FREEDOM OF INFORMATION AND PRIVACY ACTS

SUBJECT: WATERGATE

Bufile: 139-4089

Section 50 Serials 3070 to....

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WATERGATE

BURGLARY OF THE DEMOCRATIC NATIONAL COMMITTEE HEADQUARTERS

6/17/72

Bufile 134-4089

Section 50

Serials 3070 to Open

[redacted]

PAGES REVIEWED - 258

PAGES RELEASED - 200

PAGES WITHHELD - 58

WATERGATE SPECIAL PROSECUTION FORCE
United States Department of Justice
1425 K Street, N.W.
Washington, D.C. 20005

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Telephone Rm.
Director's Sec'y

October 16, 1975

ROUTE TO D.O. FOR SIGNATURE, please

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D. C. 20537

Dear Clarence:

I am enclosing a copy of a Report covering the activities of the Watergate Special Prosecution Force from May 1973 to September 15, 1975.

As you know, we have relied heavily on the Bureau for investigative assistance in many extremely important areas of our work. I want to express my personal appreciation to you and to each of the agents and the supervisory personnel who cooperated so well in the mission of this Office.

Best wishes.

Sincerely,

HENRY S. RUTH, JR.
Special Prosecutor

EXP. PROC.
OCT 16 1975

REC-65 139-4009-3070

5 NOV 25 1975

ENCLOSURE

SUMMARY OF OCTOBER, 1975 REPORT OF

WATERGATE SPECIAL PROSECUTION FORCE

The Report of the Watergate Special Prosecution Force (WSPF) describes the work of WSPF during the 28-month period from May 25, 1973 when Archibald Cox took office as Special Prosecutor to September 15, 1975. The work produced more than fifty criminal convictions of individuals and pleas of guilty from nineteen corporations. These matters included eleven completed or pending trials of which six were held in Washington, D.C. and five were held or are scheduled in various cities around the Nation.

In addition to reporting on the investigations and trials WSPF undertook and completed, the Report describes the process by which decisions were made as to the investigations to be undertaken, the persons to be charged and the charges to be brought, including decisions concerning plea negotiations. However, the Report does not set out facts about individual cases or criminal charges other than those that have been presented in court or otherwise made public, because, as explained in the Introduction to the Report, to do so would be inconsistent with fundamental protections which our system of justice accords to individuals.

The Report describes in detail the Special Prosecutor's efforts to obtain tapes, documents and other information and

ENCLOSURE 139-409-3070

material of the Nixon Administration starting immediately after Cox's appointment and continuing for several months after President Nixon's resignation. It also describes the deliberations and the actions of the Special Prosecutor relating to the possibility of criminal charges against President Nixon and the cooperation between WSPF and the House Judiciary Committee during that Committee's investigations and deliberations about possible impeachment.

Finally, the Report states some concluding observations and makes a series of recommendations based upon the experience of the prosecutors during their 28-months' work. Since the Prosecution Force was not a commission or study group, the proposed recommendations are not intended as a comprehensive finding as to the changes needed to prevent and challenge abuses of power. A detailed series of appendices follows the main body of the Report.

There are summarized below those chapters of the Report setting forth WSPF's recommendations, the policies and procedures of WSPF including decisions about prosecutions to be undertaken and about plea bargaining, descriptions of major investigations, efforts to obtain evidence from the White House, and actions related to possible criminal prosecution against President Nixon.

WSPF Recommendations (Chapter 5)

1. Protecting the Integrity and Effectiveness of the Prosecution Function

Among recommendations seeking to insulate the Department of Justice from political pressure were the following:

- Neither the campaign manager nor any other top officials of the President's campaign should become Attorney General.

- The Hatch Act should apply to all Justice Department employees.

- A written record should be maintained of all outside contacts with Justice Department officials concerning pending matters.

- A new unit with adequate resources should be established within the Justice Department to investigate and prosecute corruption cases.

- An Office of Permanent Special Prosecutor should not be established.

- The organized bar and the courts should clarify and more actively inquire into possible conflicting interests in one attorney's representation of both higher-level and lower-level employees during a federal investigation of the leadership's conduct in hierarchial organizations, such as corporations, labor unions and government agencies.

- In order to ensure a continuous flow of information from cooperating witnesses, the Freedom of Information Act should be clarified to protect absolutely information obtained confidentially by law enforcement agencies.

2. Protecting the Integrity of Executive Branch Functions in Law Enforcement

- Congress should exercise effective oversight of enforcement and intelligence agencies through

regular review of agency policies, internal inspection procedures and other checks on how sensitive functions are being performed.

- A constitutional amendment should clarify if and when a President in office is subject to criminal prosecution.

3. Control of Intelligence and National Security Functions

- All intelligence agencies should issue written policies setting forth types of domestic intelligence to be gathered and methods to be used. These policies should be reviewed by a domestic intelligence policy review board.

- The Administration should clarify its present policy on warrantless searches and seizures in connection with foreign intelligence investigations.

4. Political Financing and Campaign Tactics

- The Department of Justice should take the initiative in undertaking investigations and prosecutions for campaign financing violations without waiting for referral of complaints from other agencies or individuals.

- Individual responsibility for the various reporting requirements of a campaign committee under the Federal Election Campaign Act (FECA) should be extended to include committee chairmen, rather than just the treasurers of such committees.

- The statute of limitations on election law violations, amended retroactively in the middle of WSPF's work to a three-year period, should be restored to the five-year period applicable to almost all other federal crimes.

- Several amendments are needed to the FECA provisions barring corporate contributions and contributions by a government contractor in order to clarify the extent and nature of the criminal prohibitions and make them more consistent in approach to the problems of campaign financing. (See pp 149-152 of Report)

- The authority of the Federal Election Commission should be broadened with respect to "dirty tricks" to enable it to promulgate standards of unaccepted campaign conduct.

WSPF Policies and Procedures for Investigation and Prosecution (Chapter 2)

A. Beginning Investigations

The Report describes the various sources of information on the basis of which decisions were made to undertake investigations. It notes that with respect to some areas of its responsibility, WSPF began with the benefit of prior investigative work by other agencies while with respect to others, little prior work had been done. It describes the Special Prosecutor's decision to utilize the FBI as its principal investigating agency, a decision that Cox reached only after satisfying himself that alleged improprieties by some former high FBI officials did not involve those who would be responsible for work undertaken for the Special Prosecutor.

B. The Investigative Process

The Report details the various investigative techniques used by WFPF, noting similarities and differences in comparison with other "white-collar" crime investigations.

Among the differences were the special problems resulting from the White House's refusal to make available important evidence, the intense interest of the news media, and WSPF's need to maintain public support in view of the threat its work presented to the President and others in high positions.

The Report describes the various methods used for obtaining information from witnesses, including FBI interviews, office interviews and bringing the witness before the grand jury and the role each of these methods played in WSPF's investigations. It notes that only about 30 of the several hundred witnesses who were interviewed were granted immunity as a means of obtaining crucial information. An important reason for this was WSPF's belief that most of those who were at relatively "low" levels of the conspiracies and other wrong-doing it was investigating held important positions of public trust and were not entitled to complete immunity. Whenever possible in such situations, WSPF sought to obtain the information it needed on the basis of a plea bargain in order that a court could impose an appropriate penalty.

C. Charging and Disposing of Cases

The Report analyzes the bases on which WSPF decided whether to charge persons and what particular charges to bring. The case involving the burglary of the office of Dr. Fielding, Daniel Ellsberg's psychiatrist, is used as an example to describe the factual and legal considerations that led to rejection of certain charges and the decision to bring others - in that case conspiracy to violate Dr. Fielding's Fourth Amendment rights to not be victimized by an illegal search and seizure.

The Report describes the issues the Special Prosecutor faced in deciding whether to bring perjury charges and whether to invoke the federal conspiracy statute in those cases where it appeared to be applicable.

The Report also explains why instead of using the minimum required standard of proof for a grand jury indictment, the Special Prosecutor sought to use a higher standard and thus sought indictments only when all the available evidence, including the defendant's explanations, seemed likely to result in a guilty verdict at trial.

The Report indicates the special circumstances that in some cases led the prosecutors to believe leniency was justified in making charging decisions. Thus, in a few cases the defendant's health was taken into account. In others, the defendants seemed to have relied on advice of counsel as to the legality of their actions or on prior non-enforcement decisions by government agencies.

Plea Bargaining

Without plea bargaining the Special Prosecutor would have been able to convict only a small number of the persons who were shown on investigation to have committed crimes. Information obtained by plea bargaining was crucially important in many of the major prosecutions and convictions.

The Report describes Special Prosecutor Cox's offer of leniency to corporations which volunteered information about their violations of the campaign financing laws. The reasons for Cox's policy, which was adhered to by each succeeding Special Prosecutor, are described in full in the Report and include proof difficulties, prior lack of enforcement and corporate disclosure of prior practices. The volunteer policy resulted in guilty pleas by 12 corporations and 10 corporate officers. These pleas, and others that followed in the campaign contributions area, marked the first time in many years that corporate officers had been convicted for consenting to illegal contributions.

The Report describes WSPF's concern that guilty pleas involve admission of guilt to a sufficiently serious charge to enable the judge to impose an appropriate sentence. In general the Special Prosecutor was willing to accept a plea to one felony charge. Most federal felonies permit a five-year maximum sentence. WSPF also believed that guilty pleas should resolve the issue of the defendant's guilt or innocence of the underlying conduct which the evidence established. Thus, WSPF refused to accept pleas if the defendant was asserting his innocence in court at the time of the plea, and, with one exception involving one of the first campaign-law violators to come forward voluntarily, refused to accept pleas of nolo

contendere. In a few other situations the Special Prosecutor was willing to accept guilty pleas that did not fully meet these concerns, and the Report sets out the range of considerations that led to the acceptance of such pleas.

The Report also notes that in considering a plea agreement, WSPF was concerned that where subordinates had been convicted and sentenced, the principle of proportionality prevented accepting a plea to a lesser charge from a person who had directed his criminal activities.

Major Investigations and Other Actions (Chapter 3)

The most important work of WSPF's five task forces and the counsel's office is summarized in Chapter 3 of the Report. Not included are large numbers of investigations which involved a relatively minor commitment of office resources and a lesser number of investigations, requiring more substantial efforts, which have not been publicly disclosed in the past and which did not result in charges. Reporting them would publicize, for the first time and in an improper forum, allegations from which the prosecutors concluded they should not initiate court action for the various reasons cited in Chapter 2. In the investigations included within this chapter, allegations are cited if they have already received extensive publicity or if they had become public through court proceedings, legislative inquiries or other forums.

A section of the work of the Watergate Task Force briefly describes its three investigations. The Watergate cover-up investigation resulted in the prosecution and felony conviction of eight men formerly associated with the White House or the President's Campaign Committee. On January 15, 1974, a panel of tapes' experts appointed by Judge Sirica concluded that an 18 1/2 minute gap in a subpoenaed Presidential tape recording of June 20, 1972 had been produced by at least five separate hand operations of the stop and record buttons of a Uher 5000 machine, the same model used by the President's secretary, Rose Mary Woods, in transcribing the tape. Since the experts' report made it clear that the gap had been caused by intentional erasures, and evidence produced at earlier hearings showed that the erasures had occurred after the tape had been subpoenaed, Judge Sirica had referred the matter to the grand jury for further investigation of the possibility of obstruction of justice. A grand jury, assisted by WSPF and the FBI, concluded from the testimony of over 50 people that a very small number of persons could have been responsible for the erasures, but it was unable to obtain evidence sifficient to prosecute any individual.

Another matter which arose as part of the Watergate cover-up investigation was an inquiry into President Nixon's submission of Presidential tape transcripts to the House Judiciary

Committee on April 30, 1974. Comparison of the President's submission with transcripts in WSPF's possession showed that the President's version contained several omissions of portions of conversations. After an investigation, WSPF concluded that there is strong circumstantial evidence that at least some of the lengthy deletions were deliberate, but no prosecution was possible for reasons outlined in the Report.

The Report also describes the work of WSPF's "Dirty Tricks" task force. The "Dirty Tricks" investigation, which resulted in convictions of Donald Segretti and Dwight Chapin, sprung from reports that President Nixon's re-election campaign had included an undercover network of agents who had engaged in various kinds of political espionage and sabotage against candidates for the Democratic Presidential nimination. The reported activities included forging letters and other literature which unfairly attacked some candidates, planting manufactured stories in the press, copying documents from campaign files, and recruiting people to ask embarrassing questions at candidates' rallies or to picket such rallies on behalf of opposing candidates. WSPF also received and investigated allegations about possible "dirty tricks" by agents of Democratic candidates directed against President Nixon's campaign.

WSPF's ITT task force investigated allegations that the Department of Justice had settled three antitrust suits in 1971 against International Telephone and Telegraph Corporation (ITT), one of the Nation's largest conglomerates, in return for ITT's alleged offer to help finance the 1972 Republican National Convention. These investigations included the possibility that perjury had been committed in the 1972 confirmation hearings of Richard Kleindienst to become Attorney General and an allegation that a Securities and Exchange Commission (SEC) inquiry had been obstructed by ITT's failure to produce certain documents. The Report summarizes these investigations and additional allegations that the Kleindienst hearings had been illegally obstructed; that crimes had been committed in connection with the transfer of documents relating to ITT from the SEC to the Justice Department; that ITT had been granted a favorable tax ruling by the Internal Revenue Service as a result of improper influence or fraud; that improper influence had been applied to the Justice Department's handling of the antitrust suits against ITT, apart from the 1971 settlement; that improper influence had been used in securing the agreement of another corporation to merge with ITT; and that perjury had been committed by various people before Congressional Committees, the SEC, and the grand jury. Richard Kleindienst and Howard Reinecke were convicted by this Task Force.

The "Plumbers" task force investigated and prosecuted those responsible for a break-in in September 1971 at the Los Angeles offices of Dr. Lewis Fielding, conducted to secure the psychiatric records of Fielding's former patient, Daniel Ellsberg. At the time of the break-in, Ellsberg was under indictment for his role in the alleged theft of the classified "Pentagon Papers." The report recounts that prosecution, which resulted in the conviction of six individuals, and a number of other investigations undertaken by WSPF's "Plumbers." These included investigations of other break-ins, a "national security" wiretap program, the alleged misuse of federal agencies, the alleged mistreatment of demonstrators, and an inquiry into President Nixon's tax returns.

The Report also details the work of the Campaign Contributions task force, which systematically examined the campaign finances of major 1972 Republican and Democratic Presidential candidates. This examination included the investigation of several hundred separate transactions, including corporate and labor union contributions, recipients' non-reporting of contributions and expenditures, and alleged quid pro quo relationships between contributions and Government actions. The Report specifically describes investigations into the alleged sales of Ambassadorships, contributions made by

Associated Milk Producers, Inc., the "Townhouse" program, the Hughes-Rebozo allegations and an inquiry into the National Hispanic Finance Committee. In total, the Campaign Contributions Task Force convicted 32 individuals and 19 corporations.

Chapter 3 concludes with a summary of the work of WSPF's legal issues task force, the Office of Counsel to the Special Prosecutor.

Efforts to Obtain Evidence from the White House (Chap. 4, first section)

From the first days of Special Prosecutor Cox's tenure until many months after President Nixon's resignation, much of WSPF's energy and concern was devoted to a continuing struggle with the White House to obtain tapes, papers and other evidence that were under President Nixon's control during his incumbency.

The Report describes Cox's early efforts in May and June, 1973, to obtain papers and to insure that White House files containing items he might need would not be tampered with. It details the decision to seek tapes after their existence became known in July, 1973, including the process of identifying for a subpoena the particular tapes which would establish whether John Dean or the President were telling the truth about the President's knowledge and involvement. The negotiations between Cox and the White House and litigation over the grand

jury's subpoena which led in October 1973 to Cox's dismissal are also described. The public uproar over Cox's firing led the President to agree to comply with the subpoena, and the Report describes the disclosure that two of the tapes were missing and one had an 18 1/2 minute gap and the resulting investigation. It details Special Prosecutor Jaworski's continuing efforts to obtain additional materials and the issuance in April 1974 of a subpoena for 64 tapes needed for the Watergate trial and the ensuing litigation resulting in the United States Supreme Court's unanimous decision on July 24, 1974, requiring that these tapes be turned over to the Special Prosecutor.

After President Nixon's resignation WSPF took immediate action to prevent tapes and documents from the White House from being shipped to California and there ensued complex negotiations and litigation, described in the Report, resulting in the Special Prosecutor's obtaining access to the materials he believed he needed to complete his task.

Actions Related to President Nixon's Possible Criminal Liability (Chap. 4, second section)

Section B of Chapter 4 describes the issues facing the Special Prosecutor relating to the possible criminal liability of President Nixon. The background is John Dean's testimony

in June, 1973 before the Senate Select Committee implicating the President in discussions of executive clemency for Watergate burglar E. Howard Hunt and the decision to pay Hunt "hush money." Dean's version was corroborated and added to by the March 21, 1973 tape which WSPF obtained following the "Saturday night massacre" in late October 1973.

The Report describes the deliberations of WSPF on whether President Nixon could and should be indicted and Special Prosecutor Jaworski's decision not to recommend such an indictment to the grand jury, but instead to transmit evidence pertinent to the President's involvement to the House Judiciary Committee which was then considering impeachment. The Report details the steps leading to this information reaching the House Committee and describes the cooperation between the Committee and WSPF that resulted in additional information and assistance being made available to the House Committee. On July 29, 1974 the Committee included in Article II of its Articles of Impeachment a charge that the President had "knowingly misused the executive power by interfering with agencies of the federal government," and included WSPF among the agencies listed.

The Report also details the decision to name President Nixon an unindicted co-conspirator in the Watergate indictment.

After President Nixon resigned, Special Prosecutor Jaworski decided that he would defer any possible criminal action against the former President until the Watergate cover-up jury was sequestered and the trial had started. His purpose was to avoid exposing the jurors to additional pre-trial publicity. The result of this decision was that Nixon, if charged with complicity in the Watergate cover-up, would have been tried separately from Haldeman, Mitchell, Ehrlichman and the other alleged co-conspirators originally charged.

The Report describes Jaworski's meeting with Phillip Buchen, Counsel to President Ford, in which the Special Prosecutor told Buchen that the pre-trial publicity required a delay of at least 9 to 12 months before a jury could be selected and at which he gave Mr. Buchen a list of ten matters pending before WSPF which "may prove to have some connection to activities in which Mr. Nixon is personally involved," but as to which WSPF lacked evidence of a probable criminal violation.

On September 8, President Ford pardoned Mr. Nixon. On October 12 Special Prosecutor Jaworski wrote Attorney General Saxbe a letter accompanying his resignation in which he explained his reasons, included in the Report, for not challenging the pardon.

In addition to the 154 pages in the main body of the Report summarized above, the Report included 13 appendices. They include a complete status report of all cases handled by WSPF up to September 15, 1975, a detailed organizational history of WSPF, a description of the relationship of the Special Prosecutor with the Attorney General and with various federal agencies and legislative committees, a detailed chronology of Watergate events as they related to WSPF's work, and a comprehensive bibliography of the extensive public materials relating to matters investigated by WSPF.

October 23, 1975

139-4089-3070

REC-65

Henry S. Ruth, Jr., Esq.
Special Prosecutor
Watergate Special Prosecution Force
1425 K Street, N. W.
Washington, D. C. 20005

Dear Henry Ruth

Thank you for the copy of the Report of the Watergate Special Prosecution Force which you so thoughtfully sent on October 16th.

Your kind comments concerning the assistance provided by my colleagues are indeed generous, and the cooperative attitude you mention was certainly reciprocated by your office. We deeply appreciate the professionalism and cordiality exhibited by your staff.

MAILED 5
OCT 23 1975
FBI

Sincerely yours,

C. Kelley

Clarence M. Kelley
Director

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JCM/dr

1 - Mr. Gallagher - Enclosure
Personal Attention: Bring to the attention of appropriate personnel.

NOTE: Bufiles contain no information to preclude this letter. Mr. Ruth enclosed the Watergate Special Prosecution Force Report dated October, 1975. First-name salutation used based on incoming letter.

MRR:rcl (4)

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

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TO : Mr. Gallagher

DATE: 11/6/75

FROM : W. M. Mooney

SUBJECT: WATERGATE SPECIAL PROSECUTION FORCE REPORT

Rememo R. J. Gallagher to Mr. Adams dated 10/17/75.

Pursuant to referenced memo, captioned report has been reviewed by Training Division. Our perusal and analysis of this document discloses no specific references to matters within the purview of Training Division.

It is suggested, however, that the report be integrated into the Academy Learning Resource Center for purposes of reference.

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UNITED STATES GOVERNMENT

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TO : Mr. Jenkins

DATE: 10/24/75

FROM : J. J. McDermott

SUBJECT: WATERGATE SPECIAL PROSECUTION FORCE REPORT

Reference is made to R. J. Gallagher memorandum to Mr. Adams dated 10/17/75 captioned as above requesting that each Division review the Watergate Special Prosecution Force (WSPF) Report for information relating to matters within its Division and, specifically, the observations and recommendations beginning on page 134, and that the comments of the Divisions be furnished accordingly.

A review of this Report fails to reveal any issue or item affecting the responsibility or operations of the Files and Communications Division except for the following. On page 141 under the heading "Clarification of the Status under the Freedom of Information Act (FOIA) for Information Obtained in Confidence by Criminal Investigators." The Force recommended that the Statute should be amended to make clear that information furnished on a confidential basis to a Federal law enforcement agency is protected from disclosure. Since the FOIA Section of this Division is responsible for implementation of this Act within the Bureau, I concur with this recommendation of the WSPF. WSPF took cognizance of the fact that the FOIA Statute can, and should be, interpreted to protect the confidentiality of information supplied by a confidential source to law enforcement personnel.

REC-57 139-4089-3076

WSPF's recommended amendment would further strengthen the Bureau's position and would assist our Division in administering the provisions of FOIA by clarifying the exact scope of information in our files (received from confidential sources) which is fully protected from public disclosure.

RECOMMENDATION:

7 NOV 26 1975

For information.

1 - FOIA Section
1 - Mr. Rhyne

OTB:nlm (6)

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DATE 7/23/80 BY SP4 [illegible]

9 DEC 9 1975

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

5010-108

OPTIONAL FORM NO. 10
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UNITED STATES GOVERNMENT

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TO : MR. HOXIE

DATE: 11/7/75

FROM : R. W. CARTER

SUBJECT: WATERGATE SPECIAL PROSECUTION FORCE REPORT

Reference R. J. Gallagher memo to Mr. Adams, 10/17/75.

Referenced memorandum requested each Division to review captioned report for information relating to matters within that Division. I have reviewed the entire report and find nothing specifically relating to the operations of this Division. Our study on "Case Management Information Systems" (CMIS) might possibly have some relationship to the computerization of investigative information described by this report beginning on page 231. This was reviewed by Agent A. L. Scott, and was the subject of your memo to the Director dated 10/23/75, captioned as above.

There were some items touched on in this report which may be of interest. Beginning on page 134, the report expresses concern on abuse of power by Government officials in high places. One of the areas of specific concern is the "historical growth of secrecy in the Federal executive branch unchecked by Americans and their elected Congress." Another item mentioned the "unchallenged, subjective judgements by the executive branch in identifying persons and organizations that constitute an impermissible threat to the national interest." They commented that "national security can easily be used to justify unconstitutional acts...".

The Task Force made some interesting observations regarding the Freedom of Information Act. They said that successful investigations and prosecution, particularly in areas of official corruption and "White Collar Crime," often depend heavily on the voluntary cooperation of the subjects of investigation or their close associates. They expressed the opinion that this cooperation would diminish substantially if information from such sources was subject

RWC:ah
(2)

REC-57 139-6[illegible]-3073

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

5010-108

to ready disclosure under the Freedom of Information Act. This discussion begins on page 141 in the report. They make the recommendation that the statute [redacted] be amended to make clear that information furnished on a confidential basis to a Federal law enforcement agency is protected from disclosure.

Beginning on page 142, they make some suggestions for protecting the integrity of the Executive Branch law enforcement agencies. They said that such agencies should respond to Presidential direction in broad policy areas and should be generally accountable to the President for the performance of their functions, but their responsiveness should not be such as to make it possible for them to be used politically. They said that the heads of such agencies appointed by the President and confirmed by the Senate, should be highly qualified individuals with independent reputations. They should be capable of making independent judgements and authorized to appoint similarly qualified subordinates. Several places in the report they encourage Congressional oversite of executive branch law enforcement and intelligence agencies.

Beginning on page 144 they make a recommendation regarding policy governing intelligence functions. The report states that these functions should be subject to the same policy procedures as any other important government enterprise. The intelligence gathering agencies should formulate written policy that include the purposes for which intelligence is gathered, methods to be used, kinds of information sought, and provisions for periodic reviews of priorities and purging of records at regular intervals.

The report does not make any criticism of the Bureau as such. References were made to some questionable actions on the part of Acting Director L. Patrick Gray. If anything, the report is complimentary of the Bureau's efforts in the Watergate matter.

According to the report, one of the special prosecutor's most difficult early decisions was whether to use the FBI has the principal investigative arm or to hire his own investigative staff. Beginning on page 218, the report explains how the special prosecutor examined the FBI's role in the Watergate Investigation. After weighing

all the evidence, he decided to continue to use the FBI to conduct his investigations. The following statement appears on page 218, "There also appeared to be no basis for doubting the integrity or diligence of the agents who had actually conducted the investigations to date and who would presumably be the ones to continue this work under the direction of the Special Prosecutor."

The report states on page 220, that the FBI's work in the great majority of individual matters investigated by the Watergate Special Prosecution Force was quite extensive.

RECOMMENDATION

For information.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. R. J. Gallagher
1 - Mr. W. R. Wannall
1 - Mr. F. J. Cassidy

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TO : Mr. W. R. Wannall

DATE: 11/26/75

1 - Mr. A. F. Watters

FROM : F. J. Cassidy

SUBJECT: WATERGATE SPECIAL PROSECUTION FORCE REPORT

Jan - Walter McCord

Cassidy

Reference memorandum from R. J. Gallagher to Mr. Adams, dated 10/17/75, captioned as above, requesting INTD's views concerning Report issued by Watergate Special Prosecution Force, dated October, 1975.

INTD has reviewed this document and offers the following observations concerning recommendations in the Report directly pertinent to the responsibilities of this Division. These recommendations appear at pages 143-145 of the Report, which was furnished as attachment to referenced memorandum.

The first recommendation was that each agency with intelligence-gathering responsibilities, including the FBI, "...should formulate written policies that include the purposes for which intelligence is to be gathered, the methods to be used in obtaining information, the kinds of information to be sought, and provisions for periodic review of priorities and purging of records that no longer serve an important or legitimate purpose."

The Attorney General's Guidelines Committee within the Department of Justice, with the cooperation of representatives of this Bureau, is currently putting this recommendation into effect. Tentative guidelines have been drafted for domestic intelligence investigations supervised by INTD. We expect that guidelines for counterintelligence investigations will be submitted for FBI comment in the near future. Consequently, our position with respect to this recommendation is that we approve it and are participating with the Attorney General in its implementation.

AFW:ded
(5)

REC-57 137-4089-3074

EX-115

CONTINUED - OVER

30 DEC 3 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 [illegible]

84 DEC 18 1975

The second recommendation of the Report pertinent to INTD operations concerns surreptitious entries based upon the authority of the President in the area of national security. The Report recommended that the current policy of the Executive, together with past policy, should be disclosed publicly, together with a statement setting forth the precise power now claimed by the Executive to conduct surreptitious entries and how this discretion is exercised.

INTD opposes this recommendation, since we believe that public debate and scrutiny of this aspect of the President's national security powers would be contrary to the public interest. This is the case because such a discussion would inevitably result in revelation of past practices in this field, which would only be to the advantage of our adversaries in the international environment.

The two recommendations of the Watergate Special Prosecution Force Report which have been set forth above are based upon an overall finding, set forth at pages 142 and 143, that agencies such as the FBI should be responsive to Presidential direction but not so responsive as to make them part of the President's political apparatus. INTD concurs with this observation.

The Report also concluded that Congress should exercise policy oversight of FBI activities but that such policy oversight should not be allowed to become congressional intervention in particular matters since"...over-responsiveness to the personal or political interests of Members of Congress is no less evil than over-responsiveness to the White House." INTD concurs with this observation also.

CONTINUED - OVER

Memorandum to Mr. W. R. Wannall
Re: Watergate Special Prosecution Force Report

ACTION:

None. For information of the General Investigative Division.

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

FBI

Date: 12/3/75

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (139-4089)

FROM: SAC, NEW YORK (139-301) (RUC)

SUBJECT: JAMES WALTER MC CORD aka;
ET AL
BURGLARY OF DEMOCRATIC
NATIONAL COMMITTEE HEADQUARTERS
6/17/72
IOC
(00:WFO)

NYO is placing this matter in an RUC status. Any leads forthcoming from WFO or FBI Headquarters will be immediately handled on an expedite basis.

REC-60 139-4089-3075

EX 104

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JRA/OMS

DEC 5 1975

2- Bureau
2- Washington Field (139-133)
1- New York
RTR:kwp
(6)

SIX

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

DEC 16 1975

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 345-060 (11)

SAC, BUFFALO 12/4/75

SAC, PHILADELPHIA (139-115) (RUC)

JAMES WALTER MC CORD, JR.
ET AL
BURGLARY OF THE DEMOCRATIC
NATIONAL HEADQUARTERS
WASHINGTON, D.C.
JUNE 17, 1972
INTERCEPTION OF COMMUNICATIONS
(ACCOUNTING AND FRAUD SECTION)

Re Bureau letter to Philadelphia, 10/17/75.

Enclosed for Buffalo are two copies each of referenced communication, Bureau airtel to WFO and Pittsburgh and xerox copy of letter from DAVID B. SCHULER to Bureau dated 9/30/75.

After numerous attempts to contact DAVID B. SCHULER at 319 West North Street, York, Pa., it was determined that SCHULER has moved from the York area and presently resides at 6678 Wick Road, Lockport, N.Y., 14094.

LEAD

BUFFALO
AT LOCKPORT, N.Y.:

Contact SCHULER and orally acknowledge receipt of his letter. Also advise him that there is no record in Bufiles indicating he furnished a tape recording to representatives of the FBI.

In regards to the notebook referred to by SCHULER in his letter which was allegedly furnished to the Strike Force, SCHULER shaikl be advised the FBI has no control of

2 - Buffalo (Encls. 6)
1 - Bureau
1 - Pittsburgh (139-83) (Info)
1 - WFO (139-166) (Info)
1 - Philadelphia (139-115)
NR:sis
(6)

139-4089

NOT RECORDED
15 DEC 9 1975

file 139-4089

ALL INFORMATION CONTAINED
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DATE 7/23/82 BY SP2 [illegible]

SIX

items received by the Strike Force and he should contact the Strike Force for return of the notebook.

CONFIDENTIAL

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 1 5 1976

TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

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

[illegible] 1/1[illegible]/7[illegible] [illegible]

[illegible] (1[illegible]-4[illegible])

[illegible], [illegible] (1[illegible]-1[illegible])

[illegible] (1[illegible]-1[illegible])([illegible])

JAMES WALTER MC CORD, JR., AKA, ET AL, BURGLARY OF DEMOCRATIC [illegible], WASHINGTON, D.C., JUNE 17, 1972, [illegible], CC:WFO. SUBSTITUTE: TAMPA FILE 1[illegible]-5[illegible].

[illegible] OF SA [illegible] J. [illegible], JUNE [illegible], 1972, AT [illegible].

ON JANUARY 15, 1976, WALLACE L. STOREY, ATTORNEY FOR JACK [illegible], [illegible] LAKE MARTHA DR. N.E., WINTER HAVEN, FLA., TELE-[illegible] CONTACTED SA [illegible], [illegible], LAKELAND, FLA., [illegible], [illegible] "[illegible]" [illegible] SPECIFICALLY ON [illegible] [illegible] ([illegible]) [illegible] INTERVIEW OF [illegible]. HE ADVISED [illegible] IS A HEART PATIENT AND UNABLE TO TRAVEL. MADIGAN [illegible] TO TRAVEL TO WINTER HAVEN TO INTERVIEW [illegible] [illegible] LETTER SENT BY [illegible] TO [illegible] [illegible] OF EMPLOYMENT.

REC-51 139-4089-3091

ST. 115

7 JAN 22 1976

STOREY REQUESTED SA ROBERTS BE PRESENT AT INTERVIEW OF [illegible]. HE ADVISED MADIGAN HAD INDICATED A DESIRE TO CONDUCT [illegible] INTERVIEW ON JANUARY 17, 1[illegible] OR 1[illegible], 1976.

[illegible] HAS ADVISED SA ROBERTS WOULD NOT BE AVAILABLE TO SIT

[redacted]

B1

7/25/80
CLASS. & EXT. BY SP4 JRM1 OMS
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 1/15/96

cc in [illegible]-116395

139-4089

84 JAN 26 1976

CONFIDENTIAL

[illegible] TR 13[illegible]-182

[illegible] WITH WITHOUT SPECIFIC BUREAU AUTHORITY.

[illegible] STATED HE RECALLED THE LETTER IN QUESTION WAS [illegible] AT HIS OFFICE IN [illegible], FLA., BY THEN [illegible], [illegible], [illegible], [illegible], [illegible] INTERVIEW PRIOR TO WATERGATE TRIALS.

[illegible] ADVISED INASMUCH AS HE IS OF OPINION SILBERT HAS [illegible] OF MATTER, HE WILL RECONTACT MADIGAN AND [illegible] SILBERT AT WASHINGTON, D.C., IN LIEU OF INTERVIEW [illegible].

[illegible] INFORMATION DEVELOPED IN THIS MATTER, BUREAU [illegible].

[illegible]

[illegible] 5

CONFIDENTIAL

MAILED

NAME CHECK

1 - Mr. Theisen
Room 5005H
1 - Mr. Formy-Duval

January 19, 1976

CAROL ANNE McCORD
Born: December 7, 1953
Washington, D.C.

In response to your name check request, this is to advise that the above-captioned individual has never been the subject of an investigation by this Bureau; however, FBI central files reveal that one Carol Anne McCord is shown as the daughter of James Walter McCord, Jr., 7 Winder Court, Rockville, Maryland. James Walter McCord is alleged to have participated in the burglary of the Democratic National Headquarters, Washington, D.C., in June, 1972. (139-4089-441)

Original and 1 - CSC-Nonsensitive, Center for Disease Control
Request Received 1/9/76
MFD:jle (5)
NOTE: Matter coordinated with Special Agent J. L. Theisen, White Collar Crime-Accounting Matters Unit, General Investigative Division.

139-4089-

NOT RECORDED
191 JAN 21 1976

5 JAN 20 1976

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

ENCLOSURE

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 JRM/OMS

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This reply is result of check of FBI investigative files. To check arrest records, request must be submitted to FBI Identification Division. Fingerprints are necessary for positive check.

62 JAN 22 1976

MAIL ROOM [ ] TELETYPE UNIT [ ]

APPLICATION FOR NONSENSITIVE OR NONCRITICAL-SENSITIVE POSITION

IMPORTANT

Particular care must be used in completing the items numbered 1 through 9. READ THE INSTRUCTIONS ON THE BACK OF THIS FORM BEFORE ANSWERING ANY OF THESE ITEMS.

1. A. FULL NAME (LAST, FIRST, MIDDLE): Ma[illegible]rd, Carol Anne
B. OTHER NAMES USED: None

CH [illegible] 041799

2. ARMED SERVICES SERIAL NO., AND DATES AND BRANCH OF SERVICE:

3. SOCIAL SECURITY NO.: 220-58-6606

4. DATE AND PLACE (CITY, STATE) OF BIRTH: Washington, D.C., Dec. 7, 1953

5. POSITION: Clerk-Typist

6. AGENCY NAME AND ADDRESS: CDC, NIOSH, 5600 Fishers Lane, Rockville, Md., 20852

7. DATES & PLACES OF RESIDENCE

From (Mo./Yr.) To (Mo./Yr.)	No. and Street Address	City and State	ZIP Code
8/67 to present	6861 Elgerdge.	Springfield, Vad.	22150
	7 Winder Court	Rockville, Md.	

8. DATE OF THIS REQUEST: 11-05-75

9. (CHECK ONE) [X] NONSENSITIVE [ ] NONCRITICAL-SENSITIVE

10. (CHECK ONE) [X] SINGLE [ ] MARRIED [ ] WIDOWER [ ] DIVORCED

11. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAID NAME. GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (GIVE SAME INFORMATION REGARDING ALL PREVIOUS MARRIAGES AND DIVORCE

NA

12. IDENTIFYING NUMBERS (OTHER THAN SOCIAL SECURITY OR ARMED SERVICES SERIAL, SUCH AS PASSPORT NO., ALIEN REGISTRATION NO., SEAMAN'S CERTIFICATE O IDENTIFICATION, ETC. GIVE ALL, SPECIFYING WHICH.)

None

13. ORGANIZATIONS WITH WHICH AFFILIATED (PAST AND PRESENT) OTHER THAN RELIGIOUS OR POLITICAL ORGANIZATIONS OR THOSE WHICH SHOW RELIGIOUS O POLITICAL AFFILIATIONS (IF "NONE," SO STATE).

None

14. DATES, NAMES AND ADDRESSES OF EMPLOYERS (BEGIN WITH PRESENT AND GO BACK TO JANUARY 1, 1937. CONTINUE UNDER ITEM 21 ON OTHER SIDE IF NECESSAR

From (Mo., Yr.) To (Mo., Yr.)	Employer	No., Street, City, State	ZIP Code
9/75 to 2/75	First Bapt. Church	[illegible], Tex.	[illegible]
3/74 to 5/75	Univ. of Md. Food Services	College Park, Md.	20742
8/74 to 8/74	Hebrew Home	Rockville, Md.	20852
1/74 to 5/74	Univ. of Md. Food Services	College Park, Md.	20742
5/73 to 7/73	Hebrew Home	Rockville, Md.	20742
8/72 to 8/72	Church of Christ Nursery School	Rockville, Md.	20850
6/71 to 2/71	Security International	414 Hungerford, Rockville, Md.	20850

CERTIFICATION

FALSE STATEMENT ON THIS FORM IS PUNISHABLE BY LAW.

I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ARE MADE IN GOOD FAITH.

DATE _____ SIGNATURE (SIGN ORIGINAL AND FIRST CARBON COPY) Carol [illegible]

15. DATE OF APPOINTMENT: 10-26-75

16. PLACE OF DUTY (IF DIFFERENT FROM ADDRESS IN ITEM 6)

17. TYPE OF APPOINTMENT [ ] EXCEPTED [X] COMPETITIVE — INCLUDES INDEFINITE AND TEMPORARY TYPES OF COMPETITIVE APPOINTMENT.

18. CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY: CS Register

19. THIS SPACE FOR FBI USE (SEE ALSO ITEM 22)

20. NAME AND FULL MAILING ADDRESS OF AGENCY OFFICIAL TO WHOM RESULTS OF INVESTIGATION SHOULD BE SENT. INCLUDE ZIP CODE.
Center for Disease Control
Personnel Management Office
Atlanta, Georgia 30333

85-107

File Copy 139-4089

ENCLOSURE

RUFUS KING, III

RUFUS KING
ATTORNEY AT LAW

WOODWARD BUILDING
WASHINGTON, D.C. 20005

TEL: (202) 638-4117
CABLES: "ARKING"

April 20, 1976

Honorable Harold R. Tyler, Jr.
Deputy Attorney General
Department of Justice
Washington, D.C. 20530

Dear Sir:

Pursuant to §552(a) of Title 5, U.S.C. and Subpart A of Title 28, C.F.R., you are respectfully requested to produce at some convenient time and place for examination, inspection and copying by me or my attorneys, all notes, correspondence, transcripts, memoranda, logs, calendars, diaries, files and other records, and tapes and other recordings relating directly or indirectly to the investigation and prosecution of me and other codefendants in the cases of United States v. G. Gordon Liddy, et al., CR. NO. 1827-72 (U.S. District Court, D.C.) and United States v. Edward Martin, etc., et al., CR. NO. 34127-72-A (Superior Court, D.C.) as well as any records or communications not included in the above between any official of the United States government and Gerald Alch, Esq., F. Lee Bailey, Esq., or John Albert Johnson, Esq. pertaining to the above cases.

Please respond in care of my attorney at the address given above.

Very truly yours,

James W. McCord, Jr.

James W. McCord, Jr.

OFFICE OF THE DEPUTY ATTORNEY GENERAL
APR 21 11 59 AM '76

JC/DS

REC-59

AJP/JP

14 MAY 18 1976

JEH
WN

File it

EX 103

REC-59 / 19-4087-2077

May 14, 1976

Rufus King III, Esq.
Woodward Building
Washington, D. C. 20005

Dear Mr. King:

Your letter of April 20, 1976, directed to Deputy Attorney General Harold R. Tyler, Jr., was in turn forwarded to the Federal Bureau of Investigation (FBI), and received in the Freedom of Information-Privacy Acts (FOIPA) Section on April 23, 1976.

You were telephonically contacted on May 3, 1976, by a representative of the FOIPA Section for clarification of a particular portion of your request under the Freedom of Information Act (FOIA) and Title 28, Code of Federal Regulations, Subpart A.

For your information, there were five separate actions filed in the Superior Court of Washington, D. C., as set out below:

1. James McCord, aka Edward Martin
   CR 34-127-72A
   Attorney - Joseph A. Rafferty, Jr.
   Attorney - at a later date - Gerald Alch;

2. Bernard L. Barker, aka Frank Carter
   CR 34-128-72A
   Attorney - Joseph A. Rafferty, Jr.
   Attorney - at a later time - Henry B. Rothblatt;

3. Virgilo R. Gonzales, aka Raoul Godoyn
   CR 34-129-72A
   Attorney - Joseph A. Rafferty, Jr.
   Attorney - at a later time - Henry B. Rothblatt;

4. Jene Valdes, aka Eugeneo R. Martinez
   CR 34-130-72A
   Attorney - Joseph A. Rafferty, Jr.
   Attorney - at a later time - Henry B. Rothblatt;

MAILED 10
MAY 14 1976
FBI

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

1 - The Deputy Attorney General - Enclosure
Attention: Susan M. Hauser

JEH:cgg (5L)

MAIL ROOM 1976 TELETYPE UNIT

GPO : 1975 O - 569-920

5. Frank Sturgis, aka Angelo Frank Firorini,
   aka Edward Hamilton
   CR 34-131-72A.

The original complaint filed against the above five individuals in Superior Court was dismissed and transferred to the United States District Court, District of Columbia subsequent to their indictment. There are seven defendants listed under Action Number CR 18-27-72, U.S.D.C., D.C., as set out below:

1. George Gordon Liddy
   Attorney - Peter Maroulis;

2. Everette Howard Hunt, Jr.
   Attorney C. Dickerson Williams;

3. James W. McCord, Jr.
   Attorney - Bernard Fensterwald, Jr.

4. Bernard L. Barker
   Attorney - Daniel E. Schultz;

5. Eugenio R. Martinez
   Attorney - Daniel E. Schultz;

6. Frank A. Sturgis
   Attorney - Daniel E. Schultz;

7. Virgilio R. Gonzalez
   Attorney - Daniel E. Schultz.

You advised telephonically that Mr. Gerald Alch was Mr. McCords' attorney into the Circuit Court proceedings and until approximately May of 1973, when he was replaced by Mr. Fensterwald. You further advised that the thrust of your request regarding the Superior Court action was for documents relating to your client and the codefendants listed in the separate docket numbers above.

In this instance, you are requested to furnish notarized authorizations from your client, all six codefendants and Messrs. Alch, Bailey and Johnson,

directing that we furnish to you information concerning them of the nature requested by you. We shall thereafter search our files and advise you accordingly.

Since we have not conducted a search of our files please do not infer that we do or do not have the information you requested.

You have thirty days from receipt of this letter to appeal to the Attorney General from any denial contained herein. Appeals should be directed in writing to the Attorney General (Attention: Freedom of Information Appeals Unit), Washington, D. C. 20530. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 6/28/76

FROM : SAC, WFO (56-308)

SUBJECT: INVESTIGATIVE MATTERS PREVIOUSLY REFERRED TO THE OFFICE OF THE WATERGATE SPECIAL PROSECUTOR; CAMPAIGN CONTRIBUTIONS ELECTION LAWS (ACCOUNTING AND FRAUD SECTION WATERGATE UNIT)

Enclosed for FBIHQ are the originial and five (5) copies of an LHM dated and captioned as above for dissemination to the Watergate Special Prosecutor's Office (WSPO).

This LHM sets forth fifty (50) cases which had previously been submitted for review to WSPO by WFO in May, 1974. Concurrently these cases have been carried by WFO in a pending inactive - unassigned status while awaiting results of the WSPO review. To date the results of this review have not been received by WFO.

WFO is anxious to be advised of the WSPO opinion on each case set forth in order that each case may be either closed or reopened for further investigation.

EXP. PROC.
30 JUN 28 1976

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 7/23/80 BY SP4JRM/DMS

2 copies disseminated to SP4, attention: Charles R. 3 copies Room 5005 7-1-76 AEM/els

EX-112

REC-36

3078

7-1
JUN 28 1976

ENCLOSURE

2 - [illegible]
2 - [illegible]
1 - AEM
1 - FILE

2 - Bureau
50- WFO (copy count attached)
RJR:dml
(2)

SIX

5 [illegible] 6 1976

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

5010-110

WFO 56-308

1 - 56-308	1 - 56-309
1 - 56-311	1 - 56-313
1 - 56-314	1 - 56-315
1 - 56-318	1 - 56-319
1 - 56-321	1 - 56-323
1 - 56-329	1 - 56-330
1 - 56-331	1 - 56-332
1 - 56-333	1 - 56-340
1 - 56-341	1 - 56-345
1 - 56-347	1 - 56-352
1 - 56-353	1 - 56-355
1 - 56-358	1 - 56-361
1 - 56-362	1 - 56-376
1 - 56-382	1 - 56-389
1 - 56-391	1 - 56-393
1 - 56-397	1 - 56-404
1 - 56-424	1 - 56-428
1 - 56-436	1 - 56-441
1 - 56-450	1 - 56-461
1 - 56-462	1 - 56-465
1 - 56-468	1 - 56-478
1 - 56-482	1 - 56-490
1 - 56-503	1 - 46-10056
1 - 46-10103	1 - 58-1413
1 - 62-10580	1 - 74-290

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Washington, D.C. 20535
June 28, 1976

INVESTIGATIVE MATTERS PREVIOUSLY
REFERRED TO THE OFFICE OF THE
WATERGATE SPECIAL PROSECUTOR
CAMPAIGN CONTRIBUTIONS
ELECTION LAWS

The cases set forth below had previously been referred by the Washington Field Office (WFO) of the Federal Bureau of Investigation (FBI) to the Office of the Watergate Special Prosecutor for review in May, 1974. It is requested that the results of the Special Prosecutor's Office review of each of these investigative matters be made available to the FBI in order that each case may be either closed or reopened for further active investigation.

1. Northwest Orient Airlines
   Watergate Special Matters
   Election Laws

2. Tim Milford Babcock
   Campaign Contributions
   Election Laws

3. American Shipbuilding Company
   George M. Steinbrenner
   Election Laws

4. Salomon Brothers
   Campaign Contributions
   Election Laws

5. Max Palevsky
   Campaign Contributions
   Election Laws

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 JSM/Ans

3078

ENCLOSURE

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

6. Northwest Bank
   Patrick J. O'Connor
   Campaign Contributions
   Election Laws

7. Jeno's Incorporated
   Jeno Paulucci
   Campaign Contributions
   Election Laws

8. L-T-V Corporation
   Campaign Contributions
   Election Laws

9. Cities Service Company
   Campaign Contributions
   Election Laws

10. Exxon Corporation
    Standard Oil Company of California
    Campaign Contributions
    Election Laws

11. Robert A. Collier
    Information Concerning
    Campaign Contributions
    Election Laws

12. Mason Hangar Company
    Horatio Mason
    Election Laws

13. INCOM, Incorporated
    R.M. Collie
    Election Laws

14. Atchison, Topeka and
    Sante Fe Railroad
    Campaign Contributions

15. Graniteville Company
    Robert P. Timmerman
    Election Laws

16. Brigadier General Thomas Stafford
    Information Concerning

17. Marathon Oil Company
    Campaign Contributions
    Election Laws

18. Avon Steamship Company, Incorporated
    Campaign Contributions
    Election Laws

19. American Shipbuilding Company
    Contributions to "Dinner with
    Dan Committee"
    Election Laws

20. Hispanic Finance Committee
    Campaign Contributions
    Election Laws; Bribery

21. Martin Woolin
    Maurice Stans
    Election Laws; Bribery

22. Springs Mills, Incorporated
    Hugh W. Close
    Campaign Contributions
    Election Laws

23. Apparel Industries Committee
    Abe Schrader, Chairman;
    Fred Pomerantz, Treasurer;
    Samuel Sandhaus, Secretary;
    Campaign Contributions

24. Citizens for Jackson
    Campaign Committee
    Election Laws

25. Audio Intelligence Devices
    Leo Goodwin Foundation
    Campaign Contributions

26. Texas Instruments, Incorporated
    Campaign Contributions
    Election Laws

27. United Airlines (UAL)
    Edward E. Carlson
    Campaign Contributions
    Election Laws

28. Honeywell, Incorporated
    Campaign Contributions
    Election Laws

29. Lakewell Industrial Park, Incorporated
    Andrew Clark
    Campaign Contributions
    Election Laws

30. Teledyne Ryan Aeronautical Company
    Campaign Contributions
    Election Laws

31. National Cable Television Association, Incorporated (NCTA)
    Campaign Contributions
    Election Laws

32. CRC Corporation
    Campaign Contributions
    Election Laws

33. Harvy A. Roffanan, also known as Henry Roffman
    Campaign Contributions
    Election Laws

34. Kerr - McGee Corporation
    Campaign Contributions
    Election Laws

35. Theodore Ashley
    Warner Communications, Incorporated
    Campaign Contributions
    Election Laws

36. Engstrom - Hicks Insurance Agency
    Election Laws

37. Continental Airlines
    Campaign Contributions
    Election Laws

38. Anthony George Angelos
    Campaign Contributions
    Election Laws

39. Eugene Richard Warner
    Election Laws; Conspiracy

40. Executive Jet Aviation, Incorporated
    Campaign Contributions
    Election Laws

41. Douglas W. Inglish, Jr.
    Campaign Contributions
    Election Laws

42. Ashland Oil Corporation
    Campaign Contributions
    Election Laws

43. Theodore M. Risenhoover
    U.S. Congressman
    Second Congressional District of Oklahoma
    Election Laws

44. McDonnell Douglas Aircraft Corporation
    Campaign Contributions
    Election Laws

45. C. Brewer and Company, Limited
    Honolulu, Hawaii
    Election Laws

46. Federation of Experienced Americans, Independent Older Americans
    Fraud Against the Government
    Conspiracy

47. Unknown Subjects
Alleged Misuse of the Internal Revenue Service
Fraud Against the Government

48. John A. Scali
Conflict of Interest

49. Charles G. Rebozo
Miscellaneous Information Concerning

50. Unknown Subjects;
Missing and Altered White House Tapes and Documents
Perjury; Obstruction of Justice; Destruction of Government Property.

Airtel

ST-10 DE-21

8/31/76

To: SAC, WFO V-10

REC 68

From: Director, FBI 139-4089-3079 Mr. Meyer

INVESTIGATIVE MATTERS
PREVIOUSLY REFERRED TO THE
OFFICE OF THE WATERGATE
SPECIAL PROSECUTOR;
CAMPAIGN CONTRIBUTIONS
ELECTION LAWS

Reurltr to the Director dated 6/28/76, captioned "Investigative Matters Previously Referred to the Office of the Watergate Special Prosecutor; Campaign Contributions Election Laws."

The following investigative matters have been closed by the Watergate Special Prosecution Force:

1. Northwest Orient Airlines
2. Tim Milford Babcock
3. Solomon Brothers
4. Cities Service Company
5. Exxon Corporation/Standard Oil Company of California
6. Robert A. Collier
7. Mason Hangar Company Horatio Mason
8. INCOM, Incorporated R. M. Collie
9. Atchison, Topeka & Santa Fe Railroad
10. Brigadier General Thomas Stafford
11. Marathon Oil Company
12. Avon Steamship Company, Incorporated
13. Hispanic Finance Committee

MAILED 13 AUG 31 1976 FBI

AEM:els (4)

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Admin. ___
Comp. Syst. ___
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Plan. & Eval. ___
Spec. Inv. ___
Training ___
Legal Coun. ___
Telephone Rm. ___
Director Sec'y ___

SEP 2 1976

SEP 24 1976

MAIL ROOM ☐ TELETYPE UNIT ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JDN/DMS

GPO : 1975 O - 569-920

14. Martin Woolin
    Maurice Stans

15. Spring Mills, Incorporated
    Hugh W. Close

16. Apparel Industries Committee
    Abe Schrader, Chairman
    Fred Pomerantz, Treasurer
    Samuel Sandhaus, Secretary

17. Audio Intelligence Devices
    Leo Goodwin Foundation

18. Texas Instruments, Incorporated

19. United Airlines (UAL)
    Edward C. Carlson

20. Honeywell, Incorporated

21. Lakeland Industrial Park, Incorporated
    Andrew Clark

22. Teledyne Ryan Aeronautical Company

23. CRC Corporation

24. Harvy A. Roffanan, aka Henry Roffman

25. Kerr - McGee Corporation

26. Engstrom-Hicks Insurance Agency

27. Continental Airlines

28. Executive Jet Aviation Incorporated

29. Douglas W. Inglish, Jr.

30. Ashland Oil Corporation

31. Theodore M. Risenhoover
    U.S. Congressman
    Second Congressional District of Oklahoma

32. C. Brewer and Company, Limited

33. Federation of Experienced Americans,
Independent Older Americans

34. John A. Scali

35. Northwest Bank
Patrick J. O'Connor

36. American Shipbuilding Company
Contributions to "Dinner with Dan Committee"

37. Citizens for Jackson Campaign Committee

38. Anthony George Angelos

39. McDonnell-Douglas Aircraft Corporation

40. Unknown Subjects
Alleged Misuse of the Internal Revenue
Service Fraud Against the Government

41. Unknown Subjects
Missing and Altered White House Tapes &
Documents; Perjury; Obstruction of
Justice; Destruction of Government Property

The following investigative matters have been transferred to the Internal Revenue Service:

1. American Shipbuilding Company
George Steinbrenner
2. Max Palevsky
3. Jeno's Incorporated
Jeno Paulucci
4. Graniteville Company
Robert P. Timmerman

The following investigative matters have been transferred to the Frauds Section of the Department of Justice:

1. L-T-V Corporation
2. National Cable Television Association, Inc.

The following matters are still open for further investigation:

1. Eugene Richard Warner
2. Charles G. Rebozo

WATERGATE SPECIAL PROSECUTION FORCE DEPARTMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Serv. ____
Ext. Affairs ____
Fin. & Pers. ____
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Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

FBI/DOJ

TO : Clarence Kelley, Director
Federal Bureau of Investigation

DATE: Aug

FROM : Charles F. C. Ruff
Special Prosecutor

James McCord

SUBJECT: Investigative Matters Previously Referred to th
WSPF Concerning Campaign Contributions Electio

This is in response to your memo of June 28, 1976.

The following investigative matters have been closed by the Watergate Special Prosecution Force:

1. Northwest Orient Airlines
2. Tim Milford Babcock
3. Solomon Brothers
4. Cities Service Company
5. Exxon Corporation/Standard Oil Company of California
6. Robert A. Collier
7. Mason Hangar Company
   Horatio Mason
8. INCOM, Incorporated
   R. M. Collie
9. Atchison, Topeka & Santa Fe Railroad
10. Brigadier General Thomas Stafford
11. Marathon Oil Company
12. Avon Steamship Company, Incorporated
13. Hispanic Finance Committee
14. Martin Woolin
    Maurice Stans
15. Spring Mills, Incorporated
    Hugh W. Close
16. Apparel Industries Committee
    Abe Schrader, Chairman
    Fred Pomerantz, Treasurer
    Samuel Sandhaus, Secretary
17. Audio Intelligence Devices
    Leo Goodwin Foundation
18. Texas Instruments, Incorporated
19. United Airlines (UAL)
    Edward C. Carlson
20. Honeywell, Incorporated

EXP PROC
AUG 30 1976

ST-105

REC 68

139-4489-3079

SEP 2 1976

21. Lakeland Industrial Park, Incorporated
    Andrew Clark
22. Teledyne Ryan Aeronautical Company
23. CRC Corporation
24. Harvy A. Roffanan, also known as Henry Roffman
25. Kerr - McGee Corporation
26. Engstrom-Hicks Insurance Agency
27. Continental Airlines
28. Executive Jet Aviation Incorporated
29. Douglas W. Inglish, Jr.
30. Ashland Oil Corporation
32. Theodore M. Risenhoover
    U.S. Congressman
    Second Congressional District of Oklahoma
32. C. Brewer and Company, Limited
33. Federation of Experienced Americans,
    Independent Older Americans
34. John A. Scali
35. Northwest Bank
    Patrick J. O'Connor
36. American Shipbuilding Company
    Contributions to "Dinner with Dan Committee"
37. Citizens for Jackson Campaign Committee
38. Anthony George Angelos
39. McDonnell-Douglas Aircraft Corporation
40. Unknown Subjects
    Alleged Misuse of the Internal Revenue
    Service Fraud Against the Government
41. Unknown Subjects
    Missing and Altered White House Tapes &
    Documents; Perjury; Obstruction of
    Justice; Destruction of Government
    Property

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   George Steinbrenner
2. Max Palevsky
3. Jeno's Incorporated
   Jeno Paulucci
4. Graniteville Company
   Robert P. Timmerman

The following investigative matters have been transferred to the Frauds Section of the Department of Justice:

1. L-T-V Corporation
2. National Cable Television Association, Incorporated (NCTA)

The following matters are still open for further investigation:

1. Eugene Richard Warner
2. Charles G. Rebozo

~~CONFIDENTIAL~~

The Attorney General

November 4, 1976

Director, FBI

James Walter McCord

[redacted] C

B1

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

[redacted] C

B1

MAILED 3
NOV 4 1976
FBI

On October 29, 1976, an inventory of the FBI's electronic equipment evidence concerning the Watergate matter maintained by our Washington Field Office determined it was intact.

REC-26 139-4089-3080

[redacted] C

B1

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Perf.
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Ident.
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Plan. & Eval.
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Spec. Inv.
Training
Telephone Rm.
Director's Sec'y

5 NOV 5 1976

JEO:bhg
(7)

CLASS. & EXT. BY SP4 JEM/DMS
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 11/4/96

B1

NOTE: Based on memorandum W. K. DeBruler to The Director, 11/3/76, captioned as above. JEO:jmh

MAIL ROOM ☐ TELETYPE UNIT ☐

APPROVED:
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Perf.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgt.
Spec. Inv.
Training
Telephone Rm.

WKD

FBI/DOJ

NOV 16 1976

~~CONFIDENTIAL~~

The Attorney General

[redacted] requested and was granted an express assurance of confidentiality pursuant to the Privacy Act of 1974. It is, therefore, requested appropriate precautions be taken by you concerning his identity.

B7C

[redacted] REPORTEDLY CARRIES A PISTOL AND, THEREFORE, SHOULD BE CONSIDERED ARMED AND DANGEROUS.

1 - The Deputy Attorney General

1 - Mr. Michael E. Shaheen, Jr.
Office of Professional Responsibility

CONFIDENTIAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

James Walter [illegible] Cord

CL[illegible]S. & EXT. BY SP4 JRM/OMS 7/23/80
RE[illegible]SO[illegible]-FCIM II, 1-2.4.2 2
DA[illegible]E OF REVIEW 11/4/96

FEDERAL GOVERNMENT

DELIVERED BY LIAISON
DATE 11/8/76

Date: November 4, 1976

To: Director of Central Intelligence

From: Clarence M. Kelley, Director

Subject: [redacted] (C)

[redacted] (C)

On October 29, 1976, an inventory of the FBI's electronic equipment evidence concerning the Watergate matter maintained by our Washington Field Office determined it was intact.

The Department of Justice and the Watergate Special Prosecutions Office are also being advised of this matter for their information. It is

JEO:jmh
(5)

DE-39

139-4089-3081

NOV 10 1976

NOTE: Based on memorandum W. K. DeBruler to The Director, 11/3/76, captioned as above. JEO:jmh

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

MAIL ROOM ☐ TELETYPE UNIT ☐

4 NOV 23 1976

APPROVED:
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Identification
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Intell.
Laboratory
Legal Coun.
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Spec. Inv.
Training
Fei/Do

Director of Central Intelligence

B7 C, D

contemplated [redacted] will be interviewed in the immediate future by the FBI relative to other unrelated allegations made [redacted]. Any additional information developed regarding this situation will be promptly furnished to you.

B7 C, D

B7 C, D [redacted] requested and was granted an express assurance of confidentiality pursuant to the Privacy Act of 1974. It is therefore requested appropriate precautions be taken by you concerning his identity.

B7 C

[redacted] EPORTEDLY CARRIES A PISTOL AND, THEREFORE, SHOULD BE CONSIDERED ARMED AND DANGEROUS.

CONFIDENTIAL

CONFIDENTIAL

FEDERAL GOVERNMENT

Special Prosecutor
Watergate Special Prosecutions Force

November 4, 1976

Director, FBI

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

CLASS. & EXT. BY SP4/RM1 DMS 7/23/80
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 11/4/96

[redacted] C

B1

James Walter McCo

[redacted] C

B1

MAILED 3
NOV 5 1976
FB

On October 29, 1976, an inventory of the FBI's electronic equipment evidence concerning the Watergate matter maintained by our Washington Field Office determined it was intact.

[redacted]

REC-86 39-4061

DE-19 EX 104 V-20

NOV 9 1976

B1

JEO:bhg
(5)

NOTE: Based on memorandum W. K. DeBruler to The Director, 11/3/76, captioned as above. JEO:jmh

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training
Telephone Rm.
Director Sec'y

MAIL ROOM ☐ TELETYPE UNIT ☐

APPROVED:
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.
Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgmt.
Spec. Inv.
Training

FBI/D

54 NOV 30 1976

CONFIDENTIAL

Special Prosecutor
Watergate Special Prosecutions Force

B7C?

[redacted] requested and was granted an express assurance of confidentiality pursuant to the Privacy Act of 1974. It is, therefore, requested appropriate precautions be taken by you concerning his identity.

B7C [redacted] REPORTEDLY CARRIES A PISTOL AND, THEREFORE, SHOULD BE CONSIDERED ARMED AND DANGEROUS.

SAC, WFO (139-4089)

James Walter McCord Jr. et al;
Burglary, Democratic National
Headquarters,
WDC
6/17/72
CDC

Q102 + 2 sheets of paper

Buf. No. 139-4089
LC No. N-55519
Date of Relet N 5/20/73
Examiner [illegible]
Noted by McDaniel
No. of Photos 15

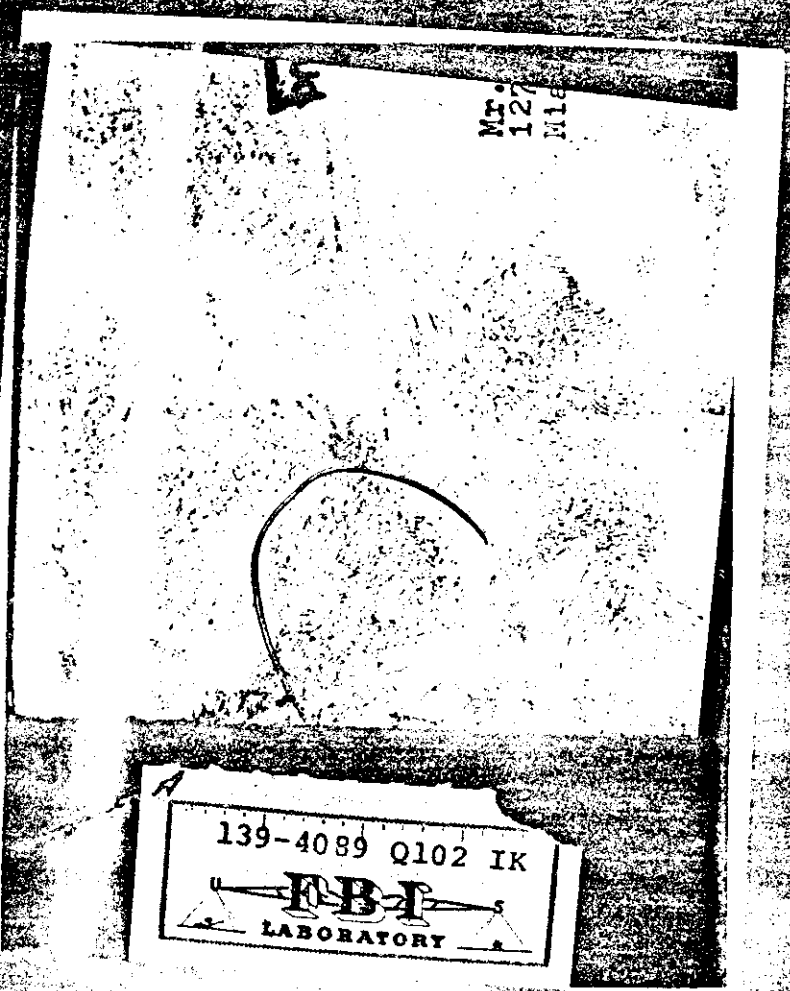
AUG 15 1974

Photos of latent Prints

139-4089

5 figs

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JRM/QMS


Mr.
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139-4089 Q102 IK
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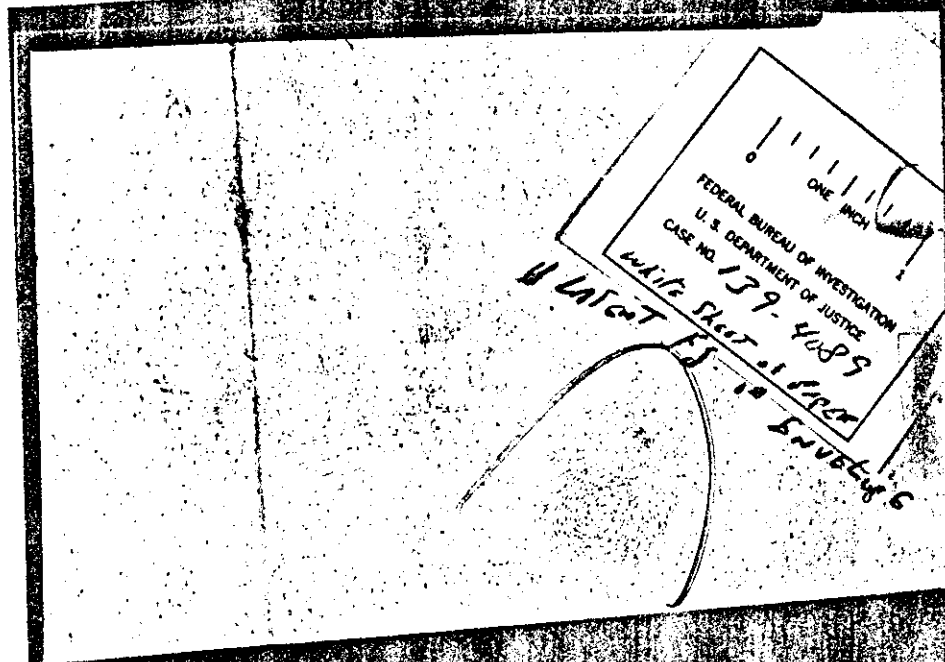
LABORATORY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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089
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Insert FD-10 Envelope

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U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089
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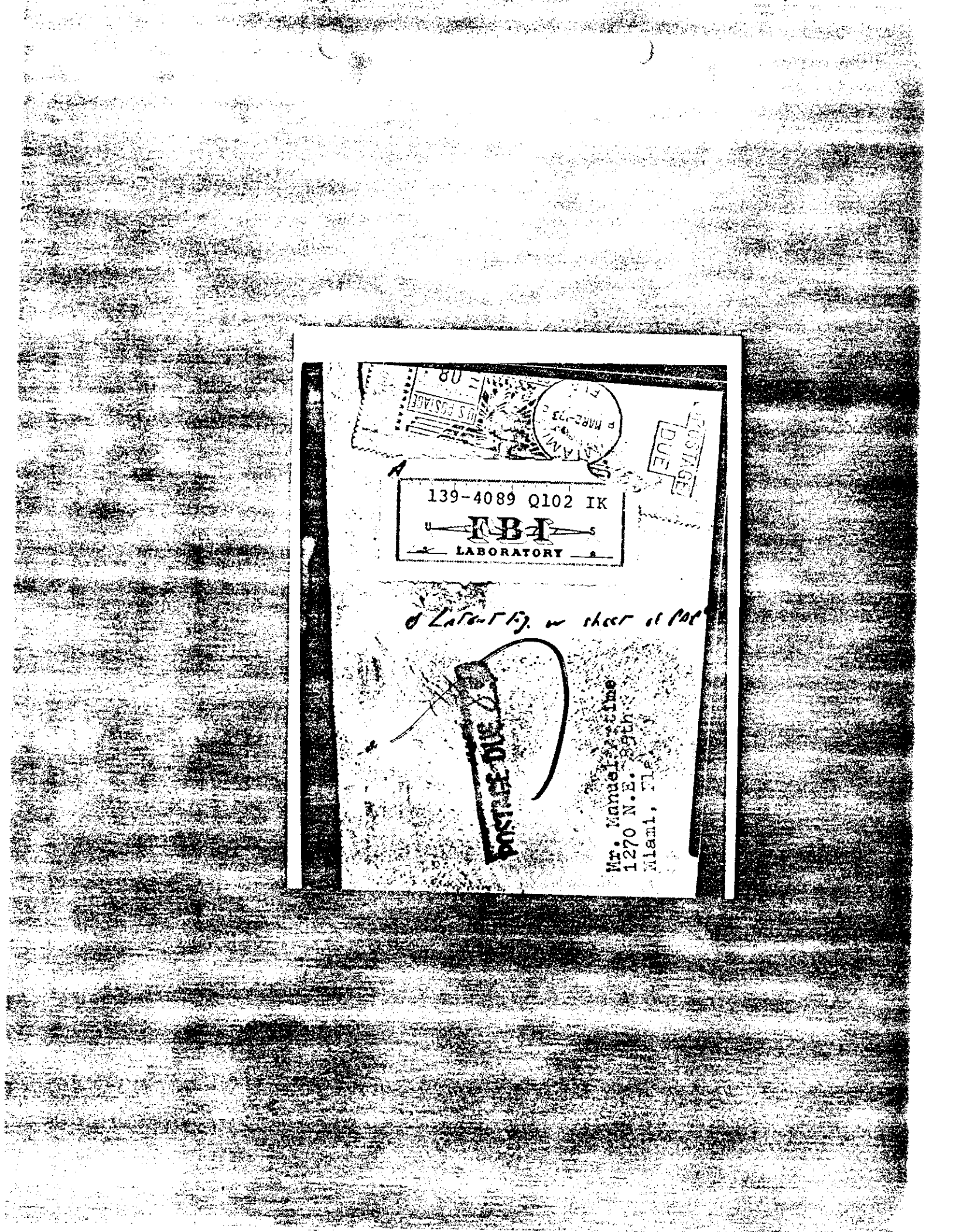
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POSTAGE DUE
Mr. Manuel
1270 N.E. 89th
Miami, Fla.

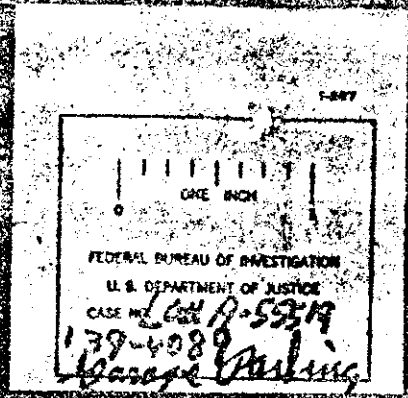
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089
#164
PD

#165

PP

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CAN. NO. [illegible]-55519
[illegible]
[illegible]

#166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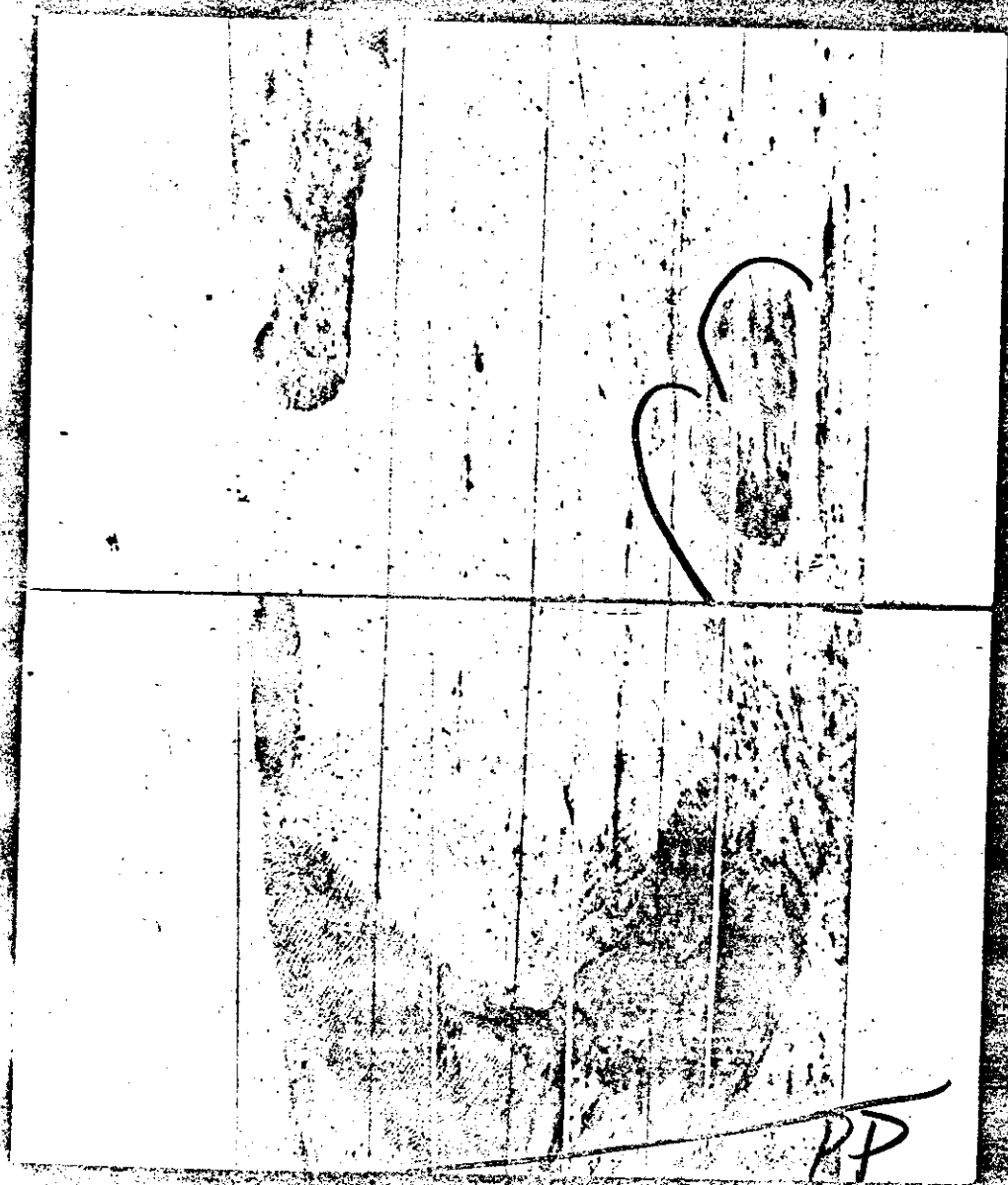
U. S. DEPARTMENT OF JUSTICE
CASE NO.
Garage Parking


RP

...ing subjects; for other subjects, see page 8.

...ontal picture.

...pressing in or releasing button.

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LL#A-55519
139-4089

DATE 6/25/72 Lindsay

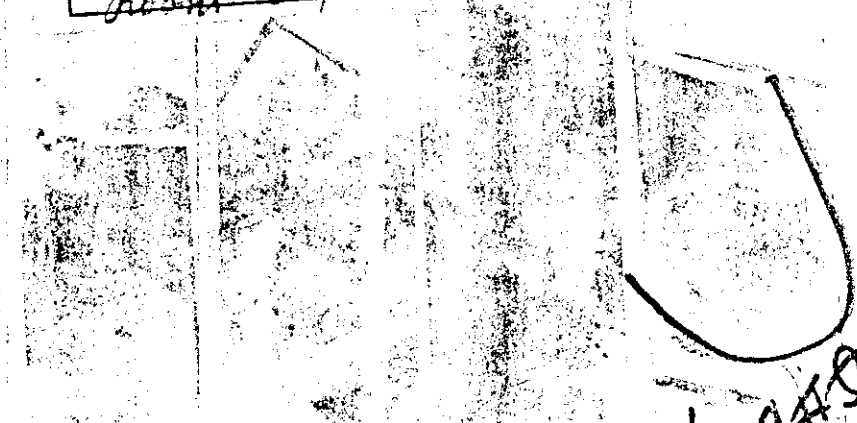
EVID

NUMBER 12830 METROPOLITAN WASH. D

Raise the camera, frame the subject, shoot. Pay no attention to the red line while framing or shooting.

L81#

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
139-4089
Room #214



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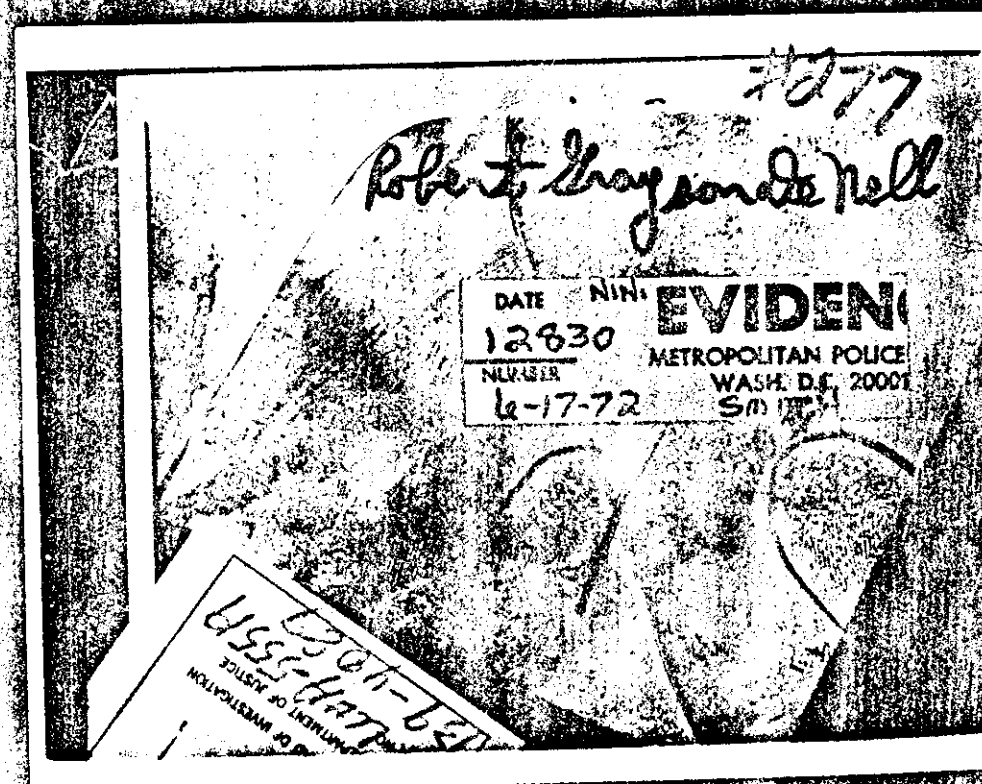
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Robert Grayson de Nell
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12830
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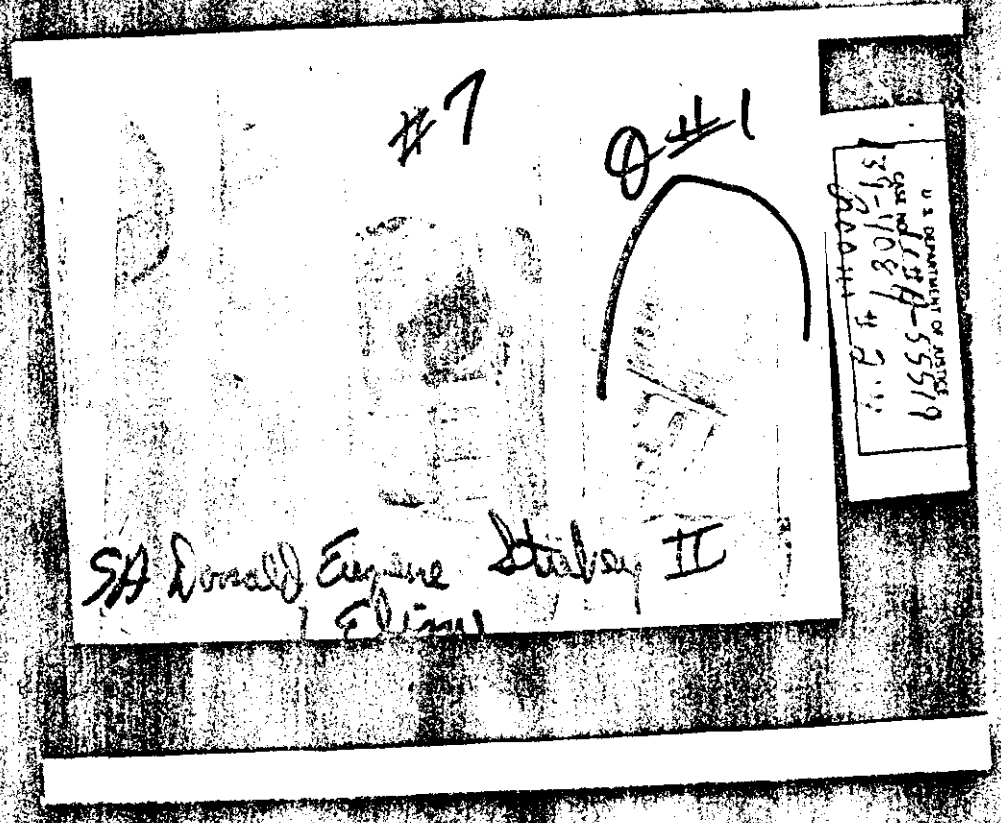
6-17-72
EVIDEN
METROPOLITAN POLICE
WASH. D.C. 20001
SMITH


#7
Q#1
SA Donald Eugene Stubey II
Elim
U.S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
39-1408
Room #2

Carl Marion Shoffler #280

DATE 1/11

EV

Westpac Lincoln

METROPOLIT

NUMBER Center Trail WASH-D

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U. S. DEPARTMENT OF JUSTICE
CASE NO. WH-5559
139-4089

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
139-4089
From Bosewell

#153

Trash Center 11
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#146
LC#6

Envelope

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LL#A-5551A
139-4089

SERVING FLORIDA TODAY PARTS OF
FLORIDA BY THE

DATE
1/25/72
NUMBER
12830
ATTACHED
CASE

EVID
METROPOLITAN
WASH. D

Pad Pad 2191

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U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
139-4689
From Basement

#153

Frank Carter
533 J11

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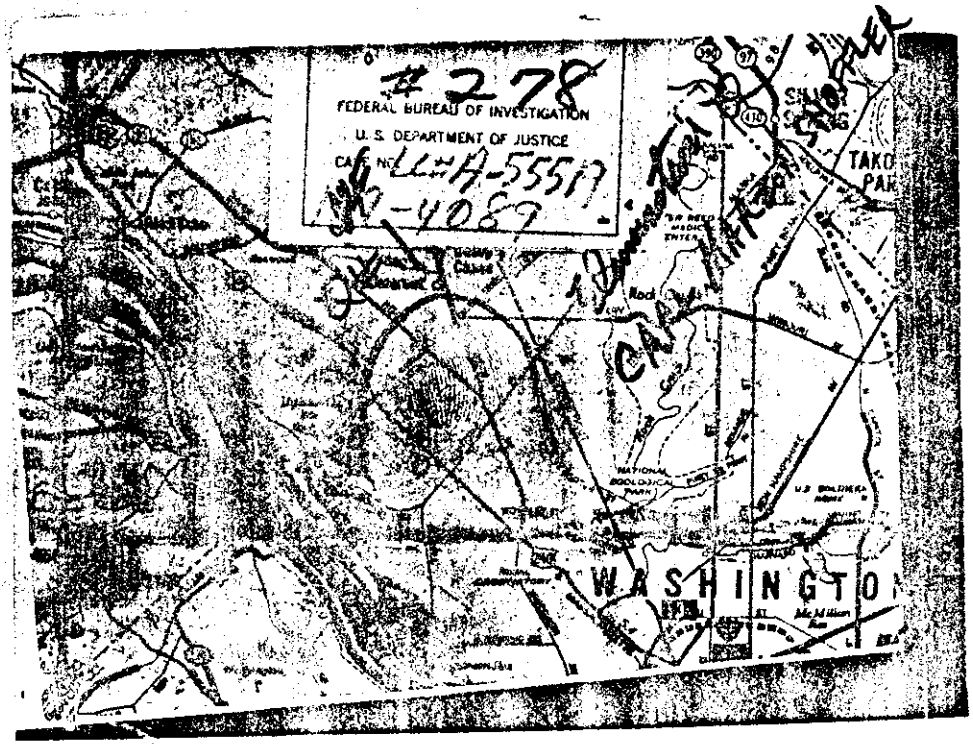
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U. S. DEPARTMENT OF JUSTICE
CASE NO. LL-A-55517
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ZOOLOGICAL
PARK
U.S. SOLDIERS
HOME
McMillan
Res

WFO (139-166)

James Walter McCord Jr; Et AL
Burglary Democratic National
Committee Headquarters
Washington DC
6/17/72
IOC

OCT 5 1972

Entire No.	139-4089
LC No.	A-55519
Date of Relat	9/6/72 (airtel)
Examiner	[illegible]
Noted by	[illegible]
No. of Photos	189

5 1974

25 elim
12 ∅ susp

84 lat fg pts
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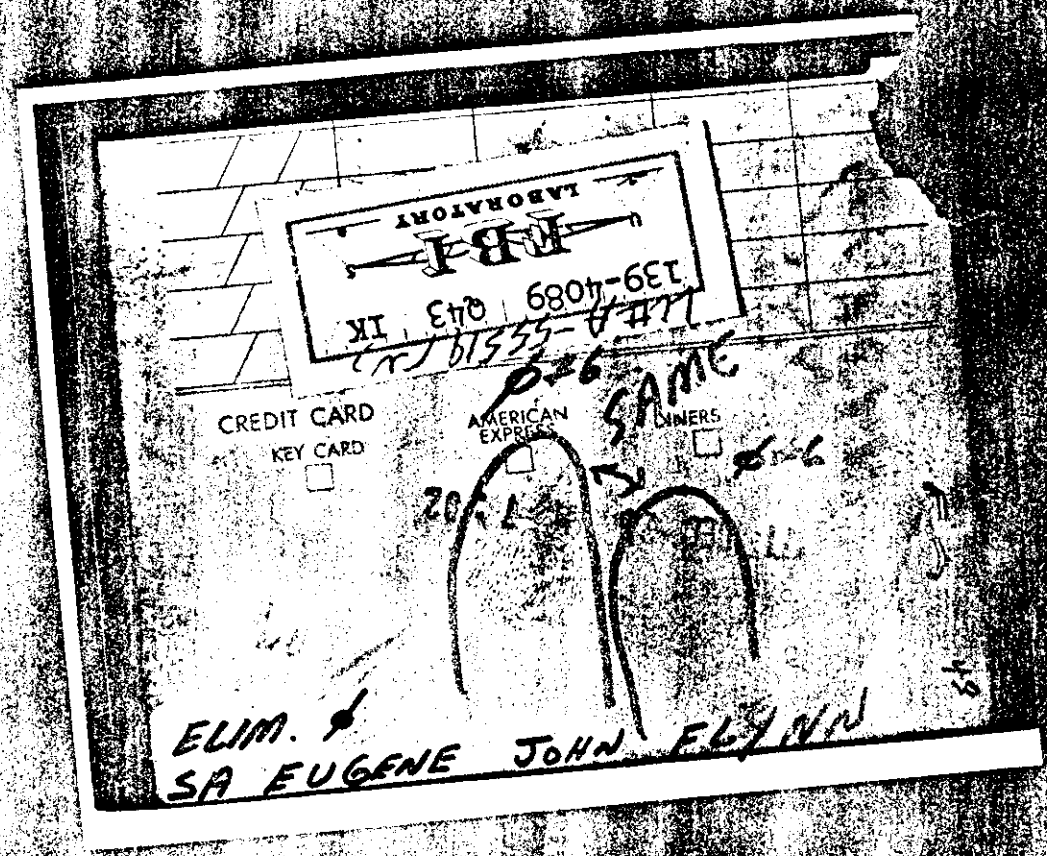
Photos of lats
139-4089

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/82 BY [illegible]

ENCLOSURE


CREDIT CARD
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ELIM.
SA EUGENE JOHN ELYNN

Q43 & Q44

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LC No. A-55519
Date of Relet 6/26/72 (Cartel)
Examiner Smith
Noted by Hagen
No. of Photos 3

Lee, Miami (139-328)

James Walter McCord, et al;
Burglary of Democratic National Headquarters, Washington, D.C.
6/17/72;
IOC

Elim Q 15

2 fgpts (Q)
Q Elim.
SA Eugene John Flynn

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JRM/DMS

139-4089
photos lat prts.

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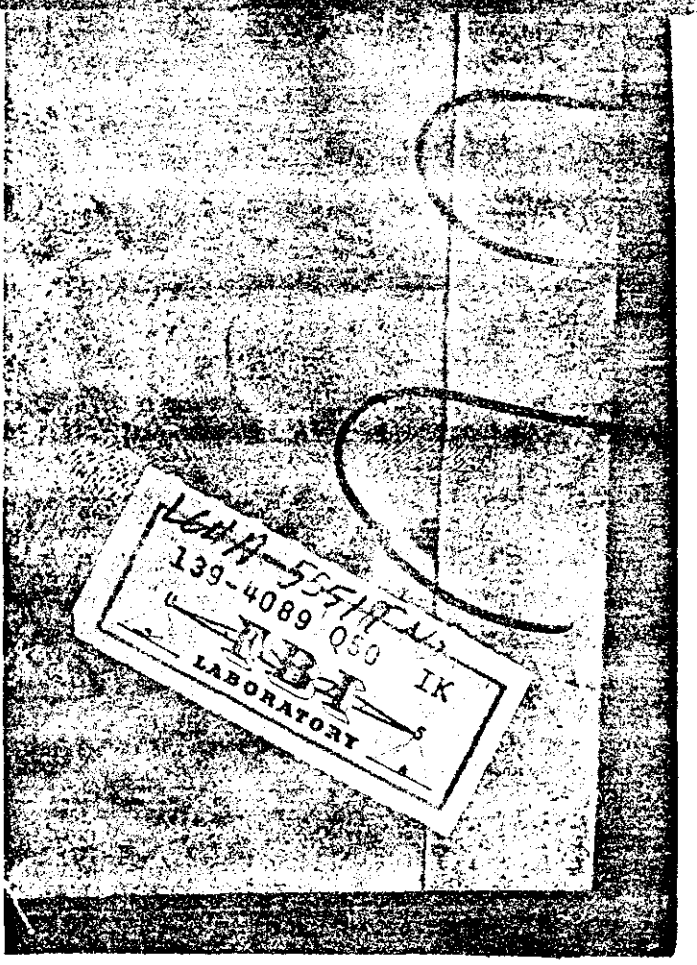
139-4089 Q50 IK
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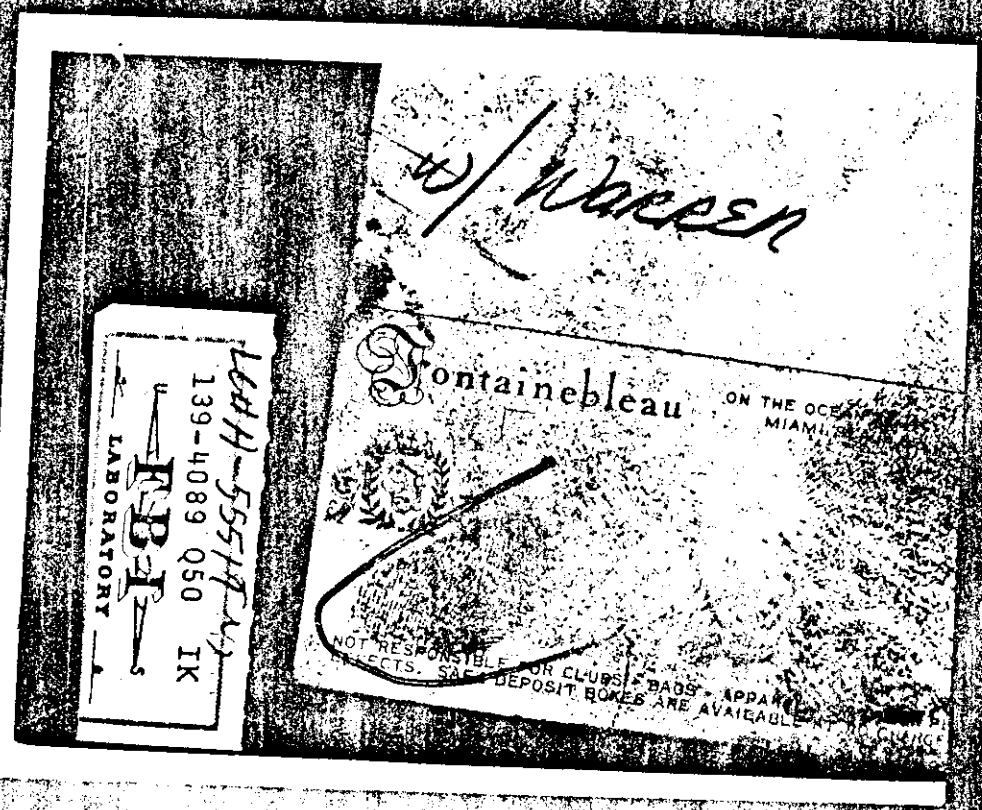

w/ Warren

Fontainebleau ON THE OCEAN MIAMI

NOT RESPONSIBLE FOR CLUBS - BAGS - APPAREL ... EFFECTS. SAFE DEPOSIT BOXES ARE AVAILABLE AT ... CHARGE

LGH-5551 (N)
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Buffile No. 139-4087
LC No. A-55519
Date of Relet 6/29/72 (Airtel)
Examiner Smith
Noted by Hazen
No. of Photos 6

P50

Doc, Miami (139-328)

James Walter McCord, Jr.; et al.; Burglary of Democratic Party National Headquarters, Washington, D.C.; 6/17/72; IOC

3 fgpts

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JAM/DMS

139-4089
photos lat prts

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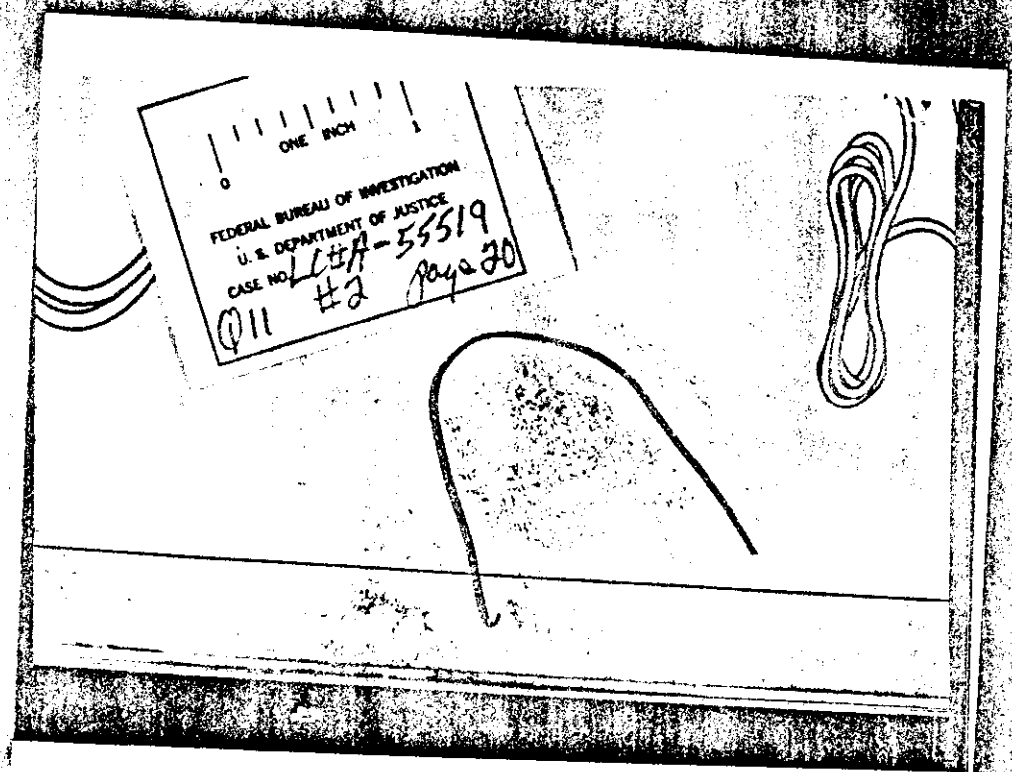
U. S. DEPARTMENT OF JUSTICE
CASE NO. LCHA-55519
Q11 #1 Page 20
Clip-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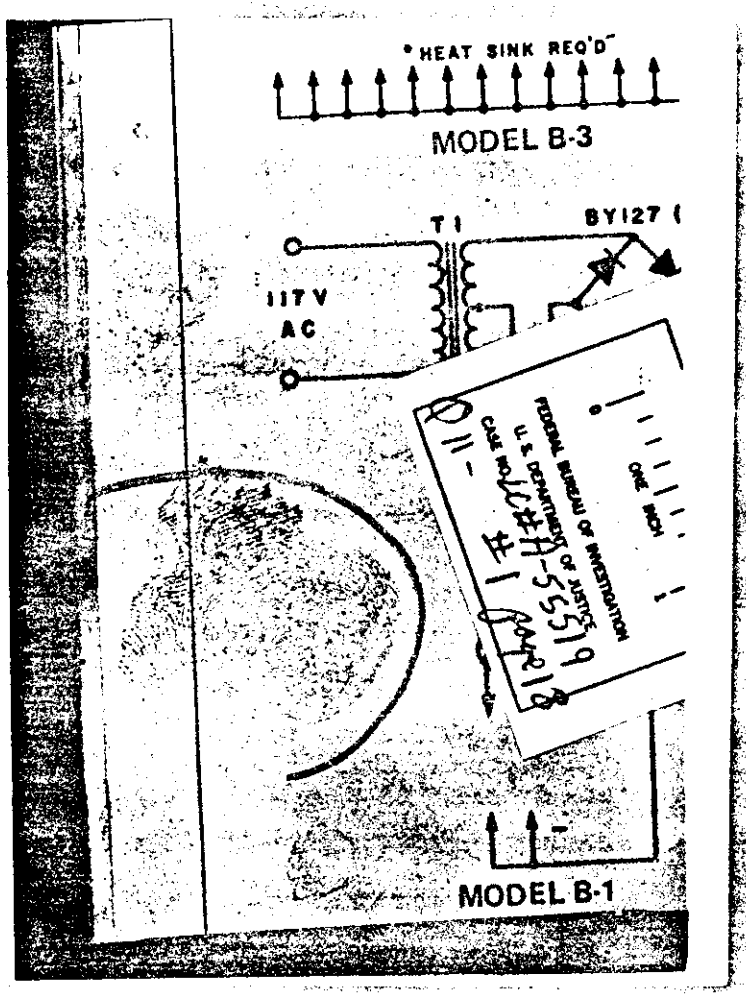
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
Q11 #2 Page 20

Gutter Mount Antenn
Model A-4
with Adaptor Cable Mod



*HEAT SINK REQ'D
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
#1 page 18
MODEL B-1

Sac, WFO

Bernard L. Barker, et al;
Watergate Apartments,
Washington, D.C.
Interception of Communications
Miami - Mireg
6/17/72

Q10 - attache case

Q11 - Q28 - contents of Q10

5 lat fgpts

photos of lots
139-4089

Bufile No. 139-4089
LC No. A-55519
Date of Relat negative (pres dev on 6/27/72 in Sale)
Examiner [illegible]
Noted by [illegible]
No. of Photos 137

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 JRM/OMS

4 photos
1 Neg
[illegible]

Q1 thru Q42
+ A/S

, WFO (139-166)

LC No. A-55519
Date of Relet 6/27/72 (Aitel)
Examiner Smith
Noted by Hansen
No. of Photos 50

[illegible] Walter McCord, Jr.;
[illegible] Burglarizing Democratic
[illegible] Headquarters,
Washington, D.C.
[illegible] 172;
[illegible]

34 fgpts
2 pp

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/22/80 BY [illegible]

139-4089
[illegible]

CREDITS	BAL. DUE	PICK-UP	ROOM NO.
		2.42	AA905
			AA905
		16.60	AA905
		19.60	AB -905
			AB -905
		33.78	AB -905
		11.03	AB -905
		13.22	AB -905
		56.7[illegible]	AB -905
			AB -905
		42.60	AB -905
		40.82	AB -905
			AB -905
		26.64	AB -905

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LEHH-55519(N)
139-4059 Mangle, Hamilton
Bal # L-17160

ONE INCH

FOR THIS BILL IS NOT WAIVED
SONALLY LIABLE IN THE EVENT
, COMPANY OR ASSOCIATION
RT OR THE FULL AMOUNT OF

ONE INCH

0 1

FEDERAL BUREAU OF INVESTIGATION

U.S. DEPARTMENT OF JUSTICE

CASE NO. LC#4-55519

139-4089 Watergate Hotel

Guest Parkerbo #04730

26

21

22

23

Watergate

GIN A AVENUE

PHONE

REMARKS:

SIGNATURE

FIRM

ADDRESS

139-4089 925 IK
LABORATORY

LCM-55519 (N)

139-4089 Q28 IK

FBI

LABORATORY

MEMO	DATE	EXPLANATION
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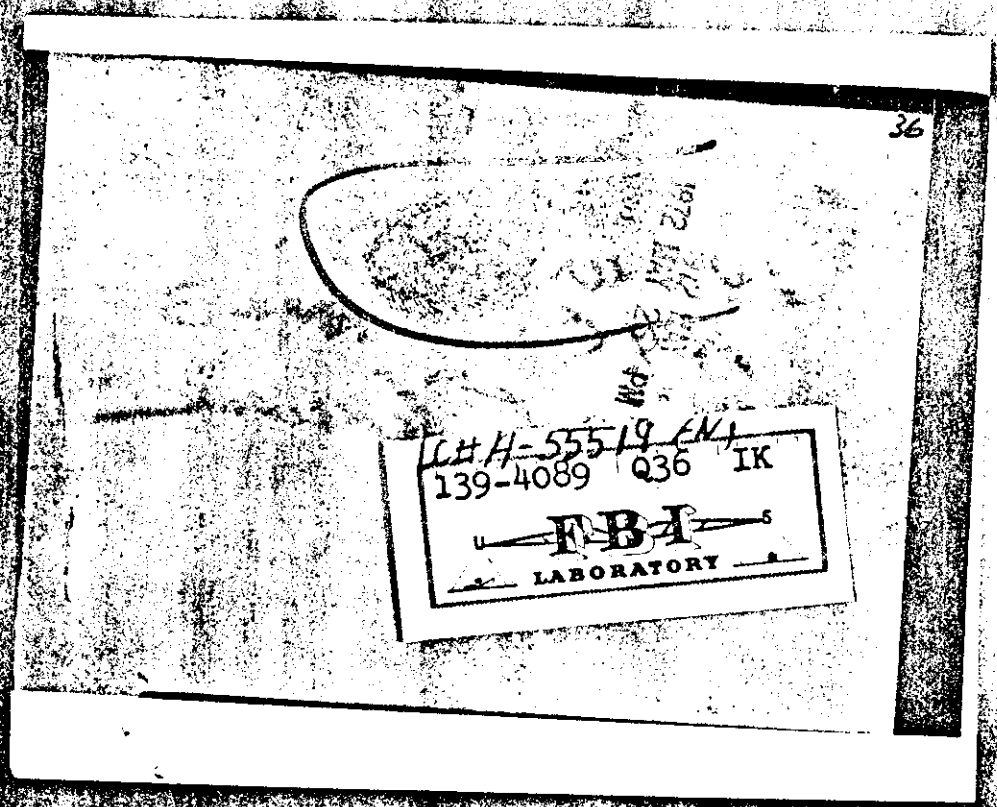
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#1-55519 (N)
179-4089 (Watergate Hotel)
Xerox Fondiario #04729

1-267

0 ONE INCH 1

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE No. LCHA-55519 (N)
137-4089 Watergate Hotel
Second Portfolio #04729


36
LC# H-55519 CN1
139-4089 Q36 IK
FBI
LABORATORY

Name

Street and No.

City and State

Firm

Safe Keeping of Money, Jewelry, and other Valuables, Safe without charge. The Hotel will not be liable for Valuables

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO.
139-4089
ONE INCH

139-4089 Q26 IK
FBI
LABORATORY

ROOM 103

VALDES, G.

NAME

FOLIO

Ameritas, Inc.

FIRM

CL

LABORATORY

FBI

139-4089 Q35 IK

SIGNAT

RES. BY

SPECIAL INSTRUCTIONS:

Pos ?

1-267

0 ONE INCH 1

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LCHA-55519(N)
139-4089 Mingle Hamilton
Bill # 617156

Street and No.

City and State

Firm

For Safe Keeping of Money, Jewelry, and othe
without charge. The Hotel will not be liable

MEMO		DATE	EXPL
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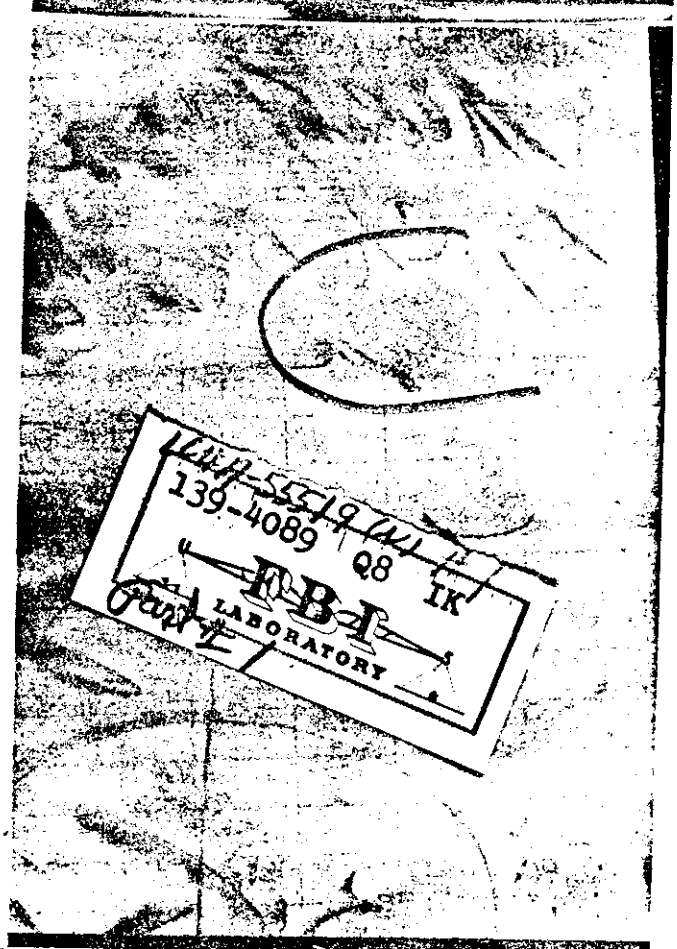
139-4089 Q8 IK
FBI
LABORATORY

LABORATORY
ZIP
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INITIAL	NO.	RATE	RATE CHANGE	RATE CHANGE	FOLIO NUMBER
		18			06437

SPECIAL INFORMATION

6/10

ARRIV

ATION

★ 18.00		
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		# 314

RP

FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. 44A-5551(?)

179-4B89 Woodgate

Hotel reg # 06437

ROOM ASSIGNED 901

RATE 13.50

68

RK

J.

ERS. 2

DATE OF ARRIVAL May 6

HOUR OF ARRIVAL 6

DATE OF DEPARTURE May 26

FICE ☐, PHONE ☑, TWX ☐, AMX ☐, OTHER ☐

rovided. Guests may use these boxes without
ot protected in this manner.

Manger Hotels & Motor Inns

LABORATORY

139-4089

IK

2.14 AA909

AA909

AA90

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24.20 AA909

AB -909

38.38 AB -909

45.63 AB -909

47.82 AD -909

52.16 AD -909

AB -909

38.00 AB -909

36.22 AB -909

AB -909

22.04 AB -909

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LL#H-55519(AL)
139-4059 Hangly Hamilton
Jul # C17156

WAIVED
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OUNT OF

CREDIT
CARD NO.

0 ONE INCH 1

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089 Arnold Hamilton

MOTOR LODGE
ROOM SERVICE
IN OUT

NAME	ROOM NO.	D
[illegible]	723	
		PRICES
Lg. Ch. Burger	1.6	
lg n	50	
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. 139-NCH-555
ONE INCH

Watergate Terrace

5423 -4.05 DVPD

5423 -0.20 TAX

5423 -1.75 TIP

5423 -6.00 CHG

WAITER | PERSONS

LC#A-55519 (N)

139-4089 Q18 IK

FBI LABORATORY

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LABORATORY
FBI
139-4089 Q25 IK
LCHH-55519(U)

SERVIC
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ROOM NO. 723

D 10

PRICES TOTAL

NAME

Cord

90

35

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LABORATORY

139-4089

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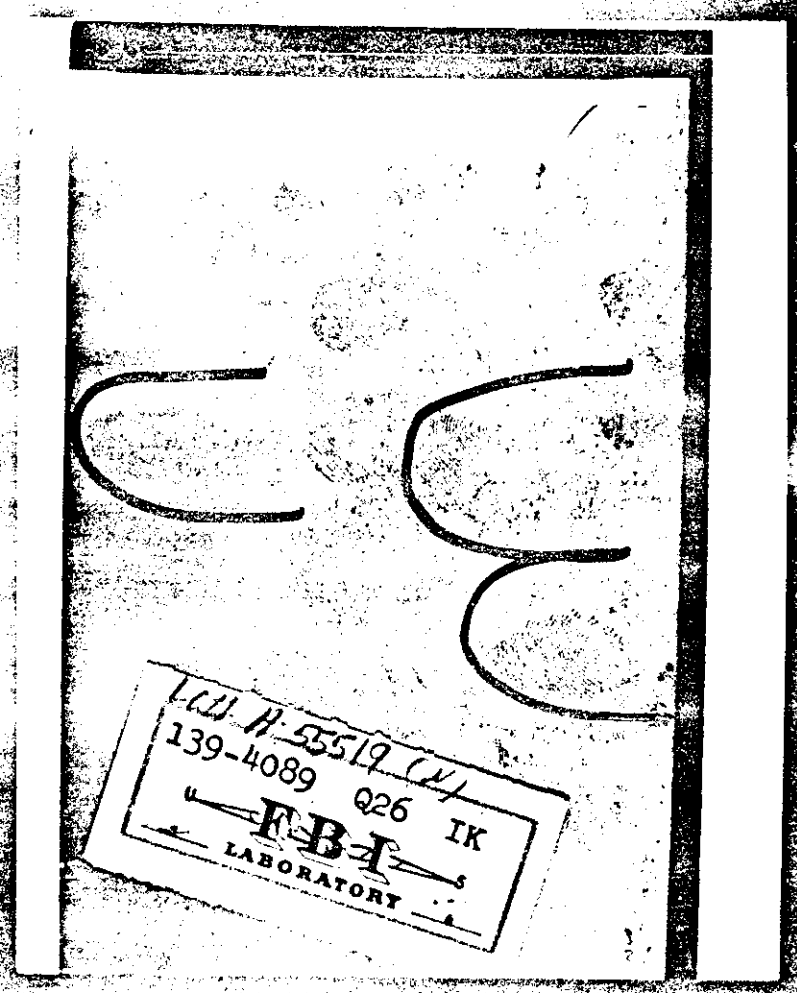
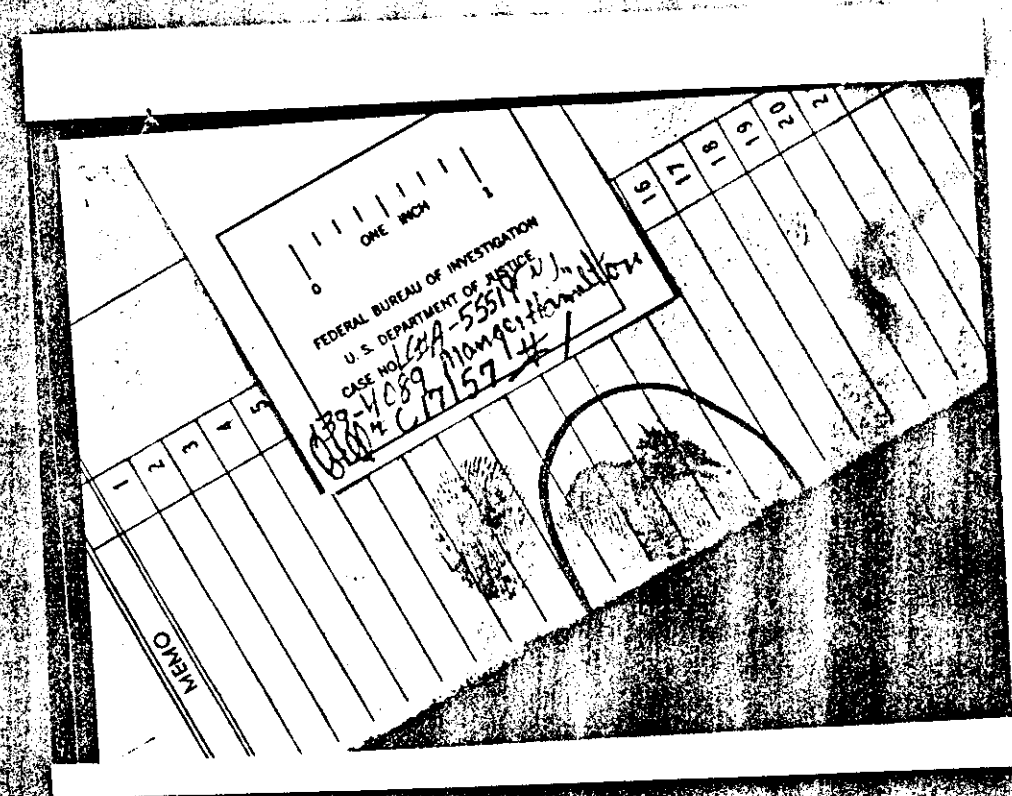

Lab # 55519 (M)
139-4089 Q26 IK
FBI
LABORATORY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1
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO.
MEMO

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. [illegible]-5551 [illegible]
139-4089 [illegible]
Reg #06438

REMARKS

AST

STREET

CITY

CLERK

CHARGES

REFERENCE

FIRM

DATE

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO.

0 ONE INCH 1

1-387

MAY 26 2 TR

LC No. A-55519

Date of Relet 7/3/72 Airtel

Examiner Smith

Noted by Nazzari

No. of Photos 3

Q51 thru Q56
& 5 A/S items

Sec, WFC (139-166)

James Walter McCord, Jr.;
et al;

1 Sept

CLASSIFIED INFORMATION ENCLOSED

139-11089
photos lat prts.

U. S. F. & G.

UNITED STATES FIDELITY AND GUARANTY COMPANY
BALTIMORE 3, MARYLAND

Insured: EDWARD J. HAMILTON

Address: 65 Parker St., Attleboro, Mass.

Automobile Policy No. C-1311453 Expires 7/31/61

Claim Office Key No. 28

In case of accident or violation of a traffic regulation involving an insured automobile, any U. S. F. & G. qualified representative will render assistance and is authorized to execute the following:

1. Bond for Release of Attachment of the automobile, as part of U. S. F. & G. claim service, and without charge.
2. Bail Bond for you or any member of your immediate family, or your chauffeur, up to $5,000.00, where permitted by law. The U. S. F. & G. will assume any charge for such bonds, up to $100.00.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LCW11-55519
139-4059 U.S.F.&G.
Quantico, Calif.

ONE INCH
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1-267

OVER Confi

CONFIDENTIAL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

7/23/80
CLASS. & EXT. BY SP4 JRM/DMS
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 12/18/9[illegible]

CONFIDENTIAL

FD-36 (Rev. 2-14-74)

FBI

Date: 12/14/76

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

Via AIRTEL AIR MAIL
(Precedence)

TO: DIRECTOR, FBI (139-4089)

FROM: SAC, SAN FRANCISCO (139-142) (RUC)

SUBJECT: JAMES WALTER MC CORD, JR.,
ET AL
IOC
OO: WFO

Re telephone call of SAC CHARLES W. BATES of San Francisco Division to JAMES L. THEISEN, Headquarters, on 10/29/76.

Enclosed for the Bureau are one original and five copies of an LHM reflecting investigation regarding the "Skeleton Key Copy" of the Gemstone File and the possible theft thereof.

Inasmuch as all logical investigation in the San Francisco Division has been conducted unless the unknown individual referred to in enclosed LHM recontacts Secret Service, no further investigation will be conducted by the San Francisco Division.

ST-108 REC- 13 139-4089-305

DE-44

V-7

ENCLOSURE

4 copies - Special Prosecutor Force 12-20-76

23 DEC 17 1976

2 - Bureau (Enc. 6)
1 - San Francisco
RAN:ked
(3) ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4JRM/DMS

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

54 JAN 17 1977

GPO : 1975 O - 590-992

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
San Francisco, California

In Reply, Please Refer to File No.

December 14, 1976

JAMES WALTER MC CORD, JR.

On October 28, 1976, Special Agent James R. Mc Gunn, United States Secret Service (USSS), contacted the San Francisco office of the Federal Bureau of Investigation (FBI). Mc Gunn related that on October 28, 1976, an unidentified male had telephonically contacted his office and requested to speak to an agent regarding some files he had in his home. The receptionist transferred the call to Mc Gunn. The unidentified male stated he had in his possession what he believed to be the "skeleton key copy" of the Gemstone File. In the conversation he revealed to Mc Gunn this file had been stolen by an associate of his and a xerox copy of the file had been made. He described the document as consisting of 26 pages. He further stated he felt that the Secret Service should have this document in its possession considering the content, part of which was read to Mc Gunn. Mc Gunn felt that the call may have been legitimate and therefore contacted the FBI. Mc Gunn stated the individual described himself as blond-haired and 19 years of age. He further advised his name was "Marty". The caller stated he was a long-time resident of Fremont, California.

Contact was established with the Fremont Police Department whereupon it was determined the only individual in that city who could possibly be identical with the caller was Martin William Harlan. Harlan met all the descriptive criteria available and in addition lived in the vicinity that a meet between Mc Gunn and the unknown individual was supposedly to have occurred but that did not transpire.

Martin William Harlan was contacted on November 4, 1976, and declined any knowledge of a phone call to the Secret Service in San Francisco. He stated it may possibly have been his brother, Steven Harlan. Steven Harlan was contacted and he also denied any knowledge of this matter.

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 Jim Oms

139-4089-3083

JAMES WALTER MC CORD, JR.

Considering that all logical suspects in this matter were ruled out, it was determined that unless this individual recontacted the Secret Service, no further investigation would be implemented.

~~CONFIDENTIAL~~

Airtel

12/17/76

PERSONAL ATTENTION

To: SAC, Butte

From: Director, FBI

1 - Mr. Johnson
1 - Mr. Fehl
1 - Mr. Sharp
1 - Mr. Malarney

[redacted]

B7C

[redacted] - VICTIM;
ITAR - EXTORTION; CONSPIRACY
OO: Butte

James Walter McCord

Enclosed for Butte are the following items:

1. Six-page typed transcript beginning, "Today's date is . . ." (2 copies).

2. Three-page typed transcript beginning, "I am going" (2 copies).

3. Eleven-page typed transcript beginning, "Typed from a . . ." (2 copies).

4. Envelope with "Nick" on its face containing two-page typed document beginning, "Nickie and an . . ." (2 copies).

5. Expense record captioned, "Hammerhead preparations . . ." (2 copies).

7/24/80
CL[redacted]S. & EXT. BY SP4 JRM/ QMS
REA[redacted]-FCIM II, 1-2.4.2 2
DATE OF REVIEW 12/17/96

Enclosures

1 - Mr. Ash With Enclosures) 1 - Mr. Cochran (With Enclosures)
1 - Bufile captioned "Allegation that [redacted]

B7

1 - Bufile captioned, [redacted]

139-4089

B1

JMO:bhg (9)

NOT RECORDED
191 JUN 1 1977

55 JUN 17 1977

~~CONFIDENTIAL~~ DUPLICATE YELLOW

Airtel to Butte
Re: [redacted] B7C

6. United Airlines (UAL) ticket bearing number 0164459647739 (2 copies).

7. UAL ticket bearing number 0164257429591 (2 copies).

8. Copy of UAL ticket bearing number 0164459647738 (2 copies).

9. UAL ticket bearing number 0164257429590 (2 copies).

10. Receipt number 600404 for Hotel St. Francis (2 copies).

11. Record of serial numbers beginning with L 00891441A (2 copies).

12. Receipt for $1.65 from San Francisco Airport (2 copies).

13. Hotel St. Francis Brochure for "Mr. Mauch" (2 copies).

14. Sixteen-page signed statement from [redacted] B7C (original only).

15. Warning and Waiver form signed by [redacted]

16. Two-page signed statement from [redacted], re embezzlement of Idaho State Retirement Fund (original only). B7C

17. Receipt dated 10/12/76 for items received from [redacted] (original only). B7C,D

18. Interview [redacted] dated 10/12/76 (original only). B7C

19. Receipt dated 10/14/76 for items received from [redacted] (original only). B7C,D

20. Interview [redacted] dated 10/14/76 (original only).

21. Two-page signed statement from [redacted] alleged murder by [redacted] (original only).

B7C B7C,D

Airtel to Butte
Re: [redacted] B7C B7C,D

22. Two-page signed statement from [redacted] "Watergate Bugging Electronic Equipment" (original only).

23. Memorandum from Dean C. Smith, USA, Spokane, Washington (2 copies).

24. Self-explanatory memorandum from the Department concerning conference on 11/23/76 between FBIHQ and Department personnel, dated 12/3/76.

This investigation is predicated upon information received on 9/29/76 from the Department of Justice which forwarded to the FBI the memorandum of Assistant U. S. Attorney Robert S. Linnell, Yakima, Washington, to the Honorable Harold R. Tyler, Jr., dated 8/18/76 (see enclosure 23). B7C,D

[redacted] allegations and to determine if possible violations over which the FBI has jurisdiction have occurred, it was ascertained through public record sources that beginning in 1974, "The Idaho Statesman" newspaper, Boise, Idaho, printed articles that several members of the Idaho Endowment Investment Board were apparently involved in conflicts of interest which might constitute felony violations of Idaho State Statutes. Specifically, news reports disclose U. S. Farmers Home Administration, U. S. Forest Service, and the U. S. Small Business Administration in the States of Wyoming and Idaho were involved in an alleged conflict of interest by Steve Meikle, Chairman of the Board.

In October, 1974, Meikle, who was also president of the Valley Bank, Rexburg, Idaho, was named in a four million dollar civil suit, along with 25 other defendants, for being the hidden "potentate" behind a commercial ski resort built and operated under Government auspices. Meikle was accused in the suit of engineering a financial coup through his control and influence over the Board of Directors in Grand Targhee Resort, Incorporated, and his influence over the U. S. Small Business Administration and the Idaho Endowment Fund Investment Board.

The suit also charges that the State and Federal Governments are defendants, along with Meikle, because they are accused of aiding

the interests of Meikle and his associates at the expense of 900 shareholders in the building of a ski resort in Alta, Wyoming. Specifically, according to news accounts, Meikle was a member of the District Advisory Board of the U. S. Small Business Administration at the time the agency attached a Government guaranty to $350,000 of a loan from Meikle's bank to build the resort. Meikle was also Chairman of the Idaho Endowment Fund Investment Board at the time the board made a loan from endowment funds to the resort.

Gregg Wharry, a member of the board, was reported in newspaper articles in 1974 to be investing board funds through his occupation as a private brokerage officer. Wharry is reported to have received approximately $11,000 in commissions by investing funds for the board, of which he was a member.

An article published in the December 27, 1974, edition of "The Idaho Statesman" reported Wharry subsequently resigned his position as a stockholder. In addition, on August 17, 1975, the newspaper stated Meikle and State Senator H. Dean Summers (Republican - Boise) resigned from the board in July, 1975, after State Attorney General Wayne Kidwell ruled that members of the board who make personal profit on an investment authorized by the board are subject to criminal liability. It is noted the November 11, 1976, edition of "The Idaho Statesman" disclosed Senator H. Dean Summers was defeated in the recent election by Boise lawyer Ron Twilegar.

On January 15, 1975, the newspaper reported Idaho Legislative Auditor Clyde Koontz, who conducted an audit of the fund, which began in August, 1974, stated, "Certain board members 'may be in violation' of Article 7, Section 10 of the Idaho Constitution by doing business with the funds through their occupations." The same paper contained another statement from Koontz, however, that there was ". . . no apparent favoritism in the placing of bond business with the stockbroker member . . . ." of the board. Koontz further indicated his audit did not disclose any apparent serious problems concerning the operation of the fund by the board members.

Airtel to Butte
Re: [redacted] B7C

Subsequently, on August 17, 1975, the headline of "The Idaho Statesman" stated "Kidwell to Probe Endowment Fund." The companion article said, "The investigation is aimed at possible improper practices which the board has denied and could lead to 'criminal action' Kidwell said." In an editorial appearing in the August 18, 1975, paper, it was reported the ". . . board resorted to 'misrepresentation' in the information it supplied to the legislative auditor."

On August 21, 1975, "The Idaho Statesman" advised that William G. Hepp, trustee for the Idaho Endowment Fund Investment Board, was a key officer in a major restaurant chain, El Taco Restaurants, Incorporated. The article stated Idaho law forbids such moonlighting and alleged Hepp had been elevated to Chairman of the Board of El Taco based on his capability to obtain funds for the financially distressed El Taco company.

Review of copies of "The Idaho Statesman" through November 20, 1975, failed to disclose any further pertinent information or action against board members.

The October 30, 1975, edition of "The Idaho Statesman" disclosed on October 29, 1975, Dale E. Kidwell, aged 15, son of Attorney General Wayne Kidwell, died . . . from a gunshot wound officials termed 'apparently self-inflicted.'" Dale Kidwell was reported to have used his father's .38 caliber revolver. Wayne Kidwell stated he thought the shooting might have been accidental because he could think of no reason why his son would commit suicide.

Through inquiry in connection with other allegations stemming from Assistant U. S. Attorney Linnell's memorandum of August 17, 1976, the following information has been developed:

[redacted]

B7C

Airtel to Butte
Re: Charlene Brody

[redacted]

B7C

The above investigation was previously discussed with you by Inspectors John E. Otto and Richard E. White at Boise, Idaho, on November 10, 1976.

[redacted]

B1

REQUEST OF THE IDENTIFICATION DIVISION

Process the following items for latent fingerprints:

Originals of enclosures 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

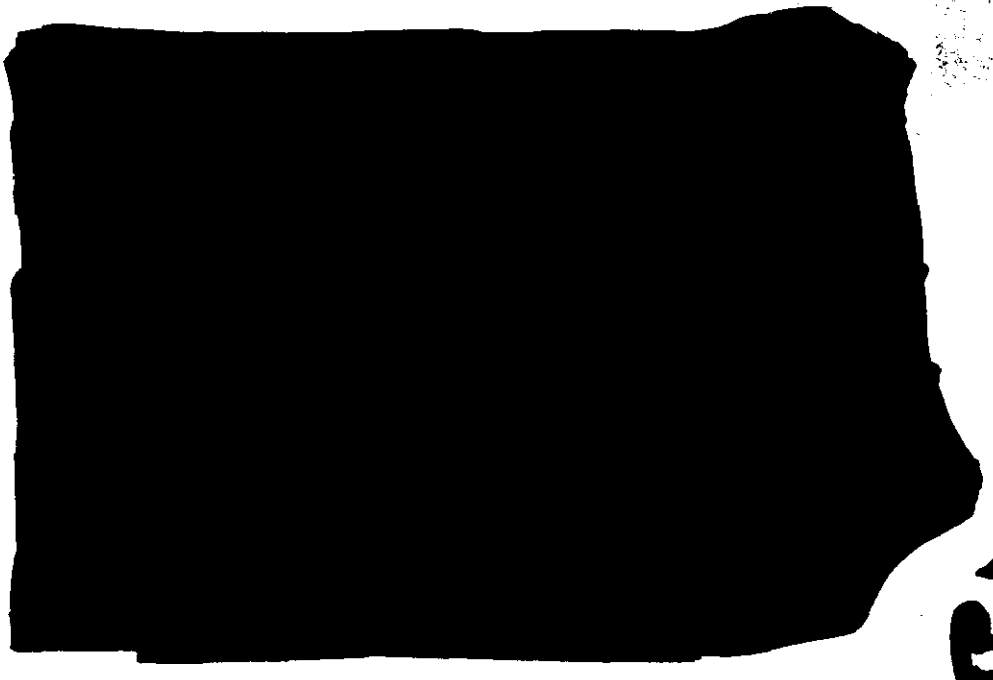
The manila envelope having a Wenatchee newspaper attached to it. It is noted [redacted] used this envelope to transport enclosures 1, 2, and 3 to [redacted] on 10/6/75 and to retrieve enclosures 1, 2, 3, and 4 [redacted] on 10/9/76.

B7C
D

Any latent prints developed should be compared with any fingerprints maintained for the following individuals:

[redacted]

B7C



B7C

Return results of examinations with evidence to Butte.

REQUEST OF THE SCIENTIFIC AND TECHNICAL SERVICES DIVISION

Ascertain make, model, size of type and any other pertinent information regarding typewriters used to prepare enclosures 1, 2, 3, and 4.

Prepare two copies of single track tape cassette marked "Shooting McCarthy." It is noted there is one interview recorded on one side of this tape and two interviews on the reverse side.

Return results of examinations with evidence and the original and two copies of the tape cassette to Butte.

BUTTE DIVISION

At. Ada County, Idaho:

In connection with enclosure number 21, will advise appropriate official of the Ada County, Idaho, Sheriff's Office concerning [redacted]

Airtel to Butte
Re: [redacted] B7C

admission that he committed a murder. Advise FBIHQ of the results of this lead under caption "Allegation That [redacted] Boise, Idaho, Committed a Murder." B7C

At Boise, Idaho

B1 [redacted]

2. Will conduct appropriate investigation concerning captioned matter in accordance with guidelines of Mr. Melvin Dildine, Department of Justice, as set out in enclosure number 24.

B7C,D [redacted] specifically requested and were granted express assurances of confidentiality pursuant to the Privacy Act of 1974. [redacted] did not request an assurance of confidentiality pursuant to the Privacy Act of 1974. B7C,D

B7C,D [redacted] REPORTEDLY CARRY PISTOLS AND, THEREFORE, SHOULD BE CONSIDERED ARMED AND DANGEROUS.

NOTE: Captioned investigation is based on information received from the Department of Justice [redacted] interviewed by Inspectors John E. Otto and Richard E. White on 10/14/76 at [redacted] Washington. B7C,D [redacted] furnished 7 separate signed statements concerning various complaints. Other complaints have been handled separately. Department of Justice advised that captioned matter should be investigated by the Butte Office. Therefore, all statements and items of evidence are now being forwarded to the Butte Office and appropriate leads set out.

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.
Crim. Inv.
Fin. & Pers.
Ident.
Intell.
Laboratory
Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Spec. Inv.
Tech. Servs.
Training
Public Affs. Off.
Telephone Rm.
Director's Sec'y

TO : Mr. McDermott

DATE: July 15, 1977

FROM : A. J. Decker, Jr.

1 - Mr. Adams
1 - Mr. D. W. Moore
1 - Mr. DeBruler
1 - Mr. Mintz
(Attn: Mr. Mogen)
1 - Mr. Powers
1 - Mr. Bresson

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF OPEN AMERICA FOR FBI DOCUMENTS RELATING TO FBI'S ROLE IN THE WATERGATE INVESTIGATION

PURPOSE: James Walter McCord Powers

To propose release of two documents including report entitled "FBI Watergate Investigation - OPE Analysis" in connection with captioned FOIA request.

139-4

NOT RECORDED

SEP 26 1979

SYNOPSIS:

Captioned FOIA request, now under appeal, involves an OPE (Office of Planning and Evaluation) analysis of the Watergate investigation and an accompanying memorandum which were withheld in our initial processing on the basis of exemption b(5) of the FOIA. This exemption protects inter-agency and intra-agency memoranda that are normally privileged in the civil discovery context. Subsequent to our initial determination to withhold these documents, Deputy Attorney General Flaherty ruled that even though the exemption may be claimed as a matter of law, it should not be utilized to withhold material unless the release would jeopardize the "present vital interests" of or would "harm" the Department. Since the documents involved are substantially factual in nature and constitute a very close b(5) call under the Department's current reasoning, FOIPA Branch is recommending disclosure.

REC-88 21 FEB 1

EX-124

RECOMMENDATION:

That Items 90 and 91 be released as a matter of discretion to the requesters in this case.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 7/23/80 BY SP4/RM/DMS

Enclosure detached, is same as items 90 & 91 on inventory and as bulky elsewhere hereon
JCH FOIA

APPROVED:
Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Adm. Serv.
Crim. Inv.
Fin. & Pers.
Ident.
Intell.
Laboratory
Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Spec. Inv.
Tech. Servs.
Training
Public Affs. Off.

THB/pcn
(8)

7 FEB 8

DETAILS - PAGE TWO

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

5010-110

FBI/DOJ

Memorandum to Mr. McDermott
Re: FREEDOM OF INFORMATION ACT (FOIA)
REQUEST OF OPEN AMERICA FOR FBI
DOCUMENTS RELATING TO FBI'S ROLE
IN THE WATERGATE INVESTIGATION

DETAILS:

Open America, Incorporated, is self described as a "non-profit organization formed to undertake projects in the public interest." We responded to their FOIA request for documents relating to the FBI's role in the Watergate investigation with a significant release of material. Included in the withheld matter were two documents described in our inventory as Items 90 and 91. These Items are the OPE Analysis of our Watergate Investigation and the cover memorandum from O. T. Jacobson to the Director dated July 5, 1974, which are attached. The case is currently in administrative appeal and our decision to withhold these two documents is in issue.

The documents in question were withheld during our initial processing following consultation with representatives of OPE and was based on exemption b(5) of the FOIA. This exemption has been interpreted to protect inter-agency and intra-agency memoranda that are normally privileged in the civil discovery context. There have been numerous court decisions and Department of Justice interpretations regarding the application of this exemption, with the law generally unsettled and left to a determination on a case by case basis. Legal interpretations suggest a case for exemption would be a pre-decisional memorandum setting forth recommendations and opinions reflecting the author's opinion and recommendation (which may and usually reflects group thinking) as to what the agency policy or law ought to be. The argument for withholding is weakened, according to some court interpretations and legal opinions, if the agency adopts the opinions and recommendations urged in the memorandum. The courts have held that purely factual recitations that can be clearly segregated from the opinion and recommendation portions of the memorandum are subject to disclosure. The legislative history recognizes that frank discussion of legal and policy matters in writing might be inhibited if the discussion were made public and that the "decisions" and "policies formulated" would be the poorer as a result. The current view of Deputy Attorney General Flaherty is that even if as a matter of law the b(5) exemption may be claimed, the material should be released unless its disclosure would jeopardize the "present vital interests" of or would "harm" the Department.

CONTINUED - OVER

Viewing the attached material in this context, FOIPA Branch is recommending we make a discretionary release of the documents, withdrawing our previous assertion of the b(5) exemption. The basis for the recommendation is that the Analysis and accompanying memorandum are substantially factual in nature rather than opinion and recommendation material. Further, they do not meet the current "harm" test of Deputy Attorney General Flaherty which was announced subsequent to our initial determination to withhold the documents in question.

Our decision in this regard will not create a precedent that will preclude claiming a b(5) exemption with regard to other OPE studies or analyses. It is FOIPA Branch's opinion that disclosure of those in-house studies more closely structured to opinions and recommendations regarding our future policy and method of operation would inhibit our ability to function and we could demonstrate the "harm" and support the exemption.

Prior to any release these documents will be closely reviewed for material, if any, that would be subject to exemption based on other FOIA provisions, i. e., classified material or confidential source material.

It is contemplated that if proposal to disclose the documents is approved, release will be made on July 22, 1977.

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

☑ Deleted under exemption(s) B1, B7C, B7D with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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

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

☐ For your information: _____

☑ The following number is to be used for reference regarding these pages:
139-4089-3084

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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FBI/DOJ

4-750 (2-7-79)

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

- [x] Deleted under exemption(s) B7C, D with no segregable material available for release to you.
- [ ] Information pertained only to a third party with no reference to you or the subject of your request.
- [ ] Information pertained only to a third party. Your name is listed in the title only.
- [ ] Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.
- ____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.
- ____ Page(s) withheld for the following reason(s): _____
- [ ] For your information: _____
- [x] The following number is to be used for reference regarding these pages: 139-4089-3085

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FBI/DOJ

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : Mr. Moore

DATE: 4/18/78

FROM : J. E. Henehan

1 - Mr. Moore
1 - Mr. Best
1 - Mr. Henehan
1 - Mr. Yelvington
1 - Mr. Cochran

SUBJECT: JAMES WALTER MC CORD, JR.
ET AL
COMPUTER INDEX OF SUB A MATERIAL
RELATING TO FBI INVESTIGATION
OF THE BURGLARY OF THE
DEMOCRATIC NATIONAL HEADQUARTERS
JUNE 17, 1972
COMMONLY REFERRED TO AS WATERGATE

PURPOSE: To forward to the Records Management Division four original computerized indexes relating to the Watergate investigation. These indexes should be filed in 139-4089 as a bulky enclosure to this memo.

RECOMMENDATION: (1) The original computerized indexes as described below should be filed in 139-4089 as a bulky enclosure to this memorandum by the Records Management Division.

APPROVED:
Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Adm. Serv. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____

(2) The Technical Services Division determine if computer tapes exist regarding the computer index described below and if so, destroy existing tapes.

139-4089-3046

REC-121

6 APR 20 1978

APPROVED:
Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Adm. Serv. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____

4 ENCLOSURE

JHY:blp
(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4JEM/DMS

CONTINUED - OVER

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

FBI/DOJ

6 7 APR 21 1978

DETAILS: During the course of captioned investigation the Criminal Investigative Division originated four computerized indexes of Sub A material as follows:

Index

(1) List of Watergate publications by date of article.

(2) List of Watergate publications by article title.

(3) List of Watergate publications by author of article.

(4) List of Watergate publications by newspaper name.

The above indexes were prepared on June 4, 1974. Since the Watergate and related cases are in close status, the above list of original indexes are being forwarded to the Records Management Division to be placed in file.

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
Intell. ____
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Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : Mr. Moore

FROM : J. E. Henehan

DATE: 4/18/78

1 - Mr. Moore
1 - Mr. Best
1 - Mr. Henehan
1 - Mr. Yelvington

SUBJECT: JAMES WALTER MC CORD, JR.
ET AL
FBI INVESTIGATION OF THE
BURGLARY OF THE
DEMOCRATIC NATIONAL
COMMITTEE HEADQUARTERS
JUNE 17, 1972
COMMONLY REFERRED TO AS WATERGATE

PURPOSE: To advise that tickler copies of communications relating to the Watergate cases and related cases currently maintained in the White-Collar Crime Section will be destroyed.

RECOMMENDATION: None. For information.

ELR

APPROVED:

Director ____
Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____

Adm. Serv. ____
Crim. Inv. ____
Ident. ____
Intell. ____
Laboratory ____

Legal Coun. ____
Plan. & Insp. ____
Rec. Mgnt. ____
Tech. Servs. ____
Training ____
Public Affs. Off. ____

DETAILS: Tickler copies of communications, and copy of indexes accumulated during Watergate and related investigations are currently maintained in the White-Collar Crime Section, Criminal Investigative Division. Since the Watergate and related cases are in a closed status, these tickler copies will be reviewed and destroyed.

REC-45 139-4089-308

EX-124

JUN 1 1978

139-4089

JHY:blp

70 JUN 3 1978

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4 JRM/DMS

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

FBI/DOJ

General Services Administration | National Archives and Records Service Washington, DC 20

Assoc. Dir. ___
Dep. AD Adm. ___
Dep. AD Inv. ___
Asst. Dir.:
Adm. Servs. ___
Crim. Inv. ___
Ident. ___
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Tech. Servs. ___
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Public Affs. Off. ___
Telephone Rm. ___
Director's Sec'y ___
FBI/DOJ

FEDERAL GOVERNMENT

JUL 27 1978

Honorable William H. Webster
Director, Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Webster: [illegible]

The Presidential Recordings and Materials Preservation Act, which became law December 19, 1974, P.L. 93-526, 88 Stat. 1695, requires the General Services Administration to "receive, retain, or make reasonable efforts to obtain, complete possession and control of all papers, documents, memorandums, transcripts, and other objects and materials which constitute the Presidential historical materials of Richard M. Nixon, covering the period beginning January 20, 1969, and ending August 9, 1974." It has recently come to our attention that on May 12, 1973, agents of the FBI removed 2 boxes of materials from the files of Presidential assistant John Ehrlichman. These files were then in the custody of the White House Special Files Unit. The 2 boxes, numbered "3" and "4", in the absence of further information, must be presumed to contain Presidential historical materials of Richard Nixon. This presumption is based on the inclusion of staff files among the Presidential historical materials and on the results of the examination by archivists of Ehrlichman materials now in National Archives custody which are part of the same numbered sequence of boxes as the 2 boxes of materials withdrawn by the FBI.

2

We therefore request that the FBI transfer the two boxes of Presidential historical materials to GSA custody, so that they may be replaced among the Ehrlichman materials in the custody of the National Archives. If for any reason you believe that these materials are not Presidential historical materials, we request that you respond with a full description of the contents of the 2 boxes and an explanation of your conclusions.

ST-126 REC-70 139-4017-3088

11 AUG 28 1978

If you have any questions please contact Richard A. Jacobs, Acting Director of the Nixon Historical Materials Project on 523-3073, or Steven Garfinkel of GSA's Office of General Counsel on 566-1460.

ack recpt of HL to Steven Garfinkel - GSA 8-14-78 [illegible] 1978

cwitel WTO 8/23/78 JHY1

We appreciate your cooperation.

Sincerely,

James E. O'Neill

JAMES E. O'NEILL
Acting Archivist
of the United States

Airtel

1 - Mr. Yelvington

8/23/78

To: SAC, WFO (139-166)

From: Director, FBI (139-4089)

JAMES WALTER MC CORD, JR.,
ET AL.
IOC;
OO: WFO

Enclosed for WFO are two copies of a letter dated 7/27/78, to the Director from James E. O'Neill, General Services Administration (GSA), National Archives and Records Service, Washington, D. C.

Enclosed letter requests the FBI transfer two boxes of Presidential historical materials to GSA custody so that material may be placed among the John Ehrlichman materials now in custody of the National Archives. According to this letter, the two boxes of material in question were removed on 5/12/73, by Agents of the FBI from the files of Presidential assistant John Ehrlichman.

WFO should locate the two boxes in question, determine contents of the two boxes, and advised FBIHQ.

Enclosures - (2)

JHY:kbb
(4)

ST-126

REC-70 139-4089-3089

11 AUG 28 1978

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
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Tech. Servs.
Training
Public Affs. Off.
Telephone Rm.
Director's Sec'y

MAILED 8
AUG 23 1978
FBI

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4/RM/DMS

FBI/DOJ

(Rev. 7-27-76)

FBI

TRANSMIT VIA:
- [ ] Teletype
- [ ] Facsimile
- [x] Airtel

PRECEDENCE:
- [ ] Immediate
- [ ] Priority
- [ ] Routine

CLASSIFICATION:
- [ ] TOP SECRET
- [ ] SECRET
- [ ] CONFIDENTIAL
- [ ] E F T O
- [ ] CLEAR

Date 9/6/78

TO: DIRECTOR, FBI (139-4089)

FROM: SAC, MIAMI (139-328) (P)

JAMES WALTER MC CORD, JR.;
ET AL;
BURGLARY OF DEMOCRATIC PARTY
NATIONAL HEADQUARTERS
6/17/72
IOC

Enclosed herewith for the Bureau is one copy of FD 192 which shows a list of items in the Bulky Exhibit Section at Miami Office, taken from a 1972 Dodge Dart on 6/21/72. These items were taken pursuant to a search warrant obtained on 6/21/72 by FBI Agents ~~from~~ FOR a Dodge Dart bearing Florida License 1-219426, registered to EUGENIO ROLANDO MARTINEZ, 4044 Meridian Avenue, Miami Beach, Florida.

These items are taking up space in the Bulky Exhibit Section, and the Bureau is requested to advise Miami whether there is any objection to the items being returned to MARTINEZ.

REC-79 139-4089-307

ENCLOSURE

2 - Bureau (Enc. 1)
1 - Miami
BPG:sl
(3)

Airtel WFO
MM-info
10/11/78
JHW:

22 10-16-78 1978

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4JRM/DMS

Approved: _____ Transmitted _____ (Number) (Time) Per _____

GPO : 1977 O - 225-539

TO DIRECTOR 139-4089

FROM MIAMI 139-328 - Miami airtel 9/6/78

JAMES WALTER MC CORD, JR.;
ET AL;
ETC.

Enc. Copy of FD 192

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

139-4089-3090

FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LUMP-5559
129-4089

EVIL

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Jene Valdes
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U. S. DEPARTMENT OF JUSTICE
CASE NO. LL#19-55519
139-4087

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LWA-555A
139-4087

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EVIDEN
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WASH. D.C. 20001
SMITH

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U.S. DEPARTMENT OF JUSTICE
CASE NO
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NUMBER
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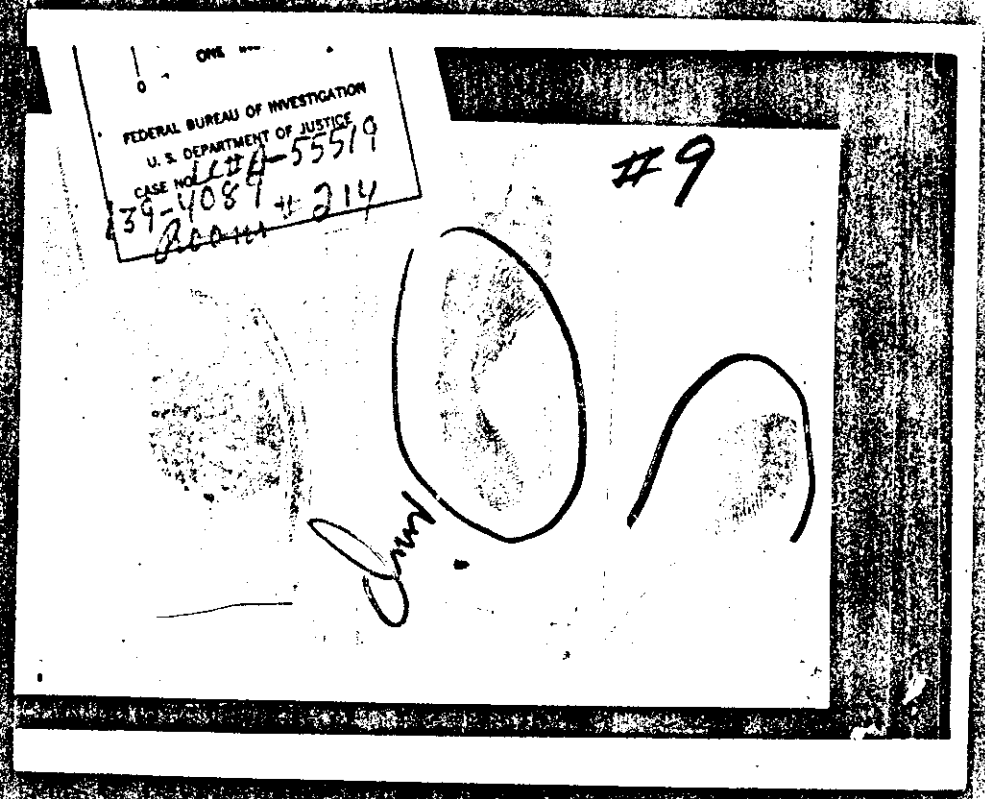
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U. S. DEPARTMENT OF JUSTICE
CASE NO. #4-55519
139-4089 + 214
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FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. LCHA-5559

139-4089

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POLICE DEPT.

C. 20001

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U. S. DEPARTMENT OF JUSTICE
CASE NO.
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LLHA-55519
139-4089

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NUMBER 6-17-72

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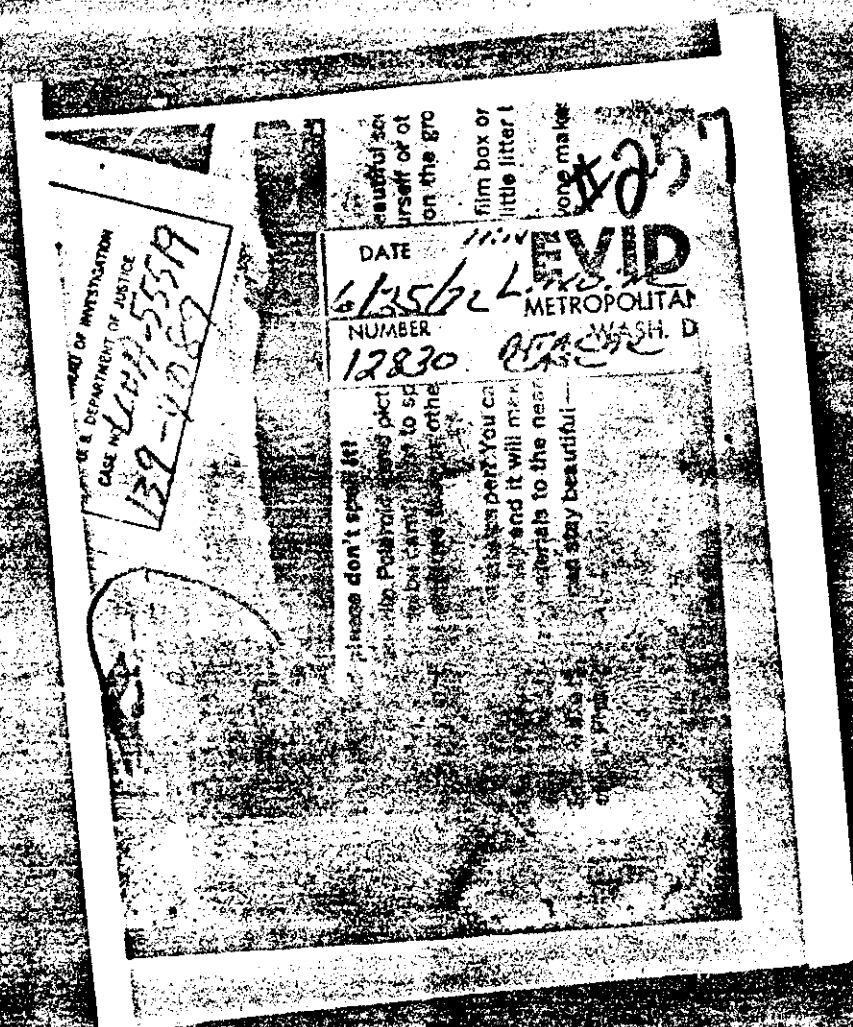
WASH. D.C. 20001
SMITH



DEPARTMENT OF JUSTICE
CASE NO. LLH-5559
139-4089
DATE
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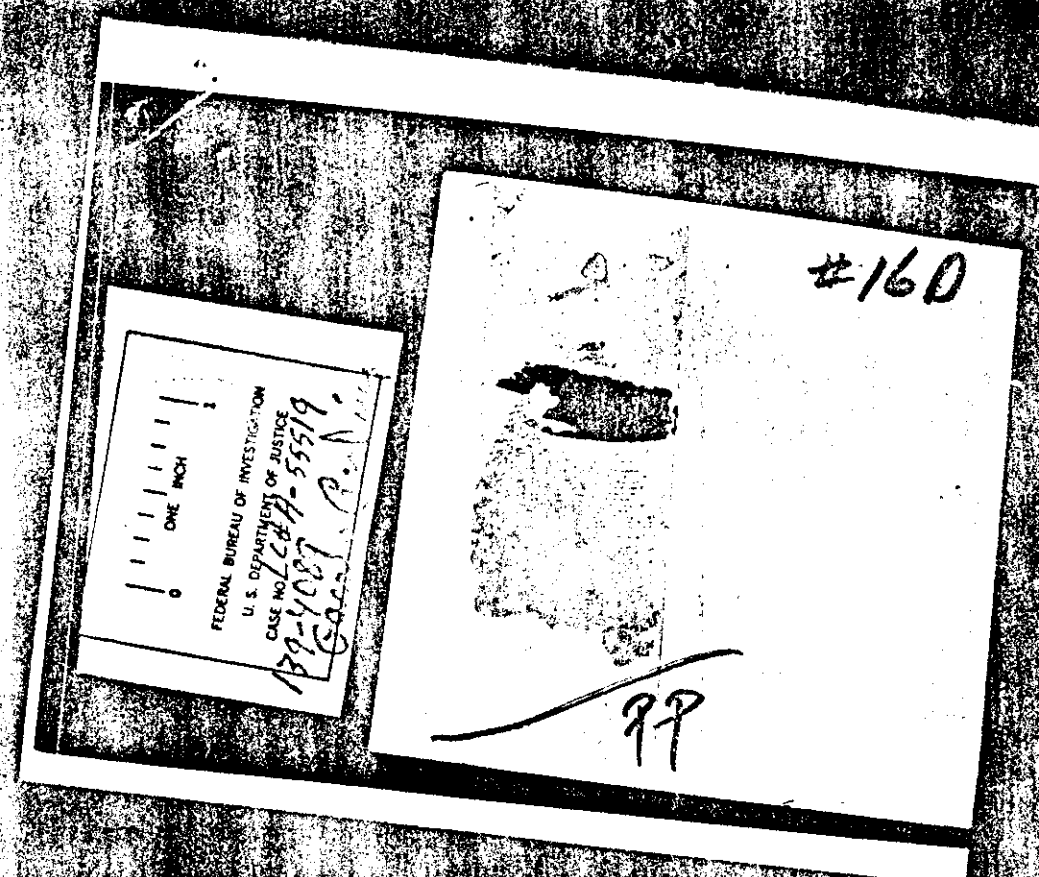
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U.S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
139-4087
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LWA-5559
139-4089

DATE 6/25/72
NUMBER 12830

EVID
METROPOLITAN
WASH. D

Places of Interest

Baltimore and Ohio Transportation Museum 3a
Battle Monument 10
Camden Station (B. and O. Railroad) 23
Carroll Mansion 15
Cathedral of the Assumption 17
Central Police Building 19
Chamber of Commerce 9
[illegible]

Civic Center Building .....
Confederate Monument .....
Court House, Baltimore .....
Custom House .....
Edgar Allan Poe Home .....
Elks Club .....
Enoch Pratt Free Library .....
Fifth Regiment Armory .....
Flag House .....
Fountain Inn Tablet .....
Greyhound Bus Depot .....

U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#1-55519
139-4089
Garage Parking

#162

PP

#187

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The Distance Finder is a simple-to-use
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NUMBER

METRO-POUTAN

WASH. D

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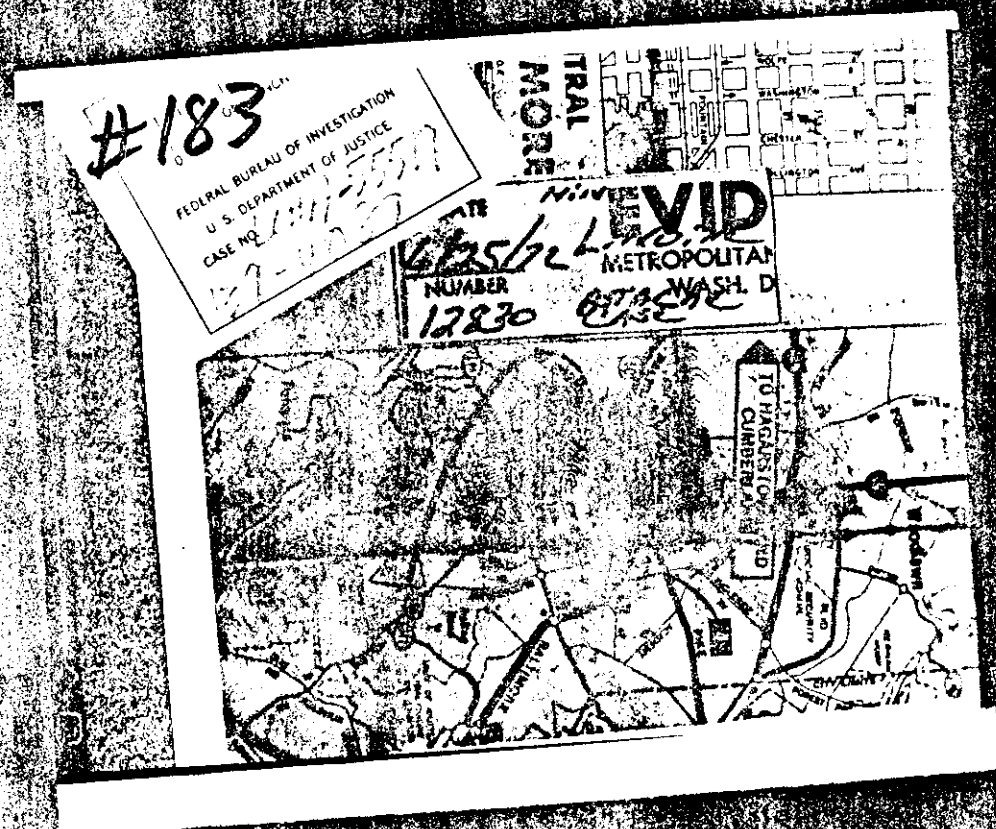
U.S. DEPARTMENT OF
CASE NO. 1349-5559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U. S. DEPARTMENT OF JUSTICE
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CUMBERLAND

Carl Marion Shoffler

FEDERAL BUREAU
U. S. DEPARTMENT
CASE NO. LCDA-
139-4089

DATE
6/25/72
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12830

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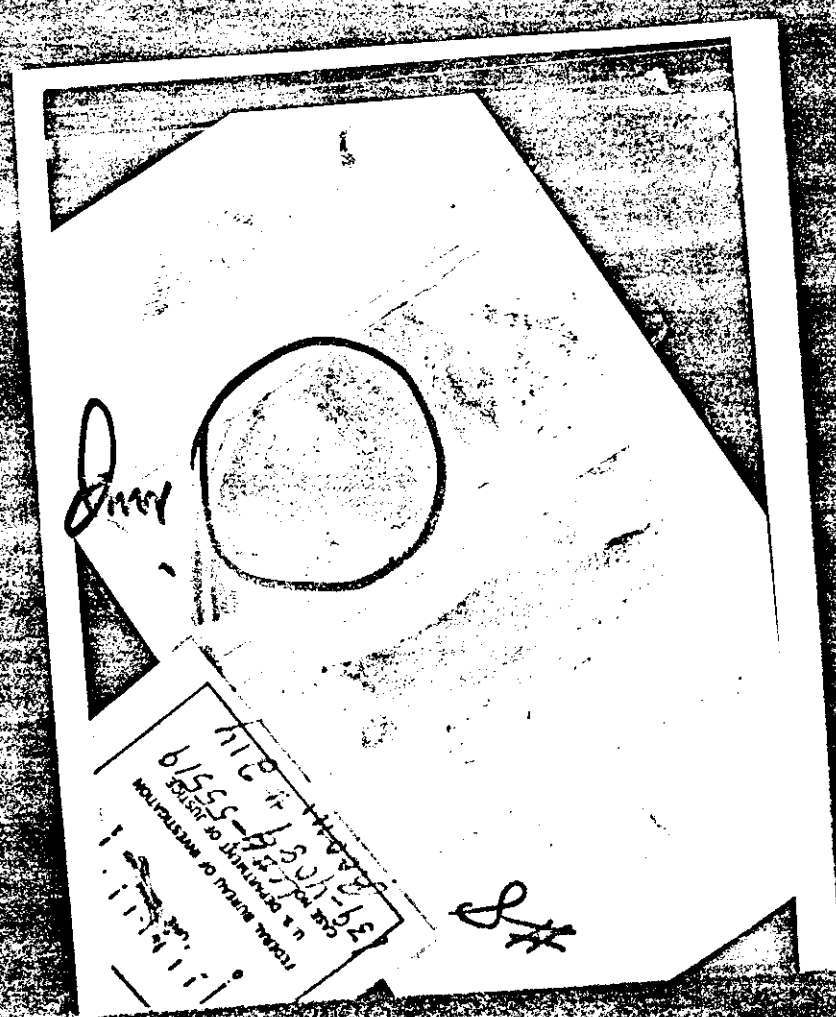
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

Allentown/Bethlehem/Easton, Pa. — F $[illegible] Y $51 (204 [illegible])

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5 20p	[illegible]	198	One-stop	M	M	[illegible]	8 41pT	137/279	[illegible]

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9 15a	11 54[illegible]	246	One-stop
10 20a	11 59a	330	Non-stop
12 50p	2 36p	256	Non-stop
12 50pT	2 29p	[illegible]34	Non-stop
3 05p	5 25p	54[illegible]	One-stop
4 00p	5 45p	706	Non-stop
4 05pT	5 39p	326	Non-stop
7 40p	9 15p	648	Non-stop
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF [illegible]
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Carl Marcello

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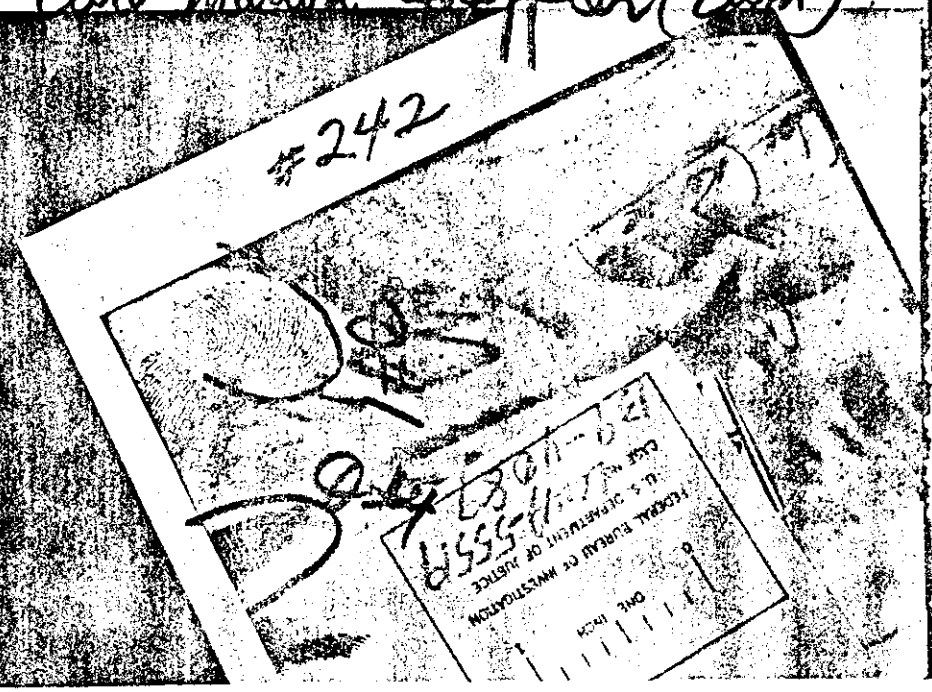

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DATE 6/25/72
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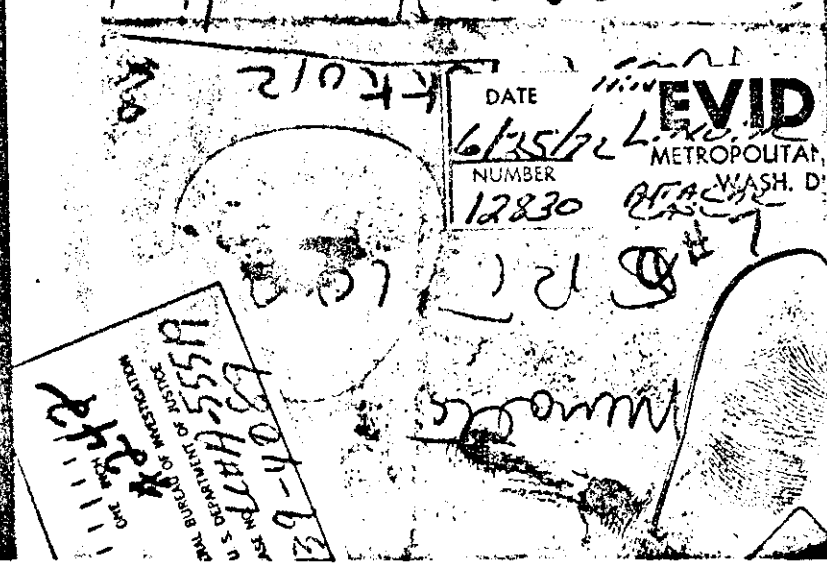

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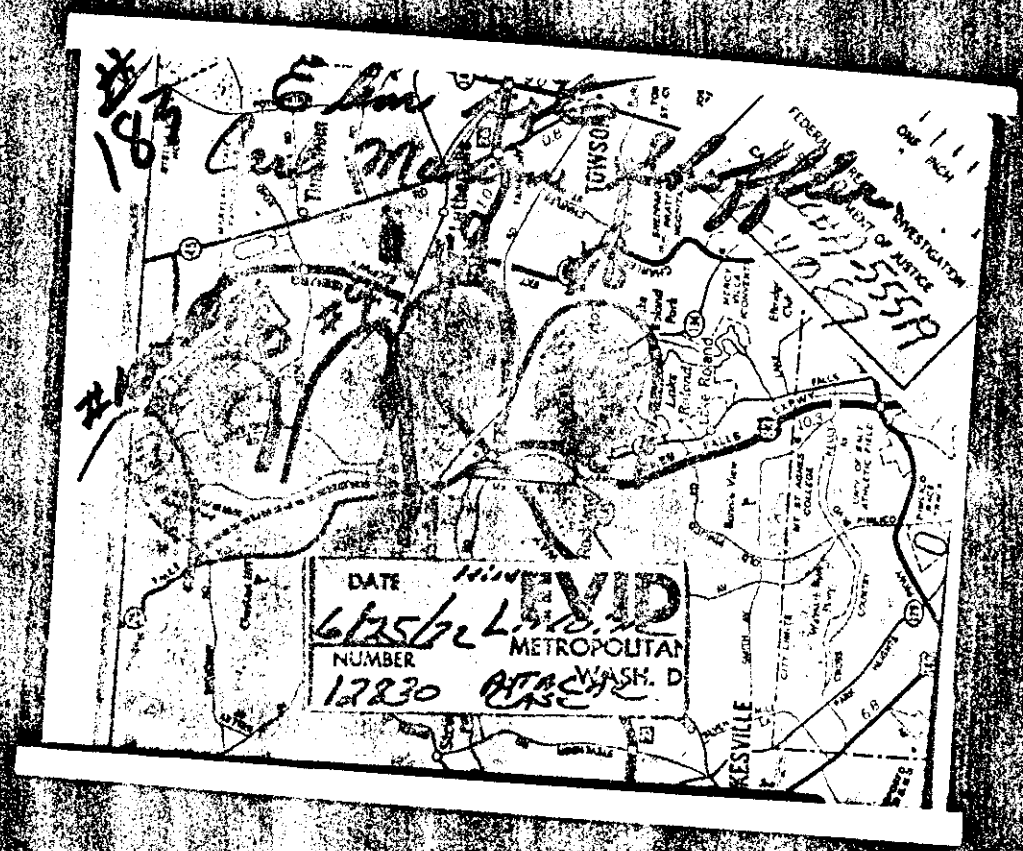
U.S. DEPARTMENT OF JUSTICE
CASE NO. 1555-HATT



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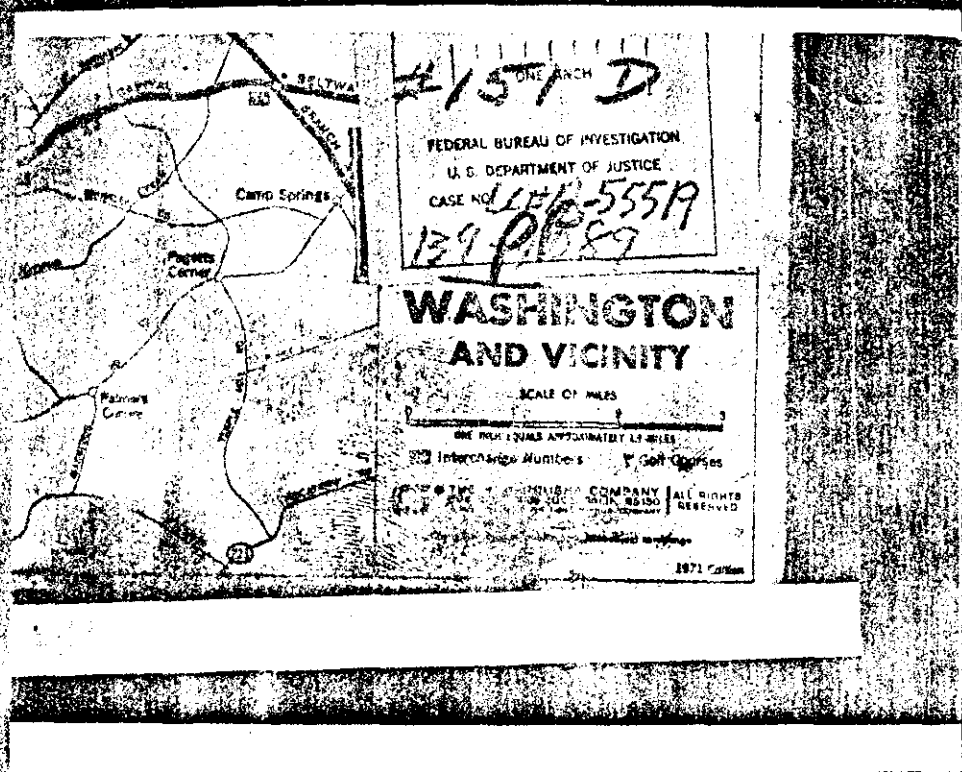
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U. S. DEPARTMENT OF JUSTICE
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Interchange Numbers
Golf Courses
ALL RIGHTS RESERVED
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Camp Springs
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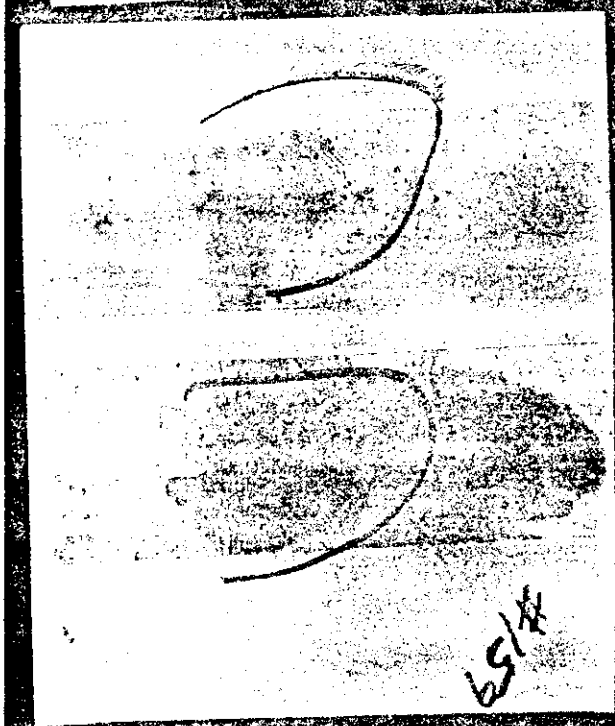
FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. C#D-5519

139-4089

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
139-4089
Gerardo Pardiñas



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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LL#A-55519
139-4089
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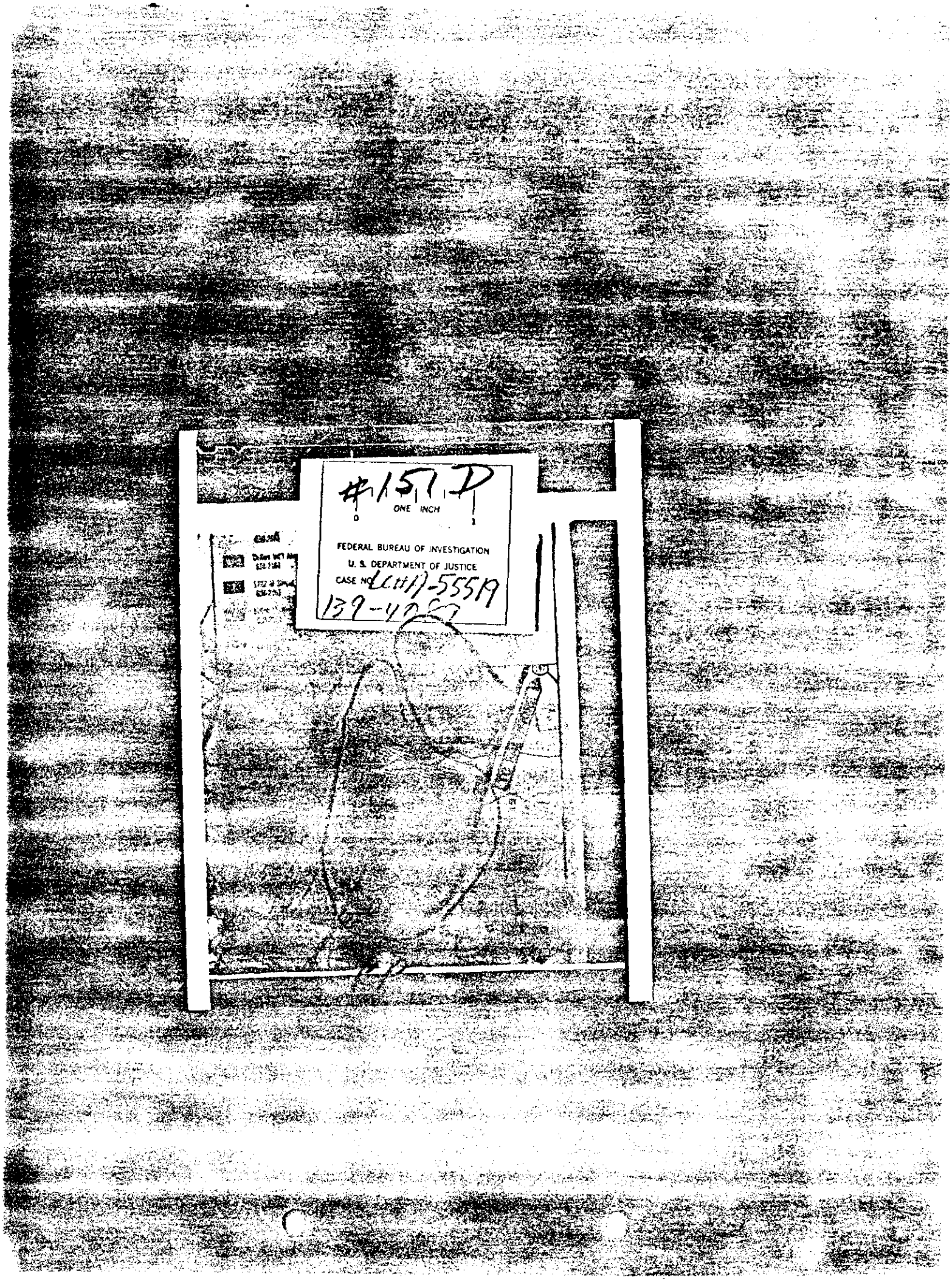
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U. S. DEPARTMENT OF JUSTICE
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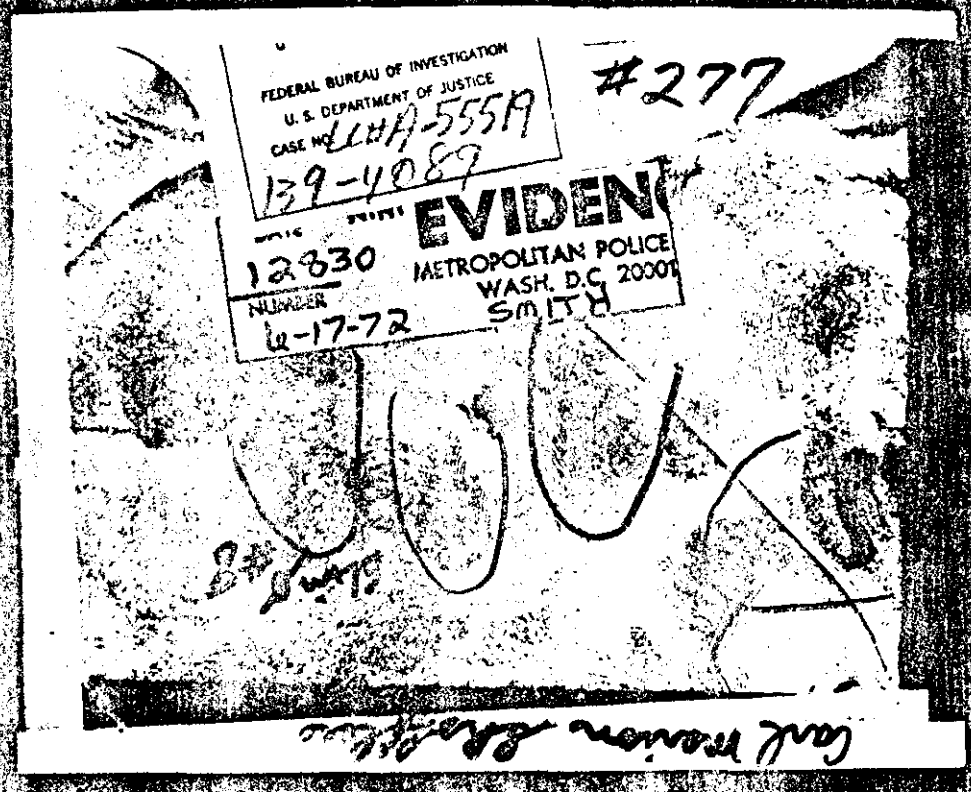
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WASH. D.C. 20001
12830
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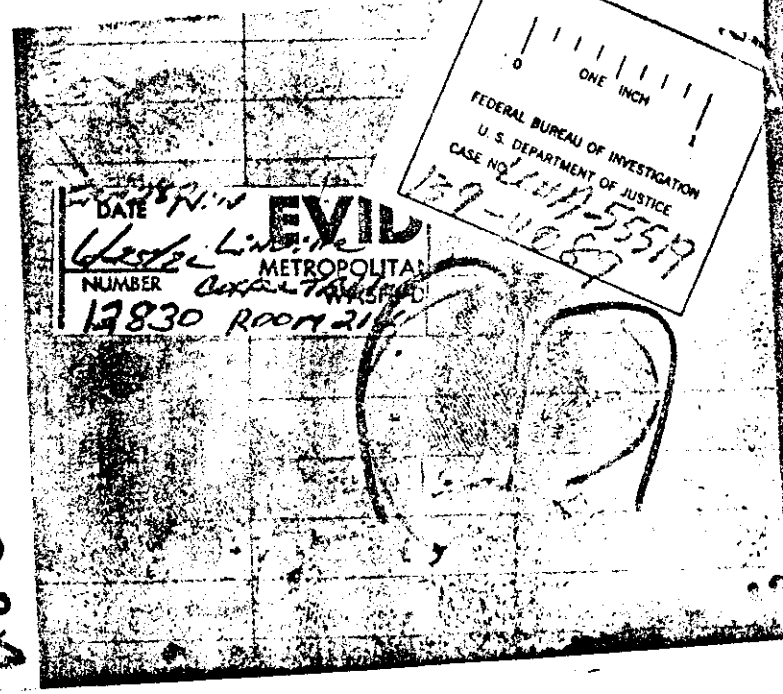

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U. S. DEPARTMENT OF JUSTICE
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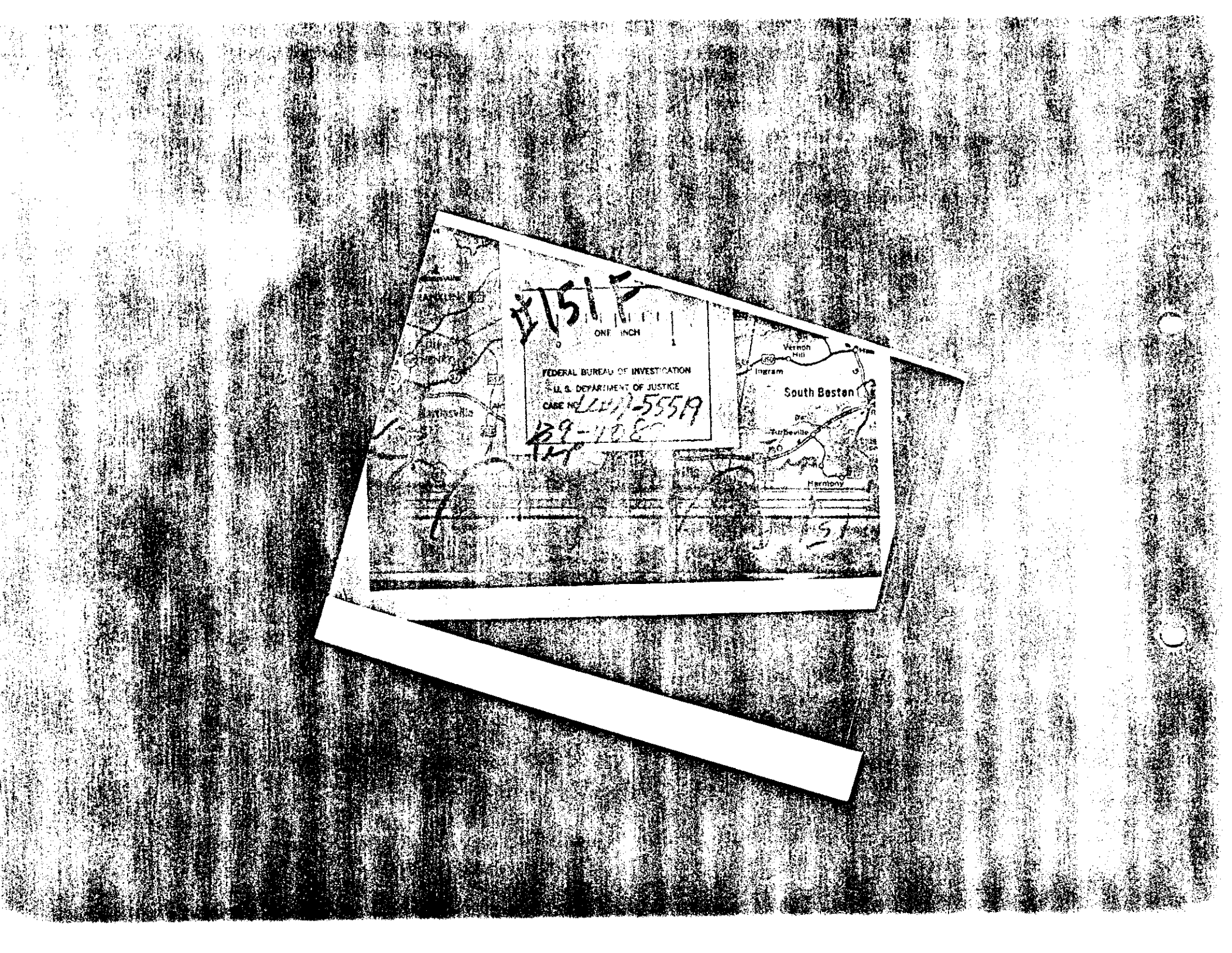
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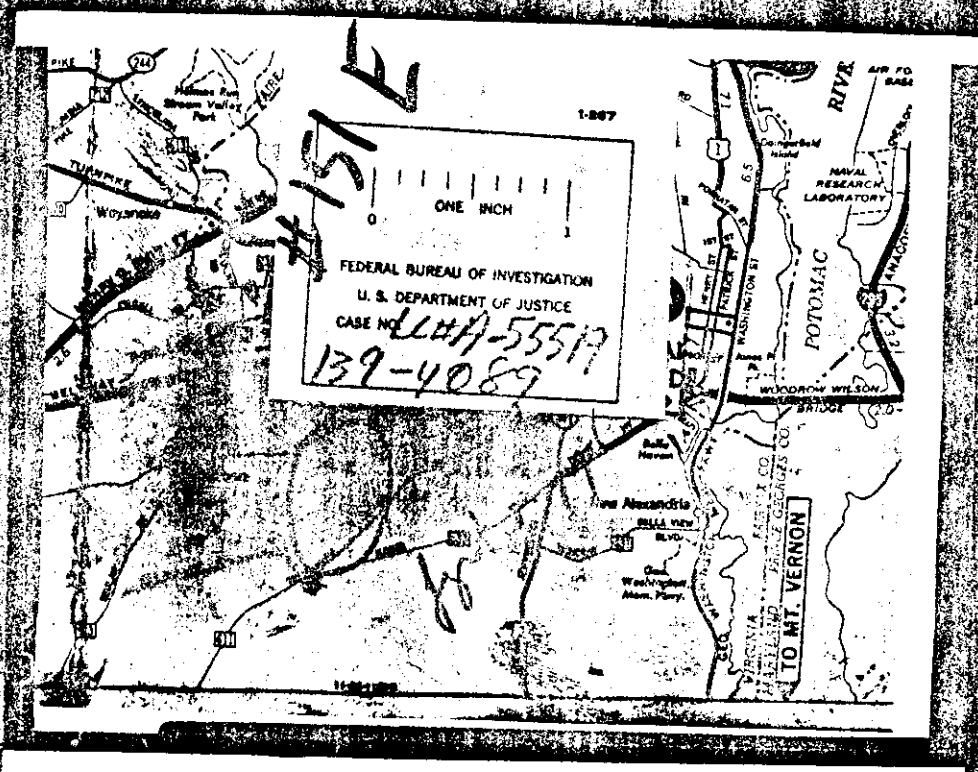

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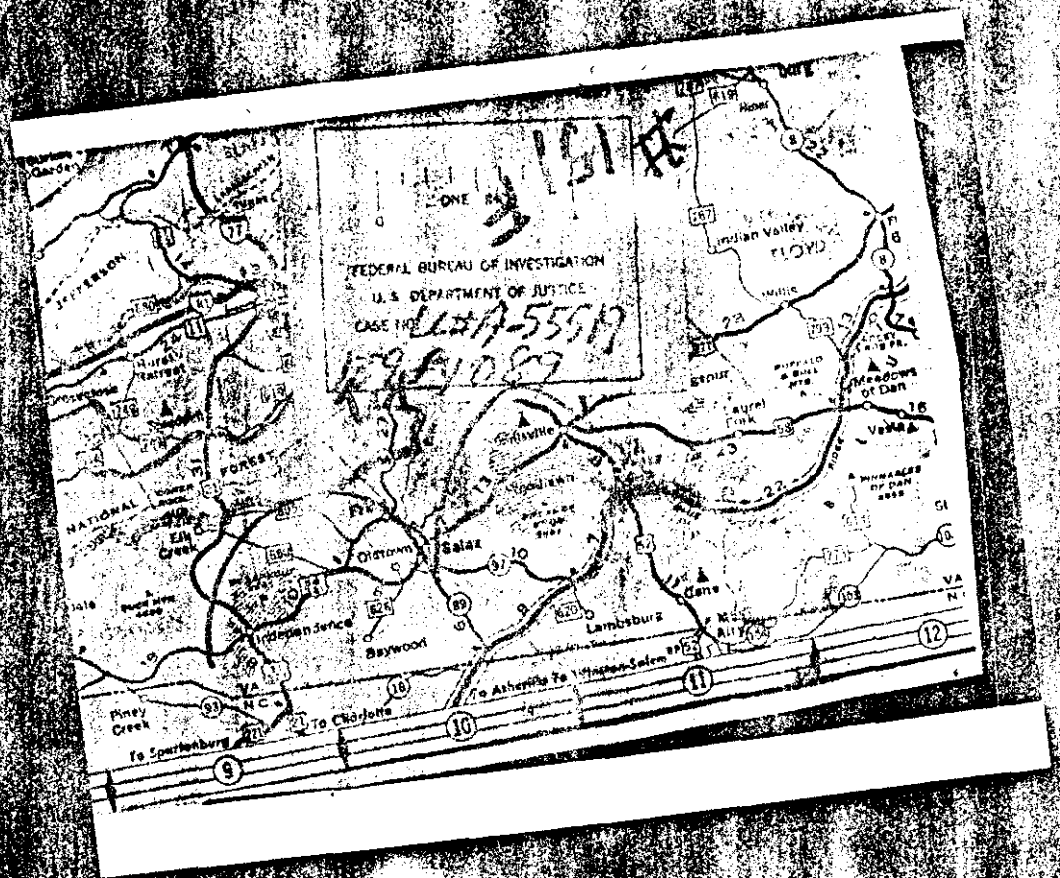
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To Spartanburg
To Asheville
NATIONAL
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JEFFERSON
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. LC#A-55519
39-4089 ~~From Basement~~

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089 #A-55519

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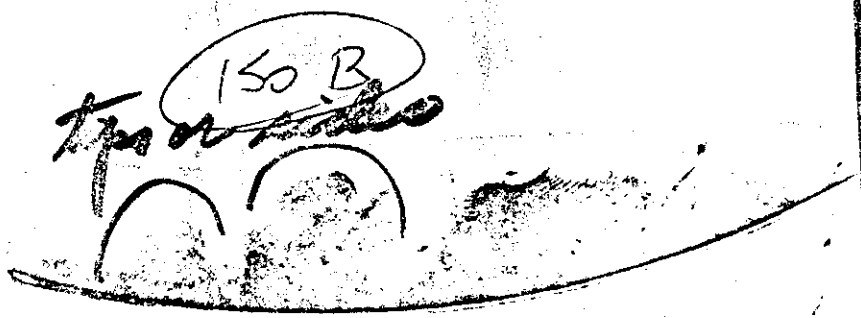

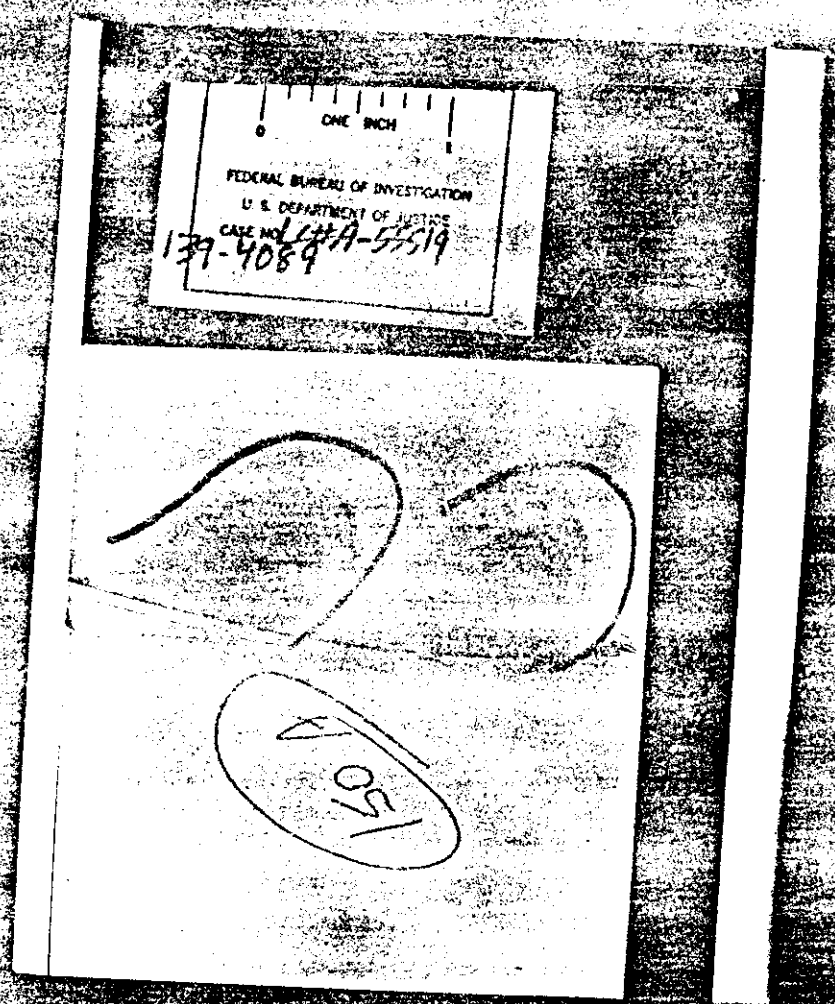

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CASE NO. LC#A-55519
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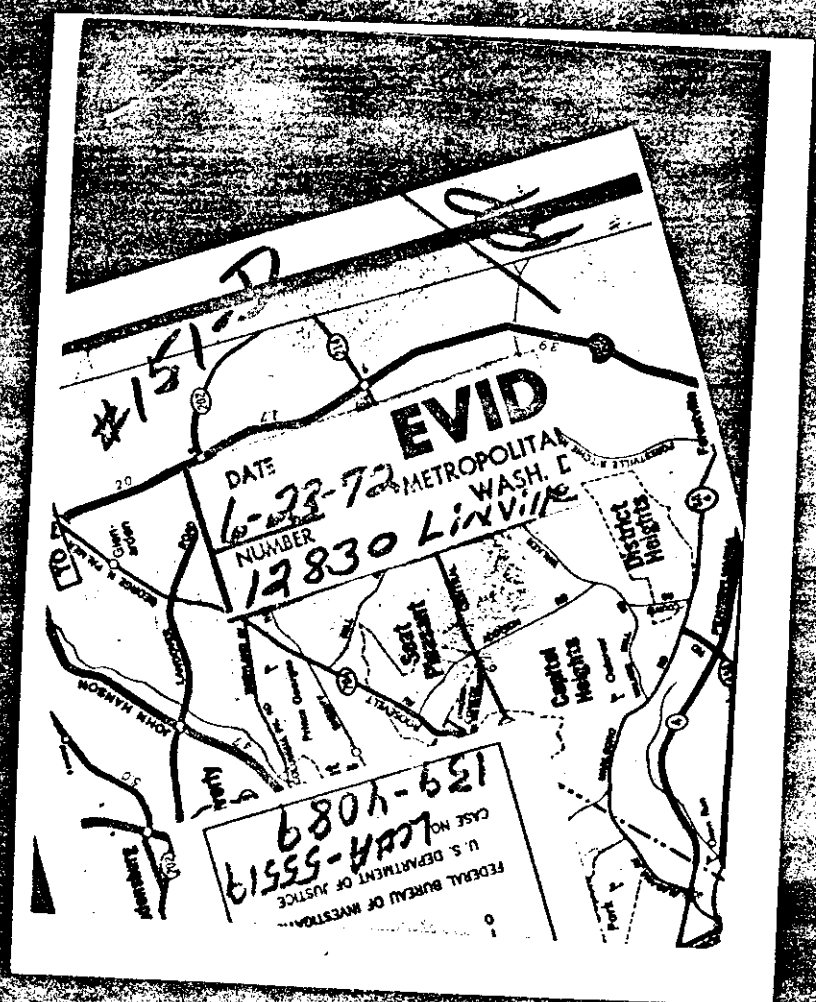
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12830 Linville
District Heights
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Seat Pleasant
JOHN HANSON
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. LCUA-55519
139-4089

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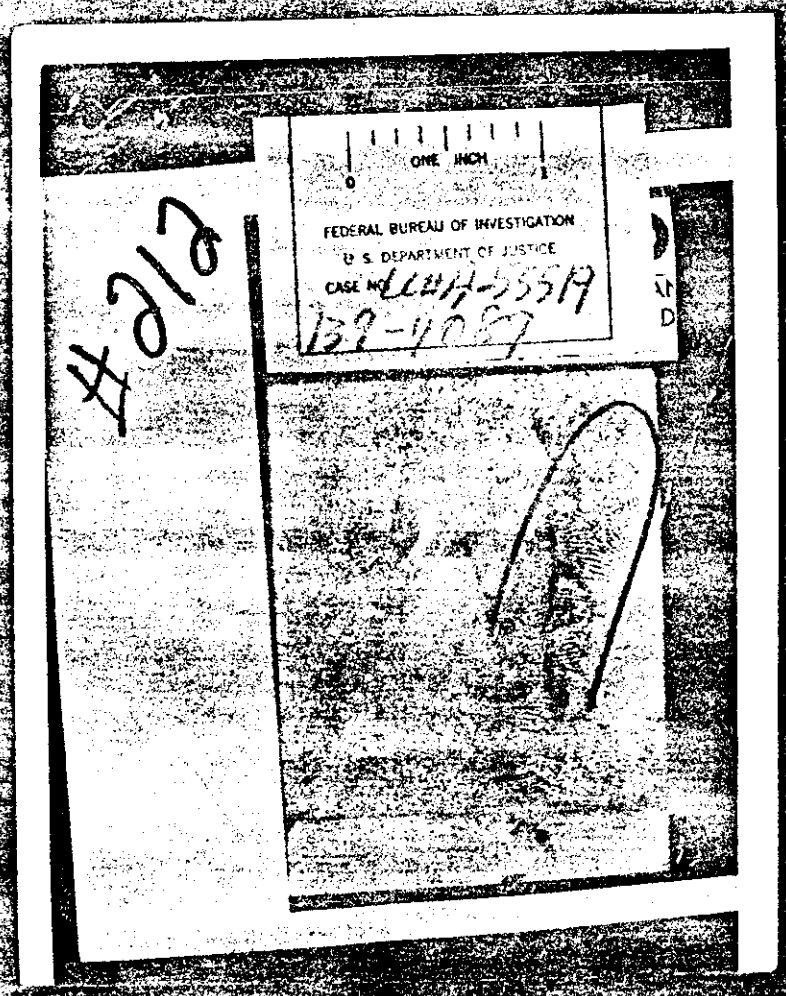
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
CASE NO. 6301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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO.
#212

Bulky Exhibit - Inventory of Prop Acquired as Evidence
FD-192 (Rev. 10-6-65)

Date 6/23/72

Title and Character of Case

BERNARD L. BARKER, aka
ET AL; DEMOCRATIC NATIONAL HEADQUARTERS,
WATERGATE APARTMENTS, WASHINGTON, D.C., 6/17/72
IOC; MIDEM; MIREP

Date Property Acquired	Source From Which Property Acquired
6/21/72	1972 Dodge Dart, Florida License 1-219426

Location of Property or Bulky Exhibit	Reason for Retention of Property and Efforts Made to Dispose of Same
Bulky Exhibit Section	evidence

Description of Property or Exhibit and Identity of Agent Submitting Same

1. APCOA Inventory Tag 59-593
2. * Marquette Page-A-Day calendar notebook
3. One carton for Remington .22 caliber cartridges
4. One Briggs and Stratton key bearing #H 601
5. * One notebook containing various names and telephone numbers
6. One picture postcard bearing inscription "Doral-On-The-Ocea
7. A soft-covered booklet entitled "Basic Developing, Printing, Enlarging"
8. One Aqua-Lung knife and scabbard
9. Three semi-transparent map overlays containing unexplained coordinates and locations.
10. A sheet of yellow lined paper containing penciled message entitled, "Barb Mensages Trans."
11. One metal key bearing no identifying mark
12. One metal key bearing #4T67332

SA ROBERT L. WILSON

SEMIANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

8/9/72		8/18/75	2/17/77
2/14/73	8/10/74	2/4/76	9/7/77
8/7/73	3/4/75	8/6/76	8/14/78

Field File #

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
JUN 26 1972
FBI—MIAMI

* To Bureau 10-25-72
per Bur tel 10-25-72
mks

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4 JRM/DMS

139-328-16

13. One Schlage key bearing the initials "M" and"Y"

14. One key ring with "color-lite" key #SC1

15. One heavy paper poster entitled, "Campana de la Juventud Cubana Para La Liberacion de Cuba" bearing a drawing of an M16 automatic weapon

16. A 7" stainless steel knife and scabbard manufactured by Gerber, Portland, Oregon

17. Plastic envelop containing Miami International Airport Terminal Parking Lot Car Check #120-375 and a book of matches from the Watergate Hotel, Washington, D.C.

18. A deposit slip for the Republic National Bank, Miami, Florida, dated April 21, 1972

19. A receipt in the name of EUGENIO R. MARTINEZ dated March 13, 1972, from Brigada de Asalto 2506

20. A deposit stub from Jefferson National Bank, Miami Beach, Florida, dated June 1, 1972

21. Business card of ALFREDO COLLI, North America Realty, Inc., Coral Gables, Florida

22. Business card of ROBERT W. HAYES, The Hayes Agency, Fond du Lac, Wisconsin

23. Checkbook order stub for Account 1049895 of the Jefferson National Bank, Miami Beach, Florida

24. Business card of CARLOS DE VARONA

25. Miami Multiple Listing Service, Inc. form bearing miscellaneous writing

26. Burdine's charge slip dated December 14, 1971, for Account 554776082

27. Two Burdine's charge slips dated May 5, 1972 for Account 012478082

28. Blank mortgage deed form bearing miscellaneous writing on the back

29. Two unopened rolls of Kodak Panatomic-X Film #FX-135-36

30. Two opened boxes of Kodacolor X Film #CX-135-36

31. Two Ampex 361 C-90 recording cassettes

32. Books and pamphlets as follows:

    a. Sixth edition of "Questions and Answers on Real Estate"

    b. "Real Estate Listing Magic"

    c. "Webster's New Collegiate Dictionary"

    d. "Roget's Thesaurus"

    e. "The Poems and Fairy Tales of Oscar Wilde"

    f. "Construya en Ingles"

    g. "The Doctor's Quick Weight Loss Diet"

    h. "The Brand-Name Calorie Counter"

    i. "Collins Spanish-English, English-Spanish Dictionary"

33. Membership card and monthly stamp book of EUGENIO R. MARTINEZ, Hotel Employee's Union of Miami and Miami Beach, Local 255

34. Republica de Cuba Passport #38384 in the name of EUGENIO ROLANDO MARTINEZ Y CAREAGA

35. One styrofoam cooler minus cover.

36. One Royal Crest Deluxe portable typewriter, serial #SL7285053.

total

Ret 7-5-72 gm

Airtel

1 - Mr. Wilson

10/11/78

To: SAC, Washington Field

From: Director, FBI

JAMES WALTER MC CORD, JR.;
ET AL:
BURGLARY OF DEMOCRATIC PARTY
NATIONAL HEADQUARTERS
6/17/7[illegible]
IOC
OO: WFO

Re Miami airtel to Bureau dated 9/6/78.

Enclosed for WFO is one copy of referenced Miami airtel along with a copy of a Bulky Exhibit list also furnished by Miami. Referenced airtel is requesting instructions as to the proposed disposition of the listed items which are contained in the Miami Division Bulky Room.

WFO should contact the proper official at the U. S. Attorney's Office for such instructions. Thereafter, WFO should notify Miami of the decision.

Enclosures - (2)

1 - Miami ([illegible]-323) For info
JHW:kbb
(6)

REC 79 4089-309

MAILED 7
OCT 12 1978
FBI

23 OCT 16 1978

c. Dir.
. AD Adm.
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MAIL ROOM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4 JRM/DMJ

FBI/DOJ

FD-36 (Rev. 3-24-77)

FBI

TRANSMIT VIA:
- [ ] Teletype
- [ ] Facsimile
- [x] AIRTEL

PRECEDENCE:
- [ ] Immediate
- [ ] Priority
- [ ] Routine

CLASSIFICATION:
- [ ] TOP SECRET
- [ ] SECRET
- [ ] CONFIDENTIAL
- [ ] E F T O
- [ ] CLEAR

Date 10/4/78

TO: DIRECTOR, FBI (139-4089)

FROM: SAC, WFO (139-166) (C)

JAMES WALTER MC CORD, JR.,
ET AL
(OO:WFO)

Re airtel from Director to WFO dated 8/23/78.

A thorough examination of Washington Field Office (WFO) files fail to locate any reference to the seizure of materials by the FBI from the files of Presidential Assistant JOHN EHRLICHMAN on or about 5/12/73. The case agent of captioned matter at that time, ANGELO LANO, has also confirmed this fact. Special Agent (SA) LANO advised that any materials obtained during that time frame would have been turned over to the Special Prosecutors Unit by officials of the White House Staff.

The only items, other than files, presently in WFO's possession that relate to captioned matter are materials that were turned over to FBI agents by JAMES W. MC CORD on 4/12/73. Specifically, these include several boxes of electronic equipment, i.e., tape recorders, microphones and amplifiers, that could be used in an eavesdropping type situation.

WFO's Bulky Exhibit Room also searched for questioned materials, but with no success.

REC-24 139-4089-2092

5 OCT 5 1978

2 - Bureau
1 - WFO

GRH:mer
(3)

EX-124

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4JRM/DMS

Approved: _____ Transmitted _____ (Number) (Time) Per _____

FBI/DOJ

General Services Administration
National Archives and Records Service Washington, DC 20408

JUL 27 1973

~~FEDERAL BUREAU~~

Honorable William H. Webster
Director, Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Webster:

The Presidential Recordings and Materials Preservation Act, which became law December 19, 1974, P.L. 93-526, 88 Stat. 1695, requires the General Services Administration to "receive, retain, or make reasonable efforts to obtain, complete possession and control of all papers, documents, memorandums, transcripts, and other objects and materials which constitute the Presidential historical materials of Richard M. Nixon, covering the period beginning January 20, 1969, and ending August 9, 1974." It has recently come to our attention that on May 12, 1973, agents of the FBI removed 2 boxes of materials from the files of Presidential assistant John Ehrlichman. These files were then in the custody of the White House Special Files Unit. The 2 boxes, numbered "3" and "4", in the absence of further information, must be presumed to contain Presidential historical materials of Richard Nixon. This presumption is based on the inclusion of staff files among the Presidential historical materials and on the results of the examination by archivists of Ehrlichman materials now in National Archives custody which are part of the same numbered sequence of boxes as the 2 boxes of materials withdrawn by the FBI.

We therefore request that the FBI transfer the two boxes of Presidential historical materials to GSA custody, so that they may be replaced among the Ehrlichman materials in the custody of the National Archives. If for any reason you believe that these materials are not Presidential historical materials, we request that you respond with a full description of the contents of the 2 boxes and an explanation of your conclusions.

If you have any questions please contact Richard A. Jacobs, Acting Director of the Nixon Historical Materials Project on 523-3073, or Steven Garfinkel of GSA's Office of General Counsel on 566-1460.

We appreciate your cooperation.

Sincerely,

James E. O'Neill

JAMES E. O'NEILL
Acting Archivist
of the United States

1 - Mr. Mullen
1 - Mr. Henehan
1 - Mr. Keenan

October 27, 1978

FEDERAL GOVERNMENT

Mr. James E. O'Neill
Acting Archivist of the United States
National Archives and Records Service
General Services Administration
Washington, D. C. 20408

Dear Mr. O'Neill:

Reference is made to your letter of July 27, 1978, requesting return of two boxes numbered "3" and "4" which were allegedly removed by FBI agents on May 12, 1973, from the files of then Presidential Assistant John Ehrlichman, which files were at that time in the custody of the White House Special Files Unit.

Please be advised that a thorough examination of the files and exhibits of our Washington Field Office has failed to locate any reference to or trace of such material or its seizure. The case agent at that time has no knowledge or recollection of same, but has advised that any materials obtained during that time period would have been turned over to the Special Prosecutor's Unit of the Department of Justice by officials of the White House Staff. The only material we have at this time consists of electronic equipment obtained from James W. McCord on April 12, 1973.

EX-124 REC-24 139-4089-3093

MAILED 7
OCT 27 1978
FBI

Sincerely yours,
William H. Webster

William H. Webster
Director

OCT 31 1978

Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Servs.
Crim. Inv.
Ident.
Intell.
Laboratory
Legal Coun.
Plan. & Insp.
Rec. Mgnt.
Tech. Servs.
Training
Public Affs. Off.
Telephone Rm.
Director's Sec'y

GHK:msj
(6)

MAIL ROOM

APPROVED:
Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Adm. Serv.
Ident.
Intell.
Legal Coun.
Plan. & Insp.
Rec. Mgnt.
Tech. Servs.
Training
Public Affs. Off.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP2ALM/OMS

FBI/DOJ

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Adm. Servs. ____
Crim. Inv. ____
Ident. ____
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Tech. Servs. ____
Training ____
Public Affs. Off. ____
Telephone Rm. ____
Director's Sec'y ____

TO : Assistant Director
Records Management Division

DATE: 12/12/78

FROM : Legal Counsel

SUBJECT: REQUEST OF ACTING ARCHIVIST OF THE UNITED STATES DATED 7/27/78

PURPOSE: To request Records Management Division (RMD) to further respond to captioned request.

SYNOPSIS AND DETAILS: By letter dated 7/27/78, (copy attached) to the Director from Mr. James E. O'Neill, Acting Archivist of the United States, the Bureau was requested to return to the custody of the General Services Administration (GSA) two boxes of material removed from the office of former Presidential Assistant John Ehrlichman on 5/12/73. In the alternative Mr. O'Neill requested, if the Bureau does not consider this material to be a part of the Presidential papers, to furnish a complete inventory thereof and the basis for such conclusion.

According to the attached abstract, the Bureau responded to the above request by letter dated 10/27/78, which advised the Bureau was unable to locate any reference or trace of such material or its seizure.

On 12/8/78, Steven Garfinkel, Office of General Counsel, GSA, telephone number 566-1460, telephonically renewed the request by Mr. O'Neill. He further requested the Bureau's response be directed to Dr. James B. Rhoads, Archivist of the United States.

REC-2 139-4027-30

This request refers to SPECOV material, Bufile 65-75085, which was returned to FBIHQ from the White House by former Acting Director Ruckelshaus and former Bureau Supervisor Thomas Smith. It is presently located in the Special File Room.

Enclosures (2)

16 JUL 24 1979

ENCLOSURE

AUG 6 1979

2-Mr. Bassett
1-Mr. Cregar
(Attn: D. K. Pettus)
1-Mr. Moore
(Attn: G. H. Keenan)
1-Mr. Mintz
1-Legal Research Unit

RFP:lsh (7)

SEE INTD ADDENDUM PAGE 4
(CONTINUED-OVER)
RECORDS MANAGEMENT DIVISION ADDENDUM PAGE 3.

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

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 7/24/80 BY SP4 JRM/DMS

RECORDED COPY FILED IN

RECORDS SYSTEM

Memorandum Legal Counsel to Assistant Director
Records Management Division
Re: Request of Acting Archivist of
the United States Dated 7/27/78

RECOMMENDATION: That RMD review the SPECOV material and appropriately respond to Dr. Rhoads. RMD may wish to coordinate their response with CI-3, Intelligence Division which formerly had custody of this material.

APPROVED:

Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.

Adm. Serv.
Crim. Inv.
Ident.
Intell.
Laboratory

Legal Coun.
Plan. & Insp.
Rec. Mgmt.
Tech. Servs.
Training
Public Affs. Off.

Legal Counsel memo to Assistant Director RMD
REQUEST OF ACTING ARCHIVIST OF
THE UNITED STATES DATED 7/27/78

ADDENDUM OF RECORDS MANAGEMENT DIVISION (JWA:evp 12/14/78)

This memorandum refers to a letter from the Acting Archivist of the United States requesting that the FBI transfer to the custody of GSA two boxes of material which were allegedly removed by FBI Agents on 5/12/73 from the files of Presidential Assistant John Ehrlichman which were then in the custody of the White House Special Files Unit. The Bureau responded to this request by letter dated 10/27/78 advising the Archivist we were unable to locate any reference or trace of such material or its seizure. The General Counsel for GSA is making further inquiries regarding this matter. The memorandum indicates this request refers to SPECOV material (Bufile 65-75085 located in the Special File Room) which was returned to FBIHQ from the White House and requests the Records Management Division to review this material and appropriately respond to the Archivist.

While the Records Management Division maintains custody of this file and all the enclosures relating to the file, Records Mangement Division is in no position to review the file and make a determination as to what material the Archivist is specifically referring to. This function should be handled by the substantive division responsible for the investigative matter relating to this file.

RECOMMENDATION:

That this matter be returned to Legal Counsel Division for referral to the appropriate division.

APPROVED:		
Director	Adm. Serv.	Legal Coun.
Assoc. Dir.	Crim. Inv.	Plan. & Insp.
Dep. AD Adm.	Ident.	Rec. Mgmt.
Dep. AD Inv.	Intell.	Tech. Servs.
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Legal Counsel Memo to Assistant Director Records Management Division
RE: REQUEST OF ACTING ARCHIVIST OF THE UNITED STATES, DATED 7/27/78

ADDENDUM OF INTELLIGENCE DIVISION (JDO:cls 5/8/79)

This memorandum refers to a letter from the Acting Archivist of the United States requesting that the FBI transfer to the custody of GSA two boxes of material which were ~~allegeldy~~ removed by FBI Agents on 5/12/73, from the files of Presidential Assistant John Ehrlichman which were then in the custody of the White House Special Files Unit. This request refers to SPECOV material (Bufile 65-75085), some of which was taken from FBI custody in 1971 by former Assistant to the Director William C. Sullivan and turned over by him to former Assistant Attorney General Robert C. Mardian and subsequently to John Ehrlichman in the White House.

The addendum of Records Management Division (RMD) states that RMD is in no position to review the file and make a determination as to what material the Archivist is specifically referring to. RMD further requested that the substantive division should conduct the review to determine the material the Archivist is referring to.

INTD conducted a review of the SPECOV file (Bufile 65-75085) and determined that serial 386 of the SPECOV file contains a complete inventory of all the material that former Assistant to the Director William C. Sullivan turned over to Assistant Attorney General Robert C. Mardian which he subsequently delivered to the White House (as stated in FD 302 dated 5/10/73 contained in serial 14 of SPECOV file). The material inventoried on serial 386 is the material that the Archivist is referring to, as mentioned above.

The Archivist, in a letter to the FBI dated 7/27/78, as enclosed with this memo, requested that the materials which were among the Ehrlichman materials that had been removed by the FBI (that is, the material inventoried on serial 386 in this file) be either returned to the GSA custody or an explanation be given as to why these documents are not Presidential historical materials.

(CONTINUED - OVER)

INTD Addendum to Legal Counsel Memo to Assistant Director
Records Management Division

INTD is of the opinion that these documents should not be turned over to the Archivist since the basis for their being Presidential documents is that the documents were in Mr. Ehrlichman's White House safe. The documents were only in the White House safe due to their being improperly removed from Bureau custody by former Assistant Director Sullivan. However, INTD is not in a position to determine what constitutes Presidential documents and it is believed RMD is in a better position to make this determination.

RECOMMENDATION:

That this matter be returned to Legal Counsel Division for referral to RMD which is in a position to fulfill the request of the Archivist.

APPROVED:

Director
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.

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Crim. Inv.
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139-4089-3093	24	GHK:msj 10/27/78

Mr. James E. O'Neill JAMES W. [illegible] MCC
Acting Archivist of the United States
National Archives and Records Service
General Services Administration
Washington, D. C. 20408

Reurlet, 7/27/78, requesting return of 2 boxes 3 & 4 which were allegedly removed by FBI agent on 5/12/78 from files of Pres Ast John Ehrlich which were in custody of White House Special Files Unit. FBIHQ unable to locate reference trace of such material or its seizure.

4832

none 5657

139-4089-3093X

ENCLOSURE

General Services Administration

National Archives and Records Service Washington, DC 20408

FEDERAL GOVERNMENT

JUL 27 1978

Honorable William H. Webster
Director, Federal Bureau of Investigation
Washington, D.C. 20535

Dear Mr. Webster:

The Presidential Recordings and Materials Preservation Act, which became law December 19, 1974, P.L. 93-526, 88 Stat. 1695, requires the General Services Administration to "receive, retain, or make reasonable efforts to obtain, complete possession and control of all papers, documents, memorandums, transcripts, and other objects and materials which constitute the Presidential historical materials of Richard M. Nixon, covering the period beginning January 20, 1969, and ending August 9, 1974." It has recently come to our attention that on May 12, 1973, agents of the FBI removed 2 boxes of materials from the files of Presidential assistant John Ehrlichman. These files were then in the custody of the White House Special Files Unit. The 2 boxes, numbered "3" and "4", in the absence of further information, must be presumed to contain Presidential historical materials of Richard Nixon. This presumption is based on the inclusion of staff files among the Presidential historical materials and on the results of the examination by archivists of Ehrlichman materials now in National Archives custody which are part of the same numbered sequence of boxes as the 2 boxes of materials withdrawn by the FBI.

We therefore request that the FBI transfer the two boxes of Presidential historical materials to GSA custody, so that they may be replaced among the Ehrlichman materials in the custody of the National Archives. If for any reason you believe that these materials are not Presidential historical materials, we request that you respond with a full description of the contents of the 2 boxes and an explanation of your conclusions.

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If you have any questions please contact Richard A. Jacobs, Acting Director of the Nixon Historical Materials Project on 523-3073, or Steven Garfinkel of GSA's Office of General Counsel on 566-1460.

ENCLOSURE

We appreciate your cooperation.

Sincerely,

James E. O'Neill

JAMES E. O'NEILL
Acting Archivist
of the United States

DATE: June 8, 1979

TO: Mr. James B. Rhoads
Archivist of the United States
National Archives and Records Service
General Services Administration
Washington, D.C. 20408

FEDERAL GOVERNMENT

FROM: William L. Bailey, Assistant Director
Records Management Division
Federal Bureau of Investigation

SUBJECT: MATERIAL REMOVED FROM THE OFFICE OF FORMER PRESIDENTIAL ASSISTANT JOHN EHRLICHMAN ON MAY 12, 1973

JAMES WALTER [illegible]

This is in response to a telephonic request received from Steven Garfinkel, Office of General Counsel, General Services Administration, on December 8, 1978, relating to the removal of two boxes of material from the office of former Presidential Assistant John Ehrlichman on May 12, 1973. Mr. James E. O'Neill of your office had initially requested the return of this material to the custody of the General Services Administration by letter dated July 27, 1978. By letter dated October 27, 1978, Mr. O'Neill was advised that our efforts to locate this material were negative. Upon receipt of Mr. Garfinkel's inquiry, the Federal Bureau of Investigation (FBI) renewed its efforts to identify and locate these records.

MAILED 5
JUN 8 1979
FBI

The material was ultimately located and consists of FBI documents which were removed from Bureau custody in 1971 and subsequently recovered from the White House

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Telephone Rm.
Director's Sec'y

CMG:km
(9)
1 - Mr. Cregar
(Attn: Mr. Gray)
1 - Mr. Mintz
(Attn: Mr. Peterson)
1 - Mr. Moore
(Attn: Mr. Keenan)

V-1 DE-7 139-4072-3094

REC-70

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MAIL ROOM ☑

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP4 [illegible]

on May 12, 1973. The inventory, dated July 6, 1973, consists of 42 pages and provides a description of some 300 documents, many of which are classified Top Secret. It is the opinion of this Bureau that these records, which are a part of official FBI files, are not Presidential papers, as defined, but would be scheduled for proper disposition through our records control schedule.

While I can appreciate your interest in the content of these documents, I am most reluctant to consider the release of the inventory at this time due to the complexities involved. Many of the original documents have been impounded by court order in the civil action, Morton H. Halperin, et al. v. Henry A. Kissinger, et al., U.S.D.C. D.D.C., Civil Action No. 1187-73. Copies of certain documents were furnished to the Senate Select Committee and/or House Select Committee on Intelligence Activities. We currently have pending a Privacy Act request for destruction and litigation effecting this material, with potential for additional requests of similar nature.

In order to resolve this matter to your satisfaction, I would welcome you and/or members of your staff to review the inventory and related material at FBI Headquarters. You may contact Special Agent James W. Awe, telephone 324-4185, for assistance in this matter.

NOTE: Based on the initial correspondence, dated 7/27/78, from Acting Archivist James E. O'Neill requesting historical materials which had been removed from the files of former Presidential Assistant John Ehrlichman on 5/12/73 by FBI agents. If the material was determined to be other than Presidential papers, Mr. O'Neill requested a complete description of the material and an explanation upon which the conclusion was based. Records Management Division (RMD) conducted an extensive search for the material; however, being unfamiliar with the operation, the matter was deferred to the Criminal Investigative Division for response. Mr.

Mr. James B. Rhoads

O'Neill was notified on 10/27/78 that FBI Headquarters was unable to locate any reference or trace of such material or its seizure.

Legal Counsel memorandum to Assistant Director, RMD, dated 12/12/78, noted that on 12/8/78, Steven Garfinkel, Office of General Counsel, GSA, renewed Mr. O'Neill's request and asked that the Bureau's response be directed to Mr. Rhoads, Archivist of the United States. It was determined that the request pertained to SPECOV material (65-75085). The review of the SPECOV material and response to Mr. Rhoads was referred to RMD. It was suggested that RMD coordinate their response with CI-3, Intelligence Division (INTD), which formerly had custody of the material.

Addendum of RMD, dated 12/14/78, observed that, while RMD maintained custody of the related file materials, it was neither in a position to review the file nor make a determination as to what material the Archivist was specifically making reference. It was proposed that the substantive division be delegated this function and the matter was returned to the Legal Counsel Division for appropriate referral.

Addendum of INTD, dated 5/8/79, noted that the complete inventory of the material requested by the Acting Archivist appeared in serial 386 of the SPECOV file (65-75085). INTD expressed the opinion that the documents should not be turned over to the Archivist since the basis for their being Presidential papers was that the documents were in Mr. Ehrlichman's White House safe. INTD did not believe it was in a position to determine what constitutes Presidential documents and believed that RMD was in a better position to make this determination. The matter was returned to Legal Counsel Division for referral to RMD. By R/S, dated 5/9/78, Legal Counsel Division referred the matter to RMD to resolve with INTD and have appropriate response prepared. The Archivist is being advised that the records are FBI documents and, due to the complexities involved, they should be viewed on site at Headquarters. There is no Privacy problem in permitting the review of this material. This matter has been coordinated with CI-3, Intelligence Division.

APPROVED:		
Director	Adm. Serv.	Legal Coun.
Assoc. Dir.	Crim. Inv.	Plan. & Insp.
Dep. AD Adm.	Ident.	Rec. Mgmt.
Dep. AD Inv.	Intell.	Tech. Servs.
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