



Federal Bureau of Investigation

Freedom of Information / Privacy Acts

Release

SUBJECT: Abe Fortas

FBI WASH DC

852 PM URGENT 10-20-64 SML

TO WASHINGTON FIELD, CHICAGO, NEW HAVEN, ST. LOUIS,

SAN FRANCISCO, CINCINNATI, AND NEW YORK
FROM DIRECTOR 1P

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/30/85 BY SP-2TAP/SH

ABE FORTAS, SPECIAL INQUIRY, BUDED; NOVEMBER FOUR, NEXT.

PRESIDENT JOHNSON HAS REQUESTED INVESTIGATION OF FORTAS.
BORN JUNE NINETEEN, ONE NINE ONE ZERO, MEMPHIS, TENNESSEE, AND
RESIDES WASHINGTON, D. C., WHERE HE IS PROMINENT ATTORNEY. SE
WHO'S WHO FOR FURTHER BACKGROUND DATA. CHICAGO CHECK ABA.

CONDUCT NO NEIGHBORHOOD INVESTIGATIONS IN HIS CASE UNLESS
SOME REASON FOR DOING SO ARISES AT WHICH TIME BUREAU APPROVAL
MUST BE SECURED.

MR. FORTAS HAS BEEN ADVISED BY BUREAU THAT HE IS BEING
INVESTIGATED AT SPECIFIC REQUEST OF THE PRESIDENT.

RE WHO'S WHO CINCINNATI CHECK REGARDING DIRECTOR FEDERATED
DEPARTMENT STORES INCORPORATED. NEW YORK CHECK RE SUCREST
CORPORATION.

ST. LOUIS CHECK FRC AND MPRC AS FORTAS REPORTED TO HAVE BEEN
IN NAVY.

SPIN.

END

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Evans
1 - Mr. Cleveland
10/20/64



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TO SACs WASHINGTON FIELD (BSM) - Enc. (4)
CHICAGO
ST. LOUIS
NEW HAVEN
SAN FRANCISCO
CINCINNATI
NEW YORK

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/30/85 BY SP-2TAP/DHF

FROM DIRECTOR, FBI

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RE WHOSE WHO CINCINNATI CHECK REGARDING DIRECTOR FEDERATED
DEPARTMENT STORES INCORPORATED. NEW YORK CHECK RE SUCREST
CORPORATION.

REC-24
MCT-1
1161-2860-1

ST. LOUIS CHECK FRC AND MPRC AS FORTAS REPORTED TO HAVE BEEN

IN NAVY.

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RHE: MC
(11)

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____

6 OCT 22 1964

NOTE: Request received orally by Mr. DeLoach from President Johnson 10/19/64 as set forth in memorandum dated 10/20/64. Request approved by Director. Mr. Fortas advised

Best Copy

MIT
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The President stated that he thought the FBI should conduct full field investigations on Abe Fortas and Clark Clifford. He stated that both of these men see him quite frequently and he, therefore, finds it necessary to discuss classified matters of state with them. He stated that both men should be advised prior to the beginning of the investigations.

ACTION: Continued

(2) The Special Investigative Division should initiate investigations of Washington Attorneys Abe Fortas and Clark Clifford. These men should be advised prior to the investigations being made.

field
These men
by DeLoach

GIT H.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/30/85 BY SP-2TAP/DF

161-2860-2

NOT RECORDED
JUN 10 1964

F-86

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UNITED STATES GOVERNMENT

Memorandum

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- Tolson _____
- Belmont _____
- Mohr _____
- DeLoach
- Casper _____
- Callahan _____
- Conrad _____
- Evans _____
- Gale _____
- Rosen _____
- Sullivan
- Tavel _____
- Trotter _____
- Tele Room _____
- Holmes _____
- Gandy _____

DATE November 19, 1964

TO ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

FROM: W. V. Cleveland

SUBJECT:

ABE FORTAS
SPECIAL INQUIRY

PURPOSE:

To transmit summary memorandum regarding investigations of Fortas to the White House.

BACKGROUND:

Fortas is an attorney with the firm of Arnold, Fortas and Porter in Washington, D. C., and acts as an advisor to President Johnson. He and Clark Clifford were mentioned prominently in the press for allegedly attempting to stop any publicity in [redacted] case. In the past Fortas has served in the Government with the Department of Agriculture, Department of the Interior and the Securities and Exchange Commission.

We conducted an investigation in 1941 and 1942 under the Hatch Act and the results of that investigation are included in the summary memorandum. Mr. Fortas has reportedly been a member of or associated with the Washington Committee for Democratic Action, American People's Mobilization, International Juridical Association, and the Southern Conference for Human Welfare. All those organizations have either been cited by the House Committee on Un-American Activities or designated under Executive Order 10450. Mr. Fortas has been an associate of Alger Hiss and represented Owen Lattimore, Edward U. Condon and Bobby Baker as their attorney. He withdrew as Baker's attorney on 12-2-63.

Results of investigations were generally favorable and persons interviewed recommended Fortas as a loyal individual who possesses unquestioned character, associates, and reputation, and were high in their praise concerning Fortas' legal ability.

Enclosure ENCLOSURE

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Hudson

MCT-42, REC-34 161-2860-3

SEE REVERSE
SIDE FOR
CORRESPONDENCE

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Classified by SP-2 [signature]

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70 ALL 10-10-64

Memorandum to Mr. Evans
Re: Abe Fortas

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A column in the "Washington Times Herald" on 11-12-43 by Frank C. Waldrop regarding Fortas' Selective Service status alleged he had received deferments and that his service with the Navy would cease because of a physical condition. Fortas served in the Navy from 11-16-43 to 12-9-43 and was discharged because of an eye condition.

The attached summary memorandum has been classified Secret, Group I, [redacted]

[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	[redacted]

ACTION:

That the attached transmittal letter and summary memorandum be forwarded to the White House.

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Suggest - deliver for [unclear]
Given to me [unclear]
To [unclear] to [unclear]
11/20/64
[unclear]
[unclear]
[unclear]
[unclear]
[unclear]

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

~~SECRET~~

November 19, 1964

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/19/85 BY SP-2 JAP/BJA

Summary

ABE FORTAS
also known as Abraham Fortas

An investigation was conducted concerning Mr. Fortas under the provisions of the Hatch Act in 1941 and 1942, and this summary memorandum contains the results of that investigation as well as the results of the current inquiries concerning him.

I. BIOGRAPHICAL DATA

Birth

Mr. Fortas was born June 19, 1910, at Memphis, Tennessee, as Abraham Fortas.

NY DC
Conn
Calif
England

Education

In September, 1926, Mr. Fortas entered Southwestern at Memphis, Memphis, Tennessee, and received a B.A. degree in June, 1930.

During the Summer of 1929 he attended the University of Wisconsin, Madison, Wisconsin.

Mr. Fortas entered Yale University, New Haven, Connecticut, in September, 1930, and received his LL.B. degree cum laude in June, 1933.

During the time he was at Yale University he was elected Editor in Chief, "Yale Law Journal"; was awarded the Jewell Prize, the highest scholastic honor given to law students; and was elected to the Order of the Coif, a law school honorary society.

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Group 1

Excluded from automatic downgrading and declassification.

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ENCLOSURE

Classified by SP-2 JAP/BJA
Declassify on: OADR 7/30/85

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Abe Fortas

Employment

In July, 1933, Mr. Fortas entered on duty as an attorney, Agricultural Adjustment Administration (AAA), Department of Agriculture, Washington, D. C. In February, 1934, he was transferred to New Haven, Connecticut, and remained there until July, 1934. During that period he was in a "when actually employed" status. From February, 1934, to June, 1934, he was also a teaching fellow at Yale University.

Upon his return to Washington, D. C., in July, 1934, he was employed as a senior attorney with the AAA and in September, 1934, he was reassigned as chief attorney. Mr. Fortas remained in that position until his resignation in November, 1934.

Mr. Fortas entered on duty as a principal attorney with the Securities and Exchange Commission in Washington, D. C., in November, 1934, and was reassigned as an assistant director in February, 1935. In January, 1936, he was transferred to New Haven, Connecticut, where he remained until June, 1936, when he returned to Washington, D. C. In September, 1936, he was again transferred to New Haven, Connecticut, and in January, 1937, was reassigned to a "when actually employed" status. Effective in June, 1937, he was transferred to Washington, D. C., as a full-time employee. In September, 1937, he returned to New Haven, Connecticut, in a "when actually employed" status where he remained until February, 1938, at which time he was reassigned as Assistant Director (Head Attorney), and transferred to the Public Utilities Division, Securities and Exchange Commission, Washington, D. C. In July, 1938, he was reassigned as Assistant Director (Expert). The latter employment was terminated in April, 1939.

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Abe Fortas

During the period Mr. Fortas was in the New Haven, Connecticut, area he was on the faculty of Yale University.

In May, 1939, Mr. Fortas was employed as General Counsel with the Federal Emergency Administration of Public Works in Washington, D. C.

In July, 1939, he was employed as General Counsel with the National Bituminous Coal Commission, Department of the Interior, Washington, D. C. Effective March, 1941, he was transferred as General Counsel of the National Power Policy Committee, and in July, 1941, he was reassigned as Acting Director and transferred to the office of the Secretary of the Division of Power. In November, 1941, he was reassigned as Director of the Division of Power. In June, 1942, he was reassigned as Under Secretary of the Interior. He remained in that position until January, 1946, with the exception of the period from November 16, 1943, to January 5, 1944, when he was on military leave.

During the time Mr. Fortas was associated with the Department of the Interior he also served on various boards and committees, including the War Resources Council; Emergency Resources Committee of the National Resources Planning Board; Food Advisory Committee; Board of Legal Examiners; Committee on International Electric Power Matters; Civil Service Commission; Committee on Legal Personnel; and the Committee to Study Organic Law of Puerto Rico. He was also adviser to the United States delegation to the United Nations in San Francisco, California, in 1945, and in London, England, in 1946.

In June, 1962, he was appointed a member of the President's Committee on Equal Opportunity in the Armed Forces and in August, 1964, he was appointed a member of the Board of Trustees of the John Fitzgerald Kennedy Center for the Performing Arts.

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Abe Fortas

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Since leaving the Department of the Interior, Mr. Fortas has been engaged in the private practice of law with the firm of Arnold, Fortas and Porter in Washington, D. C.

Mr. Fortas is also a member of the Board of Directors of the Federated Department Stores, Incorporated, Cincinnati, Ohio; SuCrest Corporation, New York, New York; and Madison National Bank, Washington, D. C.

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Marital Status

Mr. Fortas is married to the former [redacted] and they reside at 3025 N Street, Northwest, Washington, D. C.

[redacted]

Military Service

Mr. Fortas enlisted in the United States Naval Reserve on October 22, 1943, and entered on active duty on November 16, 1943, at Sampson, New York. He served on active duty until December 9, 1943, and was issued a good discharge as an apprentice seaman at Washington, D. C., due to the approved recommendation of a medical survey because of chorioretinitis.

The "Washington Times Herald," the daily newspaper formerly published in Washington, D. C., contained an article in the November 12, 1943, issue captioned, "Prediction" by Frank C. Waldrop. The column stated in part that Mr. Fortas would soon fall into an unexpected physical decline and would be physically unfit for military service. The column further stated, "In May of this year, as it became news that the draft boards would have to call up fathers to fill quotas, the question arose as to why Fortas should not be drafted from his \$10,000 a year job as Undersecretary of Interior --a job customarily filled by some political hack and in which any reasonably literate lawyer can do as well as he."

The column further alleged that Mr. Fortas had previously received deferments.

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Abe Fortas

II. RESULTS OF INVESTIGATIONS

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Interviews

[redacted] Department of the Interior, advised in Washington, D. C., he worked under Mr. Fortas from 1942 until 1946. He stated that he had a great deal of professional contact with him and that he considered Mr. Fortas to be an extremely able and intelligent man. He said Mr. Fortas was well regarded at the Department of the Interior. [redacted] continued that he was not acquainted with Mr. Fortas' personal friends. He concluded by advising that he never had any reason to question Mr. Fortas' integrity, character, loyalty or reputation and he recommended him for a position of trust and confidence.

[redacted] of Arnold, Fortas and Porter, advised in Washington, D. C., he first met Mr. Fortas in 1934 when Mr. Fortas was affiliated with the Securities and Exchange Commission. He stated he continued a close professional as well as social association with Mr. Fortas from that time until the present. [redacted] said that Mr. Fortas is a man of the highest integrity, that his honesty has never been questioned by either his clients or opposing legal counsel and that he has never been known to compromise on any issue. He said Mr. Fortas is classified as one of the foremost attorneys in the United States. He said most of his clientele is composed of larger corporations throughout the United States. He said Mr. Fortas is actually responsible for the setting up of the legal concept under which the Commonwealth of Puerto Rico is presently governed, and that the Commonwealth is one of the largest retainers that Mr. Fortas has at this time. [redacted] also advised that Mr. Fortas is very close to President Lyndon B. Johnson and Mr. Fortas advises him on many legal matters.

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[redacted] continued that his association with Mr. Fortas is very close. He stated they have traveled around the world on a number of occasions, and visited in each other's homes numerous times each month. He said he has never encountered

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Abe Fortas

anything which would cause him to question Mr. Fortas' character, associates, reputation or loyalty and he recommended him for a position of trust and confidence.

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[redacted] law firm of Arnold, Fortas and Porter, advised in Washington, D. C., that he first met Mr. Fortas in 1934 when they were both working for the Securities and Exchange Commission. He said that his association with Mr. Fortas continued and that he joined the law firm when it was formed in the late 1940's. He continued that Mr. Fortas is a moderate man in his actions and said that he is a man who believes that compromise is not part of his way of doing things. He said there could never be any question regarding the morals and personal habits of Mr. Fortas and added that his reputation, character and associates are unimpeachable. He said Mr. Fortas is a loyal citizen of the United States and he recommended him for a position of trust and confidence.

Charles Fahy, Judge, United States Court of Appeals, for the District of Columbia Circuit, advised in Washington, D. C., that he has known Mr. Fortas both professionally and socially for the last twenty-five years. He said their paths have crossed often and he has gained a very high opinion and regard for Mr. Fortas' legal ability. He said they had served together on the Judicial Conference of the District of Columbia Circuit and that Mr. Fortas has submitted several written briefs to the United States Court of Appeals. Judge Fahy said all of Mr. Fortas' work has been outstanding. He said Mr. Fortas' reputation, conduct and loyalty are above reproach and he recommended him for a position of trust and confidence with the Government.

Clark Clifford, a senior partner in the law firm of Clifford and Miller, advised in Washington, D. C., that he has known Mr. Fortas for over fifteen years. He said he has had a great deal of contact with Mr. Fortas during the past year in connection with their duties as counsels to President Johnson. He described Mr. Fortas as an honest, intelligent,

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Abe Fortas

reliable, loyal and dedicated public servant. He said Mr. Fortas has excellent judgment, is discreet and added that his morals, character and personal habits are above question. He recommended him for a position of trust and confidence with the Government.

Eugene V. Rostow, professor and chairman, Department of Law, Yale University, advised in New Haven, Connecticut, that he has been personally acquainted with Mr. Fortas since 1934. He said that he is a former student of Mr. Fortas' at Yale University. He continued that they had remained socially and professionally close since the 1930's and that he has worked with Mr. Fortas on many delicate matters in connection with their association with the Government. He advised there is no question or doubt concerning Mr. Fortas' capability or his character, associates, reputation and loyalty. He recommended him for a position of trust and confidence with the Government.

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[redacted] advised in New York, New York, that he has known Mr. Fortas since Mr. Fortas was Under Secretary of the Interior. He described him as one of the really great men of this age. He said Mr. Fortas' moral character was of the highest and that his associates, reputation and loyalty are above reproach. [redacted] recommended Mr. Fortas for a position of trust and confidence with the Government.

Adolf A. Berle, attorney, advised in Washington, D. C., that he is a former Assistant Secretary of State and that he has known Mr. Fortas very well for over twenty-five years. He said they were closely associated in Government and since leaving the Government they have served together on the Board of Directors of SuCrest Corporation. He said Mr. Fortas possesses high moral character and that he is an honorable man. He concluded there has never been any question concerning his character or loyalty and he recommended him for a position of trust and confidence with the Government.

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Abe Fortas

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[redacted] advised in Cheyenne, Wyoming, that he has known Mr. Fortas for approximately four years. [redacted] Advisory Committee on Criminal Rules, which is an advisory committee to the Committee of Rules of Practice and Procedure of the Judicial Conference of the United States. [redacted] continued that Mr. Fortas has been a member of the committee for the past four years and he highly regards him as a lawyer. [redacted] stated he knows nothing which would cause him to question Mr. Fortas' character, associates reputation or loyalty and he recommended him for a position of trust and confidence with the Government.

Fifty-three other persons consisting of professional associates, social acquaintances, Government officials and former co-workers were interviewed during the prior investigation and the current inquiries. Those well acquainted with Mr. Fortas advised he is a man of outstanding legal ability whose character, associates, reputation and loyalty are above reproach and they recommended him for a position of trust and confidence.

Miscellaneous

Hatch Act Investigation

During 1941 and 1942 an investigation was conducted regarding Mr. Fortas under the provisions of the Hatch Act. The basis was that the name Abe Fortas, 1300 30th Street, Northwest, Washington, D. C., appeared on a list of the Special Committee Investigating Un-American Activities of the House of Representatives as a member of the Washington Committee for Democratic Action.

During the investigation a confidential source advised that the name of Mr. Fortas did not, in fact, appear on the active indices of the Washington Committee for Democratic Action.

The Washington Committee for Democratic Action has been designated pursuant to Executive Order 10450.

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Abe Fortas

Another confidential source advised that [redacted] [redacted] Abe Fortas, 1300 30th Street, Northwest, appeared in the active indices of the American Peace Mobilization, subsequently known as the American People's Mobilization.

The American People's Mobilization has been designated pursuant to Executive Order 10450.

During the Hatch Act investigation Mr. Fortas was interviewed under oath on September 1, 1942, and denied that he had ever been a member of the Washington Committee for Democratic Action, the American Peace Mobilization or the American People's Mobilization. He did advise that he had been a member of the National Lawyers Guild but had resigned approximately two years prior to the time of the interview.

The National Lawyers Guild has been cited as a communist front by the House Committee on Un-American Activities.

International Juridical Association

A letterhead of the International Juridical Association, 100 5th Avenue, New York City, dated January 7, 1952, listed the National Committee of the Association, and included among the members under the heading "District of Columbia" appeared the name Abe Fortas.

The International Juridical Association was cited as "a communist front and an offshoot of the International Labor Defense" by the House Committee on Un-American Activities.

Southern Conference for Human Welfare

The October, 1944, issue of the "Southern Patriot" in referring to the Southern Conference for Human Welfare indicated "The Washington, D. C., Chapter under

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Abe Fortas

Under Secretary of the Interior, Abe Fortas, had its last dinner meeting attended by over 75 Southerners in the Capital."

The "Southern Patriot" was cited as an "organ" of the Southern Conference for Human Welfare by the House Committee on Un-American Activities which cited the Southern Conference for Human Welfare as a communist front organization.

Association with Alger Hiss

During the course of an investigation conducted in 1949 [redacted] were interviewed at [redacted] Vermont. They advised that among the friends of Alger and Priscilla Hiss were Abe [redacted] Fortas. During the course of that investigation Mr. Fortas was interviewed and advised he first became acquainted with Alger Hiss in 1933 when they both worked in the Department of Agriculture. He said they were employed in different areas but that they were in contact with each other considerably. He described Alger Hiss as one of the "finest, most decent persons" he had ever known. He said he was "unutterably shocked when he first heard the allegations" made against Alger Hiss by Whittaker Chambers. He said that although he, Mr. Fortas, may have been "politically unsophisticated" at that time in that communism was "merely a word" to him, he never had any reason to question the "loyalty, decency and character" of Alger Hiss. Mr. Fortas said that subsequent to their employment with the Department of Agriculture he had seen Mr. Hiss on two occasions; once at the San Francisco, California, Conference of the United Nations and later, at the First General Assembly of the United Nations at London, England.

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The records of the United States District Court, Southern District of New York, disclosed that Alger Hiss was convicted on two counts of perjury on January 20, 1950, resulting from his testimony before a grand jury wherein he (1) denied furnishing

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Abe Fortas

Government documents or other information to Jay David Whittaker Chambers or any other unauthorized person and (2) denied having seen Chambers subsequent to January 1, 1937. On January 25, 1950, he was sentenced to five years in prison on each count, the sentences to run concurrently.

Jay David Whittaker Chambers, a self-confessed member of the Communist Party and Soviet espionage agent, accused Alger Hiss of furnishing classified Government documents and information to him, Chambers, for transmittal to the Soviet Union.

Association with Owen J. Lattimore

Mr. Fortas represented Owen J. Lattimore at hearings before a Subcommittee of the Foreign Relations Committee, United States Senate, in 1950, which were hearings concerning the charges of disloyalty against the Government by employees of the Department of State and other agencies which were made by the late Senator Joseph R. McCarthy of Wisconsin. The May 18, 1950, issue of "The Evening Star," a Washington, D. C., daily newspaper, contained an article indicating Mr. Fortas had publicly said he was completely convinced that Mr. Lattimore never was a communist.

The national weekly news magazine, "Newsweek," issue of March 10, 1952, contained information that Louis F. Budenz, self-admitted former member of the Communist Party, testified before the Senate Internal Security Subcommittee of the Senate Judiciary Committee, Washington, D. C., that Owen Lattimore had been a member of the Communist Party.

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Abe Fortas

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Owen Lattimore was indicted by Federal Grand Juries in the District of Columbia during 1952 and 1954. He was charged with committing perjury while testifying before a United States Senate Committee during 1951 and 1952, in that he denied personal communist sympathy or activities and association with persons known to him as communists. In 1955 certain counts of the indictment were dismissed by court order, while the remaining counts were dismissed on motion of the Government.

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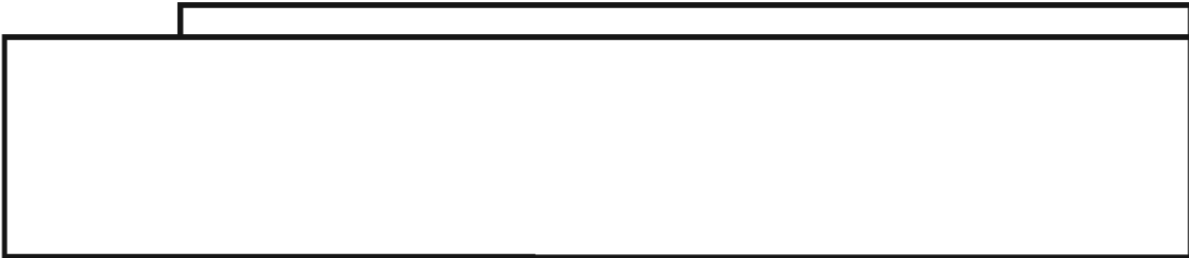
Abe Fortas

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Association with Dr. Edward U. Condon

Mr. Fortas has served as attorney for Dr. Edward U. Condon in the past. Dr. Edward U. Condon was investigated in 1948 under the provisions of Executive Order 9835, during which time he was Director of National Bureau of Standards (NBS), United States Department of Commerce, Washington, D. C. The results of this investigation were furnished to the Civil Service Commission. By letter dated March 4, 1949, the Civil Service Commission advised that the disposition of his case was "retained."

The "New York Times" a daily newspaper published in New York City, dated March 5, 1948, carried an article stating that the American Physical Society and faculty members at Princeton University had sent telegrams to several branches of the Federal Government attesting to the loyalty to the United States of Dr. Edward Condon, Director, NBS. The article stated that Dr. Condon had been under attack by the Committee on Un-American Activities, United States House of Representatives.

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Abe Fortas

Counsel for the Commonwealth of Puerto Rico

As has been stated previously Mr. Fortas serves as legal counsel for the Commonwealth of Puerto Rico. "The Evening Star," a daily newspaper published in Washington, D. C., dated October 1, 1947, contained an article written by Harold L. Ickes which stated, in part, that Mr. Fortas' law firm was under a retainer of \$12,500 a year to represent Puerto Rico before the Department of the Interior and as counsel in any litigation on the mainland. The article further stated, "This contract with Puerto Rico was made by Mr. Fortas shortly after his resignation as Undersecretary. So, naturally, he has an interest in the personality of the director of this particular bureau which is in direct charge of Puerto Rican affairs." The article further stated, "When Mr. Fortas was Undersecretary of the Interior, Puerto Rico wanted to employ its own counsel in Washington. But Mr. Fortas protested. Under date of March 13, 1945, as Undersecretary of Interior, he wrote to the then Governor, Rexford G. Tugwell, of Puerto Rico to the following effect: 'I believe that continuing representation of a government or a governmental agency by private attorneys is unsound and unwise ***. In my opinion, it is neither seemly nor appropriate for governmental agencies to be represented by counsel who are not regularly constituted public officials.*** The United States Government cannot be in the position of assisting private attorneys in litigation, regardless of the identity of interest that might exist in a particular matter; nor can the United States Government make an arrangement directly or indirectly with private attorneys which as a practical matter would be construed as, and would have the effect of, excluding other private attorneys from participation in the law business which is being farmed out to private counsel ***.'

" Thus did Undersecretary Fortas write in a precise and monitorial manner to the Governor of Puerto Rico. But when he engaged in the private practice of law, his view changed drastically. He lost no time in making a remunerative

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Abe Fortas

contract for his firm to attend to the legal affairs of Puerto Rico although, only a short time previously, he had insisted that it would be both 'unsound and unwise' to entrust public business to a private practitioner."

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Abe Fortas

Close Relatives

Mr. Fortas' parents, William and Ray Fortas, are deceased.

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He has two sisters, [redacted] and one brother [redacted] all residing in Memphis, Tennessee.

Credit and Arrest Checks

Information has been received from the appropriate credit reporting and law enforcement agencies indicating that their files contain either no record or no additional pertinent information concerning Mr. Fortas or his close relatives.

Bar Affiliations

Mr. Fortas has been admitted to practice law in the State of Connecticut and the District of Columbia and before the United States Supreme Court and the Federal Communications Commission.

He is a member in good standing of the District of Columbia Bar Association, Federal Bar Association, Federal Communications Bar Association, and the American Bar Association.

The records of the appropriate grievance committees were reviewed and no information was located concerning Mr. Fortas with the exception of the Committee on Admissions and Grievances of the United States District Court for the District of Columbia. Those records disclosed that the November, 1951, issue of "Harper's Magazine" contained an article written by Louis Cassels entitled "Arnold, Fortas, Porter and Prosperity" which related to the successful reputation the firm of Arnold, Fortas and Porter had attained. The Subcommittee on Grievances was to review

- 16 -

~~SECRET~~

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Abe Fortas

the article to determine if it violated Canon 27 of the Canon~~s~~ of Professional Ethics of the American Bar Association and also opinions 42, 62, 140 and 162. Canon 27 relates to Advertising, Direct and Indirect, and states it is unprofessional to solicit professional employment by circulars, advertisement, through touters or by personal communications or interviews not warranted by personal relations. The opinions mentioned state a lawyer may not pose for pictures, portray incidents of a case nor furnish pictures or material to a newspaper or a magazine. The opinions also state it is a lawyer's duty to bring about the discontinuance of advertisements in his behalf and state it is improper for a lawyer to inspire or furnish newspapers comments about cases in which he is engaged.

The subcommittee investigated the matter and by letter dated March 2, 1952, the law firm of Arnold, Fortas and Porter was advised that a conclusion had been reached and the Subcommittee on Grievances would not be justified in taking any action on the grievance.

Agency Checks

The records of the following governmental agencies have been searched and no additional pertinent information was located concerning Mr. Fortas:

United States Secret Service; Office of Security and Employee Conduct, Department of Agriculture; Bureau of Personnel Investigations, Civil Service Commission; Investigative Files, Public Works Administration; Office of Naval Intelligence; Central Intelligence Agency; the House Committee on Un-American Activities, and the Office of the Secretary of Defense.

- 17 -

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Abe Fortas

The records of the Passport Office, Department of State, disclosed that Mr. Fortas has been issued numerous passports since 1943 for travel throughout the world in connection with official matters and for personal reasons. Those files contain no additional pertinent information regarding Mr. Fortas.

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning Mr. Fortas.

~~SECRET~~

- 18 -
~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 21 1964

FBI CINCINTI

TELETYPE

456 PM EST 88URGENT 10-21-64 JR

TO DIRECTOR, CHICAGO AND NEW YORK

FROM CINCINNATI \161-275\ 1P

NEW YORK VIA WASH DC

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-30-85 BY SP-10/CLW/STP

249,119

ABE FORTAS, SPECIAL INQUIRY, BUDED NOVEMBER FOUR, NEXT

REBULET OCTOBER TWENTY, LAST.

FRED LAZARUS, JR., CHAIRMAN, BOARD OF DIRECTORS AND
EXECUTIVE COMMITTEE, FEDERATED DEPARTMENT STORES, INC.,
CINCINNATI, OHIO, WHO FAVORABLY RECOMMENDED APPLICANT TODAY,

~~XX~~
STATED BOARD CONSISTS OF NINETEEN MEMBERS\ EIGHT RESIDE
WITHIN CINCINNATI TERRITORY, SIX OF EIGHT KNOW APPLICANT WELL.

CHICAGO, ILLINOIS, AND

NEW YORK CITY, BOARD MEMBERS,

ALSO KNOW APPLICANT WELL.

CINCINNATI WILL INTERVIEW THE SIX DESCRIBED MEMBERS ONLY

UACB

161-2860-4
NOT RECORDED

CHICAGO INTERVIEW NEW YORK INTERVIEW AN 25 1965

END

CG ADVISED

WA ELR R RELAY

FBI WASH. DC

ICC destroyed Jan. 7/49

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b7D

b6
b7C

117

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064
NY

10/22/64

AIRTEL

TO: SAC, NEW YORK
FROM: SAC, NEW HAVEN (161-522) (P)
RE: ABE FORTAS
SPI
BUDED: 11/4/64

RE: Bureau teletype 10/20/64.

b6
b7c

New Haven indices reflect name ABE FORTAS appears on Page 60 paragraph 2, line 2, New York report of SA [redacted] dated 3/10/49, captioned "JAY DAVID WHITTAKER CHAMBERS, Was., PERJURY, RSP-R, IS-R" New York file 65-14920, Washington Field 74-94, New Haven 74-5.

New Haven unable to tell if identifiable with appointee.

New York resolve identity and report if identical and pertinent.

[Handwritten signature/initials]

[Handwritten mark]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/30/85 BY SP-27A9/DA

- 2 - New York
 - ① - Bureau
 - 1 - Washington Field
 - 1 - New Haven
- RAM/bss
(5)

161-2860-5

NOT RECORDED

5 13 74

RECEIVED

[Handwritten signature]

NA
C

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

TELETYPE

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY SLIP(S) DATE 8-13-83

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

FBI NEW YORK

10-10 PM URGENT 10-26-64 DAE

~~SECRET~~

TO DIRECTOR -7- AND BALTIMORE, BOSTON AND WASHINGTON

FROM NEW YORK 161-1428

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

ABE FORTAS, SPI, BUDED NOVEMBER FOUR NEXT.

MR. CLEVELAND
ROOM 1248

REBUTEL OCT. TWENTY LAST.

PRESIDENT JOHNSON HAS REQUESTED INVESTIGATION OF FORTAS. BORN JUNE NINETEEN, ONE NINE ONE ZERO, MEMPHIS, TENNESSEE, AND RESIDES WASHINGTON DC, WHERE HE IS PROMINENT ATTORNEY. SEE WHOS WHO FOR FURTHER BACKGROUND DATA. CONDUCT NO NEIGHBORHOOD INVESTIGATION IN THIS CASE UNLESS SOME REASON FOR DOING SO ARISES AT WHICH TIME BUREAU APPROVAL MUST BE SECURED.

FOR INFO WFO, NYO INDICES CONTAIN REFERENCES TO ABE FORTAS WHICH ORIGINATE WFO IN WFO FILE ONE HUNDRED ONE SEVEN FOUR NINE THREE RE NATHAN GREGORY SILVERMASTER. WFO REPORT PERTINENT INFO THEREIN.

161-2860-6
NOT RECORDED

FOR INFO BA, NYO INDICES ALSO CONTAIN INFO RE ABE FORTAS CONTAINED IN BA LETTER TO WASH FEBRUARY TWELVE, FIFTY THREE, RE OWEN LATTIMORE, BA FILE ONE HUNDRED ONE SIX THREE ZERO, REFLECTING FORTAS WAS LATTIMORES LAWYER. BA DEVELOP AND REPORT PERTINENT INFO. FOR INFO BA, NYO IS DOCUMENTING OWEN LATTIMORE IN ITS REPORT THIS MATTER.

3 JAN 25 1965

END PAGE ONE.....

CORR LINE ONE LAST WORD SHD BE " JUNE"

TWO COPIES WFO

100 destroyed 10

~~SECRET~~
Classified by 984
Declassify on: OADR 7/30/88

PAGE TWO.....

b1

~~SECRET~~

[REDACTED]

[REDACTED]

[REDACTED]

BS REFER WFO

AIREL TO BUREAU, CC BOSTON, MARCH FOURTEEN, FIFTY EIGHT.

[REDACTED]

[REDACTED]

BS REPORT PERTINENT INFO.

INVESTIGATION CONTINUING NYO.

END

CORR LINE 4 WORD 1 SHD BE AIRTEL

3X\$ END NUMBER 7 SHD BE FOR RELAY

OMS FBI WASH DC RECEI VED 2-7 SEVEN FOR RELAY

3:1200 . 144 64

528

~~SECRET~~

N/A
C

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 27 1964

TELETYPE

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

FBI WASH DC 0724

FBI BALTO

\503PM EST URGENT 10-27-64 NSH

TO DIRECTOR, WFO AND NEW YORK \161-1428\

NEW YORK VIA WASHINGTON
FROM BALTIMORE \161-1149\ 2P
ABE FORTAS, SPI.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/30/85 BY SP-2TAR/BJP

MR CLEVELAND
ROOM 1248

RE NEW YORK TELETYPE TO DIRECTOR TEN TWENTY SIX LAST.

ATTENTION NEW YORK CALLED TO NEW YORK TELETYPE
TO DIRECTOR, TWELVE EIGHTEEN FIFTY TWO, ENTITLED "OWEN
LATTIMORE - ESP-R". THIS TELETYPE REFLECTS NEW YORK
INTERVIEW WITH [REDACTED]

b6
b7C
b7D

NEW YORK TELETYPE STATES [REDACTED] "FELT" THAT HE HAD INFORMATION
RE CERTAIN UNETHICAL TACTICS PRACTICED BY ABE FORTAS,
LATTIMORE'S ATTORNEY, BEFORE MC CARREN COMMITTEE. IF
PERTINENT, NEW YORK APPROPRIATELY REPOST. NEW YORK ALSO
CONSIDER REINTERVIEW OF [REDACTED]

161-2860-7
NOT RECORDED

U.S. SENATE SUB COMMITTEE IN NINETEEN FIFTY TWO

3 JAN 25 1965

INVESTIGATED ALLEGED COMMUNIST INFLUENCE ON U. S. FOREIGN

END PAGE ONE.....

79#2
[Handwritten marks]

TWO COPIES WFO

1cc destroyed

RECEIVED

PAGE TWO.....

BA 161-1149

POLICY AND AMONG WITNESSES WAS OWEN LATTIMORE. WFO CHECK
SENATE SUB COMMITTEE RECORDS AND REPORT THAT OWEN
LATTIMORE'S ATTORNEY OF RECORD AT THESE HEARINGS WAS ABE
FORTAS. FOR INFORMATION WFO, THE NEW YORK OFFICE IS
DOCUMENTING OWEN LATTIMORE.

END

\CORR LINE 11, WORD 5 SHD BE "REPORT"

WA SXC R RELAY

FBI WASH DC

TU DISC\5

SEARCHED
SERIALIZED
INDEXED
FILED

N/A

F B I

Date 10/27/64

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr Callahan	_____
Mr. Conrad	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Transmit the following in _____

PLAINTEXT

(Type in plain text or code)

TELETYPE

URGENT

Via _____

(Priority or Method of Mailing)

TO: DIRECTOR, FBI AND SAC, MEMPHIS

FROM: SAC, WFO (161-2419)

ABE FORTAS, SPI, BUDED NOVEMBER FOUR NEXT.

RE BUREAU TEL OCTOBER TWENTY LAST.

PRESIDENT JOHNSON REQUESTED INVESTIGATION OF FORTAS, BORN JUNE NINETEEN NINETEEN TEN, MEMPHIS, TENNESSEE, AND RESIDES WASHINGTON, D.C., WHERE HE IS PROMINENT ATTORNEY. SEE WHO'S WHO FOR FURTHER BACKGROUND DATA. CONDUCT NO NEIGHBORHOOD INVESTIGATION IN THIS CASE UNLESS SOME REASON FOR DOING SO ARISES AT WHICH TIME BUREAU APPROVAL MUST BE SECURED.

MR CLEVELAND
ROOM 1248



INVESTIGATION REVEALED PARENTS DECEASED, BUT FORTAS HAS FOLLOWING BROTHER AND SISTERS RESIDING MEMPHIS, TENNESSEE:

Relative



MEMPHIS VERIFY RESIDENCE OF RELATIVES AND MAKE INDICES

- ② - Bureau
- 2 - Teletype Unit
- 1 - WFO

ELN:meh
(5)

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/30/85 BY SP-2TAP/TMS**

NOT RECORDED

5 JAN 25 1965

13 distributed

161-2860-8

b6
b7c

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b7c

F B I

Date

Transmit the following in _____
(Type in plain text or code)

Via _____
(Priority or Method of Mailing)

**WFO 161-2419
PAGE TWO**

AND CREDIT AND POLICE CHECKS. ALSO VERIFY BIRTH OF FORTAS.

SPIN. P.

~~_____~~
~~_____~~

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

SLIP _____
 DATE 8-13-85 *Classified*

DECODED COPY

AIRGRAM
 CABLEGRAM
 ~~XXX~~ RADIO
 TELETYPE

R-88
 URGENT 10-27-64
 TO DIRECTOR AND WASHINGTON FIELD
 FROM BOSTON 271610

~~SECRET~~

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b7C

MR. TOLSON
ROOM 1246

ABE FORTAS, SPI, BUDED NOVEMBER 4 NEXT.

Classified by *SP-2 TAD/K*
 Declassify on: OADR 7/30/85

RE NEW YORK TEL TO BUREAU OCTOBER 26 LAST.

[Redacted block with 'S' markings]

b1
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INFO COPY TO NEW YORK BY MAIL.

RECEIVED: 3:13 PM JRF

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE

161-28609
 NOT RECORDED
 3 JAN 25 1965

ICC dated 10/27/64

2 CC: WASHINGTON FIELD

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BUREAU	DATE 10/27/64	INVESTIGATIVE PERIOD 10/27/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA 	TYPER BY ma j
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE		CHARACTER OF CASE SPI	APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF Class DATE 8-13-85

~~SECRET~~

REFERENCE: New York teletype to Bureau 10/26/64.
Boston radiogram to Bureau 10/27/64.

- RUC -

Check with DIV 5

b1

ADMINISTRATIVE:

Outstanding Bureau instructions based on this investigation are that no offices were to disseminate any information concerning the investigation at local levels.

(client-attorney relationship)

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE ① - Bureau (RM) 1 - New York (161-1428)(Info)(RM) 1 - WFO (Info)(RM) 2 - Boston (161-1129)		161-2860-10 NOT RECORDED 16 OCT 28 1964
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS Classified by SP-2TAP/ONE Declassify on: OADR 7/31/80 SECRET
AGENCY		
REQUEST RECD		
DATE FWD		
HOW FWD		
BY		

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

Copy to:

b6

Report of:
Date:

SA [redacted]
10/27/64

b7C

Office: Boston

Field Office File No: 161-1129

Bureau File No.:

Title: ABE FORTAS

Character: SPECIAL INQUIRY

b1

Synopsis:

[redacted]
[redacted] S

- RUC -

Details:

[redacted] S

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[redacted]

b1

[redacted] S

[redacted]

b1

[redacted] S

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Excluded from automatic
downgrading and
declassification

~~TOP SECRET~~

[Redacted]

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[Redacted]

b1

[Redacted]

b1

The thumbnail sketch appearing in the details of this report has been prepared in connection with the instant investigation on FORTAS.

[Redacted]

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[Redacted]

[Redacted]

b1

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION
U S DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 29 1964

TELETYPE

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

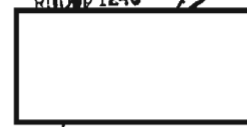
FBI WASH DC*

FBI ST LOUIS

3-18 PM URGENT 10-29-64 JPS

TO DIRECTOR WASHINGTON FIELD AND NEW HAVEN
FROM ST. LOUIS (161-1439) 3-P

MR. TOLSON
ROOM 1248



0
ABE FORTAS, SPECIAL INQUIRY. BUDED NOVEMBER FOUR, NEXT.

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RECORDS FRC INDICATED SERVED VARIOUS WAR BOARDS AND COMMITTEES, "WAR RESOURCES COUNCIL, INERGY RESOURCES COMMITTEE ON NATIONAL RESOURCES PLANNING BOARD, FOOD ADVISORY COMMITTEE, BOARD OF LEGAL EXAMINERS, COMMITTEE ON INTERNATIONAL ELECTRIC POWER MATTERS, CIVIL SERVICE COMMISSION COMMITTEE FOR LEGAL PERSONEL, AND COMMITTEE TO STUDY ORGANIC LAW OF PUERTO RICO." ADDITIONAL DETAILS, OF ABOVE NOT SHOWN AND PERSONNEL THIS CENTER ADVISED RECORDS CONCERNING SAME, AS WELL AS RECORDS FOR EMPLOYMENT "ADVISOR TO U. S. DELEGATION, UNITED NATIONS, SAN FRANCISCO, NINETEEN FORTYFIVE, LONDON, NINETEEN FORTYSIX" NOT LOCATED THIS CENTER

161-2860-12
NOT RECORDED

DEPARTMENT OF INTERIOR RECORDS CONTAINED COPY OF 3 JAN 25 1965
LETTER FROM FORTAS DATED APRIL TWENTYFIVE, FORTY, DIRECTED

END PAGE ONE

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/80 BY SP-2770/DB

SL 161-1439

PAGE TWO

TO JOHN J. COCHRAN, CHAIRMAN, HOUSE COMMITTEE ON EXPENDITURES IN EXECUTIVE DEPARTMENTS, HOUSE OF REPRESENTATIVES, WASHINGTON D.C., WHICH REFERRED TO A REPORT OF THE ACTING COMPTROLLER GENERAL OF THE UNITED STATES ON SUBJECT, "SCHOOLS AND TRAINING COURSES IN GOVERNMENT DEPARTMENTS APRIL TWELVE, FORTY".

THIS REPORT INDICATED FORTAS'S NAME APPEARED ON "ALLEGED LIST OF MEMBER OF THE AMERICAN LEAGUE FOR PEACE AND DEMOCRACY." FORTAS DENIED HIS NAME APPEARED ON THE LIST AND STATED NO CONNECTION WITH LEAGUE. HE FURTHER STATED MEMBERSHIP ON THE NATIONAL COMMITTEE OF THE INTERNATIONAL JURIDICAL ASSOCIATION WAS "UTTERLY IMMATERIAL AND IRRELEVANT TO SUBJECT MATTER OF THE REPORT" AND TO THE BEST OF HIS INFORMATION AND BELIEF IT WAS SOLELY AND EXCLUSIVELY A PROFESSIONAL ORGANIZATION." INDICATED ADMISSION TO CONNECTICUT STATE BAR IN JUNE, THIRTYFOUR AND WAS MEMBER OF COLUMBIA POWER POST NUMBER ONE TWO ZERO AMERICAN LEGION AT WASHINGTON, D.C.

END PAGE TWO

SL 161-1439

PAGE THREE

WASHINGTON FIELD CONDUCT APPROPRIATE INVESTIGATION.

NEW HAVEN VERIFY MEMBER SHIP IN CONNECTICUT STATE

BAR

SPIN. -P-

WA SXC

FBI WASH DC*

CLR

NA
②

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

H

FBI WASHDC 0724

TELETYPE

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

FBI CINCINTI

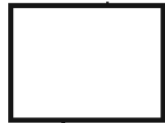
834PM EST URGENT 10-30-64 MEO

TO DIRECTOR AND NEW YORK

NEW YORK VIA DIRECTOR
FROM CINCINATI \161-275\ 1P

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MR. CLEVELAND
ROOM 1240
[Signature]

ABE FORTAS, SPIN, BUDED NOVEMBER FOUR, NEXT .

REMYTEL OCTOBER TWO ONE, LAST.

INTERVIEWED TODAY CINCINNATI.

NEW YORK DISCONTINUE.

EN

END

OMS FBI WASH DC FOR RELAY

161-2860-13

NOT RECORDED

3 JAN 25 1965

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAR/DHF

PLAYED TO *[Signature]*

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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 30 1964

TELETYPE

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

QBFBI WASH DC

FBI CHICAGO

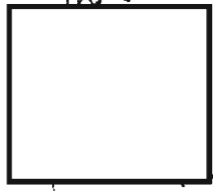
1218PM CST URGENT 10/30/64 JLS

TO DIRECTOR AND CINCINNATI (161-275)

FROM CHICAGO (161-931) 1P

MR. BELMONT
ROOM 1246

b6
b7C



ABE FORTAS. SPI. BUDED NOVEMBER FOUR NEXT.

RE CINCINNATI TEL TO BUREAU OCTOBER TWENTYONE LAST.



ADVISED



IS IN CINCINNATI TODAY TO ATTEND EIGHTIETH BIRTHDAY CELEBRATION FOR FRED LAZARUS OF FEDERATED DEPARTMENT STORES. TO LOCATE [REDACTED] CINCINNATI TELEPHONE PARKWAY ONE DASH SEVEN SIX ZERO ZERO AND ASK FOR FRED LAZARUS' SECRETARY. DUE TO HIS HEAVY SCHEDULE [REDACTED] WILL NOT BE AVAILABLE AFTER HIS RETURN TO CHICAGO IN TIME TO MEET BUDED.

L

b6
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b7D

CINCINNATI INTERVIEW [REDACTED] TODAY.

b6
b7C

CHICAGO REPORT FOLLOWS.

END

WA SXC

FBI WASH DC

OTHER STATION TO BE ADVISED

P

161-2860-14

NOT RECORDED

3 JAN 25 1965

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/MSR

SP-2 TAP/MSR

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SAN FRANCISCO	OFFICE OF ORIGIN BUREAU	DATE 11/2/64	INVESTIGATIVE PERIOD 10/21/64 - 11/2/64
TITLE OF CASE ① ABE FORTAS		REPORT MADE BY SA [REDACTED]	TYPED BY cle
		CHARACTER OF CASE SPECIAL INQUIRY	

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b7c

REFERENCE

Bureau teletype to Washington Field, 10/20/64.

- RUC -

Si

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/BAK

2

- A* -
COVER PAGE

<p>APPROVED _____ SPECIAL AGENT IN CHARGE</p> <p>COPIES MADE</p> <p>① - Bureau (AMSI)</p> <p>1 - San Francisco (161-700)</p>	<p style="text-align: center;">DO NOT WRITE IN SPACES BELOW</p> <p style="font-size: 2em; text-align: center;">161-2860-15</p> <p style="text-align: center;">NOT RECORDED 4 NOV 3 1964</p>										
<p style="text-align: center;">DISSEMINATION RECORD OF ATTACHED REPORT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">AGENCY</td> <td style="width: 15%;">REQUEST RECD</td> <td style="width: 15%;">DATE FWD</td> <td style="width: 15%;">HOW FWD</td> <td style="width: 15%;">BY</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	AGENCY	REQUEST RECD	DATE FWD	HOW FWD	BY						<p>NOTATIONS</p> <p style="text-align: center;"><i>SP-2TAP/BAK</i></p>
AGENCY	REQUEST RECD	DATE FWD	HOW FWD	BY							

RECEIVED
 NOV 3 2 24 PM '64
 FBI
 DEPT. OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 2nd FLOOR
 300 N. BAY STREET
 SAN FRANCISCO, CALIF. 94111

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

b6

b7C

Report of. SA [redacted]
Date. November 2, 1964

Office San Francisco

Field Office File No: SF 161-700

Bureau File No.:

Title ABE FORTAS

Character SPECIAL INQUIRY

Synopsis

No credit or police record for FORTAS at San Francisco.

- RUC -

DETAILS:

Who's Who for 1964-1965 lists ABE FORTAS as "adviser to the United States delegation to the United Nations, San Francisco, 1945."

AT SAN FRANCISCO, CALIFORNIA

CREDIT AND POLICE RECORDS

The following investigation was conducted by IC

[redacted]

b6

b7C

A check of the files of [redacted] and the San Francisco Police Department, made on October 29, 1964, showed no record for ABE FORTAS.

b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/DM

1*

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 11/2/64	INVESTIGATIVE PERIOD 10/22 - 30/64
TITLE OF CASE 0 ABE FORTAS		REPORT MADE BY IC [REDACTED]	TYPED BY rc
		CHARACTER OF CASE SPECIAL INQUIRY	b6 b7c

REFERENCE: Butel dated 10/20/64 and St. Louis tel 10/29/64.

- RUC -

ADMINISTRATIVE:

Discrepancies are noted in the periods of employment with PWA and Department of Interior as shown in "Who's Who".

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APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE
COPIES MADE	DO NOT WRITE IN SPACES BELOW
1 - Bureau (AM)(em)	161-2860-16
1 - St. Louis (161-1439)	NOV 4 1964
12 DEB 1964 FBI SPECIAL INQUIRY SECTION NOV 1 3 15 PM '64	<i>[Signature]</i>
DISSEMINATION RECORD OF ATTACHED REPORT	NOTATIONS
AGENCY _____ REQUEST RECD _____ DATE FWD _____ HOW FWD _____ BY _____	ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 7/31/85 BY SP-2TAY/BMS

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to

Report of
Date.

IC
November 2, 1964

Office. ST. LOUIS

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Field Office File #:

SL 161-1439

Bureau File #:

Title.

ABE FORTAS

Character:

SPECIAL INQUIRY

Synopsis

Records, FRC, SLMO, indicated ABE FORTAS employed by Dept. of Agriculture, Washington, D.C., and New Haven, Conn. Terminated by reason of resignation. Employed by Securities and Exchange Commission, Washington, D.C., and New Haven, Conn. Terminated by reason of resignation. Employed by Public Works Administration, Washington, D.C. Terminated by reason of transfer to Dept. of Interior. Employed by Dept. of Interior, Washington, D.C. Indicated Navy service noted. Terminated by reason of resignation. Various appointments indicated on war boards and committees, additional records regarding same not located at FRC. Indicated employments as Adviser for U.S. to United Nations noted. Records for same not located FRC. Letter regarding alleged membership in American League for Peace, and admitted membership in the national committee of the International Juridical Association, and comments regarding same set forth. Additional membership in Connecticut State Bar and American Legion noted. FORTAS served in U. S. Navy from 11/16/43 to 12/9/43. Received Good Discharge.

- RUC -

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SL 161-1439

DETAILS: AT ST. LOUIS, MISSOURI

On October 28, 1964, a review of the personnel records on file at the Federal Records Center indicated ABE FORTAS was employed on July 15, 1933, as an Attorney with the Department of Agriculture, Agricultural Adjustment Administration, Legal Division, Office of the General Counsel, at Washington, D.C. Effective February 12, 1934, he was transferred to New Haven, Connecticut, and on July 16, 1934, he was transferred as Senior Attorney to the Code, Marketing Agreement and License Section at Washington, D.C. On September 24, 1934, he was reassigned as Chief Attorney. This employment was terminated on November 14, 1934, as a Chief Attorney, by reason of resignation "to accept a position with the Securities and Exchange Commission".

Regarding the above period of employment, the records showed that during his assignment at New Haven, Connecticut, from February 12, 1934, to July 16, 1934, he was employed on a "when actually employed" basis and received a "per diem" rather than per annum salary. The records further indicated he was actually employed for a total of twentysix days during this period from February 12, 1934, to July 16, 1934, and upon his transfer to Washington, D.C., on July 16, 1934, again worked full time with a per annum salary until this employment was terminated. The records also showed he was charged with leave without pay from February 9, 1934, to February 11, 1934, however, no details or reason for this leave was shown in the records.

He was employed on November 13, 1934, as a Principal Attorney (Trial Attorney) with the Securities and Exchange Commission, General Counsel Division, Protective Committee Study, at Washington, D.C. On February 16, 1935, he was reassigned as an Assistant Director (Attorney), and effective January 26, 1936, he was transferred to New Haven, Connecticut, and on June 22, 1936, he was transferred to Washington, D.C. He was transferred to New Haven, Connecticut, on September 28, 1936, and was reassigned on January 27, 1937, to a "when actually employed" basis and received a "per diem" rather than a per annum salary. Effective June 18, 1937, he was transferred to Washington, D.C., and was reassigned as a full time employee with a per annum salary. It was noted that during this period

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of employment from January 27, 1937, to June 18, 1937, he was actually employed for a total of seventy-eight days. Effective July 1, 1937, he was transferred as Head Attorney (Specialist on Corporate Reorganization) to the Office of Commissioner Douglas, and on September 21, 1937, he was transferred to New Haven, Connecticut, and was reassigned on a "when actually employed" basis, again receiving a "per diem" salary. It was shown that he was actually employed for a total of forty-five days from September 21, 1937, to February 15, 1938, at which time he was reassigned as Head Attorney, (Assistant Director) and transferred to the Public Utilities Division, at Washington, D.C. On July 12, 1938, he was reassigned as Assistant Director (Expert). This employment was terminated on April 30, 1939, as Assistant Director (Expert), by reason resignation "To accept an appointment as General Counsel of the Public Works Administration".

The records showed he was employed on May 1, 1939, as General Counsel with the Federal Emergency Administration of Public Works, Legal Division, at Washington, D.C. Effective July 1, 1939, he was transferred to the Department of the Interior by reason of reorganization.

He was employed on July 1, 1939, as General Counsel with the Department of the Interior, National Bituminous Coal Commission, Legal Division, at Washington, D.C. Effective March 1, 1941, he was transferred as Acting General Counsel of the National Power Policy Committee. On July 15, 1941, he was reassigned as Acting Director and transferred to the Office of the Secretary, Division of Power, and effective November 14, 1941, was reassigned as Director of the Division of Power. On June 25, 1942, he was reassigned as Under Secretary of the Interior. The records indicated he was in a leave status from November 16, 1943, through January 5, 1944, for active duty with the United States Navy. The records further indicated he was separated from the Navy "for physical reasons", and was returned to his above position with the Department of the Interior on January 6, 1944. This employment was terminated on January 15, 1946, by reason of resignation, "To return to private life".

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In connection with this period of Department of the Interior employment, the records also indicated he served on various war boards and committees, including the War Resources Council, Energy Resources Committee of the National Resources Planning Board, Food Advisory Committee, Board of Legal Examiners, Committee on International Electric Power Matters, Civil Service Commission Committee on Legal Personnel, and the Committee to Study Organic Law of Puerto Rico. The records failed to show the dates of appointment and termination for these various positions, and no further details regarding same appeared in the records. Personnel, this center, advised no additional records concerning the above indicated service could be located for FORTAS at this center.

Regarding FORTAS' indicated appointments: "Adviser to U. S. delegation to United Nations, San Francisco, 1945, London, 1946", the records indicated only that he intended accepting both appointments, however, no details regarding the appointments as United States Adviser to the United Nations during 1945 and 1946, or if he actually was employed as such, were shown in these records, and personnel, this center, advised that no additional records regarding this service could be located for FORTAS at this center.

The records contained a copy of a letter dated April 25, 1940, from FORTAS, directed to JOHN J. COCHRAN, Chairman, House Committee on Expenditures in the Executive Departments, House of Representatives, Washington, D.C., which referenced a report of the Acting Comptroller General of the United States on the subject of "Schools and Training Courses in Government Departments, April 12, 1940". This letter stated in part as follows:

"The report further states that my name appeared on the 'alleged list of members of the American League for Peace and Democracy' published by the 'Committee Investigating Subversive Activities' (by this I assume the report intended to refer to the 'Special Committee on Un-American Activities'). My name never appeared on this list, either in the Committee's Official Report or in any newspaper. I have never been a member of the League; and I have never been connected with it in any way, directly or indirectly, nor has any member of my family.

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"In any event, reference to this matter and to my membership on the national committee of the International Juridical Association are utterly immaterial and irrelevant to the subject matter of the report. Incidentally, I have never participated in the affairs of the Association any my membership is entirely nominal. To the best of my information and belief, this is solely and exclusively a professional organization devoted to the study of legal problems incident to labor relations. The Bulletin which it publishes is a recognized legal authority in the field."

The American League for Peace and Democracy, the International Juridical Association, and the International Juridical Association Monthly Bulletin are characterized in the appendix of this report.

No additional details regarding this matter were shown in the records.

The records also indicated he was admitted to the Connecticut State Bar in June, 1934.

It was also shown in the records that he was a member of the Columbia Power Post Number 120 of the American Legion at Washington, D.C.

The date and place of birth were shown as June 19, 1910, at Memphis, Tennessee.

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A review on October 30, 1964, by IC of the Naval service records on file at the Military Personnel Records Center, St. Louis, Missouri, for ABE FORTAS, Serial Number 836 82 78, indicated he enlisted in the U. S. Naval Reserve on October 22, 1943, and entered on active duty on November 16, 1943, at Sampson, New York. He served on active duty until December 9, 1943, and was issued a Good Discharge as an Apprentice Seaman at Washington, D.C., due to the approved recommendation of a Medical Survey because of chorioretinitis.

His military occupation was shown as Apprentice Seaman and civilian occupation as Under Secretary of Interior. Records failed to reflect any foreign service, awards, citations or decorations.

SL 161-1439

His character and efficiency ratings ranged from good to excellent and there is no record of courts-martial or absence without official leave.

The date and place of birth were shown as June 19, 1910, at Memphis, Tennessee.

A-P-P-E-N-D-I-XAMERICAN LEAGUE FOR PEACE AND DEMOCRACY

The Guide to subversive Organizations and Publications, revised and published December 1, 1961, to supersede Guide published on January 2, 1957, prepared and released by the Committee on Un-American Activities, U. S. House of Representatives, Washington, D.C., states as follows:

- "1. Cited as subversive and Communist.
(Attorney General Tom Clark, letters to Loyalty Review Board, released June 1, 1948, and September 21, 1948.)
- "2. Established in the United States in 1937 as successor to the American League Against War and Fascism 'in an effort to create public sentiment on behalf of a foreign policy adapted to the interests of the Soviet Union. * * * The American League for Peace and Democracy * * * was designed to conceal Communist control, in accordance with the new tactics of the Communist International.'
(Attorney General Francis Biddle, Congressional Record, September 24, 1942, pp. 7683 and 7684.)
- "3. 'The largest of the Communist 'front' movements in the United States is the American League for Peace and Democracy, formerly known as the American League Against War and Fascism, and, at the time of its inception, as the United States Congress Against War. * * * The league contends publicly that it is not a Communist-front movement, yet at the very beginning Communists dominated it. Earl Browder was its vice president.' 'An examination of the program of the American League will show that the organization was nothing more nor less than a bold advocate of treason.' It was formed at an 'American Congress for Peace and Democracy.'
(Special Committee on Un-American Activities, Annual Report, House Report 2, January 3,

AMERICAN LEAGUE FOR PEACE AND DEMOCRACY (CONT.)

1939, pp. 69-71 and House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 37; also cited in Annual Reports, House Report 1476, January 3, 1940, p. 10; House Report 1, January 3, 1941, p. 21; House Report 2277, June 25, 1942, pp. 14-16; and House Report 2748, January 2, 1943, p.8.)

- "4. Cited as subversive and un-American.
(Special Subcommittee of the House Committee on Appropriations, Report, April 21, 1943, p.3.)
- "5. 'Communist fronts change in accordance with the current party line. * * * In the face of the growing menace of Adolf Hitler in the late 1930's, they (the Communists) projected the American League for Peace and Democracy advocating collective security with the democracies against fascism.'
(Internal Security Subcommittee of the Senate Judiciary Committee, Handbook for Americans, S. Doc. 117, April 23, 1956, p. 92.)"

A-P-P-E-N-D-I-X

INTERNATIONAL JURIDICAL ASSOCIATION

The Guide to Subversive Organizations and Publications, revised and published December 1, 1961, to supersede Guide published on January 2, 1957, prepared and released by the Committee on Un-American Activities, U. S. House of Representatives, Washington, D.C., states as follows:

- "1. Cited as 'a Communist front and an offshoot of the International Labor Defense.'
(Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, p. 149.)
- "2. Cited as an organization which 'actively defended Communists and consistently followed the Communist Party line.'
(Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally released September 17, 1950, p. 12.)"

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SL 161-1439

A-P-P-E-N-D-I-X

INTERNATIONAL JURIDICAL ASSOCIATION (IJA) MONTHLY BULLETIN

The Guide to Subversive Organizations and Publications, revised and published December 1, 1961, to supersede Guide published on January 2, 1957, prepared and released by the Committee on Un-American Activities, U. S. House of Representatives, Washington, D.C., states as follows:

- "1. Cited as 'a publication of the International Juridical Association which combined with the Lawyers Guild Review, an official organ of the National Lawyers Guild.'
(Committee on Un-American Activities, House Report 3123 on the National Lawyers Guild, September 21, 1950, originally released September 17, 1950, p. 13.)"

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE Memphis, Tennessee	OFFICE OF ORIGIN Bureau	DATE 11-2-64	INVESTIGATIVE PERIOD 10/29 - 11/2/64
TITLE OF CASE CHANGED: ABE FORTAS, aka Abraham Fortas		REPORT MADE BY SA [redacted]	TYPED BY FJ
		CHARACTER OF CASE SPI	b6 b7C

The title of this report is marked changed to reflect the addition of the name ABRAHAM FORTAS as that is the name on the birth certificate of FORTAS.

REFERENCE: Washington Field teletype to Director and Memphis dated 10-27-64.
Memphis teletype to Milwaukee dated 11-2-64.

7 in interview - RUC - *for*

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APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE 1- Bureau (AMSD) 1- Memphis (161-127)		161-2860-17 MCT-21 REC-35
DISSEMINATION RECORD OF ATTACHED REPORT		NOTED 21 NOV 1964 12 NOV 1964 FBI RECEIVED (MON) REC 11 5 NOV 64 BASE INFO CONTAINED HEREIN IS UNCLASSIFIED DATE 7/31/85 BY SP-2 JAP/DRO
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DATE FWD.....		
HOW FWD.....		
BY.....		

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of. SA
Date 11-2-64

Office: Memphis

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Field Office File No.: ME #161-127

Bureau File No :

Title: ABE FORTAS

Character. SPECIAL INQUIRIES FOR WHITE HOUSE,
CONGRESSIONAL COMMITTEES, AND OTHER
GOVERNMENT AGENCIES

Synopsis:

Records of Bureau of Vital Statistics, Memphis, Tennessee, reflect ABRAHAM FORTAS born 6-19-10 at Memphis, Tennessee. He attended Southwestern College, Memphis, from 9/26 to 6/30, when he received a BA Degree. He was considered an outstanding student. Records of Alumni Office, Southwestern College, reviewed and are highly complimentary regarding FORTAS. Former associate at Southwestern recommends highly. Individuals acquainted with FORTAS identified one brother and two sisters of FORTAS as being the only brother and sisters and state they have excellent reputations. FORTAS never admitted to practice law in State of Tennessee, although he is believed to have excellent reputation in law profession by attorneys employed with him. satisfactory at Memphis. No record on FORTAS or his brother and sisters located in files of Memphis Police Department or Shelby County Sheriff's Office. No credit record located Memphis for ABE FORTAS.

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- RUC -

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HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-272/DMC

ME #161-127

DETAILS: BIRTH DATA

On October 30, 1964 [redacted] Bureau of Vital Statistics, Memphis and Shelby County Health Department, Memphis, Tennessee, advised from records that ABRAHAM FORTAS was born June 19, 1910 at Memphis, Tennessee. His parents were WILLIAM FORTAS and RAY BERZANSKI. His Birth Certificate is No. 17107.

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EDUCATION

On November 2, 1964 [redacted] Southwestern College, Memphis, Tennessee, advised that ABE FORTAS, born June 19, 1910, entered Southwestern in September of 1926. He received a BA Degree on June 3, 1930. His parents, Mr. and Mrs. WILLIAM FORTAS, resided at 381 Linden Avenue, Memphis. He attended the University of Wisconsin during the Summer session of 1929 and was given credit at Southwestern for six semester hours which he took at the University of Wisconsin. He had an average of A and B at Southwestern and was considered an outstanding student.

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On October 29, 1964 [redacted] Southwestern College, Memphis, advised that ABE FORTAS is considered one of the outstanding graduates of Southwestern. Mr. MORGAN made available the file maintained in the Alumni Office on FORTAS and in addition to the information set out above, the following was reflected:

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[redacted]

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ME #161-127

[redacted]

[redacted] advised that there were no officials of the college who would have taught ABE FORTAS as a student and that he could suggest no one who might furnish additional information regarding his student days at the college other than [redacted] a classmate of FORTAS.

On November 2, 1964 [redacted]

[redacted] advised he went to Southwestern College about four years with ABE FORTAS and looked upon FORTAS as being the outstanding member of the class and stated FORTAS was a person of excellent character and reputation at the college, who was competent and whose later success in government and the practice of law was not a surprise to him.

ADMISSION TO BAR

On October 30, 1964 [redacted]

[redacted] of the Tennessee Board of Law Examiners, that he had no personal knowledge of ABE FORTAS having ever been admitted to practice law in Tennessee but that the records of the Board of Law Examiners were located in Nashville. He stated he was only casually acquainted with ABE FORTAS but knew his reputation as an outstanding lawyer and based on this reputation considered him to be a man of good character in every way.

[redacted] Board of Law Examiners, Tennessee Supreme Court Building, Nashville, Tennessee, advised SA [redacted] on October 30, 1964, that her office has no record which would indicate that Mr. ABE FORTAS ever took the Tennessee Bar Examination, passed, or was issued a license to practice law in the State of Tennessee.

[redacted] Office of the Tennessee Bar Association, Room 211, 226 Capitol Boulevard Building, Nashville, advised SA [redacted] on

ME #161-127

October 30, 1964, her office has no record to indicate that Mr. ABE FORTAS was ever admitted as a member. She further advised that her office has no record of any grievance complaints being filed against that name.

On November 2, 1964 [redacted]

[redacted] advised [redacted] of the American Bar Association. He stated that he is only casually acquainted with ABE FORTAS because FORTAS never practiced law in Tennessee. He stated that he has met lawyers from various parts of the country who had considerable contact with FORTAS and believes he knows FORTAS' reputation. He stated that he considers FORTAS as being a highly competent lawyer and of excellent character. [redacted]

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[redacted] considers him to be a man of good reputation and character.

RELATIVES

On October 30, 1964 [redacted]

Exchange Building, Memphis, advised that he has been acquainted with ABE FORTAS and the FORTAS family for many years. He stated that he knew the parents of ABE FORTAS and that they were people of good reputation. He stated both of them are deceased. [redacted] stated that ABE FORTAS was a poor boy who went to Southwestern College, Memphis, by virtue of winning a scholarship as the financial condition of his family was such they could not afford to send him to college. He stated that so far as he knew ABE FORTAS has only one brother [redacted] but has several sisters who reside in Memphis. He stated that to his knowledge all of them have good reputations.

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On October 30, 1964 [redacted]

Commerce Title Building, Memphis, advised that he is well acquainted with the children of WILLIAM and RAY FORTAS, the parents of ABE FORTAS. [redacted]

[redacted] is a person of good reputation. He stated that ABE has two sisters, [redacted] both of whom are also associated with the above business and who likewise have good reputations.

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ME #161-127

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On November 2, 1964 [redacted]
[redacted] Memphis, and [redacted]
[redacted] furnished the same information as to the identity
of the brother and sisters of ABE FORTAS and stated they
are all people of good reputation.

CREDIT AND ARREST

On November 2, 1964 [redacted]
[redacted] Memphis Police Department, and [redacted]
[redacted] Shelby County Sheriff's
Office, Memphis, advised IC [redacted] that there are no
records in their respective offices on the following:

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ABE FORTAS, also known as Abraham Fortas [redacted]
[redacted]

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On November 2, 1964 [redacted]
[redacted] advised IC [redacted] that [redacted]
[redacted]
[redacted] She was unable to locate any record of ABE FORTAS,
[redacted]

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHICAGO	OFFICE OF ORIGIN BUREAU	DATE 11/2/64	INVESTIGATIVE PERIOD 10/26 - 30/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA 	TYPED BY pas
		CHARACTER OF CASE SPECIAL INQUIRY	

REFERENCES: Bureau teletype to Washington Field dated 10/20/64.
 Cincinnati teletype to Bureau dated 10/21/64.
 Chicago teletype to Bureau dated 10/30/64.

- RUC -

11/2/64

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DISSEMINATION RECORD OF ATTACHED REPORT <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">AGENCY.....</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>REQUEST RECD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DATE FWD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>HOW FWD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BY.....</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	AGENCY.....						REQUEST RECD						DATE FWD						HOW FWD						BY.....						NOTATIONS [Signature]
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to.

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Report of SA [REDACTED]
Date. 11/2/64

Office: Chicago

Field Office File #: 161-931

Bureau File #:

Title ABE FORTAS

Character: SPECIAL INQUIRY

Synopsis American Bar Association (ABA) files revealed that ABE FORTAS became a member of ABA on 7/14/38 and is at present a member in good standing; grievance files contained no unfavorable information.

- RUC -

DETAILS:

Affiliation

On October 27, 1964, [REDACTED] [REDACTED] American Bar Association, 1155 East 60th Street, Chicago, Illinois, advised that ABE FORTAS, born June 19, 1910, in Memphis, Tennessee, became an ABA member on July 14, 1938, and is at present a member in good standing. ABA files revealed that FORTAS claims to have been admitted to legal practice before the Connecticut State Bar during 1934, specific date not reported. [REDACTED] advised that ABA membership and grievance files do not contain any unfavorable information concerning FORTAS. [REDACTED] said she could suggest no one currently employed at the ABA's National Headquarters at Chicago who is socially or professionally acquainted with FORTAS.

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DATE 7/31/85 BY SP-2TAP/DHF

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11-2-64

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TO: MILWAUKEE

FROM: MEMPHIS (161-127)

(1p)

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DATE 2/3/85 BY SP-2291/STW

ABE FORTAS, SPI. BUDED NOVEMBER FOUR NEXT.

RE WFO TEL TO MEMPHIS AND BUREAU OCTOBER TWENTYSEVEN, LAST.

RECORDS SOUTHWESTERN COLLEGE, MEMPHIS, TENN., REFLECT FORTAS
ATTENDED UNIVERSITY OF WISCONSIN, SUMMER, TWENTYNINE. FORTAS
ATTENDED SOUTHWESTERN NINETEEN TWENTYSIX TO THIRTY, RECEIVING
DEGREE FROM SOUTHWESTERN JUNE, NINETEEN THIRTY. MILWAUKEE
VERIFY ATTENDANCE UNIVERSITY OF WISCONSIN AND MAKE APPROPRIATE
INDICES, CREDIT AD POLICE CHECKS.

BUREAU ADVISED WFO BY TEL OCTOBER TWENTY, LAST, PRESIDENT
JOHNSON REQUESTED INVESTIGATION OF FORTAS, BORN JUNE NINETEEN,
NINETEEN TEN, MEMPHIS, TENN., AND RESIDES WASHINGTON, D. C.,
WHERE HE IS PROMINENT ATTORNEY. BUREAU ALSO ADVISED NO
NEIGHBORHOOD INVESTIGATION TO BE CONDUCTED IN THIS CASE UNLESS
SOME REASON FOR DOING SO ARISES, AT WHICH TIME BUREAU APPROVAL
MUST BE SECURED.

BUREAU ADVISED BY AM. P.

END

161-2860-19

NOT RECORDED

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APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S) OF DATE 11-3-83 DW

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE 11/3/64	INVESTIGATIVE PERIOD 10/22 - 11/3/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY rkh
CLASSIFIED BY <u>SP5 QUA/MS</u> DECLASSIFY ON: 25X <u>L, G</u> 4/7, 5/66		CHARACTER OF CASE SPECIAL INQUIRY	

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REFERENCES

Butel, dated 10/20/64.
 Cincinnati teletypes, dated 10/21/64 and 10/30/64.
 New Haven airtel to NY, dated 10/22/64.
 Baltimore teletype, dated 10/27/64.

- RUC -

ADMINISTRATIVE

NYO files reflect that FORTAS was subject of NYfile 101-54 re "ABE FORTAS; IS - HATCH ACT". NYrep this case contains interviews with MORRIS L. ERNST, 285 Madison Avenue, NY, NY; and Judge JEROME FRANK, US Circuit Court of Appeals for the 2nd Circuit. Judge FRANK stated that FORTAS was the protege of Supreme Court Justice WILLIAM DOUGLAS.

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APPROVED *[Signature]* SPECIAL AGENT IN CHARGE

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[REDACTED] (S)

New Haven airtel to NY, 10/22/64, refers to page 60, paragraph 2, line 2, NYrep SA [REDACTED] 3/10/49, re "JAY DAVID WHITTAKER CHAMBERS, was.; PERJURY; ESP - R; IS - R", wherein name ABE FORTAS is mentioned by [REDACTED] Judge JEROME FRANK, former Chief Counsel for the Agriculture Adjustment Administration (AAA). His name (FORTAS') was mentioned along with ALGER HISS, JOHN ABT, NATHAN WITT, LEE PRESSMAN and [REDACTED]. She stated that these names stood out in her mind. It may be noted that ABE FORTAS, according to "Who's Who" was Assistant Chief of the Legal Division, AAA, during the period 1933 - 1934, and it is felt this information is not pertinent.

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Re Baltimore teletype to Bureau and NY, 10/27/64, wherein NY's attention is called to NYtel 12/18/52 re "OWEN LATTIMORE; ESP - R". This teletype sets forth information made available by [REDACTED]

[REDACTED]

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[REDACTED] A review of this material concerning [REDACTED] statement concerning ABE FORTAS indicates that all pertinent papers were made available to former Special Assistant to the Attorney General ROY COHN in the OWEN LATTIMORE perjury matter. There is no information in NYO files which specifically gives a detailed account of [REDACTED]

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NY 161-1428

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ADMINISTRATIVE CONT'D.

allegation of unethical tactics on the part of ABE FORTAS, then attorney for OWEN LATTIMORE, while the latter appeared before the Mc Carren Committee. UACB no attempts are being made to locate and interview [redacted]

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This report is classified "~~Confidential~~" to protect the identity of current and highly sensitive informants and sources mentioned herein, the disclosure of which would be detrimental to the security interests of the US.

INFORMANTS

	<u>Identity of Source</u>	<u>File Where Located</u>
b2	[redacted] (technical surveillance)	[NY 100-90777-120] (u)
	[redacted] (u)	NY 105-15027-18,17
b2	[redacted] (u)	Used to document ISIDORE GIBBY NEEDLEMAN. (u)
b7D	[redacted] (u)	Used to document NEEDLEMAN. (u)
	[redacted] (u)	Used to document NEEDLEMAN. (u)

- C* -
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~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Copy to

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Report of
Date

[Redacted]
11/3/64

Office: New York, New York

Field Office File No

161-1428

Bureau File No.:

Title

ABE FORTAS

Character

SPECIAL INQUIRY

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Synopsis:

President and Chairman of the Board, SuCrest Corporation, NYC, recommend highly. ADOLF A. BERLE, former Assistant Secretary of State, recommends for position of trust and confidence. Credit standing satisfactory. No arrest record located NYC. Information concerning OWEN LATTIMORE set forth. [Redacted] according to informant, in 1963 described ABE FORTAS as old friend. Information concerning [Redacted] ISIDORE GIBBY NEEDLEMAN, set forth. No information located BSS, NYCPD, pertinent to this investigation.

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- RUC -

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

GROUP 1
Excluded from automatic
downgrading and
declassification

DECLASSIFIED BY SP5 DC/MS
ON 11/18/98
417566

Classified by SP-RTAP/JHF
Declassify on: OADR 7/31/85

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NY 161-1428

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DETAILS:

Employment

SuCrest Corporation
120 Wall Street
New York, New York

Poor's Register of Corporations, Directors and Executives, for 1964 indicates that ABE FORTAS, born 1910, Memphis, Tennessee, is a partner in the firm of Arnold, Fortas and Porter, 1129 19th Street, Northwest, Washington, D.C., and resides at 3075 "N" Street, Northwest, Washington, D.C. He is a Director of Federated Department Stores, Incorporated and SuCrest Corporation.

Poor's Register lists the following information concerning SuCrest Corporation:

Their offices are at 120 Wall Street, New York, New York, and the Chairman of the Board is ADOLF A. BERLE, 70 Pine Street, New York, New York. Their principal products are sugar, molasses and sugar syrups; their employees number 900. Their sales range is between 70 and 80 million dollars per year.

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[redacted] SuCrest Corporation, advised on October 29, 1964, that ABE FORTAS has been a member of the Board of Directors of the corporation since 1951 and as such attends meetings several times each year. He advised that he first met the appointee during the late 1940s. He advised that he sees the appointee off and on during the year in Washington, D.C., when [redacted] is there on business and he has had dinner with the appointee at his home. He advised that he is aware that the appointee has been very close to President LYNDON B. JOHNSON for many years. He advised that he holds the appointee in very high esteem in every respect, and would not hesitate to recommend him as a man of high moral standards whose reputation and loyalty are above reproach. He stated that the appointee is the most able man on the Board of Directors and he could say only the best about him. He recommended him highly for a position of trust and confidence.

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NY 161-1428

[redacted] SuCrest Corporation, advised on October 29, 1964 [redacted]

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[redacted] He stated he has known the appointee since the latter was Under Secretary of the Interior, and that FORTAS was a very close friend of [redacted]

[redacted] ABE FORTAS, ADOLF A. BERLE were all members of the so-called "braintrust" of the late President FRANKLIN D. ROOSEVELT. He described the appointee as one of the really great men of "this age". He stated the appointee's moral character is of the highest and that anything which FORTAS undertook for the United States Government would be for the well being and betterment of the United States. He stated he could say this for very few men that he has known over the years. He stated he could not recommend the appointee too highly as to his reputation, loyalty and dedication to whatever he undertakes.

Mr. ADOLF A. BERLE, Attorney, 70 Pine Street, New York, New York, former Assistant Secretary of State, advised on October 29, 1964, that he has known the appointee very well for over twenty-five years. He stated that he first met the appointee when the latter was at Yale Law School, and he got to know him well in 1938 when he (BERLE) was Assistant Secretary of State and the appointee was Under Secretary of the Interior. He advised that since they both left the Government, they have served together on the Board of Directors of SuCrest Corporation and have seen each other frequently over the years. He has had continuous contact with him over the past fifteen years.

Mr. BERLE stated that FORTAS is an extremely active man with legal and business connections. He has been counsel in the past for the Commonwealth of Puerto Rico, and he (BERLE) is a member of the Board of Higher Education for the Commonwealth of Puerto Rico, and they have had contact through this mutual interest. He advised that the appointee possesses a high moral character, that he has had an honorable career with the United States Government and a brilliant career "before the bar". He advised that there has never been "a whisper of anything derogatory concerning his moral character". He advised the appointee's personal life is irreproachable, and he is happily married to his wife, the latter whom he holds in high regard.

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NY 161-1428

Mr. BERLE further advised that the appointee never had any children, much to the regret of Mr. and Mrs. FORTAS. He stated that the appointee's loyalty is beyond reproach and the appointee commands a very high reputation in New York City. He advised that FORTAS is supposed to be the best anti-trust lawyer anywhere, and a great deal of his (FORTAS') work during the past fifteen years has been of this type. He stated that he would not hesitate to recommend him for any position of trust and confidence.

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NY 161-1428

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On October 30, 1964, Mr. JERVIS BABB, 110 East 57th Street, New York City, New York, was interviewed at his place of employment, where he is presently employed as a consultant, the American Can Company, 100 Park Avenue, New York City, by SA

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Mr. BABB advised that in 1950, he left the Johnson Wax Company in Racine, Wisconsin, and came to the Lever Brothers Company in New York City as its President. He said Lever Brothers then had, among other law firms, the law firm of Arnold-Fortas and Porter of Washington, D.C., as their attorneys.

He stated it was at this time that he became acquainted with Mr. ABE FORTAS as his law firm was, at that time, handling two Anti-trust cases brought against Lever Brothers by the Federal Trade Commission. Mr. BABB said Mr. FORTAS' firm won these cases for Lever Brothers.

Mr. BABB said he believed Mr. FORTAS joined his present law firm after leaving government service but did not know when this took place. He stated Mr. FORTAS' partner, THURMAN ARNOLD, was formerly with the Anti-trust Department of the United States Department of Justice and that Mr. PORTER also had previous government employment in that he believed he headed up the OPA during World War II.

Mr. BABB further stated as President of Lever Brothers, he would see FORTAS at least once a month and sometimes more often. Mr. BABB said he is no longer President of Lever Brothers, that he is in sort of semi-retirement, although he is still a member of 11 different boards. He said he is still a member of the board for Lever Brothers, but now sees FORTAS only eight or nine times a year when they meet at board meetings of the Su Crest Corporation of which both of them are board members.

Mr. BABB said he knows FORTAS on a social basis, as he has been to his home on several occasions. He stated he considers FORTAS a very able lawyer, one of the best he has ever known and indicated that Mrs. FORTAS is also an attorney. He said she practices law on her own under her maiden name in Washington, D.C., but he could not recall her name.

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NY 161-1428

Mr. BABB stated he considers ABE FORTAS a man of excellent character and knows him to have like associates. He said Mr. FORTAS enjoys a very fine reputation, that he knows him to be very honest, very intelligent, a man of high integrity and he himself has never known or heard anything of a derogatory nature concerning him. Mr. BABB said FORTAS' loyalty is above question and as he considers him one of the best attorneys in the country, he believed the country would be obtaining a great asset by having him in its service.

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NY 161-1428

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Credit

[redacted] advised IC [redacted] on October 22, 1964, that the files of the Credit Bureau contained the following information as of December, 1954:

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[redacted]

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Nothing of an adverse nature appeared in the files of the Credit Bureau concerning the above persons.

Arrest

On October 23 and 25, 1964, SA [redacted] caused the records of the New York City Police Department to be checked by [redacted]

[redacted] (all of the above of the New York City Police Department); and [redacted] Criminal Court of the City of New York. No information identifiable with the appointee or [redacted] could be located [redacted]

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Miscellaneous

During August, 1950, New York [redacted] made available information that indicated that [redacted] contacted ABE FORTAS in Washington, D. C. in connection with a dinner engagement with the FORTAS family and [redacted] intention of staying overnight with them. \$

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NY 161-1428

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In 1950, LOUIS F. BUDENZ, Assistant Professor, Fordham University, New York, New York, former managing editor of the "Daily Worker", an east coast communist daily newspaper which suspended publication on January 13, 1958, and a Communist Party (CP) functionary until October, 1945, stated that he had heard about OWEN LATTIMORE many times in official reports by responsible officials of the CP between 1935 and 1945. He recalled that in about 1934, EARL BROWDER, the head of the CP, stated at CP Headquarters that OWEN LATTIMORE was to be given the assignment of the organization of a campaign which was to sell the United States on the fact that the Chinese Communists were agrarian reformers, and further commended LATTIMORE for having brought so many communist writers into the Institute of Pacific Relations (IPR). Mr. BUDENZ said that he felt certain that LATTIMORE was a communist.

Information concerning the IPR is set out in the Appendix of this report.

New York [] is unavailable for recontact.

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New York [] who is unavailable for recontact, made available information during December, 1963, to the effect that [] recently had discussed with ISIDORE GIBBY NEEDLEMAN the formation of a Russian - American Company to promote export - import business with the Soviet Union. [] was of the opinion that such an organization could develop the skill for dealing with Russia, recruit the sales representatives, and make arrangements to obtain the required export licenses. \$(u)

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NY 161-1428

[redacted] suggested [redacted] as a potential member of a committee to set up his projected organization [redacted] said [redacted] is acquainted with Soviet Premier NIKITA KHRUSHCHEV and has conducted successful negotiations for the release of prisoners held in the Soviet Union. [redacted] also mentioned [redacted] and NORMAN COUSINS as other possible members, as well as ABE FORTAS, the Washington attorney. [redacted] described FORTAS as an old friend. He said he planned to get in touch with FORTAS to determine whether he wanted to join the undertaking as the Washington representative. \$(u)

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NEEDLEMAN emphasized that the biggest problem would be the creation of a favorable climate in Washington for the issuance of export licenses by the Department of Commerce. NEEDLEMAN also recommended CYRUS EATON as a "splendid" person to have on the committee. \$(u)

[redacted]
[redacted] in July, 1956, advised Special Agents of the Federal Bureau of Investigation (FBI) that he had recently traveled in Western Europe and had then visited the Soviet Union for a period of eleven days. His tour included the cities of Moscow, Leningrad, and Kiev. He indicated that it had been primarily a sight-seeing trip and he stated that at no time was he allowed to view any industrial areas. \$(u)

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New York [redacted] and New York [redacted] furnished the following information during 1957 concerning NEEDLEMAN:

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NEEDLEMAN is a practicing attorney in New York City. He was formerly employed by the Amtorg Trading Corporation, the registered Russian trade agency in the United States, in a legal capacity and he continues to represent this agency from time to time. NEEDLEMAN has represented current and former members of the CP before Congressional Committees and in the courts, and has served as

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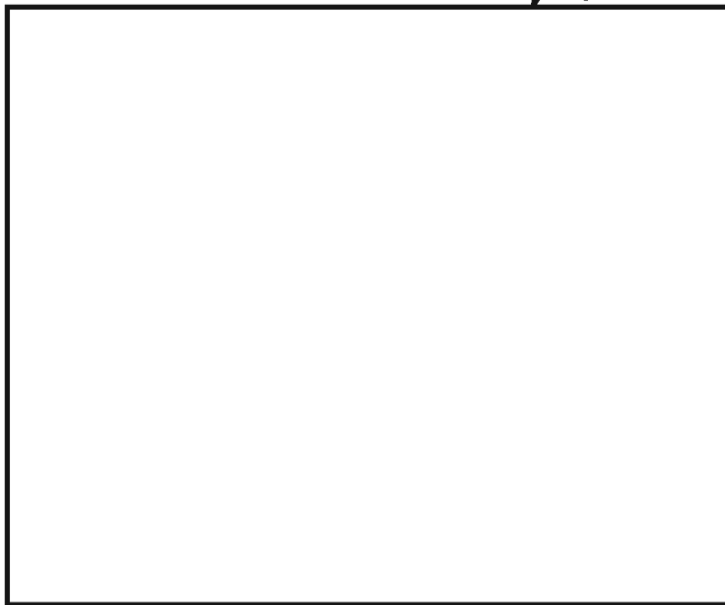
NY 161-1428

a custodian of CP funds. He has described himself as favoring strict adherence to Marxist - Leninist doctrines and has actively participated in the solicitation of a fund to promote Marxist study and research. ~~(u)~~

New York in March, 1958, advised that NEEDLEMAN has acted as a Soviet espionage agent. ~~(u)~~

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NY 161-1428

[REDACTED]

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[REDACTED]

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NORMAN COUSINS is the Editor of the "Saturday Review of Literature" and a leader of the movement against nuclear testing.

CYRUS EATON, Chairman of the Board of the Chesapeake and Ohio Railroad, is a well known industrialist and frequent apologist for the Soviet Union.

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[REDACTED]
[REDACTED] New York City Police Department, advised SA [REDACTED] on October 30, 1964, that his files contain no information identifiable with ABE FORTAS which is pertinent to this inquiry.

On November 3, 1964, the files of "The New York Times" "Morgue" were reviewed.

These files contained numerous references to ABE FORTAS in connection with his various Government positions during the 1930s and 1940s and his work as an attorney in Washington, D. C. These references were not felt pertinent to this current inquiry.

"The New York Times", issue of December 29, 1947, contained the following article, which was captioned:

"FORTAS CRITICIZES LOYALTY METHODS"

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"Washington, Dec. 28 - Procedures for testing the loyalty of Government employees announced yesterday by the new Loyalty Review Board drew the criticism tonight that they raised 'serious problems' in the safeguarding of constitutional liberties.

"Abe Fortas, former Under-Secretary of Interior, predicted that under the board's rules the right of an accused employe to be accompanied by his lawyer when appearing before the board would be 'largely empty.'

"Mr. Fortas is one of three attorneys and former high officeholders who represented six State Department employes when they were dismissed for security reasons last summer.

"It is doubtful if a lawyer can be of very much help to a person accused of disloyalty if he is to be denied the right to confront his accusers, or the opportunity to cross-examine witnesses,' Mr. Fortas commented. He also charged that the board's decision not to disclose to the accused the sources of its evidence was in violation of the Bill of Rights.

"Mr. Fortas attacked particularly the board's rule that accused persons would not be permitted at any time to inspect any report made against him by the Federal Bureau of Investigation, which will do virtually all the investigative work in the Government's unprecedented loyalty program."

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NY 161-1428

~~CONFIDENTIAL~~

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APPENDIX

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INSTITUTE OF PACIFIC RELATIONS

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

"Institute of Pacific Relations *

- "1. 'The IPR was a vehicle used by the Communists to orientate American far eastern policies toward Communist objectives.' 'Members of the small core of officials and staff members who controlled IPR were either Communist or pro-Communist.' The American Communist Party and Soviet officials considered the organization 'an instrument of Communist policy, propaganda and military intelligence.' (Senate Judiciary Committee, Senate Report 2050 on the Institute of Pacific Relations, July 2, 1952, pp. 223 and 225.)"

* Senate Report 2050 states that the title Institute of Pacific Relations, "unless otherwise qualified, refers to the activities of * * * the American Council of the IPR and international secretariat." (p. 94 fn.)

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~~CONFIDENTIAL~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

New York, New York
November 3, 1964

In Reply, Please Refer to

File No. NY 161-1428

Title ABE FORTAS

Character SPECIAL INQUIRY

Reference Report of Special Agent [redacted]
[redacted] dated and captioned as
above.

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All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY sp-2TAP/bxc~~

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW HAVEN	OFFICE OF ORIGIN BUREAU	DATE 11/3/64	INVESTIGATIVE PERIOD 10/21/64 - 11/2/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA 	TYPED BY kjb
		CHARACTER OF CASE SPECIAL INQUIRY	

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REFERENCE: Bureau teletype 10/20/64;
St. Louis teletype 10/29/64.

- RUC -

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HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/bmf

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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		NOT RECORDED 21 NOV 4 1964	
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DATE FWD.....			
HOW FWD.....			
BY.....			

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Copy to

Report of SA [redacted]
Date November 3, 1964

Office. NEW HAVEN

Field Office File No 161-522

Bureau File No.

Title ABE FORTAS

Character SPECIAL INQUIRY

Synopsis ABE FORTAS, born 6/19/10, Memphis, Tenn., to WILLIAM FORTAS and RACHAEL BEVYANSKY, attended Yale Law School, September, 1930 to 6/21/33, receiving LL.B Cum Laude. Taught at Yale Law School during period 1933 - 1938 and as visiting lecturer during 1946 - 1947. Dean EUGENE V. ROSTOW, Yale University Law School and other faculty members recall FORTAS and recommend highly as to capabilities, qualifications, character, morals, and loyalty. FORTAS, member of Conn. Bar since June, 1934 and no grievances filed against him. Credit and arrest record New Haven, negative.

- RUC -

DETAILS:

At New Haven, Connecticut

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EDUCATION

On October 26, 1964, [redacted] Yale University, New Haven, advised that as of July 24, 1930, it was indicated that ABE FORTAS was born June 19, 1910 at Memphis, Tennessee, to WILLIAM FORTAS, born London, England and RACHAEL BEVYANSKY, born Kovno, Russia. His father was indicated as "deceased". He indicated that he had one brother and three sisters.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY sp-2TAP/DHP

NH 161-522

Other data contained in his Alumni folder indicates he received a BA degree from South Western (no location shown) in 1930. Further that he received an LL.B degree Cum Laude from Yale Law School in June, 1933.

In 1932 he was elected editor-in-chief, Yale Law Journal. In 1933 he was awarded the Jewell Prize, the highest scholastic honor given law students and also elected to the Order of the Coif, a law school honorary society.

He successfully passed the Connecticut Bar exams June 21 - 22, 1934. On July 9, 1935, he married

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[REDACTED]
On October 26, 1964, [REDACTED]
[REDACTED] Yale Law School, advised that ABE FORTAS entered the law school on September 25, 1930, and received an LL.B degree Cum Laude at commencement exercises on June 21, 1933. He was also elected to membership in the Order of the Coif. Further he had the highest academic average in his class.

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She advised that from a check of the law school directories he was shown as being a member of the faculty for the following terms:

Teaching Fellow in Law, 1932 - 1934;
Assistant Professor of Law, 1934 - 1935;
Assistant Professor of Law, 1935 - 1936;
(to begin on February 1, 1936)
Assistant Professor of Law, 1936 - 1937;
Assistant Professor of Law, 1937 - 1938.

She further advised that he was a visiting lecturer in law during the school year 1946 - 1947.

On October 22, 1964, [REDACTED]
[REDACTED]

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NH 161-522

[redacted] advised that FORTAS was appointed a teaching fellow in the law school for the term 1933 - 1934. She stated that her records are rather incomplete but that it appears that he was reappointed as an Assistant Professor in the law school as of February 1, 1936, and resigned as of February 1, 1938. She stated that during the school year 1946 - 1947 he was a visiting lecturer in law at the law school. [redacted] noted that both the Deans of the Law School who were associated there while FORTAS was in attendance and also teaching there have since passed away.

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On October 26, 1964, Dean EUGENE V. ROSTOW, Professor and Chairman, Department of Law, Yale University Law School, stated that he has been personally acquainted with appointee since 1934. He advised that he is a former student of FORTAS while he, ROSTOW, was at Yale Law School.

He related that they have remained socially and professionally close since the 1930s. He saw him frequently while they were both in Washington, D.C., engaged in Government work. He likewise worked with FORTAS on many delicate matters in connection with their association with the United States Government and in consultation positions. He stated there is no question or doubt of FORTAS' capabilities for the highest type of post within the United States Government. He described FORTAS as possessing a distinguished character, highest integrity and ability. This being based on personal knowledge and not from an absence of negative information.

He heartily recommended FORTAS for a position of trust and confidence with the United States Government.

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On October 26, 1964, [redacted] stated he has known the appointee and his wife for approximately twenty years. He stated that he was more closely associated with FORTAS while they were both in Washington engaged in Government work and also in connection with Yale Law School alumni matters there. He described FORTAS as "first rate, exceedingly able, a one hundred percent loyal American, of unimpeachable character." He recommended him, without

NH 161-522

reservation, for the highest of positions within the United States Government.

On October 26, 1964 [redacted]

[redacted] advised that he has been personally acquainted with the appointee since 1932. They were former students at the Yale Law School. FORTAS as an undergraduate [redacted]

[redacted] He also knew him while he, FORTAS, was a member of the Yale Law School faculty and again as a visiting lecturer there.

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[redacted]

[redacted] He described FORTAS as one of the "most extremely able attorneys" he knows. To further describe him would "require the use of superlative adjectives". He knows of "nothing derogatory relative to the appointee or his wife in anyway, shape or manner." He highly recommended the appointee for any position within the United States Government.

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MISCELLANEOUS

On October 27, 1964 [redacted]

New Haven County Superior Court, New Haven, advised that FORTAS has been a member of the Connecticut Bar since 1934. On October 29, 1964 [redacted]

[redacted] Judicial Department, State of Connecticut, Superior Court Building, Hartford, Connecticut, advised SA [redacted] that a grievance has never been filed against ABE FORTAS.

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CREDIT and ARREST

On October 23, 1964 [redacted]

[redacted] advised that her Bureau possessed no record regarding FORTAS.

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On October 23, 1964, [redacted]

New Haven Police Department, advised that his Bureau had no record concerning FORTAS.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE MILWAUKEE	OFFICE OF ORIGIN BUREAU	DATE 11/3/64	INVESTIGATIVE PERIOD 11/2-3/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA [REDACTED]	b6 FPEB BY b7C Jb
		CHARACTER OF CASE SPECIAL INQUIRY	

~~ALL INFORMATION CONTAINED~~
~~HEREIN IS UNCLASSIFIED~~
~~DATE 7/31/85 BY SP-2 JAP/DA~~ REFERENCE

Memphis teletype to Milwaukee dated 11/2/64.

- RUC -

INFORMANTS

Confidential informants contacted negatively:

[REDACTED] contacted 11/2/64 by SA [REDACTED]
 [REDACTED] contacted 11/3/64 by SA [REDACTED]

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APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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BY.....			

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

Copy to:

Report of
Date:SA [REDACTED]
November 3, 1964

Office. MILWAUKEE

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Field Office File No.: MI 161-244

Bureau File No.:

Title: ABE FORTAS

Character

SPECIAL INQUIRY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/31/85 BY SP-2TAP/DTC

Synopsis:

ABE FORTAS of 381 Linden, Memphis, Tenn., no birth date given, attended 1929 summer session at University of Wisconsin, Madison, Wis., as special student admitted on basis of "cert. - Southwestern." No disciplinary records, University of Wisconsin. No credit or arrest records, Madison, Wis.

- RUC -

DETAILS:

The following investigation was conducted by SA [REDACTED]

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b7cAt Madison, WisconsinEDUCATION

On November 3, 1964 [REDACTED]

[REDACTED] advised that ABE FORTAS, no birth date listed, who gave a home address of 381 Linden, Memphis, Tennessee, attended the 1929 summer session at the University of Wisconsin in Madison as a special student admitted on the basis of "cert. - Southwestern." [REDACTED] said that "cert. - Southwestern" probably meant a certificate from a school named Southwestern, showing FORTAS to be an undergraduate thereat, but due to the lapse of time involved, the certificate was not available and the student's file had been reduced to a card containing only the information set out above.

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MI 161-244

Confidential informants acquainted with disciplinary activities at the University of Wisconsin were contacted concerning this case on November 2 and 3, 1964. None of these informants knew ABE FORTAS and none knew of any disciplinary record concerning him.

CREDIT AND ARREST

The following individuals were contacted on November 2, 1964, but none had any information concerning ABE FORTAS:

[REDACTED]

[REDACTED]

Madison Police Department

[REDACTED]

Dane County Sheriff's Office
Madison, Wisconsin

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[REDACTED]

University of Wisconsin

[REDACTED]

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CINCINNATI	OFFICE OF ORIGIN BUREAU	DATE 11/3/64	INVESTIGATIVE PERIOD 10/21 - 11/2/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA 	TYPED BY jms
		CHARACTER OF CASE SPECIAL INQUIRY	

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REFERENCE: Bureau teletype to Cincinnati, 10/20/64.
 Cincinnati teletypes to Bureau, 10/21 and 30/64.
 Chicago teletype to Bureau and Cincinnati, 10/30/64.

- RUC -

7 per [unclear]

ALL INFORMATION CONTAINED
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DATE 2/31/85 BY SP-STAR/DK

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- A* -

Cover Page

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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BY			

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Report of
DateSA [REDACTED]
11/3/64

Office. CINCINNATI

Field Office File No.:

161-275

Bureau File No

Title:

ABE FORTAS

Character:

SPECIAL INQUIRY

Synopsis:

ABE FORTAS is a member of the Board of Directors and the Executive Committee, Federated Department Stores, Inc., Cincinnati, Ohio. Members of the Board of Directors and the Executive Committee highly recommend FORTAS for any position of trust he may be offered. Credit and criminal negative.

DETAILS:AT CINCINNATI, OHIO

- RUC - ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/CRP

On October 21, 1964, Mr. FRED LAZARUS, JR., Chairman of the Board of Directors and the Executive Committee, Federated Department Stores, Inc., 227 West Seventh Street, and residing at 2000 Columbia Parkway, stated that he has known Mr. FORTAS for approximately 15 or 16 years. LAZARUS related the following information:

FORTAS was elected to the Board of Directors of Federated Department Stores, Inc. on November 29, 1960, and was elected a member of the Executive Committee on June 5, 1963.

The character of FORTAS cannot be too highly praised. He is a devoted and honest public servant. He

possesses the highest ethics that a good lawyer should possess. Each statement that FORTAS has made to LAZARUS in the past was taken by LAZARUS at face value. LAZARUS has discussed the most intimate of business affairs with FORTAS and has determined the trust and confidence placed in FORTAS was never abrogated. In each discussion LAZARUS has had with FORTAS, FORTAS was found to be completely trustworthy in every respect.

LAZARUS is of the opinion that if there were ever the slightest conflict of interest between Mr. FORTAS and his clients, FORTAS would take the necessary corrective action immediately.

Mr. FORTAS has tremendous conviction for the necessity of rule by law and would go to extreme lengths to defend his conviction.

FORTAS possesses great courage and has no hesitancy in using his utmost effort in connection with the cause he believes to be a right cause regardless of the fact that it may not be a popular cause. Mr. FORTAS would not "trim" his position in this regard at all. Mr. FORTAS is a sober person; he handles his foods and liquors sparingly. LAZARUS has never heard of or observed FORTAS as being the least bit intoxicated.

The personal morals of FORTAS are exemplary in every way.

LAZARUS has been present in the home of FORTAS on at least a dozen occasions. On each visit LAZARUS met interesting people of sound character and loyalty from the fields of Government, publishing, financial, and the business communities. Each person LAZARUS met on these occasions at the residence of FORTAS has been considered by LAZARUS as worthwhile knowing and a credit to his own profession.

The loyalty of Mr. FORTAS to the United States is unquestionable, and it could meet any test.

Mr. LAZARUS stated that he would recommend Mr. FORTAS for any position of trust he might accept in the Federal Government.

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On October 26, 1964, [redacted] [redacted] Federated Stores, Inc., [redacted] and residing at [redacted] related the following information:

[redacted] has known Mr. FORTAS for approximately four years. His relationship with FORTAS has been almost exclusively confined to business. On occasion [redacted] and FORTAS have visited each others homes in connection with business affairs. FORTAS is impeccable in his conduct concerning business and his personal life. His habits are moderate. His personal relationships with individuals in business are considered excellent by all who know him. The personal integrity of FORTAS is not subject to doubt. FORTAS is an enjoyable conversationalist and extremely articulate in his speech.

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The associates of FORTAS known by [redacted] are confined to business people and members of FORTAS' law firm. Most of these people would fall into the "liberal element of our society."

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[redacted] in amplification of this statement, related that he would define the "liberal element of our society" as being those in favor of more national Government action in the fields of social insurances, and who believe in stronger Federal Governmental controls and activities in the areas of labor relations, insurances, and national health programs.

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[redacted] never met any associates of FORTAS whom he believes would be of poor personal character.

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FORTAS is a loyal American citizen who has as one of his principal objectives, the enhancement of the stature of the United States.

[redacted] stated that he would highly recommend FORTAS for any position of trust that were offered to him, and that if he were to accept a position of trust, it would be a great loss to Federated Stores, Inc., but would be a gain for the United States of America.

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On October 26, 1964, [redacted]

[redacted] stated that he has known Mr. FORTAS for approximately five years. [redacted] related the following information:

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Mr. FORTAS has excellent character. He possesses the highest form of integrity and sobriety. He is honest. His business and personal ethics are unquestionable.

[redacted] does not know any associates of Mr. FORTAS other than the members of FORTAS' law firm in Washington, D.C., whom he has met only rarely at breakfasts in connection with business. It is the impression of [redacted] that these people are individuals of good character.

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Mr. FORTAS is an absolutely loyal citizen and is totally dedicated to the principles and purposes of the United States Government. [redacted] stated that he would without question recommend Mr. FORTAS for a position of trust if such were offered.

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On October 30, 1964, [redacted]

[redacted] Federated Stores, Inc. [redacted] related the following information concerning Mr. FORTAS:

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[redacted] has known Mr. FORTAS well for approximately six or seven years.

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Mr. FORTAS is considered by all who know him as the most honorable of attorneys. Mr. FORTAS has frequently remarked "The standard of anything in connection with Government should be of the highest caliber." [redacted]

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CI 161-275

stated that in his opinion this statement seems to be the principal theme and guiding light of the convictions of Mr. FORTAS. Mr. FORTAS has a sharp mind and the strongest of integrity. He lives and works by the highest of principles.

Mr. FORTAS is meticulous in all phases of his conduct and adheres to the strictest standards of integrity and honesty.

Mr. FORTAS desires complete freedom to exercise his principles and beliefs in all phases of his business life. FORTAS is very helpful to all concerned with him. He will never allow anyone to dissuade him from any high principle in which he believes.

The associates of Mr. FORTAS are well liked and highly regarded by all who are acquainted with them.

FORTAS is a loyal American. All his actions and activities are always geared to the best interests of the United States. The United States, with Mr. FORTAS, comes before all other countries. He is patriotic and is proud to be a citizen of the United States.

[redacted] stated that he would definitely recommend FORTAS for any position of trust that might be extended to him in Government or anywhere else.

On November 2, 1964 [redacted] Federated Stores, who stated he has professionally known Mr. FORTAS for approximately 15 years, related the following:

FORTAS has an outstanding personal reputation in business affairs. His integrity manifests itself in all his business activities and actions. He is a very practical person who does the things necessary to obtain the practical results he is after.

His drinking habits are extremely moderate. He maintains the highest standards of personal conduct.

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[redacted] is acquainted with the wife of Mr. FORTAS, her parents, and his law partners, all of whom he regards as people with good character and who are loyal to the United States.

Mr. FORTAS is completely loyal to the United States and is dedicated to President JOHNSON.

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[redacted] stated that he would recommend Mr. FORTAS for a position of trust in the United States Government, if such were offered.

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On October 30, 1964 [redacted] of the Board of Directors and Federated Stores, Inc. [redacted]

[redacted] residing [redacted] provided the following information concerning Mr. FORTAS in Room 1730 of the Terrace Hilton Hotel:

[redacted] has known FORTAS well for approximately four years. Mr. FORTAS has an outstanding reputation among all who know him because he possesses excellent character and is the highest type man ever known by [redacted]. He is thoroughly honest, forthright, brilliant, and competent. He possesses true integrity.

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FORTAS is a sober man with no intemperate habits.

The associates of FORTAS command the greatest respect from everyone who knows them.

Mr. FORTAS is absolutely dedicated in his loyalty to and belief in the United States. He fights for the position of the United States at all times.

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[redacted] stated that he would highly recommend Mr. FORTAS, and with no reservation whatsoever, for any position of trust that would be afforded to him.

On October 30, 1964, [redacted] New York, New York, residing [redacted] New York, New York, related the

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following information in Room 1735 of the Terrace Hilton Hotel:

He has known Mr. FORTAS for approximately five years. The character of Mr. FORTAS is exemplary in every respect. During the years that [redacted] has known Mr. FORTAS he has never observed any phase of his character which could fault him. He is honest and possesses the highest integrity. He is sober on all occasions and possesses the strictest standards in regard to his own personal conduct. [redacted] in all his personal and business dealings with Mr. FORTAS has never taken exception to any part of the factors that make up the character of Mr. FORTAS. FORTAS possesses an important quantity of objectivity and has extraordinary ability in his business relationships with people.

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Most of the associates of FORTAS known by [redacted] are in the field of Government, law, and business. The reputation and character of these people known by [redacted] are excellent. Mr. FORTAS is unquestionably loyal to the United States and to its political objectives.

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[redacted] stated that he would recommend Mr. FORTAS for any position of trust that might be extended to him without qualification.

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AT COLUMBUS, OHIO

The following investigation was conducted by SA [redacted]

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On October 26, 1964, [redacted]

[redacted] Federated Department Stores, was interviewed at his office [redacted]

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[redacted] and furnished the following information:

He has known Mr. FORTAS for approximately twenty years and has had a "close relationship" with him for the last three or four years since they both are members of

CI 161-275

the Board of Directors, Federated Department Stores. Mr. FORTAS is the Chief Legal Counsel of the Federated Department Stores and also as the top legal man, is on the Board of Directors.

Since he and FORTAS are both on the Board of Directors, they have been at the meetings which occur approximately ten times a year for two days at a time. He described Mr. FORTAS as a man with fine ideals, very patriotic, and an individual whose loyalty to the United States should not be questioned. FORTAS has "very fine" personal habits, and he knows of nothing derogatory in regard to FORTAS' personal life. FORTAS is a man of "exceptional ability" and is "completely dedicated to public service." He is very "clear thinking" and is an individual who could be highly recommended for a position of trust and responsibility with the United States Government, or with any organization.

AT CINCINNATI, OHIO

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On October 30, 1964, the following individuals, at the below-listed organizations, advised IC [redacted] that no record is contained in the files of each organization pertaining to Mr. FORTAS:

[redacted]
[redacted]

[redacted] Cincinnati, Ohio, Police Department.

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[redacted] Cincinnati, Ohio, Police Department (Traffic).

[redacted] Hamilton County, Ohio, Sheriff's Office.

NA - 11/4/64

FBI

Date: 11/3/64

Mr Tolson	_____
Mr Belmont	_____
Mr Mohr	_____
Mr DeLoach	_____
Mr Casper	_____
Mr Callahan	_____
Mr Conrad	_____
Mr Evans	_____
Mr Gale	_____
Mr Rosen	_____
Mr Sullivan	_____
Mr Tavel	_____
Mr Trotter	_____
Tele Room	_____
Miss Holmes	_____
Miss Gandy	_____

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(Type in plain text or code)

Via TELETYPE URGENT
(Priority or Method of Mailing)

TO: DIRECTOR, FBI AND SAC, PHILADELPHIA
 FROM: SAC, WFO (161-2419)
 ABE FORTAS, SPI, BUDED NOVEMBER FOUR, NEXT.
 REBUTEL OCTOBER TWENTY, LAST.

MR CLEVELAND ROOM 1246 *WKA* b6 b7c

PRESIDENT JOHNSON REQUESTED INVESTIGATION OF FORTAS.
 BORN JUNE NINETEEN, NINETEEN TEN, MEMPHIS, TENNESSEE, AND
 RESIDES WASHINGTON, D. C., WHERE IS PROMINENT ATTORNEY. SEE
 WHO'S WHO FOR FURTHER BACKGROUND DATA.

FORTAS HAS BEEN ADVISED BY BUREAU HE IS BEING
 INVESTIGATED AT SPECIFIC REQUEST OF THE PRESIDENT. CONDUCT
 NO NEIGHBORHOODS UNLESS SOME REASON ARISES AT WHICH TIME
 BUREAU APPROVAL MUST BE SECURED.

FORTAS HAS SERVED AS MEMBER, COMMITTEE ON RULES OF
 PRACTICE AND PROCEDURE OF THE JUDICIAL CONFERENCE OF THE
 UNITED STATES UNDER CHAIRMANSHIP OF SENIOR JUDGE ALBERT B.
 MARIS, THIRD CIRCUIT, UNITED STATES COURT OF APPEALS, FIVE
 FIVE FOUR S. LANDSDOWNE AVENUE, LANDSDOWNE, PENNSYLVANIA,

- ② - Bureau
- 2 - Teletype Unit
- 1 - WFO

161-2860-24
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JFK

F B I

Date

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Via _____
(Priority or Method of Mailing)

WFO 161-2419
PAGE TWO

SINCE MAY, NINETEEN SIXTY.

PHILADELPHIA INTERVIEW MARIS.

SPIN. P.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BALTIMORE	OFFICE OF ORIGIN BALTIMORE	DATE 11/3/64	INVESTIGATIVE PERIOD 10/27/64
TITLE OF CASE ABE FORTAS, SPI		REPORT MADE BY SA [REDACTED]	TYPED BY jtk
		CHARACTER OF CASE SPECIAL INQUIRY	b6 b7C

REFERENCES:

New York teletype to Director, 10/26/64.
 Baltimore teletype to Director, 10/27/64.

- RUC -

ADMINISTRATIVE DATA:

A review of indices by Baltimore Office reflects appointee was attorney for OWEN LATTIMORE. This fact being reported by WFO and documentation of OWEN LATTIMORE being reported by New York Office. Baltimore indices reflect nothing of additional pertinency. There is no information in Baltimore indices that appointee ever resided in the State of Maryland.

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COVER PAGE

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
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<p>ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE <u>7/31/85</u> BY <u>SP-2TAP/bmp</u></p>		
DISSEMINATION RECORD OF ATTACHED REPORT		
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REQUEST RECD		
DATE FWD		
HOW FWD		
BY.....		

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

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Report of:
Date

SA [redacted]
November 3, 1964

Office BALTIMORE, MARYLAND

Field Office File No.: 161-1149

Bureau File No..

Title ABE FORTAS

Character: SPECIAL INQUIRY

Synopsis: No record on appointee G-2 Fort Holabird, Maryland.

- RUC -

AT BALTIMORE, MARYLAND

MISCELLANEOUS

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The files of G-2, U. S. Army Counterintelligence Records Facility, Fort Holabird, were checked by IC [redacted] on October 27, 1964, through the Commanding Officer, COL. RICHARD H. MERRICK, without locating any record of the captioned individual.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/05 BY SP-2 JAP/OTR

CLASSIFIED
DATE 8-13-85 JWO

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 11/4/64	INVESTIGATIVE PERIOD 10/21 - 11/4/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA ERLE L. NORTON, JR.	TYPED BY cab
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE		CHARACTER OF CASE SPI	

SECRET

REFERENCES: Buairtel dated 10/20/64;
 BAtel dated 10/27/64;
 NHairtel dated 10/22/64;
 NYtel dated 10/26/64.
 BSrad dated 10/27/64;
 SLtel dated 10/29/64.

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ADMINISTRATIVE

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INFORMANT

is anonymous.

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LEADS

APPROVED <i>TJH/pw</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
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BY.....			

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 Declassify on: OADR
7/31/85

WFO 161-2419

WASHINGTON FIELD

AT WASHINGTON, D. C.

~~SECRET~~

1. Will report results of Office of Naval Intelligence, Central Intelligence Agency, State Passport, and House Committee on Un-American Activities checks when received.

2. Will report results of interviews with additional associates when available for interview.

-B*-

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~~SECRET~~
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE

~~SECRET~~

Copy to:

b7c

Report of: [Redacted]
Date: 11/4/64

Office: Washington, D. C.

Field Office File No.: 161-2419

Bureau File No.:

Title: ABE FORTAS

Character: SPECIAL INQUIRY

Synopsis:

Former associates at Department of the Interior commented favorably. Law practice with ARNOLD, FORTAS, and PORTER verified, and membership on White House committees verified. Acquaintances recommend. Satisfactory credit rating and no record police agencies. Committee on Admissions and Grievances files revealed grievance concerning article appearing in "Harper's Magazine" in 1951 concerning firm of ARNOLD, FORTAS, and PORTER considered but no action against firm justified. Admittance to practice before U. S. District Court, U. S. Supreme Court, and Federal Communications Commission verified. Bar Association memberships verified. Pertinent information from libraries of "Washington Star" and "Washington Daily News" set forth. Affiliations with National Lawyers Guild, International Juridical Association, and Southern Conference for Human Welfare set forth. FORTAS interviewed in 1949 re knowledge of ALGER HISS. Appointed served as attorney for OWEN J. LATTIMORE in 1950, [Redacted] (S) CSC nothing additional. Public Works Administration investigative files negative.

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ENCLOSURES

Exhibit A

Article entitled "ARNOLD, FORTAS, PORTER and Prosperity" which appeared in the November, 1951, issue of "Harper's Magazine."

Exhibit B

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Classified by SP-2TAP/DHF
Declassify on: OADR
7/31/85

WFO 161-2419

~~SECRET~~
Report of Sub-Committee of the Committee on Admissions and Grievances on the article entitled "ARNOLD, FORTAS, PORTER and Prosperity" dated February 11, 1953.

Exhibit C

Article by HAROLD L. ICKES entitled "Man to Man" which appeared in the October 1, 1947, edition of the "Washington Star."

Exhibit D

Article entitled "JOHNSON Friends Called On Press" which appeared in the "New York Times" newspaper on October 16, 1964.

DETAILS: AT WASHINGTON, D. C.

EMPLOYMENT

Department of Agriculture

It is to be noted the Agricultural Adjustment Administration (AAA) was consolidated into the Production and Marketing Administration (PMA) on August 18, 1945, and the AAA was discontinued. On November 2, 1953, the functions of the PMA were transferred to other units of the Department of Agriculture and the PMA was discontinued.

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On October 26, 1964 [redacted] Personnel Clerk, Office of Management Services, Division of Personnel, Department of Agriculture, advised SA [redacted] that she could locate no record concerning the appointee's employment with the AAA during the 1930's and she could suggest no one employed by the Department of Agriculture who would know the appointee.

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On October 26, 1964 [redacted] Clerk-Typist, Office of Security and Employee Conduct, Department of Agriculture, advised SA [redacted] that she had no security record concerning the appointee.

Securities and Exchange Commission (SEC)

On November 2, 1964 [redacted] Personnel Officer, SEC, advised SA [redacted] that the official personnel file concerning the appointee was not located at Washington, D. C. (WDC). She determined from

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records in her office that FORTAS had been employed by the SEC as a Consultant and as Assistant Director of the Public Utilities Division during the period from 1934 until 1939, but the exact dates and positions involved were not available. [redacted] was unable to locate any individuals presently employed with the SEC who knew the appointee. She added that she was not personally acquainted with FORTAS.

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b7CDepartment of the Interior

The following investigation was conducted by SA [redacted]

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[redacted] Personnel Clerk, Division of Personnel Management, Department of the Interior, advised she had no service record card or personnel file for the appointee on October 30, 1964.

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On October 30, 1964, [redacted] Personnel Security Officer, Office of the Secretary, Department of the Interior, advised that he had no record concerning FORTAS.

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On November 2, 1964, [redacted]

[redacted] Department of the Interior, advised he worked under FORTAS from 1942 until 1946, when FORTAS was Under Secretary of the Interior. He stated that he had a great deal of professional contact with him and that he considered FORTAS to be an extremely able and intelligent man. He said FORTAS was well regarded at the Department of the Interior despite the fact that some of the people in the Department did not like some decisions made by the appointee or the way he may have handled particular matters. [redacted] stated that he had no social contact with FORTAS and did not know anything about his personal life or friends. He said he never had any reason to question the appointee's integrity, character, loyalty, or reputation, and he recommended him for a position of trust and confidence.

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On November 2, 1964, [redacted]

[redacted] Department of the Interior, advised that he worked directly under the appointee from 1943 until 1946, [redacted] He stated that he had the highest regard for the appointee's integrity and ability and regarded him as a highly intelligent and capable person. He said FORTAS was well regarded there despite the

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fact that some of the old line people in the Department regarded him as a "New Dealer" who was making innovations they did not always agree with. [redacted] stated the appointee was a very bright and dynamic young progressive of outstanding ability. He added that he has no reason whatever to question the appointee's character, associates, reputation or loyalty and he recommended him for a position of trust and confidence.

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On November 2, 1964, [redacted]

[redacted], Department of the Interior, advised that he knew the appointee while the appointee was Director of the Power Division of the Department of the Interior in approximately 1940 and 1941, and also when the appointee was Under Secretary from 1942 until 1946. He stated that he worked under the appointee during part of the above mentioned period and considered him to be a very brilliant young man, a hard worker, and a person of impeccable reputation. He said he has no reason to question the appointee's character, associates, reputation, or loyalty, and he recommended him for a position of trust and confidence.

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On November 3, 1964, [redacted]

[redacted] advised SA [redacted] that he met the appointee in 1938, and served under the appointee's supervision at the SEC and later under his supervision at the Bituminous Coal Division from 1939, to 1941. He stated that he was also acquainted with the appointee on a social basis but has had little contact with him in recent years. He described the appointee as a very capable and responsible individual and an outstanding attorney. He said nothing has ever come to his attention that would cause him to question the appointee's moral character, personal habits, reputation, loyalty, or associates and he highly recommended him for a position of trust and confidence.

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[redacted] advised that [redacted] had also worked with the appointee at the Bituminous Coal Division, but stated that [redacted] was away from the WDC area until the end of November, 1964, and not available for interview. He said he was certain [redacted] has the same favorable opinion of the appointee that he expressed.

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WFO 161-2419

NAA: jaj

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Arnold, Fortas, and Porter
1229 19th Street, N.W.
Washington, D.C.

The following interviews were conducted by Special Agent [redacted] on October 26, 1964:

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[redacted] advised he first met A. FORTAS in 1934 when Mr. FORTAS was affiliated with the Securities and Exchange Commission. He stated he continued a close professional as well as social association with the appointee from that time until the present. He stated that due to his many appointments in the Government [redacted] had professional contact on approximately a weekly basis throughout the late 30s and early 40s. He related that sometime in the middle 40s, approximately 1945, he and Mr. FORTAS discussed the possibilities of forming their own legal firm and that this materialized in approximately 1946 or 1947. He further indicated that at that time the firm was formed in partnership with [redacted] and Mr. FORTAS, and that they brought in a few of their close friends such as [redacted] who was at that time at the Securities and Exchange Commission.

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[redacted] stated that the appointee is a man of the highest integrity, that his honesty has never been questioned by either his clients or opposing legal counselors, and that he has never been known to compromise on any issue. He further indicated that the appointee is classified as one of the foremost attorneys in the United States and that his clientele is composed mainly of larger corporations throughout the United States and that Mr. FORTAS was actually responsible for the setting up of the legal concept under which the Commonwealth of Puerto Rico is presently governed and that Commonwealth is one of the biggest retainers that Mr. FORTAS has at this time and on which one of his associates works exclusively.

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[redacted] stated that the appointee is a very talented man being an excellent violinist and that he is married to a very capable woman who practices within the firm and is considered to be one of the leading tax attorneys in the country. He stated that Mr. FORTAS does not have any children. He also indicated that Mr. FORTAS is very close to Mr. JOHNSON, the President of the United States, and has advised him on many legal matters regarding his personal holdings throughout these many years.

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[redacted] stated that the appointee has been on the verge on many occasions of resigning from the partnership at the request of Mr. JOHNSON because Mr. JOHNSON realizes the tremendous capabilities of the appointee in being one of the leading attorneys in this country.

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[redacted] stated that his association with the appointee is very close and that they have travelled around the world on a number of occasions, visited in each others homes numerous times each month, and that he has never seen the appointee drink excessively and in fact, would state that the appointee is a man who drinks to a very slight degree, feeling that he wants his mind to be clear at all times.

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[redacted] indicated that there is no question whatsoever in his mind concerning the morals of the appointee, that his personal habits are above reproach, and that his character and reputation are unimpeachable. He stated that the appointee's loyalty to the country is beyond question and that his political beliefs are totally in accordance with our form of Government in our two-party system in our political way of life.

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[redacted] recommended the appointee highly for any position that he would be considered for and vouched very highly for his integrity and the fact that any matter of a security nature could be entrusted to the appointee because discretion is his middle name.

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[redacted] advised that he first met the appointee in 1934 when both were working for the Securities and Exchange Commission. He stated that Mr. FORTAS left the Securities and Exchange Commission to continue working for the Government in other positions while climbing the ladder of success. He stated that Mr. FORTAS was employed by the Department of the Interior as well as the Public Works Administration and was a member of the Legal Examiners attached to the Civil Service Commission as well as Acting General Counselor for the National Power Policy Commission while at the Department of the Interior.

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[redacted] stated that his association with Mr. FORTAS continued even after the appointee had left the Securities and Exchange Commission and that in 1945 it was brought to his attention that Mr. FORTAS was attempting to establish a legal firm in the District of Columbia and he, therefore, was in contact with Mr. FORTAS and after a discussion agreed to become a partner in the firm of Arnold, Fortas, and Porter.

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[redacted] stated that the appointee is a moderate man in his actions particularly as to the intake of alcoholic beverages and his actions in public life. He indicated that the appointee is a man who believes that compromise is not part of his way of doing things and that in any legal matter in which he is involved, he will never compromise from the legal procedures and that honesty is his noblest trait.

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[redacted] stated that throughout these many years he has worked with and for the appointee on numerous cases and that he always looked up to Mr. FORTAS as being an attorney of excellent ability and capabilities. He indicated that there could never be any question regarding the morals and personal habits of the appointee and that his reputation, character, and associates are unimpeachable. [redacted] stated that the appointee is a loyal citizen of the United States and that his complete being was always attempting to do what was right for himself and his country and that any matters entrusted to him of a security nature would never be divulged except to those who needed to know because of his utmost discretion in matters brought to his own attention

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[redacted] recommended the appointee highly for any position for which he is being considered and stated that any matters of utmost secrecy could be entrusted to him.

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[redacted], advised that he first met the appointee in 1953 when Mr. FORTAS interviewed him for a position as an associate in this firm. [redacted] stated that since that time he has been a close professional associate of the appointee and also has met both the appointee and his wife at a number of parties at the office and at Mr. FORTAS's home. He stated that the appointee indulged in intoxicants but to a very slight degree and whenever he is entertaining a client, he will not indulge in intoxicants. He stated that the appointee is a man of high integrity, honesty, and that he believes in the Letter of the Law and that never would the appointee compromise on any issue, believing that the law was prepared by just and capable men and that their reasoning was proper and correct.

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[redacted] stated that there is no question in his mind concerning the morals or personal habits of the appointee and that his character, reputation, and associates are unimpeachable. [redacted] stated that he would give the highest recommendation regarding Mr. FORTAS for any position for which he was being considered and that there was no question in his mind concerning the complete loyalty of the appointee to the United States.

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[redacted] advised that he has known the appointee since 1960 when he became a partner of the firm. [redacted] stated that his association to date has been strictly on a professional basis but that he has visited on a number of occasions at the house of Mr. FORTAS and has been with Mr. FORTAS on a number of professional visits to clients in the country. He stated that the appointee's moral character and habits are unquestionable and that the appointee indulges in intoxicants to a very slight degree and on occasions will not indulge at all if he is in consultation with clients.

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[redacted] stated that he looked up to Mr. FORTAS as an individual who is honest and whose integrity is beyond question. He indicated that the appointee would never compromise on any issue and would deal with the question in accordance with the Letter of the Law feeling that he first of all must be true to himself and then true to his client.

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[redacted] recommended the appointee as to his moral character and his reputation and associates and stated that the appointee was a completely loyal American citizen and that any matters of a security nature could be entrusted with the appointee because he was one of the most discreet individuals he has ever known.

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[redacted] recommended the appointee for any position within the framework of the United States wherein security matters would be in his possession.

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[redacted] advised that he first met the appointee in 1956 when [redacted] came to this law firm as a messenger while attending law school. He stated that in 1960 he became an associate with the firm and since then has been working under the tutelage of Mr. FORTAS. He indicated that he exclusively works on matters concerning the Commonwealth of Puerto Rico which is one of Mr. FORTAS's prime objectives within the firm. He stated that he has close professional contact with Mr. FORTAS and has met Mr. FORTAS and his wife on a number of occasions on a social basis. He indicated that Mr. FORTAS is a man of honesty, integrity, and one of the leading attorneys in the United States.

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[redacted] stated that the appointee is not one to compromise an issue and that he deals with the matter at hand in accordance with the Letter of the Law. He indicated that the appointee does take a few cocktails on occasions but he has never seen him not in complete control of his senses and considered Mr. FORTAS a man of extreme moderation where intoxicants are concerned.

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[redacted] stated that he looked up to Mr. FORTAS as a man of utmost discretion and one, who on matters of the utmost secrecy concerning the nations's security, can be entrusted with never a fear of their being made available to anyone without proper authorization.

[redacted] stated that there is no question in his mind concerning the morals and personal habits of Mr. FORTAS and that his character, reputation, and associates are unimpeachable. He recommended the appointee very highly for any position of trust within the framework of the Government of the United States knowing that foremost the appointee would always consider the security of his country before anything else.

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The White House

On October 28, 1964, [redacted] Chief of Records, The White House Office, advised SA [redacted] that his records contained the following information concerning ABE FORTAS who was born on June 19, 1910, Memphis, Tennessee:

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June 22, 1942: Confirmed by the United States Senate as Under Secretary of the Interior

March 8, 1943: Appointed member, President's Committee to study changes in Organic Law of Puerto Rico

January 26, 1944: Confirmed by the United States Senate as Under Secretary of the Interior

Undated: Appointed Acting Director, Power Division, Department of the Interior

June 22, 1962: Appointed member, President's Committee on Equal Opportunity in the Armed Forces

August 19, 1964: Appointed member, Board of Trustees of the John Fitzgerald Kennedy Center for the Performing Arts (appointment expires September 1, 1972).

It is to be noted no expiration dates were listed for the above appointments with the exception of the last appointment. The records contained no additional pertinent information.

On October 27, 1964 [redacted] advised SA [redacted] that she has known the appointee for many years through his personal and telephonic contacts with President JOHNSON. She said she knows the appointee is a very capable and highly respected attorney and a person of excellent character. She said Mr. FORTAS is highly regarded by the President. According to [redacted] she has no reason whatever to question the appointee's moral character, personal habits, loyalty or associates and she recommended him for a position of trust and confidence.

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On October 28, 1964, [redacted] the White House Office, advised SA [redacted] that she has known the appointee for many years through office contact as the appointee has always been very close to President JOHNSON. She said the appointee's personal integrity, moral character, loyalty, and reputation are above question. She recommended the appointee for a position of trust.

On October 28, 1964, [redacted] advised SA [redacted] that she has been acquainted with the appointee on a professional basis since 1957. She said the appointee enjoys an excellent personal and professional reputation and she stated she has never heard anything that would cause her to question the appointee's moral character, personal habits, loyalty or associates. She highly recommended the appointee for a sensitive position with the government.

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On October 27, 1964, [redacted] the White House Office, advised SA [redacted] that she had become acquainted with the appointee through his numerous contacts with WALTER JENKINS, former Special Assistant to the President. She said she had had close professional contact with Mr. FORTAS and considered him to be a very respectable and capable individual. She said nothing had ever come to her attention that would cause her to question the appointee's moral character, personal habits, loyalty or associates, and she recommended him highly for a position of trust.

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On November 2, 1964, [redacted] Executive Office of the President, advised SA [redacted] that he has known the appointee since 1936, on a social and professional basis. He described FORTAS as a very outstanding and capable attorney and stated that he enjoys an excellent personal and professional reputation. He remarked that FORTAS has been a member of one of the outstanding law firms in the WDC area for many years and is highly regarded by everyone who knows him. He stated that the appointee is a person of excellent character and he is certain there is no question concerning his loyalty to the United States or his associates. He highly recommended him for a position of trust and confidence.

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ACQUAINTANCES

On November 2, 1964, Judge CHARLES FAHY, United States Court of Appeals for the District of Columbia Circuit, advised SA [redacted] that he has known the appointee very well both professionally and socially for the last 25 years. He said he first knew FORTAS when FORTAS was an attorney in the Department of the Interior and he, FAHY, was an attorney in another Government agency. He stated in 1941 when he, FAHY, became Solicitor General at the Department of Justice, he knew FORTAS as an attorney and as Undersecretary of the Interior where the Secretary of the Interior, HAROLD I. ICKES, had FORTAS handling off-shore oil problems which necessitated a great deal of contact with FAHY in his position as Solicitor General.

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Judge FAHY advised that since then their paths have crossed often both inside and outside of the office, and during these 25 years he has gained a very high opinion and regard for FORTAS' legal ability. He mentioned that he and the appointee had both served together on the Judicial Conference of the District of Columbia Circuit, and FORTAS had submitted several written briefs to the United States Court of Appeals, and all of his work has been outstanding. [redacted]

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[redacted] According to FAHY, the appointee and his wife's character, reputation, conduct, and loyalty are above reproach. He added that he could not think of an appointive position with the United States Government involving the use of legal talent for which he would not wholeheartedly recommend the appointee.

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On October 29, 1964, Mr. CLARK CLIFFORD, Senior Partner, firm of CLIFFORD and MILLER, 815 Connecticut Avenue, N. W., advised SA [redacted] that he has known ABE FORTAS for over fifteen years, having first met him through government circles when he, CLIFFORD, was Special Counsel and Naval Aide to the President of the United States. Mr. CLIFFORD stated that in 1950, he established his present law firm in WDC, and he has seen the appointee from time to time on legal or government matters. He mentioned that he has had a great deal of contact with FORTAS during the past year in connection with their duties as Counsels to President JOHNSON and they have had almost daily contact for the last two months. He said he has visited in the FORTAS home and is also acquainted with Mrs. FORTAS.

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Mr. CLIFFORD described the appointee as an honest, intelligent, reliable, loyal and dedicated public servant. He said FORTAS has excellent judgement, is discreet, and his moral character and personal habits are above question.

CLIFFORD related that he has never heard the appointee directly or inferentially make any comment inimical to the best interests of the United States. He vouched for the appointee's associates and recommended him without qualification for a position requiring the highest degree of trust and confidence.

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On November 3, 1964 [redacted]

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[redacted] advised SA [redacted] that he has known the appointee for many years as an attorney in WDC. He said he worked very closely with the appointee several years ago [redacted] committee concerned with Rule 5A of the Federal Rules of Criminal Procedure of the Judicial Conference of the District of Columbia Circuit and the appointee served on the committee [redacted] remarked that he has a great deal of respect for the appointee as an individual and as an attorney, and he added that nothing has ever come to his attention that would cause him to question the appointee's character, associates, reputation, or loyalty. He highly recommended him for a position of trust and confidence.

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On November 3, 1964, Mr. WALTER E. GILLCRIST, Attorney, 821 15th Street, N. W., advised SA BERRY that his law partner, Mr. EDWARD L. CAREY, served with the appointee on a committee of the Judicial Conference of the District of Columbia Circuit several years ago, had recently become ill with high blood pressure and confined to bed by his physician and is unavailable for interview.

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CREDIT AND POLICE AGENCIES

On October 23, 1964, IC [redacted] caused a search to be made of the files of [redacted] [redacted] which contained a satisfactory credit rating regarding ABE FORTAS [redacted] whose address was shown as 3025 N Street, N.W. The report indicated the appointee was engaged in the practice of law as a member of the firm of Arnold, Fortas, Porter at 1200 19th Street, N.W. [redacted]

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[redacted] The files contained no additional pertinent information.

On October 22, 1964, IC [redacted] determined that no arrest record was contained in the Metropolitan Police Department files concerning the appointee or his wife.

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It is to be noted that at all times an indefinite number of unidentified records are out of file and not available for review.

On October 26, 1964, IC [redacted] searched the files of the U. S. Park Police, and no record was found concerning the appointee or his wife.

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MISCELLANEOUS

On 10/28/64, [redacted] United States Court of Appeals for the District of Columbia Circuit, advised SA [redacted] Judicial Conference of the District of Columbia Circuit, and he verified from his records that FORTAS had been a member of the Conference in 1958, 1959, 1962, and 1963. He stated that records for 1960 and 1961 had been mislaid, but if his memory served him correctly, he was sure FORTAS was also a member during these two years also. He stated the appointee was not asked to serve during 1964 merely to include new persons in the Conference and not because of any dereliction on the part of FORTAS. He stated when called upon, FORTAS was always willing to take part in the activities of the Conference and always produced papers which showed thoughtful attention. During the years 1959 and 1962, FORTAS was on a committee regarding whether or not Capital Punishment should be Abolished under the Chairmanship of [redacted] In 1948 the appointee served on the committee concerned with Rule 5A of the Federal Rules of Criminal Procedure. In 1963 FORTAS was a member of the general conference and did not serve on a committee.

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On October 28, 1964, [redacted] [redacted] Legal Aid Agency for the District of Columbia, advised SA [redacted] that the appointee had worked on a committee [redacted] for approximately two years in the Judicial Conference of the District of Columbia Circuit. He said his contact with FORTAS was strictly professional, but he found FORTAS to be a very capable man in the field of law and an exceedingly fine person to have on the committee. He said he considered the appointee to be thoroughly honorable and a dependable, forthright man. He vouched for the appointee's character, reputation, loyalty, and association and highly recommended him for a position of trust.

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On November 2, 1964, [redacted] Administrative Office, United States Supreme Court, advised SA [redacted] that FORTAS has been a member of the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States since May 19, 1960. He explained that FORTAS was one of the original members of this committee and has continued to serve until the present time.

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On October 29, 1964, [redacted] Madison National Bank, 1730 M Street, N.W., advised SA WHARRY that the appointee has served as a Director of the bank since the bank opened on December 2, 1963. [redacted]

[redacted] attended all meetings. He stated the appointee has always been present at every meeting and his firm of Arnold, Fortas, and Porter, serves as general counsel to the bank [redacted] remarked that he has only seen the appointee at meetings of the Board on a once a month basis and advised he did not feel he was well enough acquainted with him to comment concerning his suitability for a position of trust. He stated that the [redacted] had sponsored FORTAS' selection to the Board and suggested his firm serve as general counsel to the bank. He advised [redacted] is well acquainted with the appointee.

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On November 3, 1964 [redacted] advised SA [redacted] [redacted] the Madison National Bank, 1730 M Street, N. W., and had recommended the appointee as a Director of the bank in 1963. He said the appointee became a Director of the bank in 1963, and the appointee's law firm serves as General Counsel to the bank. According to [redacted] he considers the appointee to be a man of honor and integrity who has high personal and moral ethics. He said he and his wife are also acquainted with the appointee and his wife on a social basis and he considers Mrs. FORTAS to be a very fine person. He commented favorable regarding the appointee's reputation, loyalty, and associates, and highly recommended him for a position of trust and confidence.

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On October 30, 1964, IC [redacted] reviewed the file regarding the appointee at the Committee on Admissions and Grievances, United States District Court for the District of Columbia (USDC), which revealed he applied for admission to the Bar of the United States District Court in 1945. Inquiries made by the committee in 1945 were favorable, and the file contained no additional pertinent information.

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On October 23, 1964, IC [redacted] reviewed a file containing a grievance against the firm of Arnold, Fortas, and Porter at the Committee on Admissions and Grievances, USDS.

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The file revealed on November 6, 1951, members of the Grievance Subcommittee were advised by letter from the Committee on Admissions and Grievances to read an article in the November, 1951 edition of "Harper's Magazine," entitled "Arnold, Fortas, Porter and Prosperity." It was indicated this article was to be discussed at the next Subcommittee meeting, and the purpose of this was to determine if the article violated Canon 27 of the Canons of Professional Ethics of the American Bar Association and also opinions 42, 62, 140, and 162. Canon 27 relates to Advertising, Direct or Indirect, and states it is unprofessional to solicit professional employment by circulars, advertisements, through touters or by personal communications or interviews not warranted by personal relations. The opinions mentioned above state a lawyer may not pose for pictures portraying incidents of a case, nor furnish pictures or material to a newspaper or a magazine. The opinions also state it is a lawyer's duty to bring about the discontinuance of advertising in his behalf and state it is improper for a lawyer to inspire or furnish newspaper comments about cases in which he is engaged.

A copy of the above-mentioned article is set forth as Exhibit A.

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The file contained a February 11, 1953 "Report of Subcommittee on the article entitled 'Arnold, Fortas, Porter and Prosperity,'" which is set forth as Exhibit B.

By letter dated March 2, 1952, the law firm of Arnold, Fortas, and Porter was advised the committee considered the above matter and reached the conclusion that it would not be justified in taking any action on the grievance.

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The above file contained no additional pertinent information.

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On October 23, 1964, IC [redacted] caused a search to be made of the records of the Lawyer's Register, USDC, which revealed the appointee was admitted to practice on October 29, 1945.

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On October 23, 1964, IC [redacted] caused a search to be made of the records of the U. S. Supreme Court, which revealed FORTAS was admitted to practice before the Court on January 15, 1940, and is in good standing.

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On October 23, 1964, IC [redacted] caused a search to be made of the District of Columbia Bar Association, which revealed the appointee became a member of the Association on June 9, 1950, and is in good standing.

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On October 23, 1964, IC [redacted] caused a search to be made of the records of the Federal Bar Association, which revealed the appointee has paid dues to the Association since 1950. The actual date that he became a member of the Association was not available.

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On October 27, 1964, ICs [redacted] reviewed the newspaper clippings at the Library of the "Washington Star" newspaper, which contained the following information:

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The October 1, 1947 edition of the "Washington Star" contained an article by HAROLD L. ICKES concerning FORTAS having arranged for a remunerative contract for his law firm to handle the legal affairs of Puerto Rico after he left the Department of the Interior, when FORTAS had previously, while at the Department of the Interior, insisted it would be unsound and unwise "to entrust public business to a private practitioner. A copy of this article is set forth as Exhibit C.

The records contained an editorial "Reporting on the JENKINS Case," which appeared in the October 17, 1964, edition of the "Washington Star." The article is as follows:

"Since The Star's handling of the WALTER JENKINS story has become a matter of discussion in other publications, the events of last Wednesday, as we experienced them, may be of interest to our readers.

"Early that morning, The Star had material in hand for a story on the arrest of President JOHNSON's assistant. As our editors considered the propriety of publishing this material, we telephoned the White House in an effort to verify the identity of the man charged. ELIZABETH CARPENTER, Mrs. JOHNSON's press secretary, was on duty in GEORGE REEDY's absence; she knew nothing about the matter but promised to inquire. We subsequently received word that ABE FORTAS, an attorney who has assisted with White House assignments in the past, was coming to The Star office to discuss the case. Shortly thereafter FORTAS arrived, accompanied by CLARK CLIFFORD, another attorney long associated with Democratic Party affairs.

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"In substance, FORTAS and CLIFFORD confirmed that the man who had been arrested the previous week was WALTER JENKINS of the White House staff. They said he had suffered a nervous collapse owing to the strain of his work, and that he was to enter a hospital for immediate treatment. They said he was, in any event, certain to be removed permanently from his White House duties. They urged us to consider carefully whether The Star was obliged to publish a report of this nature concerning a married man with young children.

"We considered it likely that the story eventually would appear, since it was known elsewhere. Our decision, however, in the light of the circumstances described, was to withhold publication so long as other newspapers and media did the same.

"The decision, based on humanitarian considerations, was consonant with past policy of The Star. Something like 20 perversion arrests are made in the District during the average month. We do not report them. We believe that the individuals concerned in these pitiful cases need not be pilloried before the world--and that, removed from his high post and seeking medical aid, JENKINS was entitled to a chance to salvage something of his personal life."

On October 29, 1964, IC reviewed the newspaper clippings regarding the appointee at the Library of the "Washington Daily News," which contained a newspaper clipping from the "Washington Post," May 22, 1953 edition entitled "Subversion Probe Tactics Analyzed by Three Lawyers."

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The article revealed ABE FORTAS and two other attorneys had debated the subject of "Constitution-Conscience-Communism" at a panel discussion sponsored by the American Law Institute meeting at the Mayflower Hotel, Washington, D. C. In discussing tactics used in investigations of subversion before legislative and administrative groups, the article stated FORTAS termed some of the investigations a "sham" and said they actually merely gave a pretense of legal form. FORTAS stated that he had found that no person who faces a loyalty hearing ever fully recovers "psychologically or emotionally," even though cleared of the charges. The meeting was held on May 21, 1953.

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The above records contained a newspaper clipping from the "New York Times" newspaper dated October 16, 1964, entitled "JOHNSON Friends Called On Press" concerning ABE FORTAS and CLARK CLIFFORD visiting the newspaper offices in Washington, D. C. to request that they not publish articles concerning the arrest of WALTER W. JENKINS on disorderly conduct charges. A copy of this article is set forth as Exhibit D.

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On November 2, 1964, [redacted]

[redacted] of the Federal Communications Commission Bar Association, advised SA [redacted] that the appointee has been a member of the association for ten or more years, but the exact dates of his membership are not available. He remarked that ^{no} notice of any grievances having been filed against the appointee were contained in the records of the association.

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[redacted] advised he has been acquainted with the appointee on a professional basis during the period of his membership in the association and he stated that he knows the appointee enjoys an excellent personal and professional reputation. He said he has no reason whatever to question the appointee's character, loyalty or associates and he recommended him for appointment to a sensitive position in the government.

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On November 2, 1964, [redacted] Dockets Office, Federal Communications Commission (FCC), advised SA [redacted] that her records indicated the appointee received a certificate to practice before the commission on March 26, 1966. She said her records do not indicate any grievances have been filed against the appointee and he is in good standing.

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On October 26, 1964, [redacted] Clerk-Typist, Office of Security and Employee Conduct, Department of Agriculture, advised SA [redacted] that her files contained no record regarding the appointee.

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The records of the Protective Research Section, U.S. Secret Service, U.S. Department of Treasury, reviewed by SA [redacted] verified that the appointee was issued a Special Purpose White House Pass, issued on December 6, 1962, which expired on January 9, 1964. The records contained no additional pertinent information concerning appointee.

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[redacted] advised in 1941 that at a meeting held on May 1, 1937, at the Bar Association of the City of New York, ABE FORTAS of Yale was appointed a member of the "Committee on Farm Problems of the National Lawyers' Guild" (NLG).

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[redacted] also advised that ABE FORTAS was listed among the Board members present at a meeting of the National Executive Board of the NLG held on February 19, 1938, at the Hotel Williard, Washington, D. C.

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[redacted] also advised that ABE FORTAS of the Securities and Exchange Commission, Washington, D. C., was listed as a member of the Committee on Public Utilities of the NLG on May 17, 1938.

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In 1941 [redacted] advised that ABE FORTAS, National Bituminous Coal Commissioner, Washington, D. C., had resigned from the NLG on October 9, 1940. [redacted] was not available for recontact during the current investigation.

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The July, 1937 edition of "News-Letter," of the NLG, according to the records of the House Committee on Un-American Activities, listed ABE FORTAS as a member of the Committee on Farm Problems of the NLG.

The NLG was cited as a communist front by the Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, Page 149.

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A letterhead of the International Juridical Association, 100 5th Avenue, New York City, dated January 7, 1942, listed the "National Committee" of the Association. Included among the members under the heading "District of Columbia" appeared the name "AEE FORTAS."

The International Juridical Association was cited as "a Communist front and an offshoot of the International Labor Defense," by the Special Committee on Un-American Activities, House Report 1311 on the CIO Political Action Committee, March 29, 1944, Page 149.

The October, 1944, issued of "The Southern Patriot" indicated referring to the Southern Conference for Human Welfare, "The Washington, D.C., Chapter, under Under-Secretary of the Interior AEE FORTAS, had its last dinner meeting attended by over 75 Southerners in the Capital."

The "Southern Patriot" was cited as an "Organ" of the Southern Conference for Human Welfare by the Committee on Un-American Activities, House Report 592 on the Southern Conference for Human Welfare, June 12, 1947, Pages 6 and 9.

The Southern Conference for Human Welfare was cited as a communist front organization "which seeks to attract southern liberals on the basis of its seeming interest in the problems of the South; although its "professed interest in southern welfare is simply an expedient for larger aims serving the Soviet Union and its subservient Communist Party in the United States;" by the Committee on Un-American Activities, House Report 592 on the Southern Conference for Human Welfare, June 16, 1947.

During the course of an investigation conducted by the Federal Bureau of Investigation in 1949, [redacted] [redacted] were interviewed in February, 1949, at [redacted]

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[redacted] They advised that among the friends of ALGER and PRISCILLA HISS was ABE [redacted] FORTAS, who resided at 3025 N Street, Washington, D. C., and who were both attorneys. During the course of the above-mentioned investigation ABE FORTAS was interviewed on February 14, 1949, by SAs [redacted] [redacted] concerning his knowledge and association with ALGER HISS.

Mr. FORTAS advised that he first became acquainted with ALGER HISS in 1933 when they both worked in the Agriculture Department. He further advised that although they were employed in different "areas," HISS' work being concerned with the drafting of legislation regarding the Agricultural Adjustment Act, they were in contact with each other considerably.

Mr. FORTAS stated that he considered HISS to be one of the "finest, most decent persons" he had ever known. He said that he was "unutterably shocked when he first heard the allegations made against HISS by WHITTAKER CHAMBERS."

Mr. FORTAS also described ALGER HISS as "sympathetic, decent, very kind, and extremely able." He stated that although he, FORTAS, may have been "politically unsophisticated" at that time in that communism was "merely a word" to him and he was not particularly looking for it, he would list HISS in terms of "loyalty, decency, and character," as tops.

Mr. FORTAS advised that subsequent to HISS' employment with the Agriculture Department, he had seen him on two occasions; once at the San Francisco Conference, and secondly, at the First General Assembly of the United Nations at London, England. At San Francisco, according to Mr. FORTAS, he discussed with HISS matters relating to trusteeships, and at no time during the course of these discussions did he recall HISS "taking the Russian side." Mr. FORTAS said that during the course of their trip to London, HISS' attitude in this connection remained the same. Mr. FORTAS stated that he had considered ALGER HISS to be loyal and devoted to his country.

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Mr. FORTAS advised that he saw very little of HISS socially and was in the P Street home of HISS on one occasion.

The records of the U.S. District Court, Southern District of New York, reflect that ALGER HISS was convicted on two counts of perjury on January 20, 1950, resulting from his testimony before a grand jury, wherein he (1) denied furnishing Government documents or other information to JAY DAVID WHITTAKER CHAMBERS or any other unauthorized person and (2) denied having seen CHAMBERS subsequent to January 1, 1937. On January 25, 1950; he was sentenced to five years in prison on each count, the sentences to run concurrently.

JAY DAVID WHITTAKER CHAMBERS, a self-confessed member of the Communist Party and a Soviet Espionage Agent, accused HISS of furnishing classified Government documents and information to him, CHAMBERS, for transmittal to the Soviet Union.

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It is to be noted that ABE FORTAS represented OWEN J. LATTIMORE at hearings Before the Sub-Committee of the Senate Foreign Relations Committee in 1950, which held hearings concerning the charges of disloyalty against the government by employees of the Department of State and other agencies which were made by Senator JOSEPH R. MC CARTHY of Wisconsin. //

The May 18, 1950, edition of the "Washington Star" newspaper contained an article entitled "FORTAS Assails Charges Against LATTIMORE As Imperiling Freedoms". The article was as follows:

"Charges by Senator MC CARTHY, Republican, of Wisconsin against OWEN J. LATTIMORE are a "vicious, brazen attack" on freedom of writing, research and scholarship, Mr. LATTIMORE's attorney, ABE FORTAS, declared today.

Mr. FORTAS, former Undersecretary of the Interior, told a luncheon meeting of the American Veterans' Committee at 1751 New Hampshire avenue, N. W., that Senator MC CARTHY's accusations of Communist influence in the State Department and his assertion that Mr. LATTIMORE was a Communist, have a dangerous effect on private citizens as well as public officials.

Because of fear of such attacks, many people might be inclined to "pull their punches" in stating their views on international issues, Mr. FORTAS said. That trend already is evident in the State Department's problem of forming a Far Eastern policy, he said.

"Such attacks are corrosive," he continued. "They prevent the State Department from forming any kind of policy for China and the Far East. How can you do it unless you are willing to adopt the all-out policy of the China lobby and JOE MC CARTHY group?"

Mr. FORTAS, a law partner of THURMAN ARNOLD and PAUL PORTER, said he was completely convinced that Mr. LATTIMORE never was a Communist.

He declared, however, that he was particularly concerned because Senator MC CARTHY's attack on Mr. LATTIMORE "boiled down to an attack on a private citizen and on articles or books he had written or articles published in a reputable magazine under his editorship."

"I don't want to build up Jumping JOE MC CARTHY by saying he knew what he was doing. But what alarms me is the

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effect that comes from attacks made without impunity on the writings of a man. That affects others who write and do research. It is a most subtle and insidious thing. Any man, whether he be a Senator or whatnot, who causes free, decent people of this country to hold their punches in expression of free thought is doing great damage to this country."

In a question period after the speech, Mr. FORTAS said he thought Congress should revise its rules to prevent attacks of the kind made by Senator MC^CARTHY. One such move, he suggested, might be to enable the Senate or House, by majority vote, to require a member to waive immunity when he attacks individuals. He added, however, that he was not certain that such a rule would be constitutional."

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The National Weekly Magazine, "Newsweek" issue of March 10, 1952, contained the information that LOUIS F. BUDENZ, self-admitted former member of the Communist Party (CP), testified before the Senate Internal Security Subcommittee that OWEN LATTIMORE had been a member of the CP.

On December 16, 1952, OWEN LATTIMORE, former Editor of "Pacific Affairs," a publication of the Institute of Pacific Relations, was indicted by a Federal Grand Jury at WDC for perjury in that:

1. He denied under oath that he had ever been a sympathizer or promoter of Communism or Communist interests.

2. He denied under oath that he knew CHAO-TING CHI was a Communist.

3. He denied under oath that he did not know that "ASIATICUS" was a Communist in the late 1930's.

4. He denied that he published an article by a person whom he knew to be a Communist apart from Russian contributors while he was Editor of the publication "Pacific Affairs."

5. He denied under oath that his luncheon engagement with the Soviet Ambassador took place during the Hitler-Stalin Pact.

6. He falsely testified with respect to a material matter that he did not, at the request of LAUCHLIN CURRIE, take care of his (CURRIE's) mail at the White House while he was away.

7. He falsely testified that he did not make any pre-arrangements with the CP in order to get into Yen-an, then headquarters of the Chinese Communists.

On May 2, 1953, counts 1, 3, 4, and 7 of the above indictment were dismissed by Judge LUTHER W. YOUNGDAHL of the U. S. District Court for the District of Columbia.

On July 8, 1954, the U. S. District Court (USDC) of Appeals for the District of Columbia Circuit affirmed the order of the USDC, dismissing counts 1, and 7 of the above indictment.

On June 30, 1955, all remaining counts against LATTIMORE were dismissed in the USDC for the District of Columbia.

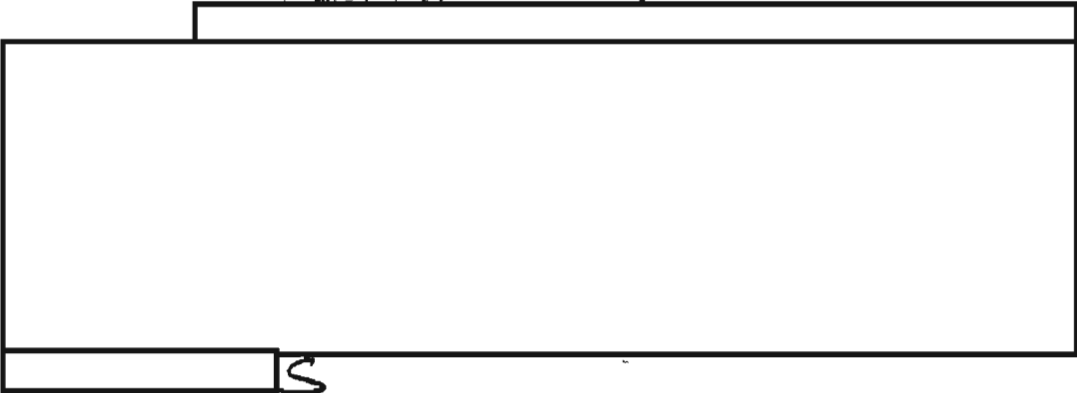
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On October 27, 1964, IC [redacted] caused a search to be made of the files of the Bureau of Personnel Investigations, Civil Service Commission, which contained no additional pertinent information.

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On November 4, 1964, IC [redacted] caused a search to be made of the investigative files of the Public Works Administration and no record regarding the appointee was disclosed.

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Harper's

MAGAZINE

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The Trouble with Books Today.....

C. Hartley Grattan

Red Blunders in Berlin.....

Martin Flavin

How to Tell a Modern House.....

Peter Blake and Robert Osborn

Bull's Eye for Dulles.....

John R. Beal

Twelve Other Articles, Stories, Reviews, etc.

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ENCLOSURE

EXHIBIT A

Arnold, Fortas, Porter & Prosperity

Louis Cassels

SINCE it was founded in 1947, the Washington law firm of Arnold, Fortas & Porter has served, in more than a hundred cases, in the difficult and unpopular role of defense counsel for persons accused of disloyalty to the United States. All of these cases, including the Senate trial of Owen Lattimore and several others which required weeks of legal labor, have been handled without fee.

The publicity which the firm has received from this singularly unremunerative practice has apparently created an impression, in some quarters, that Messrs. Thurman Arnold, Abe Fortas, and Paul Porter are impractical idealists with a lofty scorn for monetary reward.

This, happily, is not the case. If they did despise money, they would now be very miserable men, for they are rolling in it. The exact figure of their annual income is a secret between themselves and the Bureau of Internal Revenue. But their prosperity is so evident that envious colleagues have begun to make wry jokes about it—the ultimate tribute to success in Washington. One currently popular story is that neighboring lawyers in the swank Ring Building have stopped taking clients of their own, in order to devote their full time to chasing down the thousand-dollar

bills which flutter, unnoticed, out of the door of the Arnold, Fortas & Porter suite.

There is no mystery about the source of their impressive income. It comes from the Coca-Cola Company, Pan American Airways, Lever Brothers, Western Union Telegraph, Otis and Company, the Sun Oil Company, the American Broadcasting Company, and several dozen other large and solvent corporations which have retained the firm to handle their Washington legal affairs.

Most law firms would be delighted to build up such a well-heeled clientele over a period of two or three decades. Arnold, Fortas & Porter have done it in barely four years.

It is evident, moreover, that they have attracted their corporate clients in spite of, rather than because of, their widely-publicized reputation for defending the civil liberties of alleged Communists. One cannot readily imagine Mr. Joseph Pew hiring them to represent his Sun Oil Company out of enthusiasm for their stand in the Lattimore case.

It is obvious also that Arnold, Fortas & Porter are not cashing in on good will which they built up in the business community during their long service as government officials.

In this piece of private investigation into a relatively young but famous firm, Louis Cassels adds a new shading to the popular concept of the "Washington Lawyer." Mr. Cassels is a United Press reporter but he made this study on the side.

They were all New Dealers of the most virulent stripe and each was, in his own way, a *bête noir* of corporation executives.

Clearly Arnold, Fortas & Porter have something—individually or collectively—which hard-headed business men appraise as rare and valuable. It could be any one of several things because—both individually and collectively—they are a remarkable trio.

THURMAN ARNOLD is a fight-loving Westerner, who has a flamboyant sense of humor and one of the best legal minds in the country. He has been described as an "intuitional genius" on a number of occasions by men who are careful in their choice of words.

Certainly, Arnold has many of the familiar attributes of genius, including a broad streak of eccentricity. He thinks so much more rapidly than he is able to speak that his conversation is apt to degenerate into an almost incoherent succession of elliptical sentences and phrases that mean a lot to Arnold, but very little to the unpracticed listener. Anyone who has ever talked to him for five minutes will forever stand in awe of Miss Marguerite O'Brien, who has been his secretary for sixteen years.

He is also, in the classic mold, absent-minded. There are innumerable anecdotes about occasions on which he has taken the wrong train, gone to the wrong courtroom, or argued the wrong case. The best, which is surely apocryphal, relates that Arnold once delivered a masterful summation on behalf of the plaintiff, only to be reminded that he was counsel for the defendant. Whereupon, he made an even more powerful presentation, in which he refuted his previous arguments on every point, and won the case.

At sixty, Arnold is now well embarked on his fifth major career. His first was as a politician in his home town of Laramie, Wyoming. He began running for office as soon as he got home from Harvard Law School and finally managed to win election as Mayor of Laramie, by nine votes. Somewhat later, he won a seat in the state legislature. He is best remembered there for an occasion on which he nominated himself for Speaker, filibustered three days on his own behalf, and then dramatically announced that he would not accept the nomination.

His political career was terminated by the West Virginia College of Law which offered him a job in 1927 as its Dean. Arnold accepted and found the academic life very much to his taste. After three years, he transferred to the faculty of Yale Law School, where he won wide recognition as an authority on legal procedure and, despite stiff competition, as a campus character. He got into a row with the Registrar, who objected to Arnold's habit of taking his dog with him to class. Arnold faced down the hapless Registrar by maintaining in a lengthy brief that he had a perfect right to take a horse to class if he owned one. He also intimated that he might acquire one if the Registrar had anything further to say about the dog.

While he was teaching at Yale, Arnold endeared himself to the late President Roosevelt by publishing an article in a prominent law journal defending the "court-packing" plan. He also wrote and published a best-selling book, *The Folklore of Capitalism*. Mr. Roosevelt, who apparently had read the former but not the latter, called Arnold to Washington in 1937 to be Assistant Attorney General in charge of the Anti-Trust Division of the Justice Department. Some of the Senators who had to pass on the appointment had read Arnold's witty, iconoclastic book, and they badgered him with questions about several statements in it, notably the assertion that the anti-trust laws are a farce whose "actual result was to promote the growth of industrial monopolies by deflecting the attack on them into purely moral and ceremonial channels."

After eating several pages of his own sparkling prose, Arnold persuaded the Senators that he would vigorously enforce the Sherman and Clayton Acts as "the best available instruments" for making war on monopolies. No promise made to Congress was ever more abundantly kept.

During the next five years, Arnold became the greatest trust-buster in American history. He filed 230 suits against alleged conspiracies in restraint of trade—more suits than had been filed in the entire previous fifty-year history of the Sherman Act. Making his own precedents as he went, Arnold waded fearlessly into such giants as the American Medical Association, Standard Oil Company of New Jersey, Associated Press, and finally, to the horror of Democratic politicians, the

building trade unions of the American Federation of Labor.

Shortly after he drew a legal bead on union featherbedding practices, Arnold suddenly found himself elevated to a judgeship on the United States Circuit Court of Appeals for the District of Columbia. Most lawyers would have been delighted with a lifetime appointment to a court which is second only to the Supreme Court in prestige and importance. But Arnold was bored stiff. He chafed under the inactivity and impartiality of the bench like a gladiator barred from the arena. He used to complain bitterly that "all I do is sit here and write little essays to read at the end of the trials." After two years, he abandoned the security of the bench to venture, at middle age, into private law practice. Ironically, people who think they are flattering him still address him as "Judge Arnold."

II

ARE FORTAS is as nearly the exact opposite of Arnold, in personality and temperament, as it is possible to conceive. Where Arnold is flamboyant, Fortas is quiet, indrawn, and soft-spoken. One sometimes suspects that Arnold is striking a pose, but Fortas gives the impression of being the most earnest man alive.

Arnold finds the solution to a legal problem by cerebrate tour de force, a flash of insight which skips over all the intermediate stages of reasoning. Fortas is equally brilliant, but in an entirely different way. He is the logician, the meticulous craftsman of the law, who analyzes a problem as a chemist analyzes a strange compound. He thinks far more slowly than Arnold, but is in a much better position to defend his conclusions when he reaches them.

Fortas is now forty-one, an exceptionally youthful age for a man who has already completed what most men would consider a full lifetime of accomplishment. But then Fortas has always been what newspaper rewrite men are wont to call a "boy wonder." He entered Yale Law School, from Memphis, Tennessee, at the tender age of nineteen, and proceeded to make a tremendous impression on his teachers, including Arnold and William O. Douglas. Fortas was elected editor of the *Yale Law Journal* and was appointed to the

faculty immediately after he graduated *cum laude*.

When Douglas came to Washington in 1934 to head the Securities and Exchange Commission, Fortas came with him. He spent four years as Douglas' top legal aide, and played a major role in the whole New Deal experiment in reforming Wall Street.

It was at about this time that Secretary of the Interior Harold L. Ickes decided he had better fall in step with the times and build up a "brain trust" of his own. He pirated Fortas away from Douglas, and made him General Counsel of the sprawling Public Works Administration. Fortas climbed rapidly as a protégé of the Old Curmudgeon. By 1942, when he was only thirty-two years old, he had become Undersecretary of the Interior. Except for a brief hiatus during the war, when he tried to enlist in the Navy but was turned down for bad eyes, Fortas remained in the number two Interior Department post until he "retired" in 1946—just one month before Ickes' stormy departure from the government.

III

PAUL PORTER is the extrovert of the firm. If Arnold has the mien of a professor, and Fortas that of a minister, Porter is apt to be taken for a politician or a successful salesman. Still youthfully handsome at forty-seven, he is a smooth dresser, an excellent story-teller, a masterful mixer of mint juleps, and an all-round very pleasant fellow. The greatest tribute to his personal charm is that he served for nearly a year as Price Administrator without making any lasting enemies.

Though Porter is unquestionably astute, no one would describe him as an intellectual. His great asset is a gift of gab that makes him a persuasive conversationalist in private and an eloquent advocate in court. His arguments, even before the august Supreme Court, are liberally seasoned with wit. That may be one reason why the word-weary justices usually compliment Porter warmly for his presentation—even when they rule against him.

Porter has held jobs in so many different Federal agencies that he sometimes refers to himself as "The Bobo Newsom of the Bureaucrats."

He came to Washington at the very beginning of the New Deal, in 1933, to help the Agricultural Adjustment Administration sell farmers on the idea of plowing under every third row of their cotton crops. At that time, Porter was primarily a newspaperman, although he also had a law degree which he had picked up at the University of Kentucky while serving as city editor of the *Lexington Herald*.

He originally planned to stay in Washington only three months, but one thing led to another and he found himself acting as General Counsel of the AAA. When the Supreme Court finally plowed under that ill-fated agency in 1937, Porter had succumbed to Potomac fever. He remained in Washington as counsel for the Columbia Broadcasting System. This interlude of private practice lasted until the war started, when Porter was called back into the government for service in a series of emergency agencies. He helped write the price-control law and served as a special deputy to Leon Henderson in setting up the rent-control program of the Office of Price Administration. His success in this difficult job attracted the attention of President Roosevelt, who tabbed Porter as a "trouble shooter" for war agencies. He served for a while as Associate War Food Administrator and, when that program was well launched, was made an assistant to Fred M. Vinson as Economic Stabilization Director. By 1944 Porter was so high in Roosevelt's esteem that he was chosen publicity director of the Democratic National Committee for the fourth-term campaign. Immediately after the election, FDR appointed him Chairman of the Federal Communications Commission.

Porter was allowed to enjoy the comparative peace and quiet of that position for a little more than a year before President Truman drafted him to succeed Chester Bowles as head of the Office of Price Administration. For the second time in his bureaucratic career, Porter had a Federal agency die beneath him. The OPA ordeal lasted eleven months, and Porter emerged with what he described as "minor flesh wounds in the back."

By now he was having trouble deciding whether he was a politician, lawyer, newspaperman, or bureaucrat. President Truman decided the issue for him, temporarily, by

making him a diplomat. Porter went to Greece early in 1947 with the rank of Ambassador to launch the "Truman Doctrine" Greek aid program, an assignment which he handled with notable success.

IV

ARNOLD, FORTAS & PORTER complement one another as do the ingredients in one of Bernard DeVoto's martinis. But, unlike those martinis, their association as law partners was not carefully planned in advance. It just happened.

Arnold's first partner after he quit the bench in the spring of 1945 was Arne C. Wiprud, who had worked with him in the Justice Department. They parted ways after a few months, Wiprud going back into the government. Arnold naturally thought of his old student at Yale, and invited Fortas to join him.

They had been in practice together for more than a year when Porter returned from the diplomatic wars in May 1947. They decided they needed another partner, and offered to take Porter into the firm. Porter accepted. He had known Arnold and Fortas only casually, but their firm had a good and growing reputation.

"The other lawyers used to call them 'Arnold, Fortas & Integrity,'" he recalled recently. "When I came into the firm, we tried to find a good spot for Integrity. But nobody in Washington would have him, so he's still with us."

It was not long before they had a chance to prove that Integrity was still on the payroll.

Soon after Porter's arrival, a group of seven State Department employees came to the office, seeking counsel. They had been summarily dismissed from their jobs. No charges had been filed against any of them, and no hearings had been held. But notations had been placed in their personnel records indicating that they had been fired for disloyalty. With that black mark against them, they had found it impossible to get decent jobs anywhere else.

Listening to their story, the partners formulated a belief which they have held ever since, and which they have striven mightily to get the President and the Supreme Court to share. Briefly stated, it is this: It may be

Porter

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necessary to suspend normal Civil Service procedures in time of stress and drop employees from the government payroll without ceremony or explanation. But no American should ever be branded a traitor, by a "loyalty" dismissal from the government or by any other means, without a fair trial, complete with sworn testimony, cross-examination of witnesses, and other evidence acceptable in court.

They took the case of the seven State Department employees and began casting around for some way to help them. They soon found a powerful ally. Arnold was invited to speak at the New York *Herald Tribune's* annual forum, and while there discussed the case with Mrs. Helen Reid, the owner of that great newspaper. Mrs. Reid telephoned Bert Andrews, the *Herald Tribune* Washington Bureau manager, and asked him to look into the story. Andrews did, and wrote a series of articles that shocked the nation and won him a Pulitzer Prize.

With the help of Andrews' exposé, the attorneys had little trouble persuading the State Department to remove all unfavorable notations from the records of the ousted employees. They were permitted to resign without prejudice and soon found jobs elsewhere. A short while thereafter, President Truman issued his now-famous executive order setting up elaborate machinery for FBI investigations, departmental hearings, and appeals to a Civil Service Commission Review Board in loyalty cases.

FOR a time, Arnold, Fortas & Porter thought they had won a clear-cut victory for their point of view. But they soon began to receive more visits from government workers. These men and women told of being called before Loyalty Boards where they were confronted with unspecific charges, made by anonymous witnesses who never appeared at the hearings. The loyalty-check procedures were not working out, in actual practice, as the partners had hoped. They took up the cudgels again.

At first, they tried to represent every worthy individual who came to them for help. They laid down three rules: they would accept no pay for any loyalty case; they would insist on a "full disclosure" from the government employee; and they would warn any

prospective client that they would drop his case immediately if they found that he had concealed or misrepresented any material fact about his activities or associations.*

The word quickly got around that an innocent government employee who got into loyalty trouble could get free legal aid from Arnold, Fortas & Porter. The firm was swamped.

The harassed attorneys began looking around for a "test case" in which, they hoped, the broad principles at stake could be settled once and for all. They thought they had found what they were looking for in the case of Dorothy Bailey.

Miss Bailey was an \$8,000-a-year training officer on the staff of the United States Employment Service. She was called before the agency's Loyalty Board in 1948 and was told that she had been accused of being a member of the Communist party. The charge was made by an anonymous informant who claimed to have seen her at Communist meetings.

Neither Miss Bailey nor her attorneys were ever able to find out the identity of her accuser, nor where and when she was alleged to have attended Communist meetings. Porter was, and is, certain that she was the victim of a frame-up by real Communists who resented her opposition to their programs within a government employees' union. But Porter was never able to persuade the Loyalty Board that this might be "a modern Dreyfus Case." He was compelled to base Miss Bailey's defense entirely on "positive" character witnesses who swore that she had favored Lend-Lease before Germany attacked Russia; that she strongly endorsed the Marshall Plan; and that she bitterly opposed Henry A. Wallace's third-party candidacy for President.

The Loyalty Board found "reasonable grounds" to doubt Miss Bailey's loyalty, and ordered her dismissed. The Review Board upheld the action. Arnold, Fortas & Porter appealed to the courts. They felt they had an open-and-shut case and were confident that it was just a matter of time before the Federal Judiciary would thunder with righteous Con-

* Sometimes they went even farther than that. Owen Lattimore has described in his recent book how Fortas "tested" him, with a convincing threat of imprisonment for perjury, before the firm agreed to represent him at his Senate hearing.

stitutional wrath and order drastic reforms in the loyalty-check procedures.

But they were destined to suffer the bitterest disappointment of their legal careers. With one of its three judges violently dissenting, the District of Columbia Court of Appeals held that no Constitutional issue was involved which would warrant judicial intervention in Miss Bailey's dismissal.

Arnold, Fortas & Porter appealed to the Supreme Court. For the first time in history, they filed no brief of their own, but simply called the attention of the High Tribunal to the dissenting opinion written by Judge Henry W. Edgerton in the Court of Appeals. The Supreme Court agreed to review the case, and Porter made what many of his colleagues consider the most eloquent argument of its kind since Zola's appeal in the first Dreyfus Case. But it was all to no avail. Paralyzed by a four-to-four split, the Supreme Court handed down no opinion at all in the case. That had the effect of upholding the lower court's finding in the specific case of Miss Bailey, but it left the Constitutional issues right where they were when Arnold, Fortas & Porter started.

Since the Bailey case, the partners have sharply restricted their "loyalty practice." They still take occasional, exceptional cases, usually at the urging of some high-level government official who does not want to lose a valued subordinate. But most of the government workers who come to their offices now are referred to young attorneys whom the partners consider competent, and who are willing to conduct a loyalty defense for a modest per diem fee.

They explain that this does not represent any disillusionment on their part. They feel that they have carried the basic Constitutional fight for "due process" in loyalty procedures as far as they can, until and unless the Supreme Court changes, or rather makes up, its collective mind. They also feel that they can make "no substantive contribution" to existing procedures by fighting out individual cases, and that they therefore might as well leave most of this time-consuming work to younger attorneys, who are not so heavily engaged with other clients. Idealists may find this answer something less than 100 per cent satisfactory, but the passing of such judgments should perhaps be left to those who

have done more than these three attorneys in defense of due process.

Arnold, Fortas & Porter never expected to gain anything, financially, from their loyalty cases. On the contrary, they were warned repeatedly by their friends that they were running a risk of driving off "respectable" clients or, still worse, getting themselves tarred by the red brush.

They were keenly conscious of both risks, particularly at the time of the Lattimore uproar. But they stuck with it because, as Fortas quietly explains, "There are some things you have to do in order to live with yourself."

The amazing thing is that they have never lost a client because of it. The only corporation executive among their clientele who ever mentioned the subject to them was a very wealthy man, of decidedly conservative political views, who happened to be in Washington during the Lattimore hearing. He approached Fortas after it was over and said: "I want you to know that I am proud to be represented by lawyers with that kind of courage."

V

THE first decision which Arnold, Fortas & Porter made as partners was that they would practice law. To the sane citizens of other communities, that may seem an absurdly obvious decision for a law firm to make. But in the miasmatic moral climate of Washington, it was a radical step—so radical that many skeptics find it hard to believe that they are sincere about it.

There are about 3,185 attorneys listed in the Washington Classified Telephone Directory. A large percentage of them undoubtedly spend their time drawing up wills, filing briefs, addressing juries, and performing the other normal functions of law practice. But to cognoscenti of the capital's ways, these hard-working and reputable professional men are not embraced in the phrase, "Washington Lawyer." That is reserved for the small army of smooth operators, many of them "graduates" of Congress or the Executive agencies, who hang out law shingles only to provide respectable fronts for devious maneuverings. These maneuverings are known, for want of a better expression, as "practicing influence."

Fortas

7

Some of the practitioners, especially the ex-Senators and Representatives, specialize in "legislative counseling" or what the layman would call lobbying. Others wangle contracts or special favors from Executive agencies on a contingent fee basis; that is, they get five per cent, or some fixed sum, if they produce the goods for a business-man client.

Occasionally some enterprising souls venture into this lucrative work without taking the precaution of acquiring a law degree. These unlicensed operators are the ones who get exposed when Congress investigates "five percenters."

Because they were important and well-connected men in government, and because they are so evidently prospering, Arnold, Fortas & Porter are widely suspected of practicing influence. They are painfully aware of this fact, and they denounce the suspicion in the most vehement terms as an injustice.

"We are *not* five percenters and we are *not* fixers," Porter will say, pounding on his desk with his fist. "We don't pretend to have any influence and we don't try to get contracts for anybody."

Arnold nods his head in emphatic agreement.

"We are marketing what we know, not who we know," he says. "We are representing people who have a lot more influence in this town than any of us ever had."

Fortas, sensing the need for corroborative evidence, cites several facts about the firm's history and policies.

One of the most convincing is that there is a rigid partnership agreement which forbids the acceptance of any case before a government agency on a contingent fee basis. This rule automatically bars the "five-percent" trade. (It also tends to bar small business men who cannot afford a \$1,500 minimum retainer.)

Fortas also notes that the firm has registered only twice under the Lobbying Act, which "legislative counselors" are very careful to respect. The two registrations represent an effort, on behalf of Western Union, to get a lower excise tax rate on telegrams, and an effort, on behalf of a mail-order organization, to repeal certain barriers to interstate shipment of cigarettes.

The third item of evidence which Fortas introduces in the firm's defense is a letter

sent out to all clients at the start of the defense mobilization program. It states that the firm is ready to advise its "established clients" on the interpretation of economic-control regulations, and to represent those clients in seeking relief or modification "in cases where adjustment procedures are specifically provided." That is a polite way of saying, "Don't expect us to sneak in the side doors of the control agencies and wangle special treatment for you."

IF ARNOLD, FORTAS & PORTER are exonerated of trying to win contracts or influence Congress, what do they do for their apparently well-satisfied clients?

For obvious reasons, they are unwilling to discuss the specific legal affairs of any of their clients. But they define their practice, in general terms, as "a normal amount of administrative work" plus a "more than average amount of litigation."

"Administrative work," in Washington parlance, means helping business men get along with, or around, the federal government's administrative and regulatory agencies. It covers a vast range of activities from formal pleadings before quasi-judicial bodies such as the Interstate Commerce Commission to highly informal "consultations" with individual officials in charge of such things as setting price ceilings, granting materials priorities, or formulating credit regulations.

Because of their common background of high administrative office, Arnold, Fortas & Porter have both the skill and the entree to perform this sort of work particularly well. They know the intricate procedures of the regulatory agencies from firsthand experience, and they are known by almost everyone in government. The latter consideration is important because often the most difficult problem a business man faces in Washington is getting in to see the right man.

It is a matter of record that Arnold, Fortas & Porter appear frequently before the three regulatory commissions which reflect their respective pasts. Currently, for example, they are defending Lever Brothers in a restraint of trade hearing before the Federal Trade Commission; they are waging intricate legal warfare with the Securities and Exchange Commission in an effort to prevent it from revoking the brokerage license of Otis and

Company in connection with the abortive Kaiser-Frazer stock issue; and they are representing Western Union in an appeal to the Federal Communications Commission for a 10 per cent increase in telegraph tolls.

Administrative practice is the bread-and-butter work of every reputable Washington attorney; many do nothing else. The noteworthy thing about Arnold, Fortas & Porter is that they have *not* made it their specialty.

THEIR true love, it is apparent from even a brief conversation with them, is litigation—especially litigation which involves novel legal strategy or which reaches the appellate court level.

A good example of the kind of case they like best, and the kind of trial work for which they are acquiring a national reputation, was a recent lawsuit in which they represented Keifer-Stewart, Inc., an Ohio liquor wholesaler, in seeking treble damages from two of the nation's largest distilleries, Seagram and Calvert. Simply put, the issue was whether the distilleries had a legal right to cut off shipments from the wholesaler when Keifer-Stewart refused to abide by established minimum wholesale prices. Legally, it involved complex questions about the wartime price-control statute (which Porter helped to draft) and the anti-trust laws (which, so far as court interpretations are concerned, heavily bear Arnold's imprint). The case was fought all the way up to the Supreme Court before Arnold, Fortas & Porter won a \$1,200,000 judgment for their client.

As a result of this and numerous other successes in appellate courts, they are beginning to establish themselves as a "lawyer's law firm." More and more frequently, law firms in other cities refer cases to them to be argued before the Supreme Court. Porter personally argued three cases before the High Tribunal in one recent term, which is unofficially believed to be the all-time record.

Their trial work, however, is not limited to Washington courts. At the time this article was being written, Fortas was arguing a case before a federal court in Newark, New Jersey; Arnold was en route to Denver, Colorado, for another trial; Porter was drawing up a brief to be filed in Elk City, Oklahoma; and other members of the firm were working on suits to be tried in New York City, Russell

ville, Arkansas, and Brunswick, Georgia. As Porter puts it, "We're apt to show up in court almost anywhere."

The partners apparently do not try to limit their practice to any particular types of litigation, although they handle a particularly large number of treble damage suits under the anti-trust laws. The only fixed rule is that two of the partners must agree, before a case can be accepted, that it is "right" for Arnold, Fortas & Porter.

No attempt is made to channel all cases of a particular type to the partner whose background best suits him to "specialize" in that work. Instead, the work is distributed at partnership meetings on the basis of who has a free hand. Under this novel procedure, Fortas has handled more anti-trust actions in the past two years than Arnold.

The partners feel that none of their particular know-how is lost by this arrangement, since eventually they all have a hand in preparing for any major case. There is a fixed rule that no brief, however minor, can leave the office without being worked over and approved by two partners. On a really tough case, Arnold is likely to supply the procedural strategy and other contributions of intuition; Fortas will supervise the arraying of evidence and precedents; and Porter will be assigned to do the actual arguing before the Supreme Court.

There is one kind of compartmentalization, of a different sort from that in most big law firms. Every regular client of the firm "belongs" to one of the partners in the sense that this partner is personally responsible for the client's overall legal work, even though someone else may be handling a particular case. Porter says this tends to assure a big corporation the same kind of personal interest in its affairs that a small-town banker gets from his local lawyer. This analogy, however, probably will not bear stretching too far.

The firm, of course, comprises a great deal more legal talent than that which resides in the fertile brains of the three "principal partners." There are also five "partners"—they frown on the adjective "junior"—who are brilliant lawyers in their own right, albeit somewhat obscured at the moment by the fame of the founding fathers.

They are Dr. Walton Hamilton, a Yale Law professor for twenty-five years; Milton Free-

from them

9

man, former assistant general counsel of the Securities and Exchange Commission; Norman Diamond, former assistant to Thomas E. Dewey when the latter was a racket-busting district attorney; William McGovern, formerly of the Justice Department; and Harry Plotkin, counsel for the Federal Communications Commission for eleven years. In addition there is the usual complement of bright young men fresh out of law school, who are known as "Associates."

The morale of the entire office is exceed-

ingly high. The visitor gets the feeling that everybody there likes everybody else, and that all of them are intensely proud of being on the Arnold, Fortas & Porter team.

This is especially true of the principal partners themselves. They get along famously despite their totally dissimilar personalities, and they obviously have a high degree of mutual admiration.

But then—as one attorney is reputed to have said as he chased a thousand dollar bill down the hall—"Why shouldn't they?"

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/JM February 11, 1953

TO THE COMMITTEE ON ADMISSIONS AND GRIEVANCES:

REPORT OF SUBCOMMITTEE on the article entitled "Arnold, Fortas,
Porter and Prosperity"

THE SUBCOMMITTEE:

The members of this subcommittee were originally Austin F. Canfield, Chairman, Francis W. Hill, Jr., and Leo A. Fover. Mr. Canfield died on January 16, 1953. The Committee on Admissions and Grievances, at its meeting on January 23rd, requested the remaining two members to continue their work on the above subject and to make a report as promptly as possible.

ARTICLE:

The article in question is "Arnold, Fortas, Porter and Prosperity", written by Mr. Louis Cassels. It appeared in the November, 1951, issue of Harper's Magazine.

WORK OF SUBCOMMITTEE:

This matter was referred by the Committee on Admissions and Grievances to the above-mentioned subcommittee, and the subcommittee made an investigation and a study of the article and of the Canons of Professional Ethics of the American Bar Association, which had been adopted by the Bar Association of the District of Columbia.

William B. Jones, Esquire, who has offices in the Union Trust building of this city, is secretary of the American Bar Association's committee on Professional Ethics and Grievances; Mr. Canfield sought the informal advice of Mr. Jones, and though Mr. Jones stated he felt he should not speak for the committee, he personally believed that the article on its face did violate Canon 27 of the Canons of Professional Ethics of the American Bar Association, and was in conflict with Opinions 42, 62, 140 and 162.

The subcommittee had several meetings, and as a result Mr. Hill was requested to send, and did send, under date of February 1, 1952, letters to Mr. Arnold, Mr. Fortas and Mr. Porter; said letters invited the attention of these gentlemen to the article, and requested information as to the following:

1.

ENCLOSURE

EXHIBIT B

167-2860-26

(1) Whether the article was discussed with them before it was published;

(2) Whether the article was proof read by them before publication;

(3) Whether any of the information contained in the article was furnished by them with the knowledge that it would be published;

(4) If they had any knowledge of the proposed publication, then to indicate whether or not they made any effort to discourage its publication; and

(5) Any other information they might deem material.

Under date of February 4, 1952, Mr. Fortas and Mr. Porter both replied, and Mr. Arnold replied under date of February 6, 1952.

The replies of these gentlemen requested that the interrogatories contained in our letter be withdrawn and stricken. All three replies answered query No. 1 "Whether the article was discussed with you before it was published" in the affirmative. All three stated that the article was not proof read by them. (This is not in accord with the statements of Mr. Cassels.)

With respect to the third query as to whether any of them furnished information contained in the article with the knowledge that it would be published, all three gentlemen state, in effect, that the author requested an interview; that an interview was arranged in the office of Mr. Paul A. Porter, and that all three participated in that conference.

The effect of the answers is that they did not want the article published but the author insisted he was going to publish it; that they could not stop him and they thought, in fairness to themselves, they should consent to a conference in the hope that as the article was going to be published whether or not they consented, it might be made fairly accurate.

The general effect of the foregoing report was submitted orally by Mr. Canfield to the Committee on Admissions and Grievances; the general matter was discussed, and it was concluded that Mr. Canfield would seek an interview with Mr. Louis Cassels.

Mr. Canfield was under the impression that Mr. Cassels' office was in New York and he planned to see him the next time he went to New York. It will be remembered that Mr. Canfield's activities were somewhat restricted because of his illness, and it was undoubtedly as a result of this illness that he had not seen Mr. Cassels.

At the January meeting of the full committee the undersigned were requested to see Mr. Cassels, and Mr. Milton King stated he had some friends with the United Press and that he would endeavor to get Mr. Cassels' address. Mr. King called a member of the committee that same night and advised that Mr. Cassels lived in Bethesda, Md., and was working with the United Press in the National Press Building, Washington, D. C.

The undersigned made an appointment with Mr. Cassels and met him on February 9th at his office.

Mr. Cassels took full responsibility for the writing of the article. He stated that he received a letter from one of the officers of Harper's, stating that because of the public interest in Washington law firms, the activities of "Five Percenters" and the publicity which Arnold, Fortas and Porter had received in connection with their defense of a number of persons charged with disloyalty, Harper's wanted him, Cassels, to write an article on Arnold, Fortas and Porter; that after some prodding from Harper's he agreed to write the article and began to make investigations, inquiries, etc., and accumulated quite a bit of information.

Mr. Cassels stated that he started off with the thought that he would probably do a hatchet job, for from what he had heard in a general way, he had assumed that the firm might well be engaged in the work of "Five Percenters", influence, etc. He added that after making his investigation he called the firm, talked to Mr. Porter, and told Mr. Porter he was writing an article about the firm for Harper's. He said Porter took a rather high and mighty position to the effect that he just could not write any such article about them; that Porter antagonized him, rubbed his the wrong way, and he told Porter that the article was going to be written; that he had quite a bit of information and he thought it was to Porter's interest to talk to him, for he did not want to publish any information which might be in error and might do the firm an injustice.

Finally, Porter agreed to see him; he went to see Porter and at that conference saw all three of the gentlemen in question. He stated that all three of them took the position that he should not write the article, but that he insisted that the article was going to be written and that he deliberately, intentionally, and purposely, baited the partners and asked questions, which, undoubtedly they may have resented, for some of his questions did have barbs which indicated perhaps misconduct on the part of the partners.

He stated that the answers given by the members of the firm really were in the nature of statements in self-defense; that some of the answers were given probably at a time when they were mad with him on account of the questions he asked and that the responsibility for the story is his and not theirs.

Mr. Cassels made a favorable impression upon the undersigned and he was quite convincing as to the accuracy of his statements. If we assume that his statements are accurate, we do not believe we would have a case; on the other hand, if we assume his statements are inaccurate, even then we would have no evidence to support a charge of misconduct, other than the prima facie effect of the article itself, and we believe that with the testimony of the three respondents and the testimony of Mr. Cassels, the respondents would have a complete defense.

The subcommittee recommends that the complaint be dropped.

Respectfully submitted.

Leo A. Rover

Francis W. Hill, Jr., Chairman

FWH, Jr:af

Man to Man

Writer Chooses Law Partners Picked Davis for Interior's Island Division Post

By Harold L. Cole

WALTER D. DAVIS, a Washington lawyer, has been named as the successor to the late J. Edgar Hoover as director of the Division of Investigation, U. S. Department of Justice.

Mr. Davis, 47, is a member of the American Bar Association and has been admitted to the bars of the District of Columbia and the State of Maryland. He has been a member of the Federal Reserve Board and the Board of Governors of the Federal Reserve System.



Walter D. Davis

Mr. Davis was born in Washington, D. C., and attended the University of Maryland and the University of Virginia. He has been a member of the American Bar Association since 1915.

Mr. Davis was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation. He was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation.

Partner to Law Firm

Mr. Davis was a partner in the law firm of Davis, Galt and Galt, which was organized in 1935. He was a member of the American Bar Association and has been admitted to the bars of the District of Columbia and the State of Maryland.

Mr. Davis was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation. He was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation.

Mr. Davis was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation. He was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation.

The United States government has announced that it will accept the offer of Walter D. Davis to become director of the Division of Investigation, U. S. Department of Justice.

Mr. Davis was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation. He was a member of the Hoover administration and served as a special agent in charge of the Washington office of the Division of Investigation.

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The Evening Star

161-286026
EXHIBIT C

JOHNSON FRIENDS CALLED ON PRESS

Sought to Influence Handling of Jenkins Case

By JOHN D. MORSE
Special to The New York Times
WASHINGTON, Oct. 25
Two Washington lawyers,
friends and unofficial advisers
of President Johnson, said
yesterday to influence the
handling of the Walter Jenkins
case by newspapers.
One editor said that
Clark Clifford and
Fortas, made "what I
as a press" against publishing
an article about Mr. Jenkins
arrest on disorderly conduct
charges.

Mr. Clifford and Mr.
paid calls during the
editors of The Washington
Evening Star, The Washington
Daily News and The Wash-
ington Post.

Affirming the visits
ford said he and Mr.
had not been acting
way on behalf of
Johnson but on behalf
Jenkins a close friend.

He said they had
specific plea to the editor
withhold the news but
rather, in a general dis-
of whether the facts were
enough established for publication
and whether additional in-
formation should not be sought.

End Facts Wednesday

The Star and The News
which are afternoon papers
not publish anything about the
case in yesterday's editions.
Post carried an account of the
morning, and the two other
papers did so this afternoon.

Speakers for The News
The News said they had
facts yesterday but decided
to publish them. A speaker
for The Post said a decision
had not been reached by the
paper until United Press
International carried the news
its wires shortly after 2 P.M.

Once the news was
U.P. wire, it was published
broadcast throughout the
country.

The origin of tips,
anonymous, that brought
closure of the White
aide's arrest remains
mystery tonight.

There was evidence that
national Republican officials
known of the Oct. 7 arrest
at least several days. At
one of the tips to news re-
ports came from in office
the Republican National
Committee.

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161-2860-26
ENCLOSURE EXHIBIT D

Mr. Clifford was White
coun... under President
B... man. Mr. Fortas
Und. Secretary of the
for in the Administration
Franklin D. Roosevelt.

Both have been active
formation and executive
Democratic political st
and tactics since leaving
his office to practice law

Timing of Intervention

All signs indicated, he
that they intervened wh
Washington editors on
own responsibility and w
President Johnson's know

Bill D. Myers, a Pres
tial assistant, said the
dent had not been inform
the case until late yest
afternoon, Mr. Clifford and
Fortas went to The Star
about 10 A.M. and to The
immediately afterward.

Newbold Noyes, edito
The Star, said the subst
what they told him was
Mr. Jenkins "was a sick
had had a nervous collapse
was going into the hospita
was not going to return to
job" at the White House.

"They made what I
regard as a piec to have
break the story," he repo
"I agreed to go along at
time."

Mr. Noyes said in no
was any pressure exerted
his visitors, whose argum
was that "on compassion
grounds we ought to hold
out, so I did." It was "w
on the grounds of the effe
Jenkins, his family, his co
tion," he added.

He noted that The Star
not ordinarily publish art
on such cases, and he de
to follow the policy in thi
stance.

John T. O'Rourke, edito
The News, made the same

... or, press secretary
London E. Johnson, m
... of George E. Reedy,
...idential press secre

Corpenter said she told
... she would make a
... did not believe the
... was true. She said that

... she had spoken Mr. Jenkins and
... that he then got in touch with
... Mr. Fortas.

John T. O'Rourke said The News
... had not established that the
... Jenkins arrested Oct. 7 and in
... 1950 was the White House a de
... with Mr. Clifford and Mr.
... Fortas called on him.

A police reporter for the
... had been told of the
... on Monday by a member
... of the Washington Metropolitan
... police department and had con-
... firmed them from police records
... the following day.

The Post, according to a
... who asked not to be
... identified by name, knew noth-
... of the arrests until Mr.
... Fortas and Mr. Clifford called
... on Monday yesterday.

... a member of Washington of-
... fice out-of-town newspapers.
... The New York Times
... about the case when
... Trans International put
... on the wires.

A U.P.I. spokesman said the
... had first heard
... yesterday afternoon
... reporter for a Washing-
... paper. He said U.P.I.
... then confirmed the
... from police records.

Associated Press received
... report late yesterday
... through an agency
... call according to
... after the arrests.

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account of the case.

There was "absolute pressure" by Mr. Clifford on Mr. Fortas but rather "an appeal to charity, decency, humanitarianism," Mr. O'Connell said.

"Our position was that it was possible to withhold the story if we were willing to do it privately. It didn't break anywhere," he added.

R. Wiggins, editor of the Post, said Mr. Clifford and Fortas discussed the case with him but did not get any commitments.

He said he assumed from the conversation that they would deal with the matter "in a way that would do the least damage."

Another Post source said lawyers had called Mr. O'Connell "a very slick man" and "an appeal to compassion." He reported, according to a source, that the White House aide had "blacked out" his arrest Oct. 7 and did not know what he had done.

The Star received a tip Tuesday on the Jenkins case. Mr. Noves declined to identify the source. He said reporters had checked police records by 8 A. M. Monday and a call was then made to the White House in an effort to determine whether the father Jenkins involved in the President's aide were the same man.

He said Mr. Clifford and Fortas came to his office at an hour later.

The Star's call to the White House was taken by Mrs.

Telephoned tip from a man identified himself as an official of the Republican Congressional Campaign Committee received at the Washington office of The New York Daily News about 4:30 P.M. yesterday.

Said Call Was Made

Theris, public relations director for the committee, affirmed that the call had been made. But he said the official, who declined to name, acted without authority.

He said the committee staff had firmly established a "hands-off" policy in the case and did not want any of its personnel to spread rumors about it.

He said only the one call to his office had been made and no one connected with the committee as far as he knew.

The Congressional Committee works in close cooperation with the Republican National Committee but is a separate entity. Its function is to work for the election of Republicans to the House of Representatives. National Committee officials would not say how long they had known of the Jenkins arrest or to discuss the possibility of any tips to news agencies.

Senator John J. Williams, Republican of Delaware, said he learned of the case "over the weekend." Information received by Mr. Williams was not responsible for the Senate investigation last winter of outside business activities of Robert C. Baker, former majority leader to the Senate Democratic minority.

Best Copy

FBI PHILA

1132 PM EST

URGENT 11-4-64 JM

U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
NOV 4 1964
TELETYPE

TO DIRECTOR AND DENVER

FROM PHILADELPHIA (161-719) 2P

ABE FORTAS, SPI. BUDED NOVEMBER FOUR. RE WASHINGTON FIELD
TEL NOVEMBER THIRD.

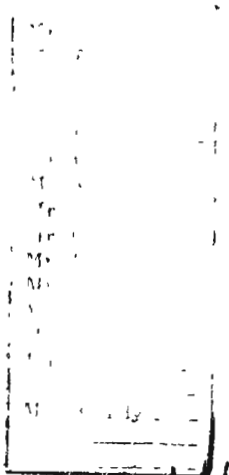
PRESIDENT JOHNSON REQUESTED INVESTIGATION OF FORTAS.
BORN JUNE NINETEEN, NINETEEN TEN, MEMPHIS TENNESSEE AND RESIDES
WASHINGTON, D.C. WHERE IS PROMINENT ATTORNEY. SEE WHO'S WHO
FOR FURTHER BACKGROUND DATA.

FORTAS HAS BEEN ADVISED BY BUREAU HE IS BEING
INVESTIGATED AT SPECIFIC REQUEST OF THE PRESIDENT. CONDUCT NO
NEIGHBORHOODS UNLESS SOME REASON ARISES AT WHICH TIME BUREAU
APPROVAL MUST BE SECURED.

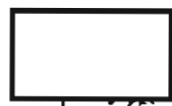
FORTAS HAS SERVED AS MEMBER COMMITTEE ON RULES OF
PRACTICE AND PROCEDURE OF THE JUDICIAL CONFERENCE OF THE U.S.
UNDER CHAIRMANSHIP OF SENIOR JUDGE ALBERT B. MARIS, THIRD
CIRCUIT, U.S. COURT OF APPEALS SINCE MAY, NINETEEN SIXTY.

ON NOVEMBER FOUR JUDGE ALBERT B. MARIS, US COURT OF
APPEALS, PHILADELPHIA ADVISED APPOINTEE MEMBER OF ADVISORY
COMMITTEE ON CRIMINAL RULES WHICH IS AN ADVISORY COMMITTEE TO
COMMITTEE ON RULES OF PRACTICE AND PROCEDURE OF THE JUDICIAL CON-
FERENCE OF THE UNITED STATES.

END PAGE ONE



MR. CLEVELAND
ROOM 1200



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b7c

161-2860-27

NOT RECORDED

2 JAN 25 1965

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PAGE TWO

JUDGE MARIS STATED COMMITTEE OF WHICH APPOINTEE
A MEMBER IS UNDER CHAIRMANSHIP OF CIRCUIT JUDGE JOHN C.
PICKETT, U.S. COURT OF APPEALS, TENTH CIRCUIT, DENVER, COLORADO.

JUDGE MARIS COMMENTED FAVORABLY AND RECOMMENDED
APPOINTEE FOR POSITION OF TRUST.

DENVER WILL INTERVIEW JUDGE PICKETT.

SPIN. REPORT FOLLOWS.

END

WA SML

FBI WASH DC

DNPRH

FBI DENVER

DISC

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PHILADELPHIA	OFFICE OF ORIGIN BUREAU	DATE 11/4/64	INVESTIGATIVE PERIOD 11/4/64
TITLE OF CASE 0 ABE FORTAS		REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	TYPED BY PCK
		CHARACTER OF CASE SPI	
		b6 b7C	

REFERENCES

WFO teletype to Bureau dated 11/3/64.
Philadelphia teletype to Bureau dated 11/4/64.

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		NOV 5 1964	
DISSEMINATION RECORD OF THIS REPORT <i>NOV 2 5 05 AM '64</i>		NOTATIONS <i>Sp. Agent</i>	
AGENCY.....			
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DATE FWD.....			
HOW FWD.....			
BY.....			

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Copy to:

Report of:
Date[REDACTED]
November 4, 1964Office: Philadelphia,
Pennsylvania

Field Office File No.:

161-719

Bureau File No.:

Title:

ABE FORTAS

Character:

SPECIAL INQUIRY

Synopsis:

Judge MARIS commented favorably and recommended
appointee for a position of trust.

- RUC -

DETAILS:

At Philadelphia, Pa.

On November 4, 1964, Judge ALBERT B. MARIS, Third Circuit, U. S. Court of Appeals, Ninth and Chestnut Streets, advised appointee is a member of the Advisory Committee on Criminal Rules, which is an advisory committee to The Committee on Rules of Practice and Procedure of the Judicial Conference of the United States. He stated the Advisory Committee on Criminal Rules is under the chairmanship of Circuit Judge JOHN C. PICKETT, 10th Circuit, Court of Appeals, Denver, Colo.

Judge MARIS stated he has known appointee on a professional basis only for about the last ten years, as an attorney and as a member of the Advisory Committee on Criminal Rules. He stated there is no question as to appointee's character and reputation and described appointee as conscientious, concerned with protecting the constitutional rights of defendants accused of crimes.

PH 161-719

Judge MARIS stated he does not know appointee's associates, but said there is no question as to his loyalty to the United States. He stated appointee is honest and trustworthy and he recommended him for a position of trust and confidence with the United States Government.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DENVER	OFFICE OF ORIGIN BUREAU	DATE 11/4/64	INVESTIGATIVE PERIOD 11/4/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	TYPED BY JM
		CHARACTER OF CASE SPI	

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REFERENCE: Philadelphia tel to Bureau 11/4/64.

- RUC -

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DATE 2/3/05 BY SP-2 TAP/DAE

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<p>APPROVER <i>AW</i></p> <p>COPIES MADE</p> <p>1- Bureau (AMAD)</p> <p>1- Denver (161-341)</p>	<p style="text-align: center;">SPECIAL AGENT IN CHARGE</p>	<p style="text-align: center;">DO NOT WRITE IN SPACES BELOW</p> <p style="font-size: 2em; text-align: center;">161-2860-29</p> <p style="text-align: center;">NOV 5 1964</p> <p style="text-align: center;">RECEIVED FBI</p>
DISSEMINATION RECORD OF ATTACHED REPORT		
AGENCY.....		
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HOW FWD		
BY.....		

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of
Date

[Redacted]
11/4/64

Office DENVER

Field Office File No :

161-341

Bureau File No.:

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Title:

ABE FORTAS

Character:

SPECIAL INQUIRY

Synopsis

[Redacted]
[Redacted] highly
recommends Mr. FORTAS as to character, reputation,
associates and loyalty.

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Details:

EMPLOYMENT

[Redacted]
[Redacted] advised on
November 4, 1964, he has known Mr. ABE FORTAS for approxi-
mately four years. He said Mr. FORTAS is a close friend
and associate of President LYNDON B. JOHNSON and other high
Government officials closely associated with the White House.

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[Redacted] of the
Advisory Committee on Criminal Rules and this Committee is a
part of the Committee on Rules of Practice and Procedures
of the Judicial Conference of the United States and Mr. FORTAS
has been a member of this Committee for the past four years.
Mr. FORTAS is highly regarded as a lawyer and legal advisor

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DN 161-341

and he considers him to be highly intellectual, honest, trustworthy, and reliable. It is his opinion Mr. FORTAS is soft-spoken and unassuming and is a person who knows what he wants when studying or attacking a problem. [redacted] said the only close association he has had with Mr. FORTAS has been during the times his Committee has met, which is usually three or four times a year, usually for one or two days per session, and usually in Washington, D.C. All of the other contacts with him have been through correspondence. During the times he has been in personal contact with Mr. FORTAS, he has never known him to drink intoxicating liquors except maybe on a social basis and only very moderately. However, he has only been to one or two social engagements with him.

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[redacted] stated he knows nothing adverse or derogatory about Mr. FORTAS and considers his character, reputation, loyalty and associates to be above reproach.

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[redacted] said that to his knowledge, Mr. FORTAS associates with reputable attorneys, judges, and other high officials in the Federal Government whose character and reputation are above reproach.

[redacted] said he highly regards FORTAS and sincerely recommends him for any position of trust or security for which he may be considered.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 11/9/64	INVESTIGATIVE PERIOD 11/5/64 - 11/9/64
TITLE OF CASE ABE FORTAS		REPORT MADE BY SA [REDACTED]	TYPED BY jd
		CHARACTER OF CASE SPI	b6 b7C

REFERENCE: Report of SA [REDACTED] dated 11/4/64, at Washington, D. C.

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ADMINISTRATIVE DATA

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LEADS

WASHINGTON FIELD

At Washington, D. C.

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APPROVED <i>TJP/mj</i> SPECIAL AGENT IN CHARGE COPIES MADE 1 - Bureau (Enc. 2) ENCLOSURE 1 - Washington Field (161-2419)	DO NOT WRITE IN SPACES BELOW <div style="font-size: 2em; font-weight: bold; text-align: center;">161-2860-30</div> NOT RECORDED NOV 25 1965 NOV 10 2 11 PM '64 RECEIVED + 5 <div style="font-size: 2em; font-weight: bold; text-align: right;">7/14</div>																														
DISSEMINATION RECORD OF ATTACHED REPORT <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">AGENCY.....</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>REQUEST RECD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>DATE FWD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>HOW FWD</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>BY.....</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	AGENCY.....						REQUEST RECD						DATE FWD						HOW FWD						BY.....						NOTATIONS
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WFO 161-2419

Will report results of ONI, Security Services Division, OSD, and INS checks when received.

Will report results of interview with OSCAR CHAPMAN when available for interview.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

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Report of SA [redacted]
Date 11/9/64

Office Washington, D. C.

Field Office File No: 161-2419

Bureau File No.

Title: ABE FORTAS

Character: SPECIAL INQUIRY

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DATE 7/31/85 BY SP-2TAR/bmk

Synopsis Associate [redacted] commented favorably.
Passport record set forth. Information from files
of HCUA set forth. [redacted]

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ENCLOSURES

TO BUREAU

Exhibit A - Article entitled "Oil Men Puzzled by Fortas' Mission to the Middle East", from the "Times Herald" newspaper, Washington, D. C., November 3, 1943.

Exhibit B - Article entitled "A Little Prediction", by FRANK C. WALDROP, from the "Times Herald" newspaper, Washington, D. C., November 12, 1943.

DETAILS AT WASHINGTON, D. C.

ACQUAINTANCE

On November 5, 1964 [redacted]

[redacted] Alliance for Progress, Department of State, advised SA [redacted] that he has known the appointee since 1952 through professional circles. He said he met FORTAS in Puerto Rico while [redacted]

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and the appointee was there on business in connection with his firm handling legal matters for Puerto Rico. He stated that he joined the appointee's law firm of Arnold, Fortas, and Porter, in 1953, and was closely associated with him there until he left

the firm in January, 1962. He added that he has had fairly close social contact and very close professional contact with the appointee since January, 1962, and is also acquainted with the appointee's wife [redacted]. He remarked that the appointee enjoys an excellent personal and professional reputation, and his moral character, personal habits, and associates, are above question. He stated no one has ever discussed the appointee with him other than in the highest terms. He described the appointee as "one of the three or four great lawyers of our time". [redacted]

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[redacted] He stated that they have no children and he added that he did not know any of the appointee's relatives. He highly recommended the appointee for any sensitive position in the service of his country.

MISCELLANEOUS

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On November 6, 1964, ID [redacted] reviewed the appointee's file at the Passport Office, Department of State, which listed his birth as June 19, 1910, at Memphis, Tennessee.

He was issued Special Passport number 28485 on April 12, 1943, for one month's travel to Jamaica, Trinidad, West Indies, Cuba, Bermuda, Dominican Republic, and Haiti on official business for the Department of the Interior. His passport was to expire in six months and was not valid for travel in any country except: Jamaica, Trinidad, the West Indies, Bermuda, Cuba, Dominican Republic, and Haiti on official business.

On October 14, 1943, his Special Passport number 28485 was revalidated to expire April 14, 1944, and stamped not valid for travel in any country except: Palestine, Syria, Lebanon, Iran, Iraq, Arabia, The British Isles, and the Continent of Africa, including Egypt and the Union of South Africa - official business, Ireland and necessary countries en route. The file contains copy of letter dated October 13, 1943, from HAROLD L. ICKES, President, Petroleum Reserves Corporation, Washington 25, D. C., to the Secretary of State in which he referred to his letter of October 6, stating that the Board of Directors of the Petroleum Reserves Corporation has decided to send a group of representatives to the Persian Gulf region, and requesting that passports be issued to [redacted]

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[redacted] He decided that appointee, who was also Secretary of the Corporation, should also be a member of this group,

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and he requested that the necessary arrangements be made concerning his passport. He stated that appointee was issued a special passport in April of 1943, in connection with a trip to the Caribbean, but he did not have occasion to use the passport.

The file contained a newspaper clipping from "Times Herald", Washington, D. C., dated November 3, 1943, entitled "Oil Men Puzzled by Fortas' Mission to the Middle East". A copy of this article is attached as Exhibit A.

The file shows that his Special Passport number 28485, reissued to him on October 14, 1943, for travel in the Middle East, was returned to the Passport Office for filing on or about November 16, 1943.

On December 19, 1945, his Special Passport number 28485 was renewed to expire December 19, 1946, for his travel abroad to serve as an Adviser on the American Delegation to the General Assembly of the United Nations Organization.

On January 11, 1946, his Special Passport number 28485 was validated, at the American Embassy, London, England, to expire January 11, 1947, for the British Isles and return to the United States direct or via Eire, Newfoundland, and Canada.

He was issued Passport number 333324 on August 2, 1950, for three weeks' travel to England, Holland, and France for business conferences with Unilever and Lever, Limited. He had this passport renewed on June 10, 1953, for a two or three-week trip to England and the Netherlands for conferences with officials of Unilever, Limited, relating primarily to various legal proceedings involving the Lever Brothers Company.

He was issued Passport number 906572 on April 4, 1956, for about two to three weeks' travel to England, Netherlands, France, and Italy for purpose of business in England, Netherlands, and France, and holiday in Italy.

On April 3, 1958, he had his Passport number 906572 renewed for travel to England, Holland, and possibly France and European countries, for purpose of business. In his letter dated March 28, 1958, to the Passport Office, he pointed out that the "Travel Data" blanks in his application were only partially filled in, as his travel plans at the moment were incomplete. He stated that it was necessary that his passport be kept active, as he was the legal representative in the United States for Unilever, and trips to England on short notice were probable. He stated that he expected to make such a trip in the spring or summer, and therefore requested renewal at this time.

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He was issued Passport number B-066418 on March 7, 1961, for travel to England, Holland, France and Germany for business purposes. He did not list his proposed length of stay abroad.

On or about February 26, 1964, he had his Passport B-066418 renewed, but he indicated in his renewal application that he had no proposed travel plans.

In his 1964 renewal application he requested that THURMAN ARNOLD, 1229 19th Street, N. W., Washington, 35, D. C., be notified in the event of death or accident.

He listed his parents as WILLIAM FORTAS (deceased), born 1872 at Kerson, Russia, resided in U. S., from 1905 to 1931 (death), naturalized before U. S. District Court at Memphis, Tennessee, on January 15, 1923, and RAY BERSON FORTAS (deceased), born 1871 at Kovno, Lithuania, resided in United States from 1905 to 1946 (death), acquired citizenship through husband's naturalization. He indicated he was married on July 9, 1935, to [REDACTED]

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The file contained no additional pertinent information.

On November 5, 1964, SA [REDACTED] reviewed the following hearings at the House Committee on Un-American Activities (HCUA) in which the appointee was mentioned.

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Hearings before a subcommittee of the Committee on Foreign Relations, United States Senate, 81st Congress, Second Session, State Department Employee Loyalty Investigation, Part 1, Pages 264 and 417.

Page 264 contained the testimony of the Honorable PHILIP C. JESSUP, Ambassador at Large of the United States of America in April, 1950. Set forth was a letterhead from the American Law Student's Association, Woolworth Building, Room 530, New York, New York. Among the members of the "Faculty Advisory Board" of the association from Yale Law School, was Professor ABE FORTAS.

Page 417 of the above hearings contained the testimony of Dr. OWN LATTIMORE on April 6, 1950, who was accompanied by his attorneys, ABE FORTAS and PAUL PORTER.

Hearings before the Committee on Un-American Activities, House of Representatives, 82nd Congress, First Session, Communist Infiltration of Hollywood Motion-Picture Industry, Part 3, Page 553, held during May and June, 1951.

Page 553 contained the testimony of JOSE FERRER, who was accompanied by his counsel, ABE FORTAS, of the firm of Arnold, Fortas, and Porter, Washington, D. C., and EDWIN REISKIND, whose office was indicated as 1270 6th Avenue, New York City.

Hearings before the Committee on Un-American Activities, House of Representatives, 82nd Congress, Second Session, on the Institute of Pacific Relations, Page 2898, contained the testimony of OWEN LATTIMORE, accompanied by his counsel, ABE FORTAS, of the firm of Arnold, Fortas, and Porter.

These hearings were held between May 2, 1952, and June 20, 1952.

Hearings before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, 84th Congress, First Session, Part 30, Interlocking Subversion in Government Departments (the Harry Dexter White Papers), June, 1955.

Page XXXIV contained the following information under the heading "ABE FORTAS".

"On January 4, 1945, ABE FORTAS, then Under Secretary of the Interior, wrote to HARRY D. WHITE, congratulating him on his appointment as Assistant Secretary of the Treasury. FORTAS felt that the promotion was 'completely deserved' and would 'strengthen the government considerably'. WHITE expressed his 'deep satisfaction' at the note. FORTAS was a member of a dinner group which met on May 11 (year not given), at the Athens Cafe, 804 9th Street, N. W., Washington, D. C., including Dr. LUBIN, DAVID NILES, Mr. APPLEBY, C. B. BALDWIN, Dr. EZEKIAL, OSCAR CHAPMAN, L. B. CURRIE, and others.

"On a letterhead dated May 18, 1942, of the International Juridical Association, 100 5th Avenue, New York City, appears the name of ABE FORTAS as a member of its national committee. Among his fellow members with records as members of the Communist

Party were JOSEPH R. BRODSKY, NATHAN WITT, LEO GALLAGHER, LEE PRESSMAN, DAVID J. BENTALL, ISAAC E. FERGUSON, and others who have been active in defending communist cases. The House Committee on Un-American Activities characterized the International Juridical Association as an organization which 'actively defended Communists and constantly followed the Communist Party Line'. It was an official offshoot of the International Labor Defense, cited by the Attorney General as 'the legal arm of the Communist Party'.

"The International Juridical Association was succeeded in the Communist Hierarchy by the National Lawyers Guild. The leadership of the two organizations interlock significantly. In 1937, FORTAS was a member of the National Executive Board of the National Lawyers Guild which has been cited as subversive by the Attorney General. In 1940, a split occurred in the organization and there was a defection of a large group of well known anti-communists. To our knowledge, FORTAS' name has not appeared on its letterhead since then.

"A letterhead of the American Law Student's Association shows Professor ABE FORTAS, of Yale Law School, as a member of its faculty advisory board. The American Law Student's Association was a part of the American Youth Congress which has been cited as subversive by the Attorney General. It was also an affiliate of the United States Peace Committee, a part of the Communist controlled peace front. Its letterhead shows Union Label 209, of the Prompt Press, which prints Communist Party literature.

"ABE FORTAS was a member of the Washington Committee for Democratic Action, which has defended the interests of individual Communists and whose meetings have been addressed by such well known Communists as ELIZABETH GURLEY FLYNN, LEE PRESSMAN, and DOXEY WILKERSON. It was active in 1940 and 1941 during the period of the STALIN-HITLER pact."

Page LIX of the above hearings contained the following information under the heading 'Building a Group Within the Government'.

"For some undisclosed reason, WHITE's office arranged gatherings of a number of selected, high-ranking, policy-making officials from various Departments of the Government, one on May 11 (year not given, but estimated during the period 1942-1944) at the Athens Cafe and the other on November 15, 1944,

in the Treasury Private dining room. Since there were an insignificant number of Treasury officials present, the gatherings obviously were not called primarily to deal with Treasury Matters. It does not appear the proceedings were given to the public.

"Mr. HENRY MORGENTHAU, JR., Secretary of the Treasury, was not present, nor is there any indication that the meetings were called by any other higher ranking official than WHITE. If the purpose of the meeting was to coordinate policy, in executive departments, why were not all departments represented and why were they called by WHITE? The fact that the list of guests was kept and checked in WHITE's office would indicate that he initiated the gatherings, for the possible purpose of exchanging opinions and influencing policy. Although it was wartime, no high military men were present so it is not likely that military matters were discussed. With WHITE as the initiator and activist, such a gathering could result in far-reaching changes in our Government."

Set forth was a list of the individuals attending the above mentioned gatherings which included "ABE FORTAS", Under Secretary of the Interior.

"A detailed study and analysis by the subcommittee staff of the documents obtained at Concord through Attorney General WYMAN have revealed striking new phases in the life and career of HARRY DEXTER WHITE. They also emphasize the importance of WHITE's part in the conspiracy of strategically placed individuals in Government to subordinate the interests of the United States to the imperialistic designs of the Soviet Union."

On November 5, 1964, IC WAYNE E. HOLLAND, reviewed the records of the House Committee on Un-American Activities, which contained the following information concerning the appointee.

Special Committee on Un-American Activities, House of Representatives, 78th Congress, Second Session; Investigation of Un-American Propaganda Activities in the United States, Appendix-Part IX, Communist Front Organizations.

On page 795 appeared a list captioned "Officials of the International Juridical Association", which contained the name "ABE FORTAS".

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On page 812, "ABE FORTAS" is listed as a member of the National Committee of the International Juridical Association, date not shown.

Page 1093 revealed Professor ABE FORTAS, Yale Law School, was listed as a member of the faculty advisory board, American Law Student's Association, date not shown.

House Committee on Un-American Activities files contained a pamphlet of the Washington League of Women Shoppers 1010 Vermont Avenue, Washington, D. C., dated May, 1940. The pamphlet gave thanks to "CAROL AGGER and the psychic ABE FORTAS", for their performance in the sideshow at the Sky-top Fair, held in the Washington Hotel, date not shown.

The League of Women Shoppers was cited as "an organization which this committee found to be a communist controlled front by indisputable documentary evidence obtained from the files of the Communist Party in Philadelphia. By the Special Committee on Un-American activities, House report 1311 on the CIO Political Action Committee, March 29, 1944, pages 121 and 181.

The files contained a newspaper clipping from the "Washington Star" newspaper dated May 12, 1943, entitled "Roosevelt Rejects FORTAS' Resignation from Interior Post". The article revealed President ROOSEVELT had rejected the resignation of ABE FORTAS, 32-year-old "Under Secretary of the Interior", who sought to give up the civilian post because of fear of bringing criticism on himself and the administration, according to Secretary of Interior ICKES, who had urged that the resignation not be accepted. According to the article, the President wrote Mr. FORTAS, "I appreciate the motives which prompted you to send me your resignation. You can best serve your country by continuing to do your job as Undersecretary of the Interior, which is responsible for so many war activities, and as a member of the various committees to which you have been appointed, I shall not accept your resignation."

The article referred to a letter to the President from Mr. ICKES in which he stated that FORTAS had submitted his resignation only because he did not want ICKES or the administration to suffer as a result of public attacks upon him by remaining in a civilian post.

The May 15, 1943, edition of the "Washington Star" contained an article entitled "ICKES and ROOSEVELT Criticized for Stand in ABE FORTAS Case".

The article revealed Secretary ICKES and President ROOSEVELT were criticized in the House today by Representative HARNESS, Republican of Indiana, who said that they were endeavoring to circumvent selective service routine in the case of ABE FORTAS, "Hitherto little known Under Secretary of the Interior".

HARNESS, a member of a special subcommittee of the House Military Affairs Committee which was investigating draft practices, stated that FORTAS was "the young man who has recently achieved considerable prominence by reason of the strenuous efforts of his chief, Interior Secretary ICKES and President ROOSEVELT, to keep him out of military service. HARNESS stated that there was apparently nothing in FORTAS' training and brief administrative experience to indicate he could fill the job of Under Secretary of the Interior any better, " if indeed, as well, as hundreds of more experienced men, well over the age for military service." According to the article, HARNESS stated he was perfectly willing to accept at face value the report that FORTAS was ready, for his own part, to resign his civilian post and offer himself for induction. He said in fact, FORTAS was to be commended for his attitude and to be consoled for the official attitude which stood in the way of embarrassing him. He said the fault did not lie with FORTAS but with the administration policy.

The "Times Herald" newspaper, Washington, D. C., edition of June 2, 1943, contained an article entitled "Appeal Against Deferment of 2 U. S. Aides Urged". The article revealed Major General LEWIS B. HERSHEY, director of the draft, was called upon yesterday to appeal two draft deferments on behalf of the government. It was indicated that representative FOREST HARNESS of Indiana, had urged the draft director to use the government's right of appeal against the deferment of ABE FORTAS, Under Secretary of Interior, and LEON H. KEYSERLING, General Counsel of the National House Agency.

The "Times Herald" newspaper, Washington, D. C., edition of November 12, 1943, contained an article by FRANK C. WALDROP, under the heading "A Little Prediction". In the article

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WALDROP predicted that FORTAS would soon fall into an unexpected physical decline and suddenly become unfit for military service. A copy of this article is enclosed as Exhibit B.

The December 14, 1943, edition of the "Washington Post" newspaper contained an article entitled "Navy Releases FORTAS For Eye Ailment". The article revealed FORTAS had been discharged from the Navy for physical reasons after serving one month as an apprentice seaman. It was stated that Secretary of the Interior ICKES in a statement had said that FORTAS had an arrested case of ocular tuberculosis and had spent all except one day of his term at Camp Sampson, New York, Training Station, in the hospital. The article revealed that FORTAS had been in and out of the Navy twice in a two months' period. Until October he was kept out of the service by intercession by Secretary ICKES and President ROOSEVELT on the ground he was necessary in his job. After congressional criticism, ICKES and ROOSEVELT withdrew their objections and FORTAS volunteered for induction in the Navy. The day he reported, ICKES persuaded the Navy to give him a 30-day leave to head a mission of the Petroleum Reserves Corporation to the Middle East. Mission was delayed in leaving and FORTAS resigned and entered the Navy and was shipped to Camp Sampson. The article stated that the Navy said that a regular medical examining board made this finding concerning FORTAS:

"This man is not qualified for retention and was not qualified for enlistment in the U. S. naval service."

The files of the House Committee on Un-American Activities contained a list of members of the Washington Committee for Democratic Action, date not indicated, which contained the following names:

[Redacted]

Mr. and Mrs. ABE FORTAS, 1300 30th Street, N. W.,
MI 1905.

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[Redacted]

Attached to this list was a memorandum dated March 4, 1947, which revealed the membership list was furnished to the Dies Committee in 1941, by the Metropolitan Police Department, and the Committee could not vouch for its accuracy.

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The newspaper "P. U.", edition of August 26, 1947, contained an article on page 3 entitled "Doubt in Loyalty Findings May Force Fair Trials". The article reported that "six of the dismissed people turned up in the law office and sought help". THURMAN ARNOLD, the former trustbuster in the Department of Justice; ABE FORTAS, former Under Secretary of Interior; and PAUL PORTER, ex-administrator of OPA and more recently Press Emissary to Greece, are about as Red and Revolutionary as would be the average vice president of a bank. But they became alarmed at the accounts of what had been going on behind the blacked-out security doors of the Department of State.

The files of the House Committee on Un-American Activities contained no additional pertinent information.



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Oil Men Puzzled by Fortas' Mission to the Middle East

By EDWARD TALLEY

How Assistant Seaman Abe Fortas, U.S.N.R., former Undersecretary of Interior, can enlarge on the Government's huge fund of information on Middle East oil reserves and potential supplies in his current 30-day voyage to that area has created a major mystery in the petroleum industry, it was learned yesterday.

Industry members point out that the former Interior Department official, who has been granted a one-month leave of absence by his new boss Secretary of Navy Knox, presumably is expected in that time to obtain information that industrial and governmental surveys failed to gather in more than 20 years.

\$30,000 for Transport

Fortas and a group of Government specialists left this country last week aboard an Air Transport Command plane and are now presumably prowling the Middle East on their mission. Official estimates it will cost at least \$30,000 for the transportation alone.

While he is on the mission, Fortas will be carried on the Navy Department rolls as a reservist, drawing no pay. But the Interior Department admits that he probably will not lack spending money because he is and will continue on that Agency's payroll at the \$10,000 annual salary he draw as undersecretary.

This circumstance will give the Middle East the unique experience of gazing on the highest paid American seaman in the history of the American Navy.

Statement From Ickes

The official announcement by Ickes, as president of the Petroleum Reserves Corporation, stated:

"The primary objective of the mission involves firsthand surveys and observations of foreign petroleum facilities and arrangements available in that area to supply the fighting forces abroad, and the members will also seek a closer integration of foreign production and distribution of petroleum products into our domestic supply pattern."

But Gordon M. Parsons, public relations director for the Petroleum

Administration for War, another Ickes' agency, admitted yesterday that a great deal of information was already on hand concerning the potential supply and the available refining facilities in the Middle East.

Equipment Lacking

So much information is currently on hand that the PAW has been able to state that there is no prospect of increased supplies for troops from the Middle East in the immediate future because of the lack of drilling and refinery equipment in that part of the world.

Although information from surveys already in the hands of the Government indicates the unexploited reserves in that section "are probably the largest in the world," they cannot be used until drilling and refining equipment is shipped into that area, Parsons said.

W. R. Boyd Jr., of the Petroleum Industry Council for War, said a "vast fund" of information on supplies and refining facilities had been accumulated over a period of years by American and British companies operating in the Middle East and added that he "presumed" this information had been made available to the American Government.

Big Job, Little Time

Commenting on the secondary phase of the Fortas' mission—that of integrating foreign production with that of this country—a prominent oil industry figure expressed the opinion that "they've set out to do quite a job in one month."

When the postponement of active duty status was announced by Ickes and Knox on October 23, it was stated that Fortas would enter on active service as an apprentice seaman when he returned from the mission.

Knox stated the deferment was set for 30 days. The Navy Department admitted yesterday, however, that it is within the power of the Secretary to continue the deferment for an indefinite period should he consider it advisable.

Back "Sooner or Possible"

When Ickes made his announcement of Fortas' impending departure he set no definite time for the mission. A departmental spokesman could not make the time any more certain yesterday.

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agreed to state that the group was expected "to get back here as soon as possible."

Fortas is one of the young New York Times draft deferments who has attracted much congressional criticism. The 33-year-old Interior Department official is married and childless. His wife held a \$5,000 a year job in the Justice Department when his draft board reclassified him I-A last spring.

At that time he submitted his resignation in order to enter the armed forces, but President Roosevelt ordered him to accept a six-month deferment obtained by him by Ickes.

Placed in I-A

Meanwhile local draft board No. 1 had already turned down Ickes' appeal for continued deferment for his aide and placed the latter in I-A.

It was learned that at least one member of the board demanded that it go on record as saying that Fortas should be I-A, the presidential letter notwithstanding but he was outvoted and the official placed in the 2-A, or "essential man" classification for six months.

Despite demand from Congress the Selective Service headquarters refused to reverse the decision.

The six-month deferment expired November 15 and Ickes announced that at Fortas' request he would not seek deferment.

EXHIBIT

A

PREDICTION

By Frank C. Waldrop

"Times Herald"
11-12-43, page 18

Best Copy

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BY SP-2100/74E

1-308

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Date 11/10/64

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-2419) (P)

ABE FORTAS
SPI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAD/DK

ReBuairtel dated 10/20/64.

b6
b7C

On 11/9/64, Mr. OSCAR L. CHAPMAN, attorney and former Undersecretary of the Interior, was interviewed by SA [redacted] at his office in the Pennsylvania Building, 13th and Pennsylvania Avenue, N.W. He stated that he has known the appointee for approximately 25 years during which time he has always found him to be a loyal American of impeccable character, reputation and associates. He characterized the appointee as being one of the outstanding attorneys currently practicing in the U. S. and as an attorney of unquestioned professional ethics. He highly recommended FORTAS for a position of trust and responsibility with the government.

ONI, OSD and INS checks still outstanding.

2 CC destroyed Jan

161-2860-31
NOT RECORDED

3 JAN 25 1965

3 Bureau
1-WFO

ELN:psr
(4)

AIRTEL

Wtg

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MA
9:23/8
11/12/64 JS

F B I

Date 11/12/64

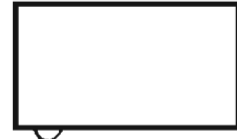
- Mr Tolson
- Mr Belmont
- Mr Mohr
- Mr DeLoach
- Mr Casper
- Mr Callahan
- Mr Conrad
- Mr Felt
- Mr Gale
- Mr Rosen
- Mr Sullivan
- Mr Tavel
- Mr Trotter
- Tele Room
- Miss Holmes
- Miss Gandy

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

Via AIRTEL _____
(Priority)

[Handwritten signature]

TO: DIRECTOR, FBI
FROM: SAC, WFO (161-2419) (P)
ABE FORTAS
SPI



b6
b7C

Re Bureau airtel dated 10/20/64.

On 11/12/64, IC [redacted] reviewed the file regarding ABE FORTAS at the Office of Naval Intelligence which contained no additional pertinent information.

b6

Office of Secretary of Defense and Immigration and Naturalization checks outstanding.

b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2TAP/SMP

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2cc destroyed G.A.N.

3 - Bureau
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161-2860-30

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3 JAN 25 1965

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FBI

Date 11/17/64

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(Type in plaintext or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, WFO (161-2419) (RUC)
ABE FORTAS
SPI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 TAP/bhc

ReBuairtel dated 10/20/64.

On 11/16/64, SA [redacted] reviewed the official personnel file regarding the appointee at the Office of the Secretary of Defense, Pentagon, which revealed on 9/4/62, he was appointed Member, President's Committee on Equal Opportunity in the Armed Forces (without compensation-intermittent). On 7/1/63, the appointment was renewed. On 6/30/64, he terminated due to expiration of appointment. The file contained no additional pertinent information.

b6
b7C

On 11/16/64, SA [redacted] reviewed the file regarding FORTAS at the Security Services Branch, OSD, which revealed he was granted an interim "Secret" clearance by OSD on 7/19/62, in connection with his appointment to the President's Committee on Equal Opportunity in the Armed Forces. OSD completed a background investigation of FORTAS in 1963, and he was granted a "Secret" clearance on 9/13/63. This clearance terminated on 6/30/64, when appointees employment terminated. The file contained no additional pertinent information.

b6
b7C

On 11/16/64, ID [redacted] reviewed the file regarding [redacted] at the Central Office, Immigration and Naturalization Service, which revealed he was naturalized on 12/5/44, and issued Certificate of Naturalization 6571577. On his Petition for Naturalization filed on 7/24/44, "ABE FORTAS 2804 O Street, Washington, D. C." and [redacted] witnesses.

b6
b7C

① - Bureau

1 - WFO
ELN:flm

New York appeared as
161-2419-33
NOT RECORDED

3 JAN 25 1965

7/2/65

[redacted] was investigated by FBI under
EO 9835 in 1948, in case entitled [redacted]

[redacted] Department of State, Loyalty of
Government Employees." By letter dated 9/20/48, the
Chairman, Loyalty Review Board, Civil Service Commission
advised the Bureau the disposition was "retained."

Name Searching Unit - Room 6527
 Service Unit - Room 6524
 Forward to File Review
 Attention
 Return to
 Supervisor Room Ext.

b6
b7C

Type of References Requested

Regular Request (Analytical Search)
 All References (Subversive & Nonsubversive)
 Subversive References Only
 Nonsubversive References Only
 Main _____ References Only

Type of Search Requested

Restricted to Locality of _____

**ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/31/85 BY SP-2TAP/DHF**

Subject Rhe Fortas
 Birthdate & Place 6/19/10 Memphis, Tenn.
 Address OCT 21 1964

Localities

R# 31 Date 10/11 Searcher Initials TRH
 Prod 1964

	FILE NUMBER	SERIAL
I	101-1605	
I	101-1605-14	Sum 6/26/63
	I-15	Sum DOC 12/9/63
	I-19	Sum 5/11/64
I	3-41-99	
I	29-28704-3716	P#51
I	39-915-2569	X
I	46-0-A	DC, PM 6/13/43
I	46-2304-800	
I	46-17267-2	
I	58-5520-A	DOC 12/1/63
I	61-190-960	7-10-96
I	61-3017-A	
I	Wood Daily News	11/13/47
I	61-4478-031	Encl P# 2-4
I	61-7559-2172	X2 P#1, 2848, 9314, 9180 X9
I	61-7582-1298	P# 795, 801, 812, 1043

OCT 21 1964

(1)

SEARCH SLIP

Subj. Ribe Fortas

Supervisor _____ Room _____

R# (21) Date 10/21 Searcher Initial RL

Prod. 16th 6m

FILE NUMBER SERIAL

- I OCT 5
61-10149-648 ~~RL~~
- I 61-10498-407 P*219
- I 62-0-53313
- I 62-17890-607 Encl P*1361
- I 62-21594-A
- Washington Post 5/22/53
- I 62-25733-58 P*4; 102,
I 173 Encl P*10
- I 62-25733-A
- Times Herald 11/20/50
- I 62-25783-128
- I 62-34434-90, 93 I
- 62-39749-A
- I Daily Worker 11/3/47
- I Wash. Evening Star 11/4/47
- I Wash. Post 11/6/47
- I Wash. Post 11/4/47
- I Daily Worker 11/18/47
- I 62-58854-145, 233, 297, 308 I
I 768 I 810 I 811 I 812
- I 62-58854-A R 768
- Wash. Times Herald 3/3/48
- I 62-63007-15 1315 I 3
- L 62-77787-557 X 768

OCT 21 1964

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SEARCH SLIP

Subj: Robe Fortar

Supervisor Room 1254

R# 167 Date 10/21 Searcher Initial rd

Prod. SN 60 OCT 21 1964

FILE NUMBER

SERIAL

I	62-82273-A	
	Week. News 9/18/47	
I	62-88217-124	
I	62-89885-A	
	Times Herald 10/9/47	
I	62-102938-1	
I	62-105305-1	
I	62-109021-1	
I	62-109060-1669, 1936	I
I	62-109090-4	
I	62-109231-3 P# 1, 4, 5, 6	
I	62-109433-8	
I	65-5793-745	
I	65-14303-38 P# 21	
I	65-38899-48	
I	65-56402-674 P# 123	
I		1537, 2244 P# 54,
I		2309 P# 141, 118,
I		2326 P# 72,
I		2482, 2848 P# 73,
I		2850 P# 171, 244,
I		2894, 2922,
I		2930, 2955 P# 19, 20
		OCT 21 1964 (3)

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SEARCH SLIP

Subj: Abe Fortar

Supervisor Room 1214

R# 167 Date 10/21 Searcher Initial rel

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OCT 21 1964

FILE NUMBER SERIAL

- ~~I~~ 65-56403-3173 P# 1, 79, 80, 81
- ~~I~~ 65-56402-1-1424 P# 12,
- ~~I~~ 1636, 2207, I
- ~~I~~ 2247, 2252 I
- ~~I~~ 2262, 2265, I
- ~~I~~ 2304, 2346, I
- ~~I~~ 2347 P# 10, 2491, I
- ~~I~~ 2807, 2835, I
- ~~I~~ 2839, 2849, I
- ~~I~~ 2852, 2858, I
- ~~I~~ 2881, 2882, I
- ~~I~~ 2892, 2937 I
- ~~I~~ 65-59567-44
- ~~I~~ 65-61449-16
- ~~I~~ 65-63390-221
- ~~I~~ 65-64921-150, 398, 400, I
- 402, 467
- ~~I~~ 66-1372-53-24
- ~~I~~ 66-1731-503, 672 I
- ~~L~~ 66-6200-101-260 P# 88
- ~~I~~ 66-7153-2221, 223 I
- ~~I~~ 74-1333-675, 904, 939, I
- ~~I~~ OCT 21 1964 689, 1869, 1993 I
- 1. 90 (4)

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SEARCH SLIP

Subj: Chc Fortas

Supervisor Room 1254

R ~~333~~ Date 10/21 Searcher Initial rlh

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FILE NUMBER

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FILE NUMBER	SERIAL
I 74-1333-2357, 2362,	I
I 2653, 2830,	I
I 2897, 2995-P#65	I
I 77-13677-90, 141 P#18, 27	I
I 77-24258-16	I
I 77-44843-19	I
I 94-1-3741-54	I
I 94-36511-75 Encl P#36	I
I 94-35497-42	I
I 94-60161-1	I
I 97-2171-23 Encl P#118;	I
I 203x7 P#1	I
I 98-2990-28	I



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Approx 20 ref not listed

OCT 21 1964

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SEARCH SLIP

Subj: Abe Fortas
Supervisor [redacted] Room 1254
R# 333 Date 10-21 Searcher Initial etj
Prod. 18W 4

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FILE NUMBER SERIAL

I	100-3-60-957p73
I	-965p5
I	100-3-65-607
I	-1145p64
I	-1158p85
T	100-135-53-227
I	-239p6
I	100-4590-9
I	100-7061-1222
I	-1232
T	-1243
I	-1298
I	-1459p14
I	100-7061-A- Wash. Daily News 4-5-46
I	- N.Y. World Telegram 2-25-47
I	100-7321-6
I	-232
I	-652
I	100-7660-3722 - 57
I	9187 + ...
I	100-10355-121
I	-287

NOV 21 1964

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NUMEROUS RE...

SEARCH SLIP

Subj: Abe Fortas
 Supervisor: Room 1254
 R# (312) Date 10-21 Searcher Initial etj
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FILE NUMBER SERIAL

- I 100-11820-439p15
- I 100-17826-924X
- I 100-17828-897
- I 100-24628-865
- I-1655
- I-1635
- I-2875
- I-3065
- I-3205-ep2
- I-3264
- I-4003
- I-4117p10
- I-4183
- I-4201
- I-5368
- I-6760
- I 100-24628-A-N.Y. Times 4-2-50
- I 100-24628-A-N.Y. Eve. Sun 7-7-50
- I 100-25836-10
- I 100-26441-24 ep 53
- I 100-26411-35 105
- I 100-27055-36

OCT 21 1964

SEARCH SLIP

Subj.

Abe Fortas

Supervisor

[Redacted]

Room

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R#

312

Date

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FILE NUMBER

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<i>Y</i>	<i>100-31226-6</i>	
	<i>Y-15X9</i>	
<i>Y</i>	<i>100-33049-37-47</i>	
<i>V</i>	<i>100-37078-97</i>	
<i>I</i>	<i>100-64700-998 ep 393</i>	
	<i>I-1207 ep 2248</i>	
	<i>I-1210 ep 2898, 2939, 3010, 3123</i>	
	<i>I-1211 ep 3419, 3493, 3607, 3611</i>	
	<i>I-1212 ep 4028</i>	
	<i>I-1213 ep 4195</i>	
	<i>I-1214 ep 4370, 4372, 4359, 4364,</i>	
	<i>4375-4380, 4363</i>	
	<i>Unit 111</i>	
<i>I</i>	<i>100-1215 ep 5162</i>	
	<i>I-1216 ep 30</i>	
<i>I</i>	<i>100-70071-A-P.M. 5-9-43</i>	
<i>I</i>	<i>100-105022-13</i>	
<i>I</i>	<i>100-120818-1716</i>	
	<i>I-1767</i>	
<i>I</i>	<i>100-125196-19</i>	
<i>Y</i>	<i>100-138754-287 p 24</i>	
	<i>Y-308 p 84</i>	
<i>OCT 21 1964</i>	<i>Y-926 ep 533</i>	

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SEARCH SLIP

Subj Abe Fortas

Supervisor Room 1254

R# 324 Date 10-21 Searcher Initial etj

Prod. 20th

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FILE NUMBER

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I	100-146968-719	
I	100-187441-22	
I	100-203268-505	
	I -612	
	I -751	
	I -793p19	
L	100-205249-48	
I	100-240709-3	
L	100-267360-1020	
I	100-284232-8	
I	100-310108-27	
I	-32p4	
I	100-334394-1	
I	-3	
I	100-339008-191	
I	100-341652-1096p10	
I	100-341825-114 p36	
I	100-343001-20 p5,17	
I	100-344835-51 p64	
I	-219	
I	-310p13	
I	-314p31	

OCT 21 1964

SEARCH SLIP
 Subj: Alu Fortas
 Supervisor: Room 1254
 R# 63 Date 10 21 Searcher Initial efj
 Prod. 21K

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FILE NUMBER	SERIAL
I 100-944835-246	
I 100-944835-A. P.M. Daily	1-23-47
	D.W. 1-24-47
I 100-350512-320	
I 100-351669-10	
I 100-353406-13	
	I-19
I 100-365040-410	
I 101-191-55	
L 101-2103-13 ep 53	
I 101-2290-5	
I 101-2290-6	
I 101-2364-5	
L 101-2416-74	
L 101-3315-13	
	L-26 ep 22
I 101-4053-1415 ep XII, XXXIV, XXXV,	
	LIX, 2552, 2572, 2578
I 105-1913-83 p 8	
I 105-10828-1098	
I 105-13844-3 ep 14, 17-20, 30	
I 105-22313-156	RLD

SEARCH SLIP

Subj: Abe Sartin
Supervisor Room 1254
R# 604 Date 10/21 Searcher Initial 26
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FILE NUMBER

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<u>FILE NUMBER</u>	<u>SERIAL</u>
	00
<u>I 121-2 A - Wash Rec - 11/1/41</u>	
<u>I 121-755-27</u>	
<u>I 121-1134-16</u>	
<u>I 121-1816-32</u>	
<u>I 121-3076-55</u>	
	<u>I 107</u>
	<u>I 288</u>
<u>I 121-454-156</u>	
	<u>I 107</u>
<u>I 121-6565-1974 "3/4" 72</u>	
<u>I 121-7868-25</u>	
<u>I 121-14244-22</u>	
<u>I 121-21712-38</u>	
<u>I 121-22441-53</u>	
<u>I 121-23278-44</u>	
	<u>I 133</u>
<u>L</u>	<u>3, 7, 12, 14, 364, 31, 404, 10, 10</u>
<u>I 121-23278-44</u>	<u>1 of Dist in Home</u>
	<u>new 7/3/10</u>
<u>I 121-25571-24</u>	
<u>I 121-28420-1X</u>	

SEARCH SLIP

Subj: Abe Factor
Supervisor: Room 1254
R# 6004 Date 1/21 Searcher Initial XB
Prod. 19R

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FILE NUMBER

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I	121-54424-4	
I	121-35068-5	
I	121-36478-24	
I	123-1606-16	
	I 20X	
I	124-8245-7	
I	128-14-14	97 22
I	138-331-26	
I	140-6436-15	97 114
I	157-6-2-1582	
I	161-251-46	
	Abraham (Su)	
I	61-7559-1103, 1233	
	65-58621-764	X
I	67-78-177	P61
I	74-1333-1658, 2829	
I	100-3-60-543P#6	
I	105-68494-4	
	Ab	
I	100-3-65-194	
	A	
I	100-10355-129	

Other Descriptions on Ver Not Searched

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November 19, 1964

BY COURIER SERVICE

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Cleveland
- 1 - Mr. Hudson

Honorable Bill D. Moyers
 Special Assistant to the President
 The White House
 Washington, D. C.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/31/85 BY SP-2TAP/DHE

Dear Mr. Moyers:

Transmitted herewith is a summary memorandum containing the results of investigation concerning Mr. Abe Fortas, which was requested by the President on October 20, 1964.

An investigation was conducted concerning Mr. Fortas in 1941 and 1942 under the provisions of the Hatch Act and the enclosed summary memorandum contains the results of that investigation as well as the results of current inquiries concerning him.

b3 Title 26, USC, Section 6103



NOV 19 4 26 PM '64
 READING ROOM
 B

The investigations of Mr. Fortas, which were limited to the United States, covered inquiries as to his character, loyalty, general standing and ability, but no inquiries were made as to the sources of his income.

Upon removal of the classified enclosure, this letter becomes unclassified.

REC-35 167-2860 34
 Sincerely yours,

RECORDED
 3 JAN 25 1965

SEE REVERSE SIDE FOR
 ADD. DISSEMINATION.

ZENCLOSURE

SEARCHED
 SERIALIZED
 INDEXED
 FILED

- Tolson _____
- Belmont _____
- Mohr _____
- DeLoach _____
- Casper _____
- Callahan _____
- Conrad _____
- Evans _____
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- Trotter _____
- Tele Room _____
- Holmes _____
- Gandy _____

NOTE: See cover memo, W.V. Cleveland to Mr. Evans captioned "Abe Fortas, Special Inquiry," dated 11/18/64, FJH:jh

56 FEB 5 1965

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HU-20-1160

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

~~SECRET~~

November 19, 1964

1 copy to WH
for Deputy Attorney
General 7/28/65

SUMMARY

Classified by SP-2TAP/BHF
Declassify on: OADR
7/31/85

~~ABRAHAM FORTAS~~
also known as Abraham Fortas

An investigation was conducted concerning Mr. Fortas under the provisions of the Hatch Act in 1941 and 1942, and this summary memorandum contains the results of that investigation as well as the results of the current inquiries concerning him.

I. BIOGRAPHICAL DATA

Birth

Mr. Fortas was born June 19, 1910, at Memphis, Tennessee, as Abraham Fortas.

Education

In September, 1928, Mr. Fortas entered Southwestern at Memphis, Memphis, Tennessee, and received a B.A. degree in June, 1930.

During the Summer of 1929 he attended the University of Wisconsin, Madison, Wisconsin.

Mr. Fortas entered Yale University, New Haven, Connecticut, in September, 1930, and received his LL.B. degree cum laude in June, 1933.

During the time he was at Yale University he was elected Editor in Chief, "Yale Law Journal"; was awarded the Jewell Prize, the highest scholastic honor given to law students; and was elected to the Order of the Coif, school honorary society.

D.C.
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- Tolson _____
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- Casper _____
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- Conrad _____
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- Trotter _____
- Tele Room _____
- Holmes _____
- Gandy _____

FJH:jh

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Group 1

Excluded from automatic downgrading and declassification.

EX-100
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SECTION

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MAIL ROOM TELETYPE UNIT

ENCLOSURE

161-2860-34

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Abe Fortas

Employment

In July, 1933, Mr. Fortas entered on duty as an attorney, Agricultural Adjustment Administration (AAA), Department of Agriculture, Washington, D. C. In February, 1934, he was transferred to New Haven, Connecticut, and remained there until July, 1934. During that period he was in a "when actually employed" status. From February, 1934, to June, 1934, he was also a teaching fellow at Yale University.

Upon his return to Washington, D. C., in July, 1934, he was employed as a senior attorney with the AAA and in September, 1934, he was reassigned as chief attorney. Mr. Fortas remained in that position until his resignation in November, 1934.

Mr. Fortas entered on duty as a principal attorney with the Securities and Exchange Commission in Washington, D. C., in November, 1934, and was reassigned as an assistant director in February, 1935. In January, 1936, he was transferred to New Haven, Connecticut, where he remained until June, 1936, when he returned to Washington, D. C. In September, 1936, he was again transferred to New Haven, Connecticut, and in January, 1937, was reassigned to a "when actually employed" status. Effective in June, 1937, he was transferred to Washington, D. C., as a full-time employee. In September, 1937, he returned to New Haven, Connecticut, in a "when actually employed" status where he remained until February, 1938, at which time he was reassigned as Assistant Director (Head Attorney), and transferred to the Public Utilities Division, Securities and Exchange Commission, Washington, D. C., In July, 1938, he was reassigned as Assistant Director (Expert). The latter employment was terminated in April, 1939.

- 2 -

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Abe Fortas

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During the period Mr. Fortas was in the New Haven, Connecticut, area he was on the faculty of Yale University.

In May, 1939, Mr. Fortas was employed as General Counsel with the Federal Emergency Administration of Public Works in Washington, D. C.

In July, 1939, he was employed as General Counsel with the National Bituminous Coal Commission, Department of the Interior, Washington, D. C. Effective March, 1941, he was transferred as General Counsel of the National Power Policy Committee, and in July, 1941, he was reassigned as Acting Director and transferred to the office of the Secretary of the Division of Power. In November, 1941, he was reassigned as Director of the Division of Power. In June, 1942, he was reassigned as Under Secretary of the Interior. He remained in that position until January, 1946, with the exception of the period from November 16, 1943, to January 5, 1944, when he was on military leave.

During the time Mr. Fortas was associated with the Department of the Interior he also served on various boards and committees, including the War Resources Council; Emergency Resources Committee of the National Resources Planning Board; Food Advisory Committee; Board of Legal Examiners; Committee on International Electric Power Matters; Civil Service Commission; Committee on Legal Personnel; and the Committee to Study Organic Law of Puerto Rico. He was also adviser to the United States delegation to the United Nations in San Francisco, California, in 1945, and in London, England, in 1946.

In June, 1962, he was appointed a member of the President's Committee on Equal Opportunity in the Armed Forces and in August, 1964, he was appointed a member of the Board of Trustees of the John Fitzgerald Kennedy Center for the Performing Arts.

- 3 -

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Abe Fortas

Since leaving the Department of the Interior, Mr. Fortas has been engaged in the private practice of law with the firm of Arnold, Fortas and Porter in Washington, D. C.

Mr. Fortas is also a member of the Board of Directors of the Federated Department Stores, Incorporated, Cincinnati, Ohio; SuCrest Corporation, New York, New York; and Madison National Bank, Washington, D. C.

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Marital Status

Mr. Fortas is married to [redacted] and they reside at 3025 N Street, Northwest, Washington, D. C.

Military Service

Mr. Fortas enlisted in the United States Naval Reserve on October 22, 1943, and entered on active duty on November 16, 1943, at Sampson, New York. He served on active duty until December 9, 1943, and was issued a good discharge as an apprentice seaman at Washington, D. C., due to the approved recommendation of a medical survey because of chorioretinitis.

The "Washington Times Herald," the daily newspaper formerly published in Washington, D. C., contained an article in the November 12, 1943, issue captioned, "Prediction" by Frank C. Waldrop. The column stated in part that Mr. Fortas would soon fall into an unexpected physical decline and would be physically unfit for military service. The column further stated, "In May of this year, as it became news that the draft boards would have to call up fathers to fill quotas, the question arose as to why Fortas should not be drafted from his \$10,000 a year job as Undersecretary of Interior --a job customarily filled by some political hack and in which any reasonably literate lawyer can do as well as he."

The column further alleged that Mr. Fortas had previously received deferments.

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Abe Fortas

II. RESULTS OF INVESTIGATIONS

Interviews

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[redacted]
[redacted] Department of the Interior, advised in Washington, D. C., he worked under Mr. Fortas from 1942 until 1946. He stated that he had a great deal of professional contact with him and that he considered Mr. Fortas to be an extremely able and intelligent man. He said Mr. Fortas was well regarded at the Department of the Interior [redacted] continued that he was not acquainted with Mr. Fortas' personal friends. He concluded by advising that he never had any reason to question Mr. Fortas' integrity, character, loyalty or reputation and he recommended him for a position of trust and confidence.

[redacted] Arnold, Fortas and Porter, advised in Washington, D. C., he first met Mr. Fortas in 1934 when Mr. Fortas was affiliated with the Securities and Exchange Commission. He stated he continued a close professional as well as social association with Mr. Fortas from that time until the present [redacted] said that Mr. Fortas is a man of the highest integrity, that his honesty has never been questioned by either his clients or opposing legal counsel and that he has never been known to compromise on any issue. He said Mr. Fortas is classified as one of the foremost attorneys in the United States. He said most of his clientele is composed of larger corporations throughout the United States. He said Mr. Fortas is actually responsible for the setting up of the legal concept under which the Commonwealth of Puerto Rico is presently governed, and that the Commonwealth is one of the largest retainers that Mr. Fortas has at this time [redacted] also advised that Mr. Fortas is very close to President Lyndon B. Johnson and Mr. Fortas advises him on many legal matters.

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[redacted] continued that his association with Mr. Fortas is very close. He stated they have traveled around the world on a number of occasions, and visited in each other's homes numerous times each month. He said he has never encountered

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Abe Fortas

anything which would cause him to question Mr. Fortas' character, associates, reputation or loyalty and he recommended him for a position of trust and confidence.

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[REDACTED]

Arnold, Fortas and Porter, advised in Washington, D. C., that he first met Mr. Fortas in 1934 when they were both working for the Securities and Exchange Commission. He said that his association with Mr. Fortas continued and that he joined the law firm when it was formed in the late 1940's. He continued that Mr. Fortas is a moderate man in his actions and said that he is a man who believed that compromise is not part of his way of doing things. He said there could never be any question regarding the morals and personal habits of Mr. Fortas and added that his reputation, character and associates are unimpeachable. He said Mr. Fortas is a loyal citizen of the United States and he recommended him for a position of trust and confidence.

Charles Fahy, Judge, United States Court of Appeals, for the District of Columbia Circuit, advised in Washington, D. C., that he has known Mr. Fortas both professionally and socially for the last twenty-five years. He said their paths have crossed often and he has gained a very high opinion and regard for Mr. Fortas' legal ability. He said they had served together on the Judicial Conference of the District of Columbia Circuit and that Mr. Fortas has submitted several written briefs to the United States Court of Appeals. Judge Fahy said all of Mr. Fortas' work has been outstanding. He said Mr. Fortas' reputation, conduct and loyalty are above reproach and he recommended him for a position of trust and confidence with the Government.

Clark Clifford, a senior partner in the law firm of Clifford and Miller, advised in Washington, D. C., that he has known Mr. Fortas for over fifteen years. He said he has had a great deal of contact with Mr. Fortas during the past year in connection with their duties as counsels to President Johnson. He described Mr. Fortas as an honest, intelligent,

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Abe Fortas

reliable, loyal and dedicated public servant. He said Mr. Fortas has excellent judgment, is discreet and added that his morals, character and personal habits are above question. He recommended him for a position of trust and confidence with the Government.

Eugene V. Rostow, professor and chairman, Department of Law, Yale University, advised in New Haven, Connecticut, that he has been personally acquainted with Mr. Fortas since 1934. He said that he is a former student of Mr. Fortas at Yale University. He continued that they had remained socially and professionally close since the 1930's and that he has worked with Mr. Fortas on many delicate matters in connection with their association with the Government. He advised there is no question or doubt concerning Mr. Fortas' capability or his character, associates, reputation and loyalty. He recommended him for a position of trust and confidence with the Government.

[redacted] SuCrest Corporation, advised in New York, New York, that he has known Mr. Fortas since Mr. Fortas was Under Secretary of the Interior. He described him as one of the really great men of this age. He said Mr. Fortas' moral character was of the highest and that his associates, reputation and loyalty are above reproach. [redacted] recommended Mr. Fortas for a position of trust and confidence with the Government.

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Adolf A. Berle, attorney, advised in Washington, D. C., that he is a former Assistant Secretary of State and that he has known Mr. Fortas very well for over twenty-five years. He said they were closely associated in Government and since leaving the Government they have served together on the Board of Directors of SuCrest Corporation. He said Mr. Fortas possesses high moral character and that he is an honorable man. He concluded there has never been any question concerning his character or loyalty and he recommended him for a position of trust and confidence with the Government.

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Abe Fortas

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[redacted] advised in [redacted] that he has known Mr. Fortas for approximately four years. [redacted] Advisory Committee on Criminal Rules, which is an advisory committee to the Committee of Rules of Practice and Procedure of the Judicial Conference of the United States. [redacted] continued that Mr. Fortas has been a member of the committee for the past four years and he highly regards him as a lawyer. [redacted] stated he knows nothing which would cause him to question Mr. Fortas' character, associates reputation or loyalty and he recommended him for a position of trust and confidence with the Government.

Fifty-three other persons consisting of professional associates, social acquaintances, Government officials and former co-workers were interviewed during the prior investigation and the current inquiries. Those well acquainted with Mr. Fortas advised he is a man of outstanding legal ability whose character, associates, reputation and loyalty are above reproach and they recommended him for a position of trust and confidence.

Miscellaneous

Hatch Act Investigation

During 1941 and 1942 an investigation was conducted regarding Mr. Fortas under the provisions of the Hatch Act. The basis was that the name Abe Fortas, 1300 30th Street, Northwest, Washington, D. C., appeared on a list of the Special Committee Investigating Un-American Activities of the House of Representatives as a member of the Washington Committee for Democratic Action.

During the investigation a confidential source* advised that the name of Mr. Fortas did not, in fact, appear on the active indices of the Washington Committee for Democratic Action.

The Washington Committee for Democratic Action has been designated pursuant to Executive Order 10450.

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* highly confidential source

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Abe Fortas

Another confidential source* advised that the name of Mr. [redacted] Abe Fortas, 1300 30th Street, Northwest, appeared in the active indices of the American Peace Mobilization, subsequently known as the American People's Mobilization. b6 b7C

The American People's Mobilization has been designated pursuant to Executive Order 10450.

During the Hatch Act investigation Mr. Fortas was interviewed under oath on September 1, 1942, and denied that he had ever been a member of the Washington Committee for Democratic Action, the American Peace Mobilization or the American People's Mobilization. He did advise that he had been a member of the National Lawyers Guild but had resigned approximately two years prior to the time of the interview.

The National Lawyers Guild has been cited as a communist front by the House Committee on Un-American Activities.

International Juridical Association

A letterhead of the International Juridical Association, 100 5th Avenue, New York City, dated January 7, 1952, listed the National Committee of the Association, and included among the members under the heading "District of Columbia" appeared the name Abe Fortas.

The International Juridical Association was cited as "a communist front and an offshoot of the International Labor Defense" by the House Committee on Un-American Activities.

Southern Conference for Human Welfare

The October, 1944, issue of the "Southern Patriot" in referring to the Southern Conference for Human Welfare indicated "The Washington, D. C., Chapter under

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* highly confidential source

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Abe Fortas

Under Secretary of the Interior, Abe Fortas, had its last dinner meeting attended by over 75 Southerners in the Capital."

The "Southern Patriot" was cited as an "organ" of the Southern Conference for Human Welfare by the House Committee on Un-American Activities which cited the Southern Conference for Human Welfare as a communist front organization.

Association with Alger Hiss

During the course of an investigation conducted in 1949 [redacted] were interviewed at [redacted] [redacted] They advised that among the friends of Alger and Priscilla Hiss were Abe [redacted] Fortas. During the course of that investigation Mr. Fortas was interviewed and advised he first became acquainted with Alger Hiss in 1933 when they both worked in the Department of Agriculture. He said they were employed in different areas but that they were in contact with each other considerably. He described Alger Hiss as one of the "finest, most decent persons" he had ever known. He said he was "unutterably shocked when he first heard the allegations" made against Alger Hiss by Whittaker Chambers. He said that although he, Mr. Fortas, may have been "politically unsophisticated" at that time in that communism was "merely a word" to him, he never had any reason to question the "loyalty, decency and character" of Alger Hiss. Mr. Fortas said that subsequent to their employment with the Department of Agriculture he had seen Mr. Hiss on two occasions; once at the San Francisco, California, Conference of the United Nations and later, at the First General Assembly of the United Nations at London, England.

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The records of the United States District Court, Southern District of New York, disclosed that Alger Hiss was convicted on two counts of perjury on January 20, 1950, resulting from his testimony before a grand jury wherein he (1) denied furnishing

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Abe Fortas

Government documents or other information to Jay David Whittaker Chambers or any other unauthorized person and (2) denied having seen Chambers subsequent to January 1, 1937. On January 25, 1950, he was sentenced to five years in prison on each count, the sentences to run concurrently. On November 27, 1954, Hiss was released on a conditional release, following the statutory allowance for time off for good behavior.

Jay David Whittaker Chambers, a self-confessed member of the Communist Party and Soviet espionage agent, accused Alger Hiss of furnishing classified Government documents and information to him, Chambers, for transmittal to the Soviet Union.

Association with Owen J. Lattimore

Mr. Fortas represented Owen J. Lattimore at hearings before a Subcommittee of the Foreign Relations Committee, United States Senate, in 1950, which were hearings concerning the charges of disloyalty against the Government by employees of the Department of State and other agencies which were made by the late Senator Joseph R. McCarthy of Wisconsin. The May 18, 1950, issue of "The Evening Star," a Washington, D. C., daily newspaper, contained an article indicating Mr. Fortas had publicly said he was completely convinced that Mr. Lattimore never was a communist.

The national weekly news magazine, "Newsweek," issue of March 10, 1952, contained information that Louis F. Budenz, self-admitted former member of the Communist Party, testified before the Senate Internal Security Subcommittee of the Senate Judiciary Committee, Washington, D. C., that Owen Lattimore had been a member of the Communist Party.

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Abe Fortas

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Owen Lattimore was indicted by Federal Grand Juries in the District of Columbia during 1952 and 1954. He was charged with committing perjury while testifying before a United States Senate Committee during 1951 and 1952, in that he denied personal communist sympathy or activities and association with persons known to him as communists. In 1955 certain counts of the indictment were dismissed by court order, while the remaining counts were dismissed on motion of the Government.



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Abe Fortas

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Association with Dr. Edward U. Condon

Mr. Fortas has served as attorney for Dr. Edward U. Condon in the past. Dr. Edward U. Condon was investigated in 1948 under the provisions of Executive Order 9835, during which time he was Director of National Bureau of Standards (NBS), United States Department of Commerce, Washington, D. C. The results of this investigation were furnished to the Civil Service Commission. By letter dated March 4, 1949, the Civil Service Commission advised that the disposition of his case was "retained."

The "New York Times" a daily newspaper published in New York City, dated March 5, 1948, carried an article stating that the American Physical Society and faculty members at Princeton University had sent telegrams to several branches of the Federal Government attesting to the loyalty to the United States of Dr. Edward Condon, Director, NBS. The article stated that Dr. Condon had been under attack by the Committee on Un-American Activities, United States House of Representatives.

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Abe Fortas

Counsel for the Commonwealth of Puerto Rico

As has been stated previously Mr. Fortas serves as legal counsel for the Commonwealth of Puerto Rico. "The Evening Star," a daily newspaper published in Washington, D. C., dated October 1, 1947, contained an article written by Harold L. Ickes which stated, in part, that Mr. Fortas' law firm was under a retainer of \$12,500 a year to represent Puerto Rico before the Department of the Interior and as counsel in any litigation on the mainland. The article further stated, "This contract with Puerto Rico was made by Mr. Fortas shortly after his resignation as Undersecretary. So, naturally, he has an interest in the personality of the director of this particular bureau which is in direct charge of Puerto Rican affairs." The article further stated, "When Mr. Fortas was Undersecretary of the Interior, Puerto Rico wanted to employ its own counsel in Washington. But Mr. Fortas protested. Under date of March 13, 1945, as Undersecretary of Interior, he wrote to the then Governor, Rexford G. Tugwell, of Puerto Rico to the following effect: 'I believe that continuing representation of a government or a governmental agency by private attorneys is unsound and unwise ***. In my opinion, it is neither seemly nor appropriate for governmental agencies to be represented by counsel who are not regularly constituted public officials.*** The United States Government cannot be in the position of assisting private attorneys in litigation, regardless of the identity of interest that might exist in a particular matter; nor can the United States Government make an arrangement directly or indirectly with private attorneys which as a practical matter would be construed as, and would have the effect of, excluding other private attorneys from participation in the law business which is being farmed out to private counsel ***.'

"Thus did Undersecretary Fortas write in a precise and monitorial manner to the Governor of Puerto Rico. But when he engaged in the private practice of law, his view changed drastically. He lost no time in making a remunerative

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Abe Fortas

contract for his firm to attend to the legal affairs of Puerto Rico although, only a short time previously, he had insisted that it would be both 'unsound and unwise' to entrust public business to a private practitioner."

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Abe Fortas

Close Relatives

Mr. Fortas' parents, William and Ray Fortas, are deceased.

He has two sisters [redacted] Fain, and one brother [redacted] all residing in Memphis, Tennessee.

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Credit and Arrest Checks

Information has been received from the appropriate credit reporting and law enforcement agencies indicating that their files contain either no record or no additional pertinent information concerning Mr. Fortas or his close relatives.

Bar Affiliations

Mr. Fortas has been admitted to practice law in the State of Connecticut and the District of Columbia and before the United States Supreme Court and the Federal Communications Commission.

He is a member in good standing of the District of Columbia Bar Association, Federal Bar Association, Federal Communications Bar Association, and the American Bar Association.

The records of the appropriate grievance committees were reviewed and no information was located concerning Mr. Fortas with the exception of the Committee on Admissions and Grievances of the United States District Court for the District of Columbia. Those records disclosed that the November, 1951, issue of "Harper's Magazine" contained an article written by Louis Cassels entitled "Arnold, Fortas, Porter and Prosperity" which related to the successful reputation the firm of Arnold, Fortas and Porter had attained. The Subcommittee on Grievances was to review

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Abe Fortas

the article to determine if it violated Canon 27 of the Canons of Professional Ethics of the American Bar Association and also opinions 42, 62, 140 and 162. Canon 27 relates to Advertising, Direct and Indirect, and states it is unprofessional to solicit professional employment by circulars, advertisement, through touters or by personal communications or interviews not warranted by personal relations. The opinions mentioned state a lawyer may not pose for pictures, portray incidents of a case nor furnish pictures or material to a newspaper or a magazine. The opinions also state it is a lawyer's duty to bring about the discontinuance of advertisements in his behalf and state it is improper for a lawyer to inspire or furnish newspapers comments about cases in which he is engaged.

The subcommittee investigated the matter and by letter dated March 2, 1952, the law firm of Arnold, Fortas and Porter was advised that a conclusion had been reached and the Subcommittee on Grievances would not be justified in taking any action on the grievance.

Agency Checks

The records of the following governmental agencies have been searched and no additional pertinent information was located concerning Mr. Fortas:

United States Secret Service; Office of Security and Employee Conduct, Department of Agriculture; Bureau of Personnel Investigations, Civil Service Commission; Investigative Files, Public Works Administration; Office of Naval Intelligence; Central Intelligence Agency; the House Committee on Un-American Activities, and the Office of the Secretary of Defense.

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Abe Fortas

The records of the Passport Office, Department of State, disclosed that Mr. Fortas has been issued numerous passports since 1943 for travel throughout the world in connection with official matters and for personal reasons. These files contain no additional pertinent information regarding Mr. Fortas.

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning Mr. Fortas.

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F B I

Date 3/4/65

Transmit the following in _____
(Type in plain text or code)

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, NEW YORK (161-1428) (RUC)
SUBJ: ABE FORTAS
SPI

11
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/85 BY SP-2 JAR/BJC

Re WFO airtel to NY, 2/25/65

Para. 2 of reference airtel refers to NY Memo to Detroit, cc WFO, dated 2/8/65 re "COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL (CSJMS), IS-C" (NY 100-107111) (Bufile 100-387835). Page 5 of above memo indicates that at a monthly meeting of the CSJMS held 1/6/65 at 940 Broadway, NYC, [redacted] reported that Dr. UREY had to be in Washington, D.C. on 12/22/64 for meetings with NASA, and he tried to get an appointment with the president but was referred to Attorney General NICHOLAS KATZENBACH. However, on the advice of friends who said it would be a waste of time because he (KATZENBACH) was a cold unfeeling man, UREY instead met with ABE KENNES, a former lawyer of the president (possibly ABE FORTAS). HELEN SOBELL further related that UREY came away feeling hopeful that this interview would be passed on to the President.

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Dr. UREY, mentioned above, appears identical with Dr. HAROLD C. UREY, Nobel Prize winner and University of California physicist, mentioned on page 5 of report of SA FRANK S. PERRONE dated 11/27/64 at San Francisco, re "CSJMS, IS-C; ISA, 1950". Info set forth therein indicates that UREY had "recently" sent letters to each member of Congress urging intervention to free MORTON SOBELL and that as principal speaker at the Bay Area Citizens' Full Pardon Meeting for MORTON SOBELL, held 5/15/64 at the Sir Francis Drake Hotel.

REC 14/ 61-2860-35
NOT RECORDED

- 1 - Bureau (RM)
- 1 - Washington Field (161-2419) (RM)
- 1 - New York

12 MAR 5 1965

JEW:etm
(4)

66 MAR 10 1965

Sent _____

Spec. Ind.

NY 161-1428

San Francisco, UREY explained he became interested in the SOBELL Case as a result of reading the transcript on the case, and because of the difficulties he experienced in Rome, Italy, where he was looked upon as a "possible Communist spy".

From the above information, it appears that UREY contacted ABE FINNES (FORTAS) only in an effort to get his feelings made known to President LYNDON B. JOHNSON in regard to freedom for MORTON SOBELL. Therefore, this info is not being set out in form suitable for dissemination, UACB.

*No action necessary
B/S
JAG*