✓ FILED ✓
331 APR 23 1968
FBI — NEW YORK

[redacted]

CONFIDENTIAL

b7c

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2594 A DATE 4-30-68

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2595 DATE 6-13-68

CONSISTING OF 7 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
New York, New York
June 21, 1968

In Reply, Please Refer to File No.

SECRET

Committee To Free Morton Sobell
Internal Security-C
Internal Security Act, 1950

A characterization of the Committee to Free Morton Sobell (CFMS) is included in the Appendix attached hereto.

Julius and Ethel Rosenberg and Morton Sobell were convicted in the United States District Court (USDC), Southern District of New York (SDNY, on March 29, 1951, on a charge of conspiracy to commit espionage on behalf of the USSR. The Rosenbergs were sentenced to death on April 5, 1951, and Morton Sobell was sentenced to 30 years imprisonment on the same date. Julius and Ethel Rosenberg were legally executed at Sing Sing Prison, Ossining, New York, on June 19, 1953. Morton Sobell is currently serving his sentence in the custody of the United States Attorney General.

"The Guardian", formerly known as "National Guardian" of April 27, 1968, page 19, in classified section contained an advertisement indicating CFMS would sponsor an affair on June 19, 1968, at Carnegie Recital Hall, New York, New York, in memory of the Rosenbergs and in anticipation of Morton Sobell's release in 1969.

A characterization of the "National Guardian" is included in the Appendix attached hereto.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

7-Bureau
1-Newark
1-New York (100-107111)

HB:iah
(10)
1-Supervisor #42

SECRET

101-3938-2598

INDEXED
FILED
1968

Committee to Free Morton Sobell

Subsequent issue of "The Guardian" also contained advertisements for the June 19, 1968 affair. "The Worker" of June 11, 1968, page 7, also contained an advertisement of the affair, including pictures of Ethel and Julius Rosenberg and Morton Sobell. "The Worker" indicated the "Honored Guests" would be Rabbi Balfour Brickner, Director of the Commission on Interfaith Activities of Union of American Hebrew Congregations; Dr. Emily Alman, Associate Professor of Sociology, Rutgers University; Edith Segal; Walter and Miriam Schneir; Rose Sobell; Helen Sobell; entertainment was to be provided by Jeff Killion "leading baritone with theAmerican Opera Company".

"The Worker" is an East Coast Communist newspaper.

Emily Alman

A source advised in 1946 that Emily Alman and her husband, David Alman, were members of the [redacted] New York County [redacted] New York City in 1946.

b7c

Edith Segal

[redacted]

b7c

Walter and Miriam Schneir

The book "Invitation To An Inquest, A New Look at the Rosenberg-Sobell Case" was written by Walter and Miriam Schneir.

Committee to Free Morton Sobell

[redacted]

Hary Gold

Harry Gold, who was convicted of conspiracy to commit espionage and received 30 years imprisonment; testified as a government witness in theRosenberg-Sobell trial. Gold served 15 years of his sentence in the custody of the United States Attorney General and was paroled in May, 1966.

Isidor Gibby Needleman

[redacted]

Committee to Free Morton Sobell

[redacted]

b7d

Helen Sobell

On February 2, 1944, [redacted] an admitted member of the CP from [redacted] to [redacted] in [redacted] identified Helen Gurewitz (Helen Sobell, Mrs. Morton Sobell) as a member of the Education and Literature Committee of the CP in Washington, D. C., as of February 1, 1944. b7d

Rose Sobell

During 1950 [redacted] 546 St. Anns Avenue, Bronx, New York, advised that the Sobell family had resided at this address from about July, 1931, to December, 1940. The source advised that on several occasions during this period, Mrs. Sobell had requested him to join the CP, and the source added that, although he believed Rose Sobell to be a CP member because of this, he could not confirm her as a member of the CP or Communist front organization. b7d

Committee to Free Morton Sobell

"The Militant" of June 14, 1968, also carried an advertisement forthe above affair.

A characterization of "The Militant" is included in the Appendix attached hereto.

On June 20, 1968, a seventh source advised that the Memorial Meeting for Julius and Ethel Rosenberg sponsored by CFMS was held on June 19, 1968, at Carnegie Recital Hall, 154 West 57th Street, New York City. The meeting began at approximately 7:00 PM with Helen Sobell introducing a "Special Guest", Pete Seeger.

Seeger stated the only thing Julius and Ethel Rosenberg were guilty of, was wanting to see a free and better world. Seeger sang several folk songs.

Helen Sobell informed those present that Morton Sobell had been in prison 18 years and still held high his banner of his beliefs.

Dr. Emily Alman told of her involvement in the CFMS since its beginning. She criticized the court system which convicted the Rosenbergs and Sobell and which today can convict Dr. Spock, students, and people living in ghettos. She called this a corrupt society.

Edith Segal recited an original poem she had written entitled " A letter to Morton Sobell"

Rose Sobell spoke of the courage of her son, Morton and the Rosenbergs. She also asked for contributions to CFMS.

Walter and Miriam Schneir were introduced. Walter Schneir read a message from Rabbi Balfour Brickner who could not be present because he was involved in the "Poor People's Campaign" in Washington, D. C. In his message, Brickner stated he considered Morton Sobell to be a political prisoner.

Committee to Free Morton Sobell

Helen Sobell read a letter from Morton Sobell about prison life.

Jeff Killion of theAmerican Opera Company sang a number of operatic and folk selections.

An original Picasso painting was raffled off, at $10.00 per chance.

The meeting concluded at approximately 9:30 PM.

[redacted]

Peter Seeger

[redacted]

b2,d

Seeger declined to answer question before the House Committee on Un-American Activities on July 25, 1956, resulting in an indictment in March of 1957 by the Federal Grand Jury in the Southern District of New York charging contempt of Congress. He was found guilty in March, 1961 and sentenced to a year in prison in April of 1961, on each of the ten counts, sentence to run concurrently. In May, 1962, the Second Circuit Court of Appeals reversed the conviction of Seeger and dismissed the indictment on the grounds that it was defective and that it did not sufficiently set out the authority for the Congressional Committee's inquiry.

Committee to Free Morton Sobell

All above source have furnished reliable information in the past.

APPENDIX

1.

COMMITTEE TO FREE MORTON SOBELL

"Following the execution of atomic spies Ethel and Julius Rosenberg in June, 1953, the 'Communist campaign assumed a different emphasis. Its major effort centered upon Morton Sobell,' the Rosenbergs' co-defendant. The National Committee to Secure Justice in the Rosenberg Case - a Communist front which had been conducting the campaign in the United States - was reconstituted as the National Rosenberg - Sobell Committee at a conference in Chicago in October, 1953, and 'then the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case'...."

("Guide to Subversive Organizations and Publications", dated December 1, 1951, issued by the House Committee on Un-American Activities, page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the name, "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee. In August, 1966, the name "Committee To Free Morton Sobell" first appeared on literature issued by the Committee.

The Address Telephone Directory for the Borough of Manhattan, New York City, published by the New York Telephone Company on March 20, 1967, lists the above Committee's address as 150 Fifth Avenue, New York, New York.

APPENDIX

1.

"THE MILITANT"

"The Militant" is a weekly newspaper of the Socialist Workers Party (SWP).

The SWP has been designated pursuant to Executive Order 10450.

APPENDIX

1.

"NATIONAL GUARDIAN"

The "Guide to Subversive Organizations and Publications," revised and published as of December 1, 1961, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D. C., contains the following concerning the "National Guardian":

"National Guardian

"1. 'established by the American Labor Party in 1947 as a "progressive" weekly * * *. Although it denies having any affiliation with the Communist Party, it has manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia.' (Committee on Un-American Activities, Report, Trial by Treason: The National Committee to Secure Justice for the ROSENBERGS and MORTON SOBELL, August 25, 1956, p. 12.)"

FD-36 (Rev. 5-22-64)

FBI

Date: 6/21/68

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

AIRTEL

Via _____
(Priority)

TO: DIRECTOR, FBI (100-387835)

FROM: SAC, NEW YORK (100-107111)

SUBJECT: COMMITTEE TO FREE MORTON SOBELL
IS-C; ISA, 1950

ReBulet 5/3/68, and Buairtel 6/18/68.

Enclosed herewith for Bureau are seven copies of a LHM, and for Newark 1 copy of LHM, concerning ROSENBERG memorial held in New York City on 6/19/68, sponsored by captioned committee.

The following sources were used in the enclosed LHM:

1. [redacted]
2. [redacted]
4. [redacted]
5. [redacted]
6. [redacted]
7. [redacted]
8. [redacted]

b1

3-Bureau (Encl. 7) (RM)
1-Newark [redacted]
1-New York [redacted]
1-New York
1-New York
1-New York
1-New York
1-New York
1-New York
1-New York
1-New York
1-New York

b1

100-37158-2599

INDEXED
SERIALIZED
FILED
JUN 21 1968
NEW YORK

HB:iah
(15)
1-Supervisor #42

b7c [redacted]

Approved: _____ Sent _____ M _____ Per _____

The LHM is classified "Confidential" because it contains information from the second through eighth confidential sources who are of continuing value or should be protected because of their nature. The unauthorized disclosure of the information could reasonably identify these informants and therefore affect the national security interest.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2603 DATE 7-

CONSISTING OF 2 PAGES of which page 2

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OFFICE MEMORANDUM UNITED STATES GOVERNMENT

TO: SAC, LOS ANGELES (100-45377) DATE: 7/2/68

FROM: SA [redacted] b7c

CONFIDENTIAL

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP (S) OF Class DATE 3/8/78 AP/EDM

SUBJECT: EMMA LAZARUS FEDERATION OF JEWISH WOMEN'S CLUBS (ELFJWC) IS - C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[redacted]	[redacted]		Writer	[redacted]

b1

Informant's report is quoted as follows:

b7

[redacted]

CC: 1 - NEW YORK (REGISTERED)
100- (MORTON SOBELL)

b1

[redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

CLASSIFIED BY 1983 AP/GWH 3-7-78
EXEMPT FROM GDS CATEGORY 2
DATE OF DECLASSIFICATION INDEFINITE

100-37158-2603

SEARCHED ___ INDEXED ___
SERIALIZED ___ FILED ___
JUL 11 1968
FBI — NEW YORK

JWW/mmd
(14)

Read by

b7c

CONFIDENTIAL

b1

[redacted]

ACTION:

Informant was thoroughly interviewed concerning the above and could add nothing further.

All necessary action in connection with this memo has been taken by the writer.

APPENDIX

EMMA LAZARUS FEDERATION OF JEWISH WOMEN'S CLUBS

A source advised on May 16, 1967, that the Emma Lazarus Jewish Women's Clubs of Los Angeles (ELJWC of LA) are affiliated with the Emma Lazarus Federation of Jewish Women's Clubs with headquarters in New York, New York. The ELJWC of LA have been active from the early 1950's to the present time. Prior thereto the organization was known as the Emma Lazarus Division of the Jewish People's Fraternal Order (JPFO). The JPFO has been designated by the Attorney General pursuant to Executive Order 10450.

The ELJWC of LA is controlled by officers who are either current members of the Southern California District Communist Party (SCDCP) or who have had past affiliations with Communist Party dominated organizations. The Jewish Commission, SCDCP, exercises influence over the ELJWC of LA inasmuch as the President of the ELJWC of LA is also a member of the SCDCP Jewish Commission and the organization closely follows the Communist Party line.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2607 DATE 7-22-68

CONSISTING OF 9 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2608 DATE 7-31-68

CONSISTING OF 4 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

TO : SAC, ALBANY

DATE: 8/6/68

FROM : SAC, NEW YORK (100-107111)

SUBJECT: CFMS
IS-C

Identity of source: [redacted] who has furnished reliable information in the past

Description of info: Annual memorial meeting for JULIUS and ETHEL ROSENBERG sponsored by CFMS, 6/19/68, at Carnegie Hall, NYC

Date received: 6/28/68

Received by: SA [redacted] (in person; written)

Original location: [redacted]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Classified by 4913
Exempt from GDS, Category 2
Date of Declassification Indefinite
AP/LF 2/10/78

100-37158-2609

SEARCHED INDEXED
SERIALIZED FILED
331 AUG 6 1968
FBI — NEW YORK

[redacted]

COPIES CONTINUED

1 - NY 100-107111 (CFMS)(42)

HPB:vby
(31)

CONFIDENTIAL

331

NY 100-107111

b7c

Name [redacted] will be indexed to 100-107111.

[redacted]

b1

COPIES CONTINUED

[redacted]

b1

NY 100-107111

June 21, 1968

The Memorial Public Meeting and Concert in remembrance of ETHEL and JULIUS ROSENBERG, on the 15th Anniversary of their execution and in anticipation of MORTON SOBELL's release within the year, took place Wednesday, June 19th, at Carnegie Recital Hall, 154 West 57th Street, New York City.

It began at 7 p.m. and ended at 9:25 p.m. It was planned by the New York Committee to Free Morton Sobell, 150 Fifth Avenue.

The Recital Hall, which seats 300 people, had an overflow of 45 people standing along the sides of the walls, in the back, and some young friends of MARK SOBELL seated on the floor in the rear.

In tradition, two huge bunches of red roses, were delivered to the right and left of the stage. Everyone entering received a red rose and pin on arrival.

[redacted]

b1

[redacted]

b1

[redacted]

b1

b1

[redacted]

HELEN, as Chairman, opened the Memorial and made the introductions. She blamed the courts for her husband's unfair imprisonment. She said he could be freed next month if it were not that the court is setting on the case and refusing to take any action. She said the courts had heeped one cruelty after another for 18 years, so how could one expect such court to act with any consience. MORTON has served time, refused to give in to lies, and retained his honor.

She introduced PETE SEIGER as hurryingback from the Poor Peoples March in Washington to join them. He played and sang five numbers--- a marching song familiar to the audience, a Jewish song a flute number, a Spanish song he asked the audience to join in the refrain, and a folk song.

Dr. EMILY ALMAN, Associate Professor of Sociology, Rutgers University, said that she had said to HELEN earlier that night, that she had come to the conclusion that after fifteen years, she had lost her innocence. She used to think that the courts and the people in them behaved the way they did because they didn't know any better; that she always believed that if they were taught better, and given true information, they would know and act better. But after fifteen years she was now convinced that this was not so and an example was a court that just discovers it doesn't need open housing laws because of a law they've just discovered on the books so how stupid can you get?

She said many couples had joined the fight to try and win freedom for the ROSENBERGs and MORTON SOBELL. They had all learned to work together and to know each other better because of the case; that she had wept earlier in the day when she re-read the trial record and some of the letters of the ROSENBERGs written in prison; they were innocent. Murdering them has not made the country any better.

She said this country has been lying to the people here and abroad about the ROSENBERGs and SOBELL. It is a sick society. She said the ROSENBERGs were the early protectors fighting to make truth known; they were the beginners of what is now the young rebellion by our youth and people everywhere refusing to accept lies any longer. It is a sick society when such things happen as the Socco-Vanzetti Case, MOODY, death of MALCOLM X, President KENNEDY, Dr. MARTIN LUTHER KING and now ROBERT KENNEDY.

She said MORTON has been suffering all of these years because of flimsy testimony of people like HARRY GOLD, which when weighed is the most outlandish thin rather than any truth.

She said she and HELEN still have faith in America, that some day the truth will come out and our people will be done with accepting the lies and injustices in our courts. Fighting injustices is now evidenced by the Student rebellions and the Poor Peoples March and Solidarity Day. Forerunners of these protests were the ROSENBERGs.

MORTON is to be admired that for so long and under great pressures he has held on to his principles and refused to be corrupted as the courts and those in them tried to break him down and forsake truth.

The audience rose when HELEN introduced MORTIE's mother, ROSE SOBELL. She spoke of the courage of the ROSENBERGs for standing up to all they believed in. She said her son had suffered much and had said to her that every time she pays him a visit, she opens the gates and after she goes the gates close in on him again.

She said he had learned much about mechanical dentistry, radiology, and has been both a good student and teacher; that people have said to her what a waste for this country that he has been so confined when a mind such as his could have done more for this world on the outside than confined as he is. She told the audience that they can help by their contributions in the envelopes provided by the ushers.

EDITH SEGAL read the poem full of yesterdays and going back to the scenes again where MORTIE was a companion and free to roam and admire nature.

HELEN announced that Rabbi BALFOUR BRICKNER, Dir of the Commission on Interfaith Activities of UAHC was in Washington for the Solidarity Day and had been unable to return in time for the program. He had sent her a letter saying he hoped she would not have to read it but in case he could not return in time he wanted to express what he would have said in person. HELEN asked WALTER SCHNEIR to read the letter.

Rabbi BRICKNER wrote that it was only that the Poor Peoples March was so inportant to be a success that he had to be in Washington; that he had in the past never missed the annual memorial; that it is a sick society of violence. He praised MORTON SOBELL, and said he has always joined with the voices of all others seeking freedom for him.

HELEN read the letters received from the House of Lords, the Union of Australian Women, Meyer of Menninger's Institute, Head Rabbi of New Utrecht, the San Francisco Bay Committee fighting all these years for release of SOBELL.

HELEN read a letter from MORTIE. He wrote that prisons in 1950 were still conducted as prisons were in 1900; that prisons now try to maintain some rapport with society; that the difference is that only through short visits and letters can one maintain close touch with one's family; that he would far rather serve his time which is still life,

sometimes not so bad a life, and other times not so good because of the limitations and restrictions, from family and friends; that one has to sacrifice principles and honor in giving in to the pressures to mouth lies; that he has always held to the truth.

HELEN introduced JEFF KILLION, leading baritone with the American Opera Company. She said one of the great deprivations for MORTIE was thelovely music to be sung by JEFF KILLION and accompaniest, Mrs. CLEMENS.

He sang eight numbers--opera arias, Jewish numbers, romantic and folk nursery songs.

[redacted] b)

At the conclusion of the musical, HELEN said it was with great pride that the pianist, Mrs. CLEMENS, was her daughter, assisted by her husband as the music page turner, and that her son, MARK, had been the technical program manager.

[redacted] b)

HELEN praised MIKE PERLIN for his contribution to his country and to himself for fighting so very long in the courts for MORTON's freedom; that thanks to him another motion has been filed again.

MIKE merely rose and took a bow.

After the musical program ended at 9:10, HELEN announced that the drawing for the Picasso painting would take place. MARK went forward carrying it to the stage.

Cover Sheet for Informant Report or Mater
FD-306 (Rev. 3-13-68)

TO : SAC, LOS ANGELES)
FROM : SAC, NEW YORK (100-107111)
SUBJECT: COMMITTEE TO FREE MORTON SOBELL
IS - C
(OO: NY)

Date prepared

Date received 6/20/68

Received from [redacted] (Reliable) b7d

Received by SA [redacted] b2

Method of delivery (check appropriate blocks)
[X] in person [ ] by telephone [ ] by mail [ ] orally [ ] recording device [X] written by Informant

If orally furnished and reduced to writing by Agent:
Date
Dictated _____ to _____
Transcribed _____
Authenticated by Informant _____

Date of Report 6/19/68

Date(s) of activity 6/19/68

Brief description of activity or material
Committee to Free Morton Sobell memorial meeting and concert at Carnegie Recital Hall, NYC, 6/19/68.

File [redacted] b7d

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

The following names are being indexed to captioned file in the NYO:

[redacted] b7c,d

All necessary action taken.

1 - Los Angeles [redacted]
1 - Newark [redacted]
2 - San Francisco (100- [redacted] SOBELL COMMITTEE OF THE BAY AREA)(RM
(1 - [redacted]
1 - NY [redacted] b7d,e
1 - New York [redacted]

HEN:lk
(20)

100-37158-2610
Block Stamp

COPIES CONTINUED:

Searched Indexed
Serialized Filed

JULY 23, 1968

FBI - NEW YORK

[redacted] b7c

NY 100-107111

1 - NY (100-102842)(HELEN SOBELL)(42)
1 - NY [redacted]
1 - NY (100-37158)(MORTON SOBELL)(331)
1 - NY (100-146684)(WSP)(42)
1 - NY (65-15324)(HARRY GOLD)(331)
1 - NY [redacted]
1 - NY [redacted]
1 - NY [redacted]
1 - NY [redacted]
1 - NY [redacted]
1 - NY (100-147640)(MARK SOBELL)(45)
1 - NY (100-89559)(MARSHALL PERLIN)(45)
1 - NY (100-114566)(SIDNEY SOBELL)(45)

b7c,d

NY 100-107111

June 19, 1968

Topic

Memorial Meeting and Concern - in Remembrance of Ethel and Julius Rosenberg on the 15th Anniversary of Their Execution

Place

Carnegie Recital Hall, 154 W. 57 St., NYC Wednesday, June 19, 1968, 7 PM

Sponsor

Committee to Free Morton Sobell, 150 Fifth Ave., NYC.

Meeting opened by HELEN SOBELL (Mrs. MORTON SOBELL) who stated purpose of meeting. She introduced a surprise guest who returned from Washington DC "Resurrection City."

PETER SEEGAR - he stated the only thing JULIUS and ETHEL ROSENBERG were guilty of was wanting to see a free and better world. They have tried to seek this freedom - there are many who think as they did but they do not do anything about it. He sang several folk songs.

HELEN SOBELL: MORTON has been in prison for 18 years and still holds high his banner of his beliefs.

LOYD BOYD ORS (a Nobel Peace prize winner) sends his letter of endorsement of tonights meeting.

Also Womens Strike for Peace - send endorsement.

Also World Conference for Peace endorse.

Dr. EMILY ALMAN - Associate Professor of Sociology, Rutgers University. She told of her involvement in the ROSENBERGs and SOBELL from the beginning. She tried to reconstruct or give a report on the last fifteen years but feels it was impossible to give a clear report.

Going back to fifteen years ago the era was a corrupt one, with McCarthyism at its high point, with the Korean conflict, etc.

ETHEL and JULIUS ROSENBERG were legally murdered in this corrupt era with the corrupt use of the Courts System endorsed by church and school system which went along with this murder.

This society which was capable of murder and destroying we view today with horror. Today the same Court System condemns Dr. SPOCK, the students, those in the ghettos. Today as well as then the courts listen and believe pathological liars. These conditions in order to be perpetrated made necessary the murders of the KENNEDYs, Dr. KING, MALCOLM X.

At the death of the ROSENBERGs in this country, murder was endorsed as the instrument to insure the maintenance of the corrupt society. The framework for the conviction was set once and for all by the pathological liar HARRY GOLD.

However, the true villians were not GOLD but Judge KAUFMAN and the prosecutor SAYPOE both of whom knew that GOLD was a liar because both had been exposed to his testimony in another case which proved him a pathological liar. But KAUFMAN and SAYPOE never admitted to this fact and permitted the conviction.

What kind of a game was being played?

The Court System continued coldly, cynically to carry on a legal murder because it was useful to do so at that time.

The use of the "Red Scare" developed to almost destroy the Welfare Departments, fired many good dedicated teachers of our school system.

We believe (HELEN SOBELL and Mrs. ALMAN) that there is another America different than the one that has a society that smells.

The ROSENBERGs were the starting point to protect and resist that corrupt society. Their beginnings can now be seen by others who have followed, the student uprisings, the poor people's march, etc.

EDITH SEGAL (Poetess) recited an original work "A Letter to Mort Sobell".

ROSE SOBELL - mother of MORTON has continued to work for this is what is needed: "Tears have never broken any Chains." There will come a time when all the world will know the truth of why ETHEL and JULIUS ROSENBERG died.

They may kill the dreamers but never the dreams.

WALTER and MIRIAM SCHNEIR - the authors of the book that exposed the injustice of the ROSENBERG - SOBELL decision the title "Invitation to an Inquest."

Mr. SCHNEIR spoke. He had the honor of reading the message written by Rabbi BALFUR BRICKNER (Director of the Commission on Interfaith Activities of UAHC (United American Hebrew Committee). He was unable to attend since he was detained in Washington, D. C., at Resurrection City.

The message stated that MORTON SOBELL is "a political prisoner."

HELEN SOBELL:

GARDNER MURPHY of Menninger Institute endorses tonights meeting.

Lord FENWAY BROCKWAY sends congratulations from London.

DALTON TRUMBO endorses.

WARREN BILLINGS endorses with message from "The Sobell Committee of the Bay area (Calif.).

JEFF KILLION - leading baritone of the American Opera Company - sang.

The piano accompanest was introduced by Mrs. H. SOBELL as her daughter. The young man staging 'The Evening' was introduced as her son MARK. Mrs. HELEN SOBELL read a message from MORTON which described his feelings about prison.

"A prison term may be far less degrading than going along with the system."

Quote MORTON "Thousands of principalled people are going to prison rather than face Racism, unjust wars, etc."

Note: The capacity crowd (listed 999) with many standing. Collection taken up during the speech of Mrs. ROSE SOBELL). A drawing (raffle) was held for a PICASSO (print?) $10.00 per chance.

Mrs. H. SOBELL spoke of the fine work of their attorney and introduced him for a bow. MARSHALL PERLIN; Attorney.

(Mount Clipping in Space Below)

Sobell Appeals For His Release.

Morton Sobell, a principal figure in a celebrated spy case during the 1950s, who is serving a 30-year prison term, made an appeal for freedom here today.

His lawyer, Thomas I. Emerson, asked the U. S. Court of Appeals for the Third Circuit, to give him credit for time he was kept under detention in default of $100,000 bail while awaiting trial.

Sobell was tried together with Ethel and Julius Rosenberg on charges of wartime spying for the Soviet Union. The Rosenbergs were executed.

Sobell was arrested on Aug. 18, 1950 and began serving his sentence on Nov. 19, 1952. It was imposed in the U. S. Court for the southern district of New York.

Emerson told Judges Abraham L. Freedman, Collins J. Seitz and Caleb R. Layton 3d, today that the time Sobell was in prison in default of bail court ranges up to 18 months.

He said that failure to give Sobell credit for time spent under presentence custody could result in his serving more than the maximum sentence imposed.

The court took the plea under advisement.

(Indicate page, name of newspaper, city and state.)

p.26-"The Evening Bulletin" Philadelphia, Pa.

Date: 7/30/68
Edition: 4 star
Author:
Editor: Wm. P. Dickinson
Title:

Character:
or
Classification:
Submitting Office:
PH

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____

AUG 1 3 1968
FBI — NEW YORK

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2614 DATE 10-11-68

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2615 DATE 9-13-68

CONSISTING OF 2 PAGES OF WHICH
PS 2

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Cover Sheet for Informant Report or Mo
FD-306 (Rev. 3-13-68)

CONFIDENTIAL

9/24

Date prepared
9/13/68

Date received	Received from (name or symbol number)	Received by
8/8/68	[redacted] 61	SA [redacted] 62c

Method of delivery (check appropriate blocks)

[X] in person [ ] by telephone [ ] by mail [ ] orally [ ] recording device [X] written by Informant

If orally furnished and reduced to writing by Agent:
Date

Dictated _____ to _____

Transcribed _____

Authenticated by Informant _____

Date of Report
[redacted]

Date(s) of activity
[redacted]
61

[redacted]

Brief description of activity or material

Information about Committee to Free MORTON SOBELL, 150 Fifth Avenue, New York City, and the current court appeal of MORTON SOBELL.

File where original is located if not attached
[redacted]

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

Classified by 4913
Exempt from GDS, Category 2
Date of Declassification Indefinite
AP/NL 2/10/78

67c

61

[redacted]

R #331

HPB:rcl
(6)

43

Block Stamp

100-37158-2615
SEARCHED ___ INDEXED
SERIALIZED ___ FILED ___
331 SEP 13 1968
[redacted]

CONFIDENTIAL

67D

In The

SUPREME COURT OF THE UNITED STATES

October Term, 1968

No.

Morton Sobell, Petitioner

v.

Attorney General of the United States

and

Director, United States Bureau of Prisons

PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

Petitioner prays for a writ of certiorari to review a judgment of the United States Court of Appeals for the Third C ircuit affirming a judgment of the United States District Court for the Middle District of Pennsylvania.

100-37158-2617

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
OCT 2 1 1968
FBI — NEW YORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE.

INDEX

	Page
Jurisdiction	2
Questions Presented	2
Statutes Involved	3
Statement of the Case	6
Facts Relating to the Time of Confinement	6
This Litigation	7
Reasons for Granting the Writ	9
Conclusion	15

CASES CITED

Allen v. United States, 327 F.2d 58 (5th Cir.) 13
Bitter v. United States, 389 U.S.15 12
Bryans v. Blackwell, 387 F.2d 764 (5th Cir.) 10
Burns v. Ohio, 360 U.S.252 10
Chandler v. Fretag, 348 U.S.3 12
Commissioner v. Tellier, 383 U.S.687 12
Costner v. United States, 180 F.2d 892 (4th Cir.) 13
Darnell v. Looney, 239 F.2d 174 (10th Cir.) 13
Douglas v. California, 372 U.S. 533 10
Dunn v. United States, 376 F.2d 191 (4th Cir.) 10
Eskridge v. Washington State Board, 357 U.S.214 10
Freeman v. United States, 254 F.2d 352 (D.C.Cir.) . . . 13, 14
Glasser v. United States, 315 U.S. 60 12
Griffin v. Illinois, 351 U.S.12 10
Halprin v. United States, 295 F.2d 458 (9th Cir.) 13
Hurley v. Reed, 288 F.2d 844 (D.C.Cir.) 14
Keyishian v. New York Board of Regents, 385 U.S. 589 12
Lane v. Brown, 372 U.S.477 10
Mills v. Hunter, 204 F.2d 648 (10th Cir.) 13
Paccione v. Heritage, 323 F.2d 378 (5th Cir.) 13
Roberts v. LaVallee, 389 U.S.40 10
Sherbert v. Verner, 374 U.S. 398 12
Simmons v. United States, 390 U.S. 377 12
Smith v. Bennett, 365 U.S. 708 10
Stapf v. United States, 367 F.2d 326 (D.C. Cir.) 10
Stinson v. United States, 342 F.2d 507 (8th Cir.) 13
United States v. Jackson, 390 U.S. 570 12
United States v. Smith, 379 F.2d 628 (7th Cir.) 10
Young v. Director, U.S. Bureau of Prisons, 367 F.2d 331 . . 14

STATUTES & RULES

Administrative Procedure Act, 5 U.S.Code §§ 701 ff . . . 3, 14
18 U.S. Code §794 6
18 U.S. Code § 3568 2,4,5,10,11
28 U.S. Code § 1254(1) 2
28 U.S. Code § 1331 14
28 U.S. Code § 1404(a) 9
28 U.S. Code § 2201 14
28 U.S. Code § 2255 . . . . . 5, 13
Rule 38(a)(2) of the Federal Rules of Criminal Procedure . . 3

JURISDICTION

The judgment of the Court of Appeals was entered on August 16, 1968. The jurisdiction of this Court is invoked pursuant to the provisions of 28 U.S. Code, Section 1254(1).

QUESTIONS PRESENTED

1. Whether a federal prisoner may, by a declaratory judgment or habeas corpus action, obtain judicial review of a determination by the Attorney General and the Bureau of Prisons that he should not be given credit towards service of his maximum-term sentence for a period of pre-sentence imprisonment.

2. Whether a federal prisoner sentenced to a maximum term must be given credit toward service of sentence for a period of pre-sentence imprisonment incurred by reason of his inability to make bail:

(a) Because denial of such credit violates due process and equal protection by imposing additional imprisonment because of the prisoner's financial inability to make bail; or

(b) By virtue of a proper construction of 18 U.S. Code §3568; or

(c) Because the oral sentence required that such credit by given.

3. Whether the prisoner is entitled to credit for the period of his imprisonment during the pendency of the appeal of his criminal conviction, despite the fact that he signed an election not to begin service of sentence in order to be transferred to a place of confinement where he could readily consult his attorney:

(a) Because denial of the credit violates due process and equal protection by imposing additional punishment because of the prisoner's financial inability to make bail; or

(b) Because denial of the credit imposes a penalty on the prisoner's exercise of his Sixth Amendment right to counsel; or

(c) Because denial of the credit imposes imprisonment in violation of the maximum statutory sentence and due process of law; or

(d) Because the July 1, 1966 amendment to rule 38(a)(2) of the Federal Rules of Criminal Procedure, eliminating elections not to begin service of sentence, should be applied retrospectively in the circumstances of this case; or

(e) Because the prisoner was not adequately informed of the consequences of the election.

STATUTES INVOLVED

(1) The Administrative Procedure Act, 80 Stat. 392, 5 U.S. Code § 701 ff. provides in part as follows:

Section 702:

> A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, is entitled to judicial review thereof.

Section 703:

> The form of proceeding for judicial review is the special statutory proceeding relevant to the subject matter in a court specified by statute or, in the absence or inadequacy thereof, any applicable form of legal action, including actions for declaratory judgments or writs of prohibitory or mandatory injunction or habeas corpus, in a court of competent jurisdiction . . . .

Section 704:

> Agency action made reviewable by statute and final agency action for which there is no other adequate remedy in a court are subject to judicial review . . . .

Section 706:

> To the extent necessary to decision and when presented, the reviewing court shall decide all relevant

questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall--

(1) compel agency action unlawfully withheld or unreasonably delayed; and

(2) hold unlawful and set aside agency actions, findings, and conclusions found to be--

(A) arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law;

(B) contrary to constitutional right, power, privilege, or immunity;

(C) in excess of statutory jurisdiction; authority, or limitations, or short of statutory right;

* * *

(2) 18 U.S. Code § 3568 read as follows in 1950 (62 Stat.838):

The sentence of imprisonment of any person convicted of an offense in a court of the United States shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of said sentence.

If any such person shall be committed to jail or other place of detention to wait transportation to the place at which his sentence is to be served, his sentence shall commence to run from the date on which he is received at such jail or other place of detention.

No sentence shall prescribe any other method of computing the term.

On September 2, 1960, Congress amended the section, applicable to sentences imposed on or after October 2, 1960, to add the following proviso to the first sentence:

"Provided, That the Attorney General shall give any such person credit toward service of his sentence for any days spent in custody prior to the imposition of sentence by the sentencing court for want of bail set for the offense under which sentence was imposed where the statute requires the imposition of a minimum mandatory sentence" (74 Stat. 738).

Subsequently, section 4 of the Bail Reform Act of 1966 amended § 3568, applicable to sentences imposed on or after September 20, 1966, so as to require the Attorney General to give a federal prisoner "credit toward servide of his sentence for any days spent in custody in connection with the offense or acts for which sentence was imposed" 80 Stat. 217.

(3) 28 U.S. Code § 2255 Stat. 967 reads in part as follows:

> "A prisoner in custody under sentence of a court established by Act of Congress claiming the right to be released on the ground that the sentence was imposed in violation of the Constitution or laws of the United States, or that the court was without jurisdiction to impose such sentence, or that the sentence was in excess of the maximum authorized by law, or is otherwise subject to collateral attack, may move the court which imposed the sentence to vacate, set aside or correct the sentence."

* * *

> "An application for a writ of habeas corpus in behalf of a prisoner who is authorized to apply for relief by motion pursuant to this section, shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced him, or that such court has denied him relief, unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his detention."

STATEMENT OF THE CASE

Petitioner, Morton Sobell, is a prisoner in the federal penitentiary at Lewisburg, Pennsylvania. In this litigation he advances claims that he is being imprisoned beyond the term of his sentence because the Department of Justice has refused to credit towards the service of his sentence two periods during which Sobell was confined: (a) the period from Sobell's arrest on August 18, 1950 to the sentencing on April 5, 1951, and (b) the period from July 20, 1951, when Sobell signed an election not to commence service of sentence, to February 25, 1952, when his conviction was affirmed by the Court of Appeals for the Second Circuit. It is conceded by the government that if Sobell's contentions are correct, the mandatory date for his release from imprisonment was August 2, 1968.

Facts relating to the time of confinement

On August 18, 1950, Sobell was arrested on a charge of violating the espionage act, 18 U.S.C. § 794. Bail was set at $100,000. Sobell remained in custody continuously thereafter because of his inability to make the bail.

Sobell was tried in the United States District Court for the Southern District of New York. On April 5, 1951, he was sentenced to imprisonment for thirty years, then the statutory maximum term for the offense of which he was convicted. The following colloquy took place at the time of sentencing:

> "THE COURT: . . . I, therefore, sentence you to the maximum prison term provided by statute, to wit, thirty years.
>
> While it may be gratuitous on my part, I at this point note my recommendation against parole.
>
> The Court will stand adjourned.
>
> "MR. PHILLIPS [Sobell's trial counsel]: Before the Court adjourns, are the months already served taken into consideration?

THE COURT: No, they are not, but I will have to so sign the judgment. They have to be so considered."

The written judgment provided for imprisonment for thirty years, making no reference to the pre-sentence custody.

After sentence, Sobell was transferred to the federal penitentiary at Atlanta, Georgia. He sought to be transferred back to New York in order to confer with counsel about his appeal and to procure new counsel for the appeal. To accomplish this transfer he was required to sign a form reading as follows:

"ELECTION NOT TO BEGIN SERVICE OF SENTENCE.

Having heretofore taken an appeal from my sentence imposed on April 5, 1951, in the United States District Court for the Southern District of New York, I now elect not to commence service of the sentence."

Sobell signed this form on July 20, 1951. A few days later he was transferred to the Federal House of Detention at 427 West Street, New York City. There he was put to work in a prison job and was otherwise treated in the same manner as prisoners in that institution who were serving their sentences.

On February 25, 1952, the United States Court of Appeals for the Second Circuit affirmed Sobell's conviction. On November 19, 1952, following denial of certiorari by the Supreme Court, the mandate affirming the conviction was filed in the District Court. Sobell was then transferred to Alcatraz.

This Litigation

Before this litigation was instituted, the government, in computing Sobell's release date, did not give him credit towards sentence for (1) the custody from arrest on August 18, 1950, to sentence on April 5, 1951, and (2) the custody

from his signing on July 20, 1951, of the "Election Not to Begin Service of Sentence" to the filing on November 19, 1952, of the mandate affirming his conviction.

On Novdmber 13, 1967, counsel for Sobell met with the Assistant Deputy Attorney General, who had been assigned by the Attorney General to discuss with them the proper date for the termination of Sobell's imprisonment. Counsel requested that Sobell receive credit toward his sentence for the periods of August 18, 1950 to April 5, 1951, and July 20, 1951 to November 19, 1952. The Assistant Deputy Attorney General thereafter informed them that their request was under active consideration and had been referred to the Attorney General for decision. On January 15, 1968, the Assistant Deputy Attorney General advised counsel by letter that, "After carefully reviewing the matter the Department of Justice has decided that Morton Sobell cannot be given credit administratively for the time he was in jail pending his conviction or wile his case was on appeal."

On January 18, 1968, the complaint which instituted this litigation was filed in the United States District Court for the District of Columbia. The complaint sought a declaratory judgment and injunction to review the Attorney Gen= eral's determinations not to credit Sobell with his confinement for the periods mentioned above.

On March 5, 1958, the Department of Justice notified Sobell's counsel that the Bureau of Prisons "has recomputed the plaintiff's time and given him credit for the period from February 25, 1952, when his conviction was affirmed by the Second Circuit Court of Appeals, to November 20, 1952, when the mandate was filed." The controversy has been reduced, therefore, to the periods of custody from August 18, 1950 to April 5, 1951, and July 20, 1951 to February 25, 1952.

Sobell moved for summary judgment, and the government moved to dismiss the complaint or, in the alternative, for summary judgment. The government also moved to transfer the action to the Southern District of New York. Sobell opposed the transfer, arguing that the case should remain in the District of Columbia. He contended, however, that if the case were transferred, it could only be transferred

to the Middle District of Pennsylvania, since under 28 U. S. C. § 1404(a), this was the only other district where the case "might have been brought."

On March 28, 1968, the District Court for the District of Columbia ordered the action transferred to the United States District Court for the Middle District of Pennsylvania. On July 1, 1968, the latter court entered an order denying Sobell's motion for summary judgment, granting on grounds of lack of jurisdiction the government's motion to dismiss that part of the action which sought credit for pre-sentence custody, and granting the government's motion for summary judgment for that part of the action which sought credit for custody between sentence and affirmance of Sobell's conviction.

On August 16, 1968, the Court of Appeals for the Third Circuit affirmed the judgment of the District Court. It expressly noted that its judgment was "without prejudice to the merits" on the issue of pre-sentence custody, but affirmed on the merits on the claim for post-sentence credit. The majority held that jurisdiction over the post-sentence custody period rested on habeas corpus principles. Judge Freedman dissented in part because in his view the District Court did not have jurisdiction on either claim. He added that both claims raised "serious questions on the merits."

REASONS FOR GRANTING THE WRIT

1. By August 2, 1968, petitioner had been imprisoned for the full period of time required to satisfy his 30-year maximum term sentence. Yet the Department of Justice is incarcerating him for an additional 15 months because it refuses to credit him with his confinement from arrest to sentence and from the date he signed the election form to the affirmance of his conviction. Petitioner would not have suffered this imprisonment in excess of the maximum statutory term had he been financially able to make bail pending trial and appeal. Accordingly, this additional penalty offends the principle that in the administration

of criminal justice it is constitutionally impermissible to discriminate between prisoners or defendants on the basis of their financial circumstances. Griffin v. Illinois, 351 U.S. 12; Eskridge v. Washington State Board, 357 U.S. 214; Burns v. Ohio, 360 U.S. 252; Smith v. Bennett, 365 U.S. 708; Lane v. Brown, 372 U.S. 477; Douglas v. California, 372 U.S. 533; Roberts v. LaVallee, 389 U.S.40.

Application of the rule of equal protection in this case would not open the door to claims for the elimination of every inequality attributable to poverty in the administration of the criminal law. This is not simply a situation where the government extended a privilege to all but only the wealthy could take advantag of it. Here the government affirmatively and gratuitously aggravated the disadvantage stemming from the lack of financial resources. It is the government's refusal to allow credit for time spent in jail, not the mere inability to take advantage of the bail system, which is now producing the unequal treatment. The government's action is equivalent to inflicting a heavier sentence, an added punishment, on those who cannot afford bail.

The Bail Reform Act of 1966, 80 Stat. 267, 18 U.S.C. § 3568, provides that persons sentenced after September 20, 1966, must be granted credit for periods spent in jail as a result of an inability to post bail. A number of circuits have held that the principle of the Bail Reform Act must be applied to prisoners who, like the petitioner here, were sentenced to maximum sentences prior to that date. Stapf v. United States, 376 F.2d 326 (D.C. Cir.); Dunn v. United States, 376 F. 2d 191 (4th Cir.); United States v. Smith, 379 F.2d 628 (7th Cir.); Bryans v. Blackwell, 387 F. 2d 764 (5th Cir.). As a result of these decisions, the Bureau of Prisons has ruled that persons sentenced to maximum terms between October 2, 1960 and September 20, 1966 must be given credit for pre-sentence custody. Bureau of Prisons Policy Statement 7600.49A issued February 9, 1968. The October 2, 1960 cut-off date, which bars application of the policy to Sobell, was the effective date of a September 2, 1960 amendment to 18 U.S.C. § 3568, dealing with mandatory minimum sentences, supra p. 5. The rationale for the cut-off date escapes us. Between October 27, 1967 and February 9, 1968 the Bureau of Prisons gave administrative credit for pre-sentence custody confinement of maximum term prisoners convicted in the 4th, 7th or District of Columbia circuits, without regard to the date of sentence. Bureau of Prisons

Policy Statement 7600.49 issued October 27, 1967. This policy-statement was in effect at the time petitioner's counsel applied to the Attorney General for relief. The amended policy statement carrying the October 2, 1960 cut-off date was issued only after petitioner filed his complaint in the District Court of Columbia.

The court below refused to consider the merits of the claim so far as pre-sentence custody was concerned,[1] thus leaving petitioner without any effective relief even though his mandatory release date has passed. So far as post-sentence custody was concerned, the majority below stated only: "While the result /i.e. the discrimination against petitioner for inability to make bail/ may be unfair it is not sufficiently invidious to reach constitutional proportions." This view cannot be squared with the decisions of this Court or with ordinary concepts of "invidious" consequences.

---

[1]The majority found an absence of jurisdiction in the fact that the applicable statute, 18 U.S.C. § 3568, "was by no means decisive of the present issue" and there was no controlling opinion by this Court. The inference to be drawn is that if the legal issues were clear on the merits the court would have jurisdiction. We fail to follow this concept of jurisdiction that disappears when the court is called upon to resolve a difficult or novel legal question.

2. The decision below sanctions a procedure whereby the government exacts a price, namely, additional time in jail, as a condition to granting the right to effective counsel on appeal. The court below held that this procedure, though it "left much to be desired," did not violate the Sixth Amendment. The ruling is inconsistent with the holdings of this Court that the government may not in any way encumber the right to counsel. Chandler v. Fretag, 348 U.S. 3; Glasser v. United States, 315 U.S. 60,70; Commissioner v. Tellier, 383 U.S. 687; Bitter v. United States, 389 U.S.15. The ruling also collides with the general principle that the government cannot exact a price for the exercise of a constitutional right. See, e.g. Sherbert v. Verner, 374 U.S. 398; United States v. Jackson, 390 U.S. 570; Simmons v. United States, 390 U.S. 377.

The majority below held that petitioner was not denied any Sixth Amendment right because petitioner's "choice was between immediate proximity to counsel and credit on his sentence" and this was not "an impermissible burden." This ignores the realities that petitioner believed it necessary to be transferred to New York to consult counsel and the government agreed. It is too late to argue now that the government need not have transferred him and could have kept him in Atlanta. Even if petitioner had only a privilege and not a constitutional right to be transferred to New York in order to be near counsel, the government still cannot attach an unconstitutional condition (service of additional time), upon the exercise of the privilege. See, e. g. Sherbert v. Verner, supra; Keyishian v. New York Board of Regents, 385 U.S. 589.

Nor can the decision below be squared with the Fifth Amendment. The court held that the government may impose imprisonment on petitioner over and above the maximum sentence, for no better reason than that he asked and was permitted to be confined near his counsel. Imprisonment for such a reason is arbitrary, serves no legitimate governmental purpose, and hence violates due process.

3. The case also raises the important question as to whether a federal prisoner may employ the remedies of habeas corpus or declaratory judgment to challenge his being held in confinement after service of the sentence imposed upon him. The petitioner here was denied consideration of his claim for pre-sentence custody on the ground that he should have pursued his remedy in the sentencing court under 28 U.S. Code § 2255. Other prisoners who have presented to the sentencing courts claims under § 2255 that they have completed service of their sentences have been told that their proper remedy is habeas corpus in the jurisdiction of confinement. Stinson v. United States, 342 F. 2d 507 (8th Cir.); Allen v. United States, 327 F. 2d 58 (5th Cir.); Freeman v. United States, 254 F. 2d 352 (D.C. Cir.); Costner v. United States, 180 F.2d 892 (4th Cir.).

The rule in most circuits appears to be that habeas corpus and not § 2255 is the appropriate remedy for a prisoner in a federal penitentiary who argues that he has fully served the sentence or sentences imposed upon him and therefore should be discharged from further confinement. Darnell v. Looney. 239 F. 2d 174 (10th Cir.); Mills v. Hunter, 204 F. 2d 648 (10th Cir.); Paccione v. Heritage, 323 F. 2d 378 (5th Cir.); Halprin v. United States, 295 F.2d 458 (9th Cir.), and cases cited supra. This rule also conforms to the natural reading of § 2255, since a challenge to failure to credit periods of confinement is not an attack on the validity of the sentence.

Both branches of petitioner's complaint were cased on the claim that he had, by August 2, 1968, fully served the sentence imposed upon him. Petitioner did not on either branch challenge the validity of the sentence. The majority below held that habeas corpus jurisdiction existed on the claim relating to the post-sentence period, but that the claim relating to pre-sentence custody could be entertained only in a § 2255 proceeding in the sentencing court. Judge Freedman, dissenting, believed that both aspects of peti-

tioner's case could be considered only in a § 2255 proceeding. Under the dissenting opinion, petitioner should have brought his entire case in New York; under the majority view, petitioner is required to bring half his case in New York, and half in Pennsylvania. Yet, if the government had not succeeded in maneuvering a transfer of the case from the District of Columbia[2] that court could have reached the merits on both aspects of petitioner's case, Hurley v. Reed, 288 F.2d 844 (D.C.Cir.); Freeman v. United States, supra.

Federal prisoners seeking release on the grounds that they have served their sentences and the government has erroneously computed the time served ought not to be shunted from court to court in order to get an adjudication on their claims, meantime remaing in confinement. The end result of such a process is that a prisoner may find that he was entitled to relief too late for the decision to be of any value to him.[3]

It is conceded that if petitioner is correct on the merits on both aspects of his claim he was entitled to a mandatory release on August 2, 1968. Petitioner timely sought relief by having his counsel seek an administrative determination from the Attorney General on October 31, 1967, and thereafter suing on January 18, 1968 to review the adverse decision of the Attorney General. Both the majority and the dissent below recognized that petitioner's claim to obtain credit for pre-sentence custody presented a serious

---

[2]The transfer was sought and obtained not on any jurisdictional ground but solely on the contention that the courts in the District of Columbia were too busy to entertain cases where prisoners were confined elsewhere. See Young v. Director, U.S. Bureau of Prisons, 367 F.2d 331.

[3]Prior to the mandatory release date, we see no reason why the courts do not have jurisdiction under the Administrative Procedure Act (5 U.S.C. §§ 702-706), the declaratory judgment act (28 U.S.C. § 2201, and under 28 U.S.C. § 1331, to review administrative determinations denying credit for periods of confinement.

question on the merits. Yet petitioner, having been shifted from the District of Columbia to Pennsylvania, is now told he must go to New York, with no court as yet willing to consider the merits of this aspect of his complaint.

In the interests of the efficient and seemly administration of justice, the Court should take this opportunity to settle the appropriate procedure for prisoners to obtain judicial determinations of their claims that they are being imprisoned beyond the terms of their sentences.

CONCLUSION

Certiorari should be granted, the judgment below should be reversed, and the petitioner should be ordered discharged from custody.

Respectfully submitted,

THOMAS I. EMERSON
127 Wall St.
New Haven, Conn.

DAVID REIN
711 14th St., N.W.
Washington, D.C.

MOREY M. MYERS
Scranton Life Bldg.
Scranton, Pa.

JOSEPH FORER
711 14th St., N.W.
Washington, D.C.

Attorneys for Petitioner

[illegible]

Date prepared: 10/16/68

Date received: b2 [redacted]

Received from (name or symbol number): b1 [redacted] (Reliable)

Received by: b7c SA [redacted]

Method of delivery (check appropriate blocks)

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by Informant

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated by Informant _____

Date of Report: Exhibit

Date(s) of activity: Current

Brief description of activity or material

Copy of MORTON SOBELL's petition for Certiorari before US Court of Appeals for Third Circuit, 10/10/68.

File where original is located if not attached: b1 [redacted]

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

1 - NY (100-37158) (MORTON SOBELL) (copy attached)
1 - NY (100-107111) (CFMS) (42)
1 [redacted]

HPB:ljk b1
(3)

CHIEF CLERK
POST [illegible] 3-31

Block Stamp

2618

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
23 OCT 1 1968
[redacted]

b7c

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (100-37158) DATE: 10/23/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

It is requested that 2 Xerox copies be made of attached petition of subject before US Court of Appeals, dated 10/8/68.

DONE

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
OCT 23 1968
FBI — NEW YORK

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

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2620 DATE 10-22-68

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2622 DATE 10-23-68

CONSISTING OF 8 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2626 DATE 11-13-68

CONSISTING OF 10 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (100-37158)

DATE: 12/23/68

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
FSP-R

It is noted that subject will have an action pending in USDC, SDNY. This is a motion filed by subject on 11/6/68 under Sec 2255, Title 18, USC, which was taken under advisement by the court.

This matter will be followed with AUSA Stephen F. Williams by the writer, and any pertinent information will be reported.

100-37158-2627

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
DEC 23 1968
FBI — NEW YORK

CITY CLERK:
POST

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

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2630 DATE 12-31-68

CONSISTING OF 5 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

CONFIDENTIAL

New York, New York
January 16, 1969

Committee To Free Morton Sobell
Internal Security-C

The January 15, 1969 issue of the "Daily News" contains an article on page five, captioned, "Federal Court Order Frees Atom Spy Sobell."

Above article reflects that Morton Sobell arrived at the Port Authortiy Bus Terminal, New York, New York, at 8:15 p.m., January 14, 1969, after his release from the Federal penitentiary in Lewisburg, Pennsylvania. He was sentenced to thirty years imprisonment on April 5, 1951, for a wartime espionage conspiracy to deliver vital national secrets to the Soviet Union, and he served more than 18 years imprisonment subsequent to his arrest in Laredo, Texas, during August, 1950.

According to above article, Sobell was met at the bus terminal by his wife and family, and he reaffirmed his oft-claimed innocence of above charge to interviewing reporters before retiring to his home at 30 Charlton Street, New York, New York. Sobell told reporters that he intends to continue his fight to prove his innocence of the conspiracy charge, and he plans to resume his studies in the field of medical electronics.

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation (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.

~~CONFIDENTIAL~~

DECLASSIFIED BY 4913/AP/U
ON 1-21-78

GROUP I
Excluded from automatic downgrading and declassification

6-Bureau (100-387835) (RM)
8-New York (100-37158) (MORTON SOBELL) #331
1-New York (100-107111)
1-Supervisor #41
CSM:cbm
(9)

100-37158-232

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JAN 22 1969
FBI — NEW YORK

Committee to Free Morton Sobell

A confidential source, who has furnished reliable information in the past, advised on January 15, 1969, that most of the New York members of the Committee To Free Morton Sobell met Sobell upon his arrival in New York City, and they intend to take advanatage of the publicity concerning his release by sponsoring a large victory celebration in the near future. Sobell and his wife expressed a determination to continue the fight to prove Morton's innocence, but it is not known if they intend to utilize the Committee for this end.

According to the above source, Morton Sobell has applied for admission to a university outside New York, believed to be the University of Michigan, and he is also considering accepting an employment offer from an unknown business firm.

A characterization of the Committee To Free Morton Sobell is attached hereto.

Committee to Free Morton Sobell

APPENDIX

1.

COMMITTEE TO FREE MORTON SOBELL

"Following the execution of atomic spies Ethel and Julius Rosenberg in June, 1953, the 'Communist campaign assumed a different emphasis. Its major effort centered upon Morton Sobell,' the Rosenbergs' co-defendant. The National Committee to Secure Justice in the Rosenberg Case - a Communist front which had been conducting the campaign in the United States - was reconstituted as the National Rosenberg - Sobell Committee at a conference in Chicago, in October, 1953, and 'then the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case'...."

("Guide to Subversive Organizations and Publications", dated December 1, 1961, issued by the House Committee on Un-American Activities, Page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the name "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee. In August, 1966, the name "Committee to Free Morton Sobell" first appeared on literature issued by the Committee.

The Address Telephone Directory for the Borough of Manhattan, New York City, published by the New York Telephone Company on April 12, 1968, lists the above Committee's address as 150 Fifth Avenue, New York, New York.

1/16/69

AIRTEL

TO: DIRECTOR, FBI (100-387835)

FROM: SAC, NEW YORK (100-107111)(P*)

SUBJECT: COMMITTEE TO FREE MORTON SOBELL
IS-C
(OO:NY)

Enclosed herewith are 6 copies of an LHM, dated and captioned as above and containing information concerning captioned organization and MORTON SOBELL.

The confidential source used in enclosed memorandum is [redacted] b7d

Enclosed LHM is classified "Confidential" because it contains information from above source, the unauthorized disclosure of which might identify this informant and adversely affect the national defense.

Subject organization is maintained in a Pending Inactive status in the NYO and the next report will be submitted on or before 5/8/69.

3-Bureau (Encs. 6) (RM)
(1) New York (100-37158) (MORTON SOBELL) #331
1-New York

CM:cbm
(6)

#331

100-37158-2633

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
331 JAN 14 1969
FBI — NEW YORK

[redacted]

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2637 DATE 1-21-69

CONSISTING OF 8 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

U[illegible]
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

J. [illegible]
Director.

The following FBI record, NUMBER 3 893 293, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
FCC Wash DC	Morton Sobell #--	applicant FP 1-3-42		
USCG NY NY	Morton Sobell #031 1393398-B	Ident Card 1-20-44		
CS Comm, Wash., DC	Morton Sobell #--	Junior Electrical Engineer FP 1-27-39		
SOS, Army	Morton Sobell #24-GES	student engineer 6-14-42		
USM, Laredo, Texas	Morton Sobell #6826	8-18-50	vio. Sec. 34, T-50; Espionage	pending removal to Sou. Dist. of New York (see supplement)
USM NY NY.	Morton Sobell #C-1150-50	8-24-50	espionage	pending; 4-5-51, 30 yrs on chg of espionage-conspiracy Sec 34, T. 50, USC
Fed. Det. Hdqtrs., NYC., N.Y.	Morton Sobell #60361	8-24-50	info. pert'd. to Nat. Def. to for'n ctr.	11-26-52 trans to Alcatraz (see supplement)
US Pen Atlanta Ga	Morton Sobell #71342	6-2-51	conspiracy & espionage	30 yrs
USP Alcatraz Island Calif	Morton Sobell #99[illegible]-AZ	11-26-52	consp to commit espionage	30 yrs sent 4-5-5

100-37158-2638

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

[illegible]
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

J. Edgar Hoover
Director.

2 The following FBI record, NUMBER 3 893 2[illegible], is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USPen Atlanta Ga	Morton Sobell #71342	3-7-58 in trans from #996-AZ (USPen Alcatraz Calif)	consp to commit espionage	
Medical Center for Fed Prisoners Springfield Mo	Morton Sobell #14535-H	5-30-63 trans from USP Atlanta Ga	consp to commit espionage	30 yrs 1-27-65 trans to USP Lewisburg
USP Lewisburg Pa	Morton Sobell #31408-KE	1-30-65 trans from Medical Center for Fed Prisoners Springfield Mo	consp to commit espionage	
Fed Det Hdqtrs NY NY	Morton Sobell #2[illegible]	6-3-66	Writ of HC fr. 31408-KE (espionage)	
	Residence - 30 Charlton St, NYC NY			

Notation indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

1-27-53

J. Edgar Hoover
Director.

The following FBI record, NUMBER 3 893 294, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	#6826 USM Laredo Texas, 8-22-50, transferred to Houston Texas for removal to Sou Dist of NY on chg of Sec 34, 9-50; espionage #60361 NY - 5-23-51 to USP Lewisburg on chg of consp to divulge information pertaining to National Defense, to a Foreign Country,			

Notations followed by * ARE BASED ON DOCUMENTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

-BU

J. Edgar Hoover
Director.

The following FBI record, NUMBER 3 892 293, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	WANTED BY BUREAU: As Morton Sobell, wa Morton Sobell for interview in connection with Soviet Espionage Ring. Notify by telephone NYD, New York, NY, re any inquiries received concerning this subject, per inf rec therefrom by wire dated 7-26-50 NO LONGER WANTED: per Bu Memo dated 8-18-50 (located 8-18-50, Laredo Texas) WANTED BY BUREAU: As Morton Sobell, was, Morton Sobill, Morton Zobell Fug Index #27949, Bu File #101-2483, CO, NY NY inf rec 8-10-50 NO LONGER WANTED: per Bu Memo dated 8-18-50 (located 8-18-50, Laredo Texas Refer two copies of record on all inquiries re. Morton Sobell, was Morton Sobill, Morton Zobell, Morton Solt, Marvin Solt, Morris Sand, Morris Sand, to BFD NY NY their file #100-37158, per inf rec therefrom 2-16-51 Bu File #101-2483 (ident FBI #3893293)			
	THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI			

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

U. S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

2-BU

The following FBI record, NUMBER 3 893 293 , is furnished FOR OFFICIAL USE ONLY. Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC-FBI NY NY				
CC-Internal Sec Section Dom Intell Div				
	Copy of record was furnished Chief Prob Off US Dist Crt NY NY as identical with subject of their inquiry dated 1-17-69.			

THIS DOCUMENT SHOULD NOT BE DISTRIBUTED OUTSIDE FBI.

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

John Edgar Hoover
Director

U[illegible] STATES DEPARTMENT OF JU[illegible]
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

J. Edgar Hoover
Director.

The following FBI record, NUMBER 3 [illegible] 293 , is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
FCC Wash DC	Morton Sobell #--	applicant FP 1-3-42		
USCG NY NY	Morton Sobell #031 1393398-B	Ident Card 1-20-44		
CS Comm, Wash., DC	Morton Sobell #--	Junior Electrical Engineer FP 1-27-39		
SOS, Army	Morton Sobell #24-GES	student engineer 6-14-42		
USM, Laredo, Texas	Morton Sobell #6826	8-18-50	vio. Sec. 34, T-50; Espionage	pending removal to Sou. Dist. of New York (see supplement)
USM NY NY.	Morton Sobell #C-1150-50	8-24-50	espionage	pending; 4-5-51, 30 yrs on chg of espionage-conspiracy Sec 34, T. 50, USC
Fed. Det. Hdqtrs., NYC., N.Y.	Morton Sobell #60361	8-24-50	info. pert'd. to Nat. Def. to for'n ctr.	11-26-52 trans to Alcatraz (see supplement)
US Pen Atlanta Ga	Morton Sobell #71342	6 2-51	conspiracy & espionage	30 yrs
USP Alcatraz Island Calif	Morton Sobell #990-AZ	11-26-52	consp to commit espionage	30 yrs sent 4-5-5[illegible]

100-37158-2639

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

J. Edgar Hoover
Director.

2 The following FBI record, NUMBER 3 [illegible] 295 , is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USPen Atlanta Ga	Morton Sobell #71342	3-7-58 in trans from #996-AZ (USPen Alcatraz Calif)	consp to commit espionage	
Medical Center for Fed Prisoners Springfield Mo	Morton Sobell #14535-H	5-30-63 trans from USP Atlanta Ga	consp to commit espionage	30 yrs 1-27-65 trans to USP Lewisburg
USP Lewisburg Pa	Morton Sobell #31408-NE	1-30-65 trans from Medical Center for Fed Prisoners Springfield Mo	consp to commit espionage	
Fed Dst Hdqtrs NY NY	Morton Sobell #25388	6-3-66	Writ of HC fr. 31408-NE (espionage)	
	Residence - 30 Charlton St., NYC NY			

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. These notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

1-27-69 674 EMI

3

J. Edgar Hoover
Director.

The following FBI record, NUMBER 3 893 293 , is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	#6826 USM Laredo Texas, 8-22-50, transferred to Houston Texas for removal to Sou Dist of NY on chg of Sec 34, T-50;		espionage	
	#60361 NY - 5-23-51 to USP Lewisburg on chg of consp to divulge information pertaining to National Defense, to a Foreign Country ,			

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI file. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON 25, D. C.

-BU

J. Edgar Hoover
Director.

The following FBI record, NUMBER 3 893 293, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	WANTED BY BUREAU: As Morton Sobell, wa Morton Sobell for interview in connection with Soviet Espionage Ring. Notify by telephone LFD, New York, NY, re any inquiries received concerning this subject, per inf rec therefrom by wire Dated 7-26-50 NO LONGER WANTED: per Bu Memo dated 8-18-50 (located 8-18-50, Laredo Texas) WANTED BY BUREAU: As Morton Sobell, was, Morton Sobill, Morton Zobell Fog Index #27949, Bu File #101-2483, CO, NY NY inf rec 8-10-50 NO LONGER WANTED: per Bu Memo dated 8-18-50 (located 8-18-50, Laredo Texas Refer two copies of record on all inquiries re. Morton Sobell, was Morton Sobill, Morton Zobell, Morton Solt, Marvin Solt, Morris Sand, Morris Sand, to LFD NY NY their file #100-37158, per inf rec therefrom 2-16-51 Bu File #101-2483 (ident FBI #3893293)			
	THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI			

Notations indicated by * ARE NOT BASED ON FINGERPRINTS IN FBI files. The notations are based on data formerly furnished this Bureau concerning individuals of the same or similar names or aliases and ARE LISTED ONLY AS INVESTIGATIVE LEADS.

U. S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

2-EU

The following FBI record, NUMBER 3 892 293, is furnished FOR OFFICIAL USE ONLY. Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC-FBI NY NY				
CC-Internal Sec Section Dom Intell Div				
	Copy of record was furnished Chief Prob Off US Dist Crt NY NY as identical with subject of their inquiry dated 1-17-69.			

[illegible]

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

John Edgar Hoover
Director

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2641 DATE 2-4-69

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

Cover Sheet for Informant Report or M-
FD-306 (Rev. 3-13-68)

Date prepared: 2/6/69

Date received	Received from (name or symbol number)	Received by
12/10/68	[redacted] b1	SA [redacted] b7c

Method of delivery (check appropriate blocks)

☐ in person ☐ by telephone ☐ by mail ☐ orally ☐ recording device ☐ written by Informant

If orally furnished and reduced to writing by Agent:
Date

Dictated _____ to _____

Transcribed _____

Authenticated by Informant _____

Date of Report: Exhibit

Date(s) of activity: Current

Brief description of activity or material
Copy of 11/12/68 denial of certiorari for SOBELL from Clerk US Supreme Court. Leaflet "In my fantasies" which includes letter from MORTON SOBELL, Seasons Greetings from HELEN SOBELL and distributed by CFMS. (Leaflet includes pictures of MORTON SOBELL, HELEN

File where original is located if not attached: 100-107111-1R168421685

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

SOBELL, ROSE SOBELL, MARK SOBELL, SIDNEY SOBELL and her husband.)

b1

1 [redacted]
1-100-109649 (HELEN SOBELL) (41)
1-100-128869 (ROSE SOBELL) (45)
1-100-37158 (MORTON SOBELL) (331)
1-100-147040 (MARK SOBELL) (45)
1-100-114456 (SIDNEY SOBELL) (45)
1-100-107111 (CFMS) (41)

EPB:cpa
(7)

Block Stamp

100-37158-[illegible]
SEARCHED ____ INDEXED
SERIALIZED ____ FILED
33 FEB 6 1969
FBI — NEW YORK

b7c [redacted]

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2644 DATE 2-12-69

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NY (100-37158) DATE: 2/26/69

FROM : SA [redacted] b7c

SUBJECT: MORTON SOBELL
ESP - R

On 2/17/69, [redacted] was contacted by the writer and furnished the following information concerning captioned subject: b7d,c

[redacted] b7d

[redacted] advised that due to the fact [redacted] investigation was conducted regarding subject by the Probation Department at the time of his conviction by specific direction of the sentensing judge, he has reviewed some of the trial testimony and court record of appeals in order to familiarize himself with the facts leading to subject's conviction. b7d

[redacted] b7d

[redacted] b7d

PFD:me
(1)
1-100-109844
1-100-107111

Make 1 copy
Sub Committee
File OST

P. Donegan

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

[redacted]

SOBELL was issued a small booklet utilized by the Probation Office giving the rules and requirements during his period of probation. He accepted this and gave the impression of wishing to cooperate in this regard. However, he refused to sign a prepared form which would acknowledge to the Probation Office that he accepted the conditions of probation and would abide by the regulations pertaining thereto. [redacted] stated that this form is merely a formal acknowledgement of the conditions of probation, and the fact that the subject refused to sign it really makes no difference, because in the event the subject violates any of the terms he can be returned to prison. b7d

In regard to the above, [redacted] advised that the most important conditions relating to the subject are that he keep the Probation Office advised of his activities and associates. He is not to associate with any individuals known to him to be a felon, and his movements are restricted to the SDNY. He is not to travel from the SDNY without first obtaining the approval of the Probation Office. In such cases, subject is to inform of the reason for any travel, and the names and addresses of any persons to be visited. b7d

[redacted] subject indicated that he had no immediate financial problems. He stated that his wife, HELEN, is employed as a school teacher in the neighborhood (although he would not disclose the name of the school). He stated that he is very interested in the field of electronics, which field has developed during the period that he was in prison, and that he intends to be occupied as a full time student if he can gain entrance into a university. SOBELL stated he intends to obtain a degree as an Electronics Medical Standardization Engineer. b7d

[redacted] Subject requested authority to travel to Philadelphia on 2/14 for the purpose of taping a TV interview with MIKE DOUGLAS, which is to be shown on the MIKE DOUGLAS Show on Channel 7, ABC, on 2/25/69. b7d

[redacted] he had traveled to New Jersey on the evening of 2/11 without obtaining authority. SOBELL related that he desired to visit a friend, GEORGE KATZ, who resides in Leonia, NJ. In the process of driving to NJ, it had slipped his mind that he needed authority, and he was in the middle of the George Washington Bridge when he wife brought it to his attention that he had not obtained authority to leave the state. b7d

[redacted] advised that although the above was a technical violation of his parole, it appeared to be inadvertant on the part of the subject, and the subject had voluntarily advised of this oversite on his part. b7d

[redacted] advised that in the event the subject violates his probation in any serious manner, the US Board of Parole in WDC could issue a warrant for his arrest, and he could be returned to prison. He said in this event, however, the subject would be entitled to an administrative hearing, which under present regulations, would be almost the same as a court trial, in that the Government would have to produce evidence and witnesses to prove the violation, and the subject would have the right to cross examine Government witnesses and to produce his own witnesses. Subject would also then have the right to appeal the decision of any such hearing. He stated that based upon the conversations that he has had to date with the subject, he is under the impression that the subject intends to be very careful not to violate the terms of his probation. b7d

In connection with the above, [redacted] advised that in the event we received any information that the

b7d

subject is associating with any of the convicted former CP members, this would be a violation of his probation, however, in order to take any action against him we would have to furnish witnesses who could testify to this fact.

[redacted] b7d

[redacted] SOBELL has advised that he enrolled in two courses at Brooklyn Poly Tech. He attended classes there for one week, but dropped out because he found that he knew more than the instructor, and was not gaining anything from the courses. SOBELL advised that he then went to the Albert Einstein Medical College, where he has several old friends teaching. They advised him to attempt to enroll in Columbia University for the next term, but that registration for the current term was closed. SOBELL advised that he went to Columbia, where through the intersession of a friend, he was able to enroll in the college of Engineering. He is presently taking two basic electronic courses, both of which have laboratory work in addition to class instruction. SOBELL has indicated that beginning in the fall, he intends to take a full time course in the electronics field, either at Columbia or some other university. b7d

[redacted] He said SOBELL's case is different in that as long as he is engaged as a student [redacted] cannot insist that he obtain any kind of [redacted] he and his wife are very evasive about their finances, merely stating that

b7d

they will be able to live with no difficulty on the salary which HELEN receives.

[redacted]

b7d

[redacted]

b7d

In contrast to most cases, SOBELL did not evidence any bitterness against the Government or against the prison system. The only complaint, which he made in a joking manner, was that the educational facilities in the prisons could stand much improvemant, as they were practically nil. He also indicated that the only reading material available was very old.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2646 DATE 2-27-69

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2647 DATE 3-4-69

CONSISTING OF 4 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2649 DATE 2-27-69

CONSISTING OF 6 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2650 DATE 3-6-69

CONSISTING OF 11 PAGES of which
page 5, 6, 7, 8, 10

All exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

OFFICE MEMORANDUM UNITED STATES GOVERNMENT

TO: SAC, LOS ANGELES (100-71566) DATE: 3/6/69

FROM: SA[redacted] b7c

SUBJECT: LOS ANGELES COMMITTEE FOR
DEFENSE OF THE BILL OF RIGHTS (LACDBR)
IS-C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[redacted] b7d	LACDBR banquet, 2/16/69.	2/19/69	Writer	[redacted] b7d

Informant's report has been xeroxed and is attached.

CC: 1 - NEW YORK (REGISTERED)
100-37158 (MORTON SOBELL)

[redacted]

100-37158-2650 b7d

157-2091 (HUEY NEWTON DEFENSE COMMITTEE)
100-71209 (DOW ACTION COMMITTEE)

331

LFW/pag Read by LFW

b7c [redacted]

(37) pag

LA 100-71566

ACTION:

[redacted] b7d

[redacted] b7d

All other necessary action in connection with this memo has been taken by the writer.

INDEX: [redacted] b7d

Meeting attended Sun. Feb.16th'69 written 2-17-69
at the YABLON CENTER page -1-
7213 Beverly Blvd.,Los Angeles,Calif.
TESTIMONIAL BANQUET in honor of Donation--$ 2.00
DAVID FRADKIN on his 75th Birthday
Auspices of the L.A.COMITTEE for DEFENSE of the BILL of RIGHTS.

Number of persons attending:---estimated as 20 tables at
@ 8 each--TOTAL--160

Amount of money collected:--Was announced as $ 968.00-----
Purpose of the collection was said to have
been for: (As stated by DON WHEELDON)--
(Statements)----:-- The DEFENSE of those who were PROTESTING
(in effect by) the DRAFT,the discrimination in the SCHOOLS
(DON WHEELDON) and COLLEGES--until ALL DEMANDS WERE MET.
To FIGHT the OPPRESSIVE LEGISLATION which
had been enacted by the REAGAN ADMINISTRAT-
ion and would soon be enacted by the NIXON
ADMINISTRATION.--FIGHT POLICE BRUTALITY.
Fight for the RIGHTS of those PROTESTING
the WAR in VIETNAM. FIGHT for the RIGHTS of
the BROWN PEOPLE in the BARRIOS and the
BLACK PEOPLE in the GHETTOS.
(-These statements were made, in substance.)
(It is believed, but not definitely rememb-
ered, that the DEFENSE of those FOUND GUIL-
TY of MUTINY was also mentioned.)

NATE KORNER announced the affair on SAT.FEB.22nd'69 -2:00pm
at LARCHMONT HALL, 118 N. LARCHMONT---
--to CELEBRATE THE FREEDOM of MORTON SOBELL.--
He stated that SOBELL would speak to them via
telephone, at that time. Motion pictures would
also be shown.

It was announced that on SAT. MARCH 1st'69 there would be
(at 8:30pm) ENTERTAINMENT & REFRESHMENTS at the
(Fred.)FIRESTONE Residence
932 N. Normandie Ave.,L.A.
Auspices: JEWISH AMERICAN CULTURAL CLUB.
Celebrating the recovery of
Mother RASKIN.

Meeting attended 2-16-69 written 2-17-69
7213 Beverly Blvd.,L.A.
FRADKIN'S 75th

NATE KORNER announced that ---MORTON SOBELL would appear on
the-----MIKE DOUGLAS SHOW
CHANNEL -4- (NBC)
3:30pm
Feb. 25th '69

Someone announced that there would be a meeting of the
WESTSIDE COMMITTEE
1387 N. ORANGE DRIVE
(date not heard--too much noise)

[redacted] b7d

Comments on the collection:----

The various committees gave small announced sums--such as $ 37 --$ 20 --$ 40 --$ 17 ---so it appeared to be a surprise when the total of $ 968 was announced.

[redacted] b7d

Meeting attended 2-16-69
7213 Beverly Blvd.,L.A.
FRADKIN'S 75th

written 2-17-69
page -7-

PAUL MILLER [redacted]
made statements as follows, in substance:---

(When the MC (believed to have been WHEELDON) introduced MILLER he read another name which sounded Slavic or Yiddish--this caused much embarrasement. This name not remembered.)

He spoke in tribute to "POPPA".
"POP"had never attended school .
He had educated himself, reading a great deal. He was still acquiring and reading books. His interest was greatestin political matters and in current events.

There had been a tragedy in the family, and"POP" had to take over a business when he was 65.

He had run that business successfully. He had been able to think of an story with a funny incident in it, which was successful in illustrating his point, and in getting the best of the deal in question.---His success was based on his ability to handle people and understand fully what was going on.

MILLER had been working closely with "POP" in these business matters.

APPENDIX

LOS ANGELES COMMITTEE FOR DEFENSE OF THE BILL OF RIGHTS, formerly known as Los Angeles Committee for Protection of Foreign Born (LACDBR)

A source advised in May, 1968, that the LACDBR has expanded its former scope of interest relating to the foreign born, and has become a militant general defense organization allegedly seeking to safeguard the rights of all individuals, including the foreign born, as well as those seeking to avoid military service in the Armed Forces of the United States.

The LACDBR is a non-membership organization which is represented by an Administrative Board of about 125 individuals from loosely organized area committees interested in the work of the LACDBR. These board members are invited by ROSE CHERNIN, Executive Director of the LACDBR, who is the guiding, dominant, and motivating force behind the LACDBR. Its headquarters are maintained at 326 West Third Street, Los Angeles, California.

Another source advised in May, 1968, that ROSE CHERNIN is currently Organizational Secretary of the Moranda Smith Section of the Southern California District Communist Party (SCDCP).

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2681 DATE 3-10-69

CONSISTING OF 14 PAGES of which pg 5, 6

are exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

OFFICE MEMORANDUM UNITED STATES GOVERNMENT

TO: SAC, LOS ANGELES (100-41648) DATE: 3/10/69

FROM: SA[redacted] b7c

SUBJECT: COMMITTEE TO FREE MORTON SOBELL
IS - C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[redacted]	Celebration of Freedom of MORTON SOBELL 2/22/69	2/25/69	Writer	[redacted] b7d

Informant's report has been xeroxed and is attached.

3 - NEW YORK (RM)
(1 - 100-)(MORTON SOBELL)
(1 - [redacted]
(1 - [redacted]

1 - SAN DIEGO (RM)
[redacted]

CC: [redacted]

[redacted]
100-[illegible] (LACDBR)
[redacted]

b7c,d

LFW/lel
(39)

Read by LFW

SEARCHED ... INDEXED
SERIALIZED
MAR 20 1969
FBI - NEW YORK

b7c [redacted] 2651

LA 100-41648

ACTION:

[redacted] b7d

All other necessary action in connection with this memo has been taken by the writer.

INDEX: [redacted] b7c

Meeting attended Feb. 22nd'69 written 2-23-69
at Larchmont Hall, 118 N. Larchmont, Los Angeles
CELEBRATING the FREEDOM of MORTON SOBELL page -1-
--Sponsored by the LOS ANGELES SOBELL COMMITTEE--.
(Admission)-Contribution $ 2.00

Number of persons present:--Rough estimate about 400 to 430
No number was announced.
The main room was filled.
There were a very few in 2 smaller rooms, which open into the main room.

Amount of money collected:----------NO SUM WAS ANNOUNCED.
The purpose of this collection was stated to have been (by, it is believed, SOPHIE DAVIDSON)-for the purpose of providing MORTON SOBELL with money to pay the debits which had accumulated during the time he was in prison,--to provide the means of living--during his period of recuperation,(his health being poor) and readjustment from prison to ordinary living. SOBELL had been admitted to COLUMBIA UNIVERSITY (believed to have been as a student)-in order to complete his work on his doctors degree--in electronics. When health permitted. He was also in the process of writing a book about his conviction. prison life and many facts pertaining to the establishment of the innocense of the ROSENBERGS.---Before he could work on this book it was necessary for him to regain his health.

---PURE GUESS-WORK ESTIMATE-----

Several sums of	$ 100.00	were announced-say-		$ 600.00
A few in amounts	$ 50.00	" " "		$ 200.00
A few about----	$ 25.00	" " "		$ 100.00
" " "	$ 10.00			$ 80.00
" " "	$ 5.00			$ 60.00
Smaller sums not announced---	$ 1.00			$ 150.00
		TOTAL------		$ 1,190.00

This is PURE GUESS-WORK--one woman was said to have promised a large sum [redacted] This sum was not stated.

The "PITCH" for this collection was given by SOPHIE DAVIDSON

Many names were recognized as contributors [redacted]

b7d

Meeting attended 2-22-69
118 N. Larchmont L.A.
SOBELL Freedom

written 2-23-69

(2)

[redacted]

b7d

[redacted]

****

At this meeting very few young people were seen. One young couple assisted in taking up the collection. [redacted]--No others were remembered. NO NEGRO was seen at this meeting.

b7d

There was a general mood of cheerfulness at this affair.

Meeting attended 2-22-69
at 118 N. Larchmont L.A.
SOBELL Freedom

written 2-23-69

(5)

[redacted]

In the future, now that the FREEDOM of SOBELL had been achieved--due (in part?) to the efforts of those present at that meeting and the tireless workers who had piloted the others who had all contributed etc.---the OBJECTIVES of the COMMITTEE would be to CLEAR the NAME of MORTON SOBELL and to ESTABLISH the INNOCENCE of the ROSENBERGS--who had been MURDERED by the GOVERNMENT.(The exact word whether "governme-
(nt or a similar word,not remembered .)
The COMMITTEE would also carry on in defending and/or working to achieve the successful legal defense of OTHERS, whose plight would be similar to MORTON SOBELL & the ROSENBERGS.

(Two current cases were mentioned but were not remembered.)

KONIGSBERG stated in substance--that the ROSENBERGS and MORTON SOBELL were convicted as a result of having been"tried and found guilty"by the newspapers of that particular era of hysteria,due to the US action in KOREA and the McCARTHY era. It was an action prompted by political expediency. It was the "popular"thing to do. Former president EISENHOWER was stated to have been responible by his refusal to consider a review of the matter, before the ROSENBERGS were MURDERED.

He said that it was important to "BRIDGE the GENERATION GAP" or rather the "TWO GENERATION GAP" and get the young people involved. --The YOUNG PEOPLE were now involved in DEMANDING CHANGE in the EDUCATIONAL SYSTEM and in the ECONOMIC SYSTEM as well. They were active there

Meeting attended 2-22-69 written 2-23-69
118 N. Larchmont L.A.
SOBELL Freedom

(6)

RAPHAEL KONINGSBERG--made statements as follows, in substance:----continued------

There had been a GREAT OUTCRY against foreign elements which were SUBVERTING the COUNTRY.

Not ALL of the "SUBVERSIVES" were foreign. Some were "HOME-GROWN".

Such foreign elements which were described as "SUBVERSIVE" could not possibly have done as much damage to the country, as that DAMAGE which had ALREADY BEEN DONE by THOSE who HAD BEEN in POWER in the PAST.

The MILITARY-INDUSTRIAL COMPLEX was now in CONTROL of the US. It was DRIVING the WORLD into WAR.

Pres. EISENHOWER had stated in his last address as president that it was necessary to be careful, not to let the MILITARY-INDUSTRIAL COMPLEX attaint control and run the nation.. This was now the state of affairs.

KONINGSBERG stated that in that organization (the SOBELL COOMITTEE) the women had done a great deal. They had been very effective in working for SOBELL.

Meeting attended 2-22-69 written 2-23-69
at 118 N. Larchmont L.A.
SOBELL Freedom

(7)

DR. HAROLD C. UREY Nobel Prize winner--made statements as follows, in substance:----

(He had been introduced and it was said that DR. UREY was an expert on the SOBELL (& it is believed, the ROSENBERG)case.---

DR. UREY said (in substance) that he felt that his place as an expert on these cases had been taken by the SCHEFERS since they had completed their book. He was happy that they had done such good work in such a good cause.

He (UREY) deserved no special credit for his work in behalf of the SOBELLS etc. He had taken no risks in doing it. He had been and still was in a very secure position. He could speak as he saw fit on any subject.

The policy of the UNIVERSITY of CHICAGO was such that the right of those at that University (presumably those on the faculty etc.), to state what they believed,---was maintained to the fullest extent.This policy insured the freedom of all members (of the faculty etc.) to state their beliefs without any interference.

When McCARTHY called him to be interviewed those in charge at the University provided him with a man to assist him in making arrangements, and to advise him of his rights etc. The University also provided him with attorneys to insure that his legal rights were protected.

In regard to the state of affairs in the California Colleges and Universities he stated that ---there were those SO CONCEITED, so egotistical that they believed that their ideas on education should be imposed on the educational system for the next 200 years, to shape its pattern & its destiny. Everything was in a process of change and the educational system should change in step with these other changes.

He had become interested in the state of affairs in the CALIF. Colleges & Universities when he learned of the plight of his friend DR. MARCUSE at San Diego. He believed in the RIGHT of the STUDENTS to learn about COMMUNISM, SOCIALISM & CAPITALISM, FREE ENTERPRISE ETC. and to learn the advantages and-(cont.)--

Meeting attended 2-22-69 written 2-23-69
118 N. Larchmont L.A.
SOBELL Freedom

(8)

DR. HAROLD UREY made statements as follows in substance:----
--------(continued)----------

and disadvantages of each system.

It was wrong to interfere with the RIGHT of MARCUSE to teach and the RIGHT of the STUDENTS to HEAR, and to form their own opinions, come to their own conclusions and intitiate changes which they thought should be made for the improvement of the country and/or the educational system.

DR. UREY was shocked at the outcry against MARCUSE in San Diego and was INDIGNANT at the MOVES to REMOVE HIM from the University. --This right of the professors to teach and the students to learn was a tradition of the Universities going back for hundreds of years. This INTERFERENCE was CONTRARY to such tradition.

DR. UREY stated that he was IN FAVOR of the SPACE PROGRAM. It was a very fine thing to explore space. It took only .6 % of the budget and nobody would miss ~~IX~~ .6 % of their income.

On the other hand the MILITARY BUDGET was ENORMOUS. He was in touch with other scientists and the rapidity and scale of the ARMS RACE was such that it was CARRYING us TOWARDS WORLD WAR III.

Meeting attended 2-22-69 written 2-23-69
118 N. Larchmont L.A.
SOBELL Freedom

(9)

NATE KORNER made statements as follows, in substance:--

He thanked everyone for having contributed to the actual achievement, of MORTON SOBELL'S being FREE.

The (Los Angeles ?) Committee to FREE MORTON SOBELL had been largely the work of SOPHIE DAVIDSON. Before SOPHIE, the work had been done by her mother, ------ DEUTCH (phonetic splg.)

During SOPHIE'S prolonged illness the work had been carried on by the secretary. He would be reprimanded for mentioning her name, but she deserved much credit for her great contibution. This person was EVELYN FREEMAN. It was particularly notable that so personable a person had devoted so much time and effort to the cause.

Meeting attnded 2-22-69 written 2-23-69
118 N. Larchmont L.A.
SOBELL Freedom

(10)

16mm motion picture was shown. It pertained mostly to SOBELL but it is believed that the ROSENBERGS were also mentioned.

It was black & white---narrated by LEW IRWIN.

Persons who appeared in this film were:---
HELEN SOBELL (wife of MORTON SOBELL)
Boy SOBELL (son " " ")
MAN----------attorney for SOBELL
WOMAN--------attorney for SOBELL
DR. UREY--made statements about the case and stated his belief that that trial had been a political one rather than a legal one.
SEVERAL other professional men of HIGH REPUTE who stated that their either believed in his innocence or that the evidence was insufficient etc.
NORMAN THOMAS socialist candidate who stated he believed that the trial had been POLITICAL rather than LEGAL.
MORTON SOBELL appeared in one or two brief scenes.

The general "line" taken in the film was:--
There was practically NO EVIDENCE of ANY GUILT on the part of MORTON SOBELL.
SOBELL had been arrested in MEXICO without due process of law.
He had been KIDNAPPED by the US government and removed from MEXICO without the MEXICAN GOV'T'S authorization.
The WHOLE case was based on the testimony of one unreliable witness.

The McCARTHY ERA and the WAR in KOREA made a FAIR TRIAL IMPOSSIBLE. (Headlines from current newspapers were shown.)

It was POLITICALLY POPULAR to GET A CONVICTION at that time. So THOSE IN POWER in the US GOV'T SECURED A CONVICTION disregarding many legal rights,--any significant proof of guilt- and having the ADVANTAGE of a BIASED JUDGE who acted IMPROPERLY. ---It had been a <u>POLITICAL</u> <u>CONVICTION</u>.

Meeting attended 2-22-69 written 2-23-69
118 N. Larchmont, L.A.
SOBELL Freedom

(11)

Near the end of this meeting ABE BOWERS played a tape recording of a telephoned message to this meeting. This was made or given by MORTON SOBELL. His was the only voice heard on this tape. The exact time this was recorded was not stated.

MORTON SOBELL made statements as follows in substance:----

He wanted to thank all those who had stood by him and helped him during those years when he was in prison. He wished to thank those in particular who were gathered together at that affair for the particular and special assistance they had given him.

He was starting the difficult task of adjusting himself to normal everyday life after those years in prison. His wife HELEN was at his side and was doing everything possible to assist him.

APPENDIX

COMMITTEE TO FREE MORTON SOBELL

"Following the execution of atomic spies ETHEL and JULIUS ROSENBERG in June, 1953, the 'Communist Campaign assumed a different emphasis. Its major effort centered upon MORTON SOBELL', the ROSENBERGS' co-defendant. The National Committee to Secure Justice in the Rosenberg Case - a communist front which had been conducting the campaign in the United States - was reconstituted as the National Rosenberg - Sobell Committee at a conference in Chicago in October, 1953, and 'then the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case' ...."

("Guide to Subversive Organizations and Publications", dated December 1, 1961, issued by the House Committee on Un-American Activities, page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the name, "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee. In August, 1966, the name "Committee to Free Morton Sobell" first appeared on literature issued by the Committee.

The Address Telephone Directory for the Borough of Manhattan, New York City, published by the New York Telephone Company on April 12, 1968, lists the above Committee's address as 150 Fifth Avenue, New York, New York.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2652 DATE 3-17-69

CONSISTING OF 5 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2653 DATE 3-10-69

CONSISTING OF 8 PAGES of which 7

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

O F F I C E M E M O R A N D U M UNITED STATES GOVERNMENT

TO: SAC, LOS ANGELES (100-41648) DATE: 3/10/69

FROM: SA [redacted] b7c

SUBJECT: COMMITTEE TO FREE MORTON SOBEL
IS - C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[redacted]	Celebration of freedom of MORTON SOBELL 2/22/69	2/26/69	Writer	[redacted] b7d

Informant's report has been xeroxed and is attached.

3 - NEW YORK (RM)
(1 - 100-)(MORTON SOBELL)
1 - [redacted]
1 - [redacted]

OK

1 - SAN DIEGO (RM)
[redacted]

CC: [redacted]

[redacted]
65-5082 (MORTON SOBELL)
[redacted]

100-41973 (HERMAN SOBELL)
[redacted]

b7c,d

2653

SEARCHED ___ INDEXED ___
SERIALIZED ___ FILED ___
MAR 24 1969
FBI - NEW YORK

LFW/lel
(52)

Read by LFW

**COPIES CONTINUED PAGE 2.

b2 [redacted]

LA 100-41648

[redacted]

b7d, c

ACTION:

Informant was thoroughly interviewed concerning the above and could add nothing further.

All necessary action in connection with this memo has been taken by the writer.

INDEX: [redacted]

b7c, d

Celebrate Freedom of Morton Sobell Feb.23,1969
Larchmont Hall,118 N.Larchmont Blvd.,L.A.,Calif.
Ausp:L.A.,Sobell Committee
Feb.22,1969--2-5 PM

About 450-475 people attended the meeting
Amount of money collected by donations from the audience was not announced.

Raphael Konigsberg---Master of Ceremonies---said in effect----
Praised the people in the audience who had worked hard to raise money to fight for the release of Morton Sobell.
People sponsored,theatre parties,dinners,sales of literature which resulted in freedom for Morton Sobell.
Morton Sobell and the Rosenbergs were innocent;were convicted on trumped up charges during the McCarthy era.
Sobell,after spending seventeen years in prison was at last free and would continue his life where he left off.
Was writing a book--would return to school to continue his work towards a master's degree in electronics.
Announced that a film which had been produced by Lew Irwin,who was associated with Radio Station KRLA.
Lew Irwin was interested in trying to help Morton Sobell to gain freedom;and prove his innocence.
Lew Irwin was unable to be present,due to illness in his family.

The film---

Lew Irwin-----was seen as master of ceremonies,in the film--
Said in effect---
Was of the opinion that Morton Sobell was unjustly imprisoned and was innocent of any criminal acts.
Sobell was convicted upon the testimony of one witness; Also the conviction was due to influence of the press.
The Korean war and McCarthy era were responsible for Morton Sobel's seventeen yrs.in prison.
Many prominent people felt he was innocent.

The film continued with pictures of people being interviewed--all believed Sobell and the Rosenbergs were innocent.
Among those interviewed were lawyers,inc.a woman lawyer,a judge,legislator,Norman Thomas,Rev.Edwin Gaede,of a Unitarian Church,in the mid-west or east,Martin Luther King Dr.Harold Urey.
His mother,wife helen and son were seen in the film.
Morton Sobell was seen being escorted into a room.
Helen Sobell,his wife,stated (in effect) that Sobell

Celebrate Freedom of Morton Sobell
Larchmont Hall,118 N.Larchmont Blvd.,L.A.,Calif.
Ausp:L.A.,Sobell Committee
Feb.22,1969--2-5 PM

Film---continued---
Helen Sobell---cont'd--
and the Rosenbergs were innocent--
Told of events leading to Sobell's arrest,including trip to Mexico when he was kidnapped by U.S. authorities and brought back to trial.
Told of her visits to prison where she was allowed to speak to Sobell through glass window.
His transfer from Alcatraz to another prison was due to help,work and influence of friends.
Sobell read and studied in prison--
Was writing a book which would reveal certain things which were never brought out at his trial.

Waldemar Hille--
Introduced by Rapheal Konigsberg---musical director who would lead the audience in singing some songs which he had written and arranged for the occasion.

Nate Korner-----
Introduced Sophie Davidson,as devoted leader of the Sobell Committee,who had worked for many years to free Morton Sobell and prove his innocence.
Mentioned Evelyn Newman and Wedgie -----(a woman) who acted as secretaries and worked tirelessly to carry on the work during the illness of Sophie Davidson.

Sophie Davidson-- said in effect---
Much money would be needed to continue to help Morton Sobell to carry on where he left off in his studies toward his doctor's degree in electronics,to help him regain his health which had suffered during his long imprisonment,to pay his doctors and lawyers bills.
Money was needed to help prove innocence of Morton Sobell;which would necessitate legal fees.
Money was also needed to defend others who were in need of legal defense at the present time.

Amount of money collected was not announced--
Individual donations in the amounts of from $ 5.00 to $ 100.00 were announced as they were presented.
Total of the above amounted to $ 1,015.00
Baskets were passed for additional donations.

Larchmont Hall,118 N.Larchmont Blvd.,L.A.,Calif.
Ausp:L.A.,Sobell Committee
Feb.22,1969--2-5 PM

Mr.Bell,violinist--accompanied by Mrs.Bell,pianist--performed several selections---

Dr.Harold Urey---
Introduced by Raphael Konigsberg,as,prominent Nobel Peace Prize winner--and a strong supporter of the innocence of Morton Sobel--
Who had been one of the most important witnesses in defence of Morton Sobell's.

Dr.Harold Urey--- Said in effect---
After reading book of Walter and Miriam Schneir about the trial and conviction of Morton Sobell and the Rosenbergs,he realized that he had played only a small part in maintaining the innocence of Morton Sobell.
He believed Morton Sobell was innocent of espionage charges-was unjustly imprisoned.
All must work to vindicate name of Morton Sobell-took many years of hard work to effect his release from prison.
There was much work to be done,people must carry on the struggle.
Regretted the lack of young people in the audience.
Work of young people to continue work started by their parents,in their fight for freedom and justice.
Was a father himself-some of his children were interested in working for peace and social justice.
Other of his children were not at all interested.
Youth was divided today.
People should appreciate life in U.S.-the good in U.S.
People should work to right wrongs of society.
Present campus situation was dangerous-could lead to freedoms in the educational system being taken away.
When he was involved in defence of Morton Sobell,the University of Chicago,where he was a professor,left him alone to persue his objectives-
He was free to make his own decisions without interference;no questions were asked by anyone.
Educational system must be free-
Worried about educational system in Calif.
Marcuse was a Marxist-disagreed with him on many points.
Marcuse should be allowed to teach at--cont'd

Dr.Harold Urey---cont'd---

U.C.at San Diego.

All students should be free to hear Marx,Lenin--

He approved money which was only 6% of U.S. budget spent on space exploration.

Was against appropriations spent on military research, atom and nuclear weapons;stop arms race.

Would lead to third world war;all civilization would be destroyed.

All young people must fight against war-must work for peace.

[redacted]

b7d

APPENDIX

COMMITTEE TO FREE MORTON SOBELL

"Following the execution of atomic spies ETHEL and JULIUS ROSENBERG in June, 1953, the 'Communist Campaign assumed a different emphasis. Its major effort centered upon MORTON SOBELL', the ROSENBERGS' co-defendant. The National Committee to Secure Justice in the Rosenberg Case - a communist front which had been conducting the campaign in the United States - was reconstituted as the National Rosenberg - Sobell Committee at a conference in Chicago in October, 1953, and 'then the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case' ...."

("Guide to Subversive Organizations and Publications", dated December 1, 1961, issued by the House Committee on Un-American Activities, page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the name, "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee. In August, 1966, the name "Committee to Free Morton Sobell" first appeared on literature issued by the Committee.

The Address Telephone Directory for the Borough of Manhattan, New York City, published by the New York Telephone Company on April 12, 1968, lists the above Committee's address as 150 Fifth Avenue, New York, New York.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2654 DATE 3-14-69

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2656 DATE 3-14-69

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2657 DATE 3-28-69

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2658 DATE 3-28-69

CONSISTING OF 3 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2659 DATE 3-26-69

CONSISTING OF 18 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.

FILE # LOO-37158

SUBJECT MORTON SOBELL

SERIAL 2660 DATE 4-1-69

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant to Executive Order 11652 as it contains information which would disclose an intelligence source. This serial bears the Classification Officers number 2040.