

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BOSTON	DATE 3/29/68	INVESTIGATIVE PERIOD 1/28 - 3/15/68
TITLE OF CASE DAVID DELLINGER, aka Dave Dellinger		REPORT MADE BY 	TYPED BY nr
		CHARACTER OF CASE SSA, 1948	

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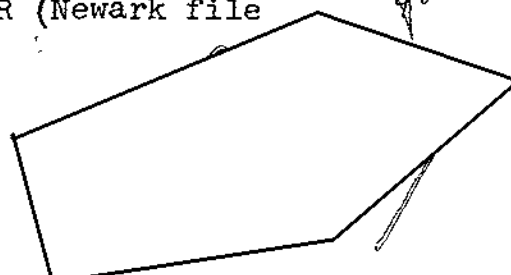
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LEADS:NEWARK (INFORMATION)

Two copies of this report are being furnished for the information of Newark since Boston files indicate that Newark was OO of SM - C case on DELLINGER (Newark file 100-41323).

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ACCOMPLISHMENTS CLAIMED						None	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
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- 1 - USA, Boston
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MCT-41
REC-21

EX-102

Dissemination Record of Attached Report			
Agency	1cc by 0-6 to Dept.		
Request Recd.	Attn: Mr. Van de Kerk		
Date Fwd.	Date sent 4-17-68		
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Notations
STAT. SECT.

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BOSTON

At Boston, Mass.

Will discuss this matter with AUSA JOHN E. WALL.

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONb6
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Copy to: 1 - USA, Boston (Attn: AUSA JOHN E. WALL)

Report of:
Date:

SA(A) [REDACTED]

3/29/68

Office: Boston, Massachusetts

Field Office File #: 25-25626

Bureau File #:

Title: DAVID DELLINGER

Character: SELECTIVE SERVICE ACT, 1948

Synopsis:

DAVID DELLINGER was master of ceremonies at draft resistance rally held at Northeastern University, Boston, Mass., on 1/28/68 in sympathy for Rev. WILLIAM SLOANE COFFIN, JR.; [REDACTED] MITCHELL GOODMAN; MARCUS RASKIN, and Dr. BENJAMIN SPOCK, who were charged in an indictment returned at Boston, Mass., on 1/5/68 with a continuing conspiracy to aid, abet and counsel, in violation of Selective Service laws. DELLINGER spoke a number of times in connection with the introduction of the various speakers and his comments, which were recorded on audio tape by the Boston Police Department, are set out. DELLINGER commented on his two trips to North Vietnam and mentioned that he had received a telegram on 1/28/68 from Hanoi which asked him to send a representative there to receive three American pilots who would be released on the occasion of the Lunar New Year. DELLINGER spoke at a Teach-In at Arlington Street Church, Boston, Mass., on 1/29/68 and on same date was present at a Rededication Service held at that church, during which he and other individuals accepted what were purported to be Selective Service Cards from some of those who attended the service.

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DETAILS:

Investigation has been instituted in this matter to determine if subject has engaged in counseling, aiding or abetting under the laws of the Selective Service Act of 1948, in violation of Title 50, USC, Appendix, Section 462(a).

On January 5, 1968, a Federal Grand Jury at Boston, Massachusetts, returned an indictment charging Reverend WILLIAM SLOANE COFFIN, JR., [REDACTED] MITCHELL GOODMAN, MARCUS RASKIN, and Dr. BENJAMIN SPOCK with a continuing conspiracy to aid, abet and counsel in violation of the Selective Service laws, namely a violation of Title 50, USC, Appendix, Section 462(a). The indictment alleged a conspiracy calling for a nationwide program of resistance of the operations of the Selective Service System, including the counseling, aiding and abetting of Selective Service registrants to resist the draft, the counseling, aiding and abetting of registrants to surrender Classification and Registration Certificates, and the interruption of the induction process at induction centers throughout the country.

FEDERAL BUREAU OF INVESTIGATION

Date 2/6/68

On Sunday evening, January 28, 1968, SA [] attended a rally at Northeastern University in Alumni Auditorium, 360 Huntington Avenue, Boston, Massachusetts. This rally had been billed by flyers circulated during the prior week captioned, "Dr. Spock Speaks On The Draft," and the flyer noted that one could hear Dr. BENJAMIN SPOCK, Reverend WILLIAM SLOANE COFFIN, Jr., MITCHELL GOODMAN, [] MARCUS RASKIN. Sponsors of this rally were indicated as, "Northeastern Students for a Democratic Society, RESIST, Veterans for Peace in Vietnam, Mass. PAX, Boston Area Faculty Group on Public Issues, Boston Student Mobilization Committee, Voice of Women, Committee of Religious Concern for Peace." The flyer also pointed out that for more information one should call RESIST - 491-8076.

At about 8:50 p.m., January 28, 1968, this rally began at Alumni Auditorium with the main auditorium seating 1,300 people completely filled and an overflow crowd estimated to be about 400 to 500 people seated in two lounges adjoining the auditorium, with the proceedings in the main auditorium being broadcast into those lounges through the university's public address system.

The master of ceremonies was introduced as DAVID DELLINGER and DELLINGER during the course of the evening spoke a number of times in connection with introducing the various speakers, who were as follows:

[] introduced as a Harvard professor, and Chairman of SANE, and his remarks were generally to the effect that the war in Vietnam was illegal and immoral and he proposed support for Presidential candidate Senator EUGENE MC CARTHY.

The next speaker was introduced as MITCHELL GOODMAN and he spoke generally in opposition to the administration's policy in Vietnam and hoped that if young men were handed hideous weapons of war, they would refuse to use them and he

On 1/28/68 at Boston, Massachusetts File # Boston 25-25626
Boston 25-25171

by SA(A) [] /maf - 3 - Date dictated 2/2/68

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voiced the hope that young men must themselves make a decision as to whether or not to resist military service as he cannot make this decision for them. He commented on the growth of the Resistance movement and noted that the Students for a Democratic Society has come out in favor of the Resistance movement.

He also mentioned the indictment of one [redacted] [redacted] who is active in the Resistance movement in the New York area.

The next speaker was introduced as Dr. BENJAMIN SPOCK and he, along with GOODMAN, received a standing ovation. SPOCK spoke generally concerning the fact that the war in Vietnam is illegal and mentioned that in 1954 in Vietnam there was an illegal grab of this country and that this war constitutes aggression against Vietnam and that he was "sick to his stomach about being an American at this present time." He spoke of the horrible acts of war such as the bombing of cities in North Vietnam and the fact that some of these cities have been completely levelled and destroyed. He said that during his travels in connection with the peace movement during the last few years, he was asked why he did not try legal means to achieve peace and he said that they have tried this but political action is not enough as it does not work. He cited the fact that the reason that France discontinued its action in Algeria a few years ago is the fact that people did refuse to fight and that is the reason the war ended there. He also cautioned the young men to balance carefully their contribution to the Resistance movement and suggested that they should probably continue their student deferment. He said also that he has come to despise LYNDON BAINES JOHNSON more than any other man but he does admire him for his persistence in prosecuting the war.

SPOCK noted further in his speech that he was not going to plead guilty to the indictment against him.

At the conclusion of his speech, he also received a standing ovation.

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The next speaker was introduced as [redacted] [redacted] a Harvard professor, who said that there was being set up an organization known as "Civil Liberties Legal Defense Fund, Inc.," 94 Prescott Street, Cambridge, Massachusetts. He said that this organization would help to coordinate defense of various individuals indicted throughout the country and would assist persons in Conscientious Objector status to prosecute their claims and would bring actions against illegal Selective Service activity.

The next speaker was introduced as one [redacted] not further identified, who made a plea for funds for the Resistance movement.

The next speaker was introduced as BILL HUNT of the Boston Draft Resistance Group but before HUNT could step to the rostrum, an individual came from the wings of the stage and said that he was one [redacted] from California and he was to be inducted the following day at the Boston Army Base and he said that he would refuse to be inducted.

Next, BILL HUNT of the Boston Draft Resistance Group spoke briefly and asked for support for the Resistance organization. HUNT noted in his brief remarks that there would be resistance activities continuing in April, 1968.

The next speaker was introduced as Reverend WILLIAM SLOANE COFFIN, Jr. and he also received a standing ovation. COFFIN's remarks were very generalized as to opposition to the war in Vietnam and the administration's policy there and the fact that the war is illegal and immoral.

The last speaker of the evening was THOMAS HAYDEN and he spoke generally as to opposition to the war in Vietnam and opposed the administration's policy there. He claimed things were going downhill militarily in Vietnam and that this country should get out. He spoke briefly also on the coming April, 1968 Resistance activities.

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The master of ceremonies, DAVID DELLINGER, during his frequent appearances when he was introducing various speakers, spoke concerning his two trips to North Vietnam and also mentioned two trips taken by TOM HAYDEN. DELLINGER also mentioned that he had received a telegram that day from Hanoi which asked him to send a representative there to receive three American pilots who would be released on the occasion of the Lunar New Year.

The rally concluded shortly before 11:00 p.m.

At the entrance to Alumni Auditorium, a number of individuals were passing out various circulars and flyers and also during the course of the rally various individuals circulated up and down the aisles passing out printed material. Also during this period, a collection was taken and an announcement was made at the conclusion of the rally that \$1,100.00 had been collected that evening.

There follows a description of the various flyers and circulars handed out during the course of the evening:

1. A one-page flyer put out by the New England Resistance and the Boston Draft Resistance Group which indicated they were sponsoring a "demonstration in support of the 5 indicted men," which demonstration was to take place at 10:30 a.m. in front of the Federal Building, Post Office Square, Boston. Also, there was indicated an "Informal Teach-In: What Is The Resistance? Who Are The Resistantists?" This was indicated as taking place at the Arlington Street Church and the time was indicated as depending on the duration of the arraignments, but the doors would open at 11:00 a.m. Participants were indicated as "Dave Dellinger, John Wilson of SNCC, Professor Monroe Engel, Harvard University, Chick Marston and Corey Brown, induction refusers, Ed Oppenheimer, head of counselling services, Boston Draft Resistance Group."

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There was also indicated "a service of rededication and continuing commitment" to take place at 1:00 p.m., immediately following the teach-in at the Arlington Street Church. Participants were indicated as follows:

"Father Phillip Berrigan, SS. J.
recently indicted for pouring blood
on draft files.
Dave Dellinger - editor, Liberation
chmn., Nat. Mobilization
the Rev. Richard Mumma - Harvard U. Presby-
terian chaplain
the [redacted] - Assit. minister,
Arlington St. Church
[redacted] - Poet
William Hunt - Boston Draft Resistance Group
Neil Robertson - The New England Resistance
Harold R. Hector, Jr. - The BDRG & New
England Resistance
Robert Hohler - Director, Unitarian Univer-
salist Laymens League"

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2. A hand-out printed on both sides captioned "A Resistor Needs Your Help." This flyer dealt with the problem of one [redacted] an Antioch College co-ed who had been active in various Resistance projects, who was now in jail in Cincinnati, Ohio, on a variety of charges and who has been fasting there for many days after having been jailed for participation in an anti-war demonstration at the Federal Building in Cincinnati, Ohio. This flyer pointed out that [redacted] needs immediate help, that she should be released at once and asked everyone to either telegraph or write the Governor of Ohio, the City Manager of Cincinnati, Ohio, or Municipal Court Judge GEORGE S. HEITZLER, Cincinnati. On the reverse side of this flyer was a statement that to secure information on how to help [redacted] one should contact New England Committee for Non-Violent Action, RFD 1, Box 1978, Voluntown, Connecticut.

3. A form captioned "Draft Resistance Support Pledge." This form contained blanks for name, address, occupation and a space to insert the amount of money being pledged. The form indicated that checks should be made payable to Professor [redacted] and sent to [redacted] [redacted] Cambridge, Massachusetts. This form also, in a paragraph captioned "The April 3 Resistance," set forth that resistance groups on April 3 of this year will mobilize across the nation for the Third National Day of Draft Resistance, at which time several thousand men will sever ties with the draft. b6 b7C
4. A flyer advertising a new political magazine of the New Left known as "Paper Tiger." This flyer indicated that the "Paper Tiger" is published by the New England Free Press, 39 East Springfield Street, Boston, Massachusetts. Features of the magazine were indicated as [redacted] on The Resistance and Boston Draft Resistance Group and [redacted] on "A New Activist Party."
5. A political advertisement captioned "The Socialist Candidates in 1968 - Fred Halstead for President - Paul Boutelle for Vice President." This flyer contained biographical sketches and background information concerning these two candidates and there was a stamp on the reverse side of the folded brochure indicating "New England Halstead & Boutelle Campaign Committee, P. O. Box 152, M. I. T. Branch Post Office, Cambridge, Mass. 02139."

During the course of the rally at Alumni Auditorium, [redacted] and [redacted] both active in the New England Resistance and/or the Boston Draft Resistance Group, as well as [redacted] were observed assisting in arrangements for the seating or passing out various leaflets and pamphlets.

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FEDERAL BUREAU OF INVESTIGATION

Date 2/14 & 2/15/68

On Sunday evening, January 28, 1968, a draft resistance rally was held at Northeastern University, Boston, Massachusetts, in sympathy for Dr. BENJAMIN SPOCK. Reverend WILLIAM SLOANE COFFIN, JR., MITCHELL GOODMAN, [redacted] and MARCUS RASKIN.

[redacted] This rally was attended by Special Agent [redacted] with the rally being held in Alumni Auditorium, 360 Huntington Avenue, Boston, Massachusetts.

A tape recording of this rally was made by two Boston Police Department officers, Sergeant [redacted] and Officer [redacted] both assigned to Station 10, Boston Police Department. An audio tape, which was transposed from three original tapes made by the two police officers, was prepared by Sergeant [redacted] of the Boston Police Department Radio Unit, 19 Dickens Street, Boston.

The speeches and statements made by the persons identified in this tape recording coincided with the addresses delivered at Alumni Auditorium at Northeastern University on January 28, 1968, in the presence of SA [redacted]

The text of the tape recording is set forth as follows:

UNIDENTIFIED FEMALE:

Her opening remarks are almost completely unintelligible. She is, however, heard to mention the five persons indicted at Boston, by name, and to introduce DAVE DELLINGER as the Moderator of the program.

On 2/8, 9, 12/68 at Boston, Massachusetts File # Boston 25-25171 ²⁵⁻²⁵⁶²⁶

by SA(A) [redacted] mac - 9 - Date dictated 2/8, 9, 12/68

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DAVID DELLINGER:

" . . . being proud to be here tonight and if I had been in my proffered role, I should have joined you in standing to introduce (unintelligible) these people. I am glad such a large crowd (unintelligible) because I know very few of you are here out of curiosity, and very few of you, I hope, are here only out of adulation. But I think that we are all here because we understand that it is a time when solidarity is of tremendous importance. (Unintelligible) when we have our debates and discussions about the relevance of filling the jails and the Government is at least threatening to answer that debate for us, and here we are - Dr. Spock and Mitchell Goodman and [redacted] and Mark Raskin. If they go to jail, then it is going to be our duty to stand up to them in a much more tangible way than we've stood up tonight when they entered this hall.

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. . . (Unintelligible) "has been going on among those that are opposed to the war. Not a very wise debate, but every once in a while somebody pops up and says, well you know, the United States is a fascist society, and I have always said in meetings like this and other meetings that it is not a fascist society, that there are still lingerings of democracy, that there are still (unintelligible), that there are still civil liberties and still important freedoms which we have in this country, and yet a very strange thing has been happening. If you read the news from Vietnam, you find out that without having become a fascist society, our Government has begun to produce and commit the kind of war crimes and the kind of atrocities, even according to Jean Paul Sartre, the kind of genocide which we ordinarily associate with fascism. And so, because of this, and because of our freedom and our liberty here, a number of people have spoken up and answered out and begun to oppose this thing as if the whole society is honeycombed with dissent and opposition and protest, and where that doesn't exist, there is anxiety and disillusion. And so now the Govern-

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ment has gotten to the point where it must either begin a repression, or must begin to withdraw from its overbearing military arrogance.

"And so this meeting tonight is not only a meeting in solidarity in support of these defendants, but it is a meeting in which we must all be beginning to decide whether we're going to stand with them and take the kind of risks that they take because the United States, in my belief, cannot stay on what has become a tightrope much longer. It must move either toward repression or toward ending the war. And the very (unintelligible) will come from the American people. It will come to a great extent from people like you and me who are here tonight.

"Now the first speaker this evening is a man that I feel a little embarrassed to come to Boston to introduce. I am sure that he is much better known to you, and more rightly so, than I am, for example. He is the National Chairman of SANE; he is Chairman of the Department of History at Harvard University; and he was a peace candidate for the United States Senate in 1962. Not the kind of peace candidate who, if he had been elected, would have voted or acted to widen the war, but the kind of a peace candidate that we sorely need today - Professor Stuart Hughes."

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STUART HUGHES:

"In comparison with the five we are honoring tonight, all the rest of us could (unintelligible word) peace should conduct ourselves modestly and realize that there are those who are taking the greater risk and those to whom we should defer tonight. You've come to hear the five examples. You've not come to hear the rest of us. We shall be brief, and frankly, our message as simple and as concise as possible.

"Many of us suspect this war is illegal. We know it is immoral. And we honor particularly the tiny minority of Americans among whom the five who will be arraigned tomorrow are outstanding, the tiny minority of Americans who have acted fully on their convictions and spoken out without regard to the cost. I think all you young people have a right to ask yourselves why more people haven't spoken out; why the thousands and tens of thousands and millions of Americans who know that the war is wrong refuse to say so; why the leaders of the business community, the legal community, the medical community, even, I regret to say, the university community, why all the college professors and bishops and other leading figures who could command the moral sentiments of this nation, why they remain silent. They are more and more mystique, but there are still more who remain silent and hide in their hearts what they really feel. I have no doubt that if all the people who felt in their hearts that the war is wrong would one morning stand up and face up, simply decide (unintelligible) that they'll live according to their convictions, I have no doubt that if they all stood up and said so, this war would stop within a month.

"That is what these five are suggesting today. The example of a few brave men against the nation of (unintelligible). No wonder the young have so little respect for their elders when so few of their elders are acting as they should; when so few of their elders are giving any thought of moral leadership. This is a

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desperate situation, one this country has not faced for more than a century since the Civil War, and one whose outcome is far from clear. I think many of us in our moments of near desperation have greater regard for the hawks than we do for all the (unintelligible) for at least the hawks act according to their conviction, according to their twisted, obsolete notion of morality, and say what they believe.

"Among the leading politicians of our country, there is at least one man who has spoken out and I want to say a word about Senator Eugene McCarthy. (Applause)

". . . I am glad there is applause at that name and grateful for it, because it seems to me in the past few weeks, I have heard nothing but criticism of the Senator's campaign. My own national organization, SANE, with our board member Ben Spock present, unanimously endorsed that candidacy yesterday. I think we were the first. (Applause) We did that with full knowledge of how many people have felt the Senator is not going far enough, have felt that his campaign has been unsure, unsteady, getting off to a slow start, not getting in orbit, all the things they say. I have felt very strongly that we should leave the criticism to those who are trying to damage what the Senator is doing, not criticize from within; that it is up to us to work and to help make this candidacy credible rather than undermine it by carping criticism. What I think has been so real about the first week of the McCarthy campaign is the number of people who perfectly - with perfectly good intentions, have sold that campaign short and by their gloomy predictions are working in self-fulfilling prophecy, by not believing in that campaign are helping to make it incredible. I think we should believe in that campaign, believe in this just and humane and courageous man, help him all we can, and by the strength of our convictions, give that campaign the force and the emotional fire, the deep moral sentiment, that needs to be behind it and which the Senator himself feels that sometimes has not gotten across yet to the widest audience.

"I know from a personal experience of a peace campaign how difficult it is to find the rhetoric that will carry not only the people like you who deeply believe in peace, but will carry to the average American; will carry it through the mainstream of American policies. I know that at the beginning of the campaign, it is hard to find one's vocabulary; hard to know exactly where to turn, how to find advisors and campaign managers and precinct workers and money and all the rest. And then actually things begin to go better. So if the Senator stumbles a little, give him time - give him time to get his footing instead of making his task still harder.

"So Senator McCarthy's campaign is of infinite significance to our democracy. It is perhaps the last chance. Dave Dellinger said, and coming from Dave I think this is a great tribute, that one should not give up yet on American democracy. We still have a chance. And there is an inclining to that chance. The notion of two such hateful and destructive Americans as Nixon and the President contending in November is absolutely (unintelligible). Miracles can happen. If we all work from now till July and August and September and November, we can make McCarthy the next President of the United States.

"Who made democracy a mockery? Who tore apart the fabric of American legality. It was not the five men who will be arraigned tomorrow. It was the President of the United States. (Unintelligible) our issues in the dust? Who made this country we're proud of a stench and a (unintelligible)? He was the man who destroyed the best in our national traditions, and it is a heavy, heavy burden he bears before the American people. This is the man who talks about our national honor, whereas he is the one who has defaced our national honor lower than it has ever been for a century and perhaps in our whole national history. I hardly need tell you that he must go...(Laughter) . . . by a man like Nixon or a man like Reagan, who might possibly be worse, if you can imagine.

"Or what can we say about this war after three years of opposition. All of us up here and many of you there for three years now have been tearing every argument to shreds that the Administration has advanced in defense of this unjust war. There is really no point in arguing any more because there is nothing that can be said in defense of it. We demolished all those arguments long ago; but we can say, however, what is most critical and troubling is that the President's support is going up again in the polls. This I find most troubling. The poll was reported again today in the New York Times. In the past month or two, the President's popularity seems to be creeping up. And why is this? Because our constituency is not decreasing. There is clear evidence that the peace constituency has increased, that we are stronger and more confident and more popularly backed than ever before. What then has happened? It seems to be very clear. The distinction between the so-called center or moderate line of the Administration, and the line of the hawks is breaking down. To put it very simply, it is becoming clearer and clearer that the President himself is a hawk and that his new popularity is coming not from disillusioned peace people or even from moderate people, it is coming from the hawks who decided he is a pretty good President after all, particularly since he appointed the Secretary of Defense, who makes McNamara look gentle indeed. The hawks realize that Clifford and LBJ are really one thing. This distinction is absent now. Everyone with whom one talks now has the lineup - is he against the war or is he a hawk? There is very little standing ground left in between. This, it seems to me, is the significance of the proved nationalist exploitation of what one can only call that wretched boat. (Applause)

"When I read of the Pueblo incident, I can't believe my ears. It sounds like a throwback to "Remember the Maine" (applause) or the gunboat diplomacy of the 19th century. What sort of talk is this, that our national honor and prestige demands getting back an intelligence craft that may or may not have been wandering in the wrong place,

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that should not have been engaged in this mission in the first place. (Applause)

"Why is it then that a B-52 with four hydrogen bombs wandering over Danish territory (applause). . . If I were a citizen of any foreign nation - communist, non-communist, neutral, Asian, African, European, Latin American, and a citizen of any foreign nation, I would look at the military activities of this country with fear and horror and revulsion. It is simply improper and indecent for any power to treat this globe as a private park in which it sends its missiles, its flying bombers, its intelligence ships, all its other nefarious craft, to wander as they choose with no respect for the local inhabitants. (Applause). Enough of that. (Laughter).

"We want to hear the five we're here for. Let me just conclude by saying that just as the distinction between the President and the hawks, between the Administration and the escalators is breaking down and dissolving into one war party, so the distinction which seemed somewhat important a month or two or three ago between those who fought in war by legal means and those who chose to fight it by extra legal means, this distinction also is gradually dissolving and as the Chairman said, we are all united tonight. Let every voice we have chosen in a common and fraternal and friendly opposition to the war. The issue is joined. We are all together and we must remain together in November and thereafter. Both the resistance to the draft and the McCarthy campaign are serving the same great cause and there is no incompatibility in working for both of them. They are both serving the supreme cause of preserving our country, preserving the best things in our nation's tradition that are so imperiled, and with them the future of all humanity.

"Thank you."

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DAVID DELLINGER:

"The next speaker is one of the five defendants. I have known Mitch Goodman for quite a long time, but I first came to see him fairly regularly in recent years when the war began to escalate and he was busy initiating the organization of veterans groups against the war, he, himself, being a veteran. When I reminded him of this tonight, it seemed that he could hardly remember. Now he's gotten used to the fact that veterans are against the war, including many Vietnam veterans, those who have been there and know what it's like. The problem is to get the people before they go to Vietnam, to get them to take a stand then; and so, Mitchell Goodman, while he was teaching in Stanford University, began to help initiate another movement. This time the resistance movement, and the resist movement, the adults who support those who refuse to go to the war. As well as being a teacher, Mitch is a writer, the author of an anti-war novel called "The End Of It". It is so much anti-war that it hasn't gotten the publicity it deserves. It was written before the Vietnam war became such a major issue. But I recommend it to your attention - Mitchell Goodman."

MITCHELL GOODMAN:

"The first thing I thought of when I listened to the other speakers was that we ought to send a telegram to the Pueblo Indians and recommend that they ask their names. . . (applause). The Pueblo Indians actually as the early version of the Vietnamese certainly have a part to play in this. I also wanted to mention, to begin with, the fact that the men who have gone before us, that is, the pioneers of this thing. I am thinking of people like [redacted] (Phonetic), [redacted] (Phonetic), and [redacted] who are now in jail. (Applause). I think what those people have begun is, perhaps, let's just hope it is, the beginning of an important, historical change in this country, a real change in the way that we look upon ourselves as Americans, as citizens, and the kind of change I'm talking about is that change in which young men particularly, insist upon thinking for themselves about how they are going to use their lives and when they have thought about it and made that decision, that is, made the decision for life and against death, that they should - that they might hope will then be ready to say to the State "No, we no longer do as the prior generations did, we no longer are able to offer you mechanical, automatic obedience. We have passed that stage."

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"The world, the whole earth, is in danger of extinction in that new condition - in that new condition of military technology. We, I hope I speak for them, the young men of this country, have simply to tell the Government that there are certain laws they will not obey. (Applause)

". . . (Unintelligible) to make this more precise, they expect a young man, and this is what it has come to, is handed one of the hideous weapons we've now devised and told to go across the ocean and to kill, and to destroy, and burn alive a people struggling somehow to obtain a new identity and a new view in a shifting and terrible world. In place of that the young man says "No".

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"Now I think what that depends on, my hope is that we can really do something here in the next few months, and this is the hope Dr. Spock expressed immediately after the indictment when he said "I hope that soon there will be fifty thousand, one hundred thousand, five hundred thousand resisters in this country." I think that is our best hope. I hope there are some of you here tonight who can make that decision for yourself. I can't make it for you. None of us can.

"It looks like the best way to end the war and to say what's (unintelligible) good conditions in which people in this country can live as free men, not as obedient citizens of the State. What I'm hoping for then is a community, a new kind of community, and I think that the word conspiracy that is so prominent in our indictment is what I like, is what reminds me now of my own (unintelligible). You see that the Government and, unfortunately, too many of the people in this country, think of conspiracy first. Those who go against the grain are conspirators, and what the terrible thing is that they can't (unintelligible) distinction between a conspiracy and a community. The final (unintelligible) are not single isolated individuals. We have worked with and come out of a large body of people who have determined upon resistance, and have been working at this for many months now, and we are too. We are not conspirators.

"I see signs of the growth in this community who have now for a number of months, large rallies in New York and on Long Island and in Philadelphia, where hundreds of people came out of the audience, hundreds upon hundreds, came out of the audience, to hand money in an envelope to a draft resistor on a platform, on a public platform, as a way of saying decisively that I am resisting a war, I'm aiding and abetting the draft resistance, and putting their names and addresses on those envelopes. And recently I've learned there from SDS national office in Chicago that a new document has come out in full support of draft

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resistance. That is another hopeful sign of this new community.

"The last thing I want to tell you about a specific instance of the way such a community can work. Not like a low-run possibility, this is a short-run emergency function of such a community. If you're wondering what age we're in, we are not of draft age, we are beyond draft age and how exactly (unintelligible) certain statements among the resist group which is the adult support group nationally. There are numerous ways, including which is the giving of money and the joining of a local resist organization. But I want to speak to you now that there is one very particular example. In the New York Resistance Group, that is, the young men who have surrendered their deferments, and have rejected military service, rejected all cooperation. One of them who (Unintelligible because of static)... has been a leader in the organizing of resistance in New York. Now his turn came this month and he was first re-classified 1-A, and then ordered for induction. He was to be at the Induction Center at Fort Hamilton, New York, at seven o'clock in the morning, January 19th. He was on stage at a rally we held in the Town Hall on Sunday, January 14th, and he told them that he was going to be at the induction on the nineteenth, and having done so, the audience that I mentioned by the hundreds came forward and handed him envelopes with money as a symbolic, and more than symbolic, declaration of their willingness to support him at his induction. Lenny said that night "you know I'd like you people to go further and come to my induction at seven o'clock in the morning at Fort Hamilton." He hoped then that something would happen. Well, the local resist group of (unintelligible) went to work to back him up and they made a lot of phone calls and they got commitments from 300 people to say yes, they would be there that morning at seven o'clock with Lenny at his induction. And they said very plainly (unintelligible) to draft card (unintelligible). There were those who were going to stand on one side of the line and say I

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counseled you, for example, to refuse induction, and in full sight of the police, the FBI and the (unintelligible) apparatus.

"All right. This was arranged. The people in the Support Action of the New York Resist Group then took great care to let the newspapers know what was going to happen and the Government people and so on, and they created a great deal of interest. The newspapers are not for this news, and they said they would be there. And it became very clear they would be. (Unintelligible)

"At three o'clock or sometime in mid-afternoon, on January 18, [redacted] (Phonetic) got a phone call from Selective Service Headquarters in New York, and he told them that he should not appear for induction in the morning. They thought that perhaps he was not morally fit for induction. (Laughter). Well, of course (unintelligible) at certain times not morally fit for induction. (Applause) Because he was unfit . . . (Applause). More important than that, he was busy organizing in the Resistance for that special date of April third, when they hope that the Resistance will be so large that even Mr. Johnson will be sharing it."

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DAVID DELLINGER:

" . . . tell that this is not a defense meeting. It is a meeting to take the offensive, and in accord with that, I think our next speaker, instead of defending him, I want to add some new charges. And that is that having brought up five children by Dr. Spock, I can tell you that he began to subvert militarism long before he got in this. . . (applause) . . who taught us how to bring up our children as human beings and as people with human and humane values and inevitably, children who were properly brought up according to Dr. Spock, when they got to be eighteen or twenty-one, they didn't want to go into the Army. . . (applause) . . . generation gap, Dr. Spock."

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DR. BENJAMIN SPOCK:

"...You know, people ask me why are you so cheerful these days. Partly that I have always been predominantly cheerful, even when I'm furious at Lyndon Johnson or others. But there's no doubt about it, since I have been indicted (unintelligible), more affectionate. . . . I think we should consider this as a solution to your personality (unintelligible).

"One of the things that's happened is that all these six years that I have been (unintelligible) that every town I go into I get interviewed by the press and by television people and always the first question that is asked is "How come a baby doctor. . . ."

(Break in tape)

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"...and furthermore, I can't get a nickel out of this for myself in anyway; furthermore, it is going to be damned expensive. This is an ideal situation for my conscience. (Applause)

"...Now I'll read you my (unintelligible) given a telegram (unintelligible). 'The Boston Chapter of the Congress of Racial Equality fully endorses and supports Spock, Coffin, Goodman, [redacted] Raskin in their opposition to the draft law and the war in Vietnam. The first (unintelligible) we've all witnessed of those upholding the war in Vietnam is an indication of the jeopardizing of what we are constantly being assured is our most precious constitutional right guaranteed under the First Amendment, that of free speech and the right to dissent. These persecutors who can't see the logical need for world peace and who cannot see beyond the landmarks of their own (unintelligible), the Congress of Racial Equality takes this opportunity to deliver to them a warning, a warning that their police control will not conceal, destroy, nor deter this humanly logical need for world peace. Men such as Spock, Coffin, Raskin, Goodman, [redacted] remain committed to their principles for world peace and there will be no world peace unless we can be assured of an internal peace. John Young, Chairman, Boston CORE.'

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"But the reason that the defendants are now defendants is because we believe that the United States is engaged in a war that is illegal from every point of view and detrimental to the best interests of the United States. You all know, I have no doubt, that the explanation for the war and the explanation as we've gone along about how the war has been conducted, and about the aims of the Administration, these are all false. They've been falsified again and again. The United States got into Vietnam in 1954 in a pure power grab and we went in there, dear old President Eisenhower explained, because we had to grab it, as he explained. He has given us such good ammunition. We don't have to prove things because President Eisenhower explained justification. He said everybody says that if we allow the election to occur, eighty percent of the people would vote for Ho Chi Minh. So we have to grab the country. We blocked the Alliance. In doing so we broke our promise to the Geneva accord nations. Then when the revolt broke out and we began to participate in the armed suppression of the revolt against the South Vietnamese people against their oppressors, instead of obeying our promises to the UN and bringing this before the Security Council, we carefully refrained from doing so. So we've broken our promises to the UN.

"According to the United States Constitution, there cannot be war waged without a declaration of war by Congress, and this has carefully not been done. I think what's most repugnant to me is that in the way the strongest country in the world is conducting this war against one of the smallest, most helpless and backward countries in the world, that we have been unable to do it according to the traditional laws of warfare, and have resorted to all kinds of crimes against humanity, and this is what makes me particularly sick at my stomach about being an American of this present day.

"We have (unintelligible), which is strictly forbidden by the convention of war. We have used poison gas, and the fact that we haven't used the word poison gas and that

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it only occasionally kills people is no excuse for the most powerful nation in the world to be using poison gas, a weapon that all the nations have refrained from using since World War I. First of all these (unintelligible) destroyed dwellings, and I don't know whether you had a chance to see here in Boston Felix Greene's most recent movie. If you haven't, certainly take advantage of it. The movie shows city after city after city in which every single structure of the city has been destroyed. And this by a country that claims it is only seeking military strategic targets in North Vietnam. And the most horrible thing of all is there is irrefutable evidence that the United States has been dropping anti-personnel bombs all over North Vietnam, pellet bombs and little shredded razor blade bombs, the only purpose of which is to tear people's flesh off their bones; and our Defense Department still has the gall to say that all they are doing is hitting at strategic targets. (Applause) . . . and that terrorize the people in trying to throw off that Government situation on their terms.

". . . and I have been asked again and again and why don't you people try legal means. We've been trying legal means ever since the war was escalated. We've written. We've telegraphed. Now we've demonstrated often in all the cities of the United States. They say, why don't you use the political process. Well, we're still using the political process. Most of us have entered campaigns of one kind or another, and I would endorse Stuart Hughes, but whoever you approve, whatever party you belong to, you should be finding some political activity between now and next November. If you are Republican, you ought to be working for your local political Republican organization to try to get them to nominate Gavin or somebody who is that type. If you are a Democrat, then you ought to be working in your local political organization to try to get them to nominate McCarthy, at least until some more fiery fireball comes along (unintelligible). And if you have given up hope on either of these parties, you ought to be working somewhere or other with an independent political organization.

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" . . . United States in November. To me this is a reason why political action is not enough. Why in November we may have become involved, very well have become involved in war with China. This may involve us in war with the Soviet Union, and it certainly is a possibility that we'll get to nuclear arms. I believe myself that the United States is in the greatest danger that our country has ever been in since its founding, and I believe that we should leave no stone unturned. I'm glad that Mitch Goodman pointed out that we who are being so (unintelligible) join the resistance. We're not the original resistance. There have been brave young men resisting the draft and refusing to obey orders in the Armed Services since 1965, and I certainly feel again my admiration for the courage of those people who without any organization behind them, without any promise of financial or legal support, went ahead on the basis of their own individual (unintelligible) and we find are very definitely Johnny-come-latelies and certainly are not taking a quarter of the risks of these young men who follow their consciences (unintelligible). . . . resistance to the draft, that is from the lesson learned in France, for it is said that the refusal of young men to go and participate in that brutal war against the Algerians had more to do with ending the French War against the Algerians than any other single factor in France. My own hope, of course, is that hundreds of thousands of people will come to the same conclusion, and that by the time we have several hundred thousand people, either refusing the draft, or refusing to obey orders, it's going to make it very awkward for our Government to go on conducting the kind of war that it is conducting.

"On the other hand, I want to say in all seriousness I don't think that in the enthusiasm or the hysteria of our own resistance, we should become impulsive and decide (unintelligible) the reality principle. We always have to consider the relationship of your own actions with the aims and goals that you have in mind, and don't be carried away in such a way that you will ignore these realities. My own feeling is that for many men, young men and young women, the important thing is that you continue with your educational deferment because there

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is going to be lots of opportunities to work for peace, not only in the next few months, in the next few years, but also in the decades to come.

"This is, I'm not retreating one whit from my feeling that draft resistance is of enormous importance, but I think this must be coupled with a statement that you should first lay down that what you can contribute one way, and what you should be able to contribute another way. I think (unintelligible) if you do decide to take such a drastic step, you should do it after consultation and in an organized way with some resistance groups, because it is no point individuals sacrificing themselves and going off individually (unintelligible). .

"The only point of resistance is by a larger and larger number to refuse to participate in this illegal war. Unless we do it in an organized way, it is not nearly as likely to result in the massive resistance which is going to become a really effective thing. (Applause)

". . . turning over in mind and in your hearts, talking to your friends and they are talking to counselors, don't do nothing, do something. This to me is the important thing. Be active in one field in one form or another. I've come to despise Lyndon Johnson more than I thought I could ever despise anybody, at least since World War II. But in one respect, I admire Lyndon Johnson. He is indefatigable. He never gets discouraged. He never leaves a stone unturned. And if we had three people in the peace movement with the determination and indefatigability of Lyndon Johnson, we would have stopped this war by now. I don't want you to clap too loud for Lyndon Johnson. (Unintelligible) inspiration (unintelligible) aspects of (unintelligible).

"Now I'd like to clarify a couple of other things. We realize that we go around the country now and people talk to us and they say, for instance, well, are you going to plead guilty? They think that what we want to do is

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anoint ourselves with guilt and maybe go to jail. We are not going to plead guilty. I hope I'm not giving out any secret, but tomorrow we are going to plead innocent and we're not going to plead innocent to try to fool the Government. We're going to plead innocent, but as far as we believe that we are innocent because we believe that this war is totally and absolutely illegal, and that we endorsed people who are refusing to participate in it are the ones, the ones who are the patriots and that in this sense, we are genuinely innocent. The war is not only illegal in every way, it is immoral in every way and what it is not in that, that documents and (unintelligible), the war is detrimental to the influence, the interest of the United States.

"The United States has lost its leadership of the free world. The United States has become a stench in the nostrils of hundreds of millions of good people around the world and we are losing in the neighborhood of one thousand men, fine young men, by death every month and somewhere between five and ten thousand men are being wounded Americans for no good purpose whatsoever. This is what the Resistance is about."

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DAVID DELLINGER:

"These then are the programs I want to acquaint you with^{b6} at least insofar as I know them, but I must confess that^{b7C} I did not see the Sunday program, but I know that there are (unintelligible).

[redacted] was not (unintelligible), and we received a phone call about an hour or two ago that there was no plane from Buffalo where he was, no planes to Boston because of the weather (unintelligible) would be here. So, in any event, (unintelligible), is here and will speak later. (Unintelligible) on his way from Chicago (unintelligible).

"Next we have somebody else from Harvard (unintelligible) and Harvard seems to be well represented tonight. There's been another change in the program (unintelligible) just took place. (Unintelligible) the program keeps getting changed, but I should inform you that (unintelligible) defendants meet with the lawyers tonight, that we're trying to, in the main, to have them speak first, and however, I have just been told that there will be time for the man from Harvard that I was about to introduce to you (unintelligible) education at Harvard, who is Chairman of the Civil Liberties Legal Defense Fund - Bob Rosenthal. ."

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BOB ROSENTHAL:

(First few comments unintelligible.)

"Now there's another quote of Thoreau that I ran across which seems to be very appropriate when I saw the indicted men on this stage, and it was that under a Government which imprisons any man unjustly, the true place for a just man is also in prison.

"I don't usually disagree with Thoreau, but ask a state worker or a Black Muslim minister, or a community organizer, the true place for him is in prison. The true place for any just man is to be at liberty in this society. To open up the prison, to let out those that are unjustly convicted, and there are, I estimate, 1500 men who have gone to prison for conscientious objection of one sort or another, without fanfare, who are currently serving terms. The true place for a just man is to be at liberty, to be acquitted because he is innocent, prevent further acts of Government injustice, to resist the efforts of the Administration, to make human (unintelligible) criminals at large. We talk about crime in the streets when the Government can make criminals. Our job then is to help keep just men at liberty, defend them and to bring out those who are unjustly convicted, and to this end, we have set up an organization now in the process of incorporation called the Civil Liberties Legal Defense Fund.

"We want to raise funds for the legal defense of resisters, conscientious objectors and their supporters. And also to disseminate information necessary for their defenses. We want to be able to also assist in taking legal initiatives, to take affirmative legal action, in order to insure the continued protection of the law to those engaged in conscientious objection to the war. Another reason that this organization is being set up is because rather than people being frightened off by the Governmental suppression that we see behind the attempted suppression, behind these indictments, there has been an increase in the number of people that are willing to commit themselves

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and who are willing to undertake active conscientious objection. There is a ground swell now of support in terms of potential financial support, as well as actual work and organizing efforts. We want to be able to help channel these into a fund that can provide the maximum kind of support for those who are not famous, who are not (unintelligible).

"Now there are four major things that the fund will do. First of all, it will assist in bringing cases such as this to trial at the highest possible level and on the highest constitutional grounds. Secondly, it will defend the many conscientious resisters who are in and out of the military services, who are in prison now and in the military stockades. Third, it will bring the perfectly legal action before prosecution on questions of Selective Service, its legality, and its abuse, and questions of violation of military procedure and organization. Fourthly, it will coordinate an interchange of material which will facilitate legal defense. Because all over the country there are similar kinds of indictments being handed out that because of lack of communication between lawyers and because of people being picked off from one small town to another, often the defenses are not as strong as they could be. There is a final purpose in the incorporating of this fund, and that is that just as men who often bring about that which they fear the most, just as Bull Connor helped to bring about the strengthening of the Civil Rights movement, Lyndon Johnson has succeeded in bringing about the consolidation of parts of the peace movement. And along with this, this means that legal strategies on the part of the most competent constitutional lawyers in the country are beginning to be discussed among themselves and coordinated in the hopes of providing stronger and more permanent (unintelligible).

"So that we would welcome contributions to this fund. We're going to be doing this on an organized basis later, but anyone who wants to send a contribution at this time, the address is the Civil Liberties Legal Defense Fund, Incorporated, 94 Prescott Street, Cambridge."

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DAVID DELLINGER:

"... (unintelligible) I'm going to first introduce Paul Lauter, who has worked in various cities and inter-city programs with the American Branch Service Committee and the various educational institutions. His field before the war came along, at least with England, and now he is National Director of Resistance - Paul Lauter."

PAUL LAUTER:

"I'm here for a very special purpose. Its to raise money for a mission. That is very simple.

". . .(unintelligible) Bob Rosenthal has just told you about me and the defense program that has been set up that will go forward, and the work of defending these and other defendants will go forward, and as Dr. Spock said, we plan to win. We plan to win those cases because it is not those men who are on trial, but this Government. We want tonight to have a kind of symbol of our determination to go forward, not to just stand, but to organize, not to war, but to organize. And that's why I'm here. That's why resist exists.

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"I came up just before this weekend. I had letters from various places. I had a letter from [redacted] (Phonetic), some of you may know him, who works for SDS, who wrote a letter which describes how he was beaten up by seven cops in San Francisco. It was a very brief letter. The (unintelligible) went on to tell about the ordinary contact in which he and others are involved in a place at Los Angeles, in which they will be organizing two working class communities among young men and others, against the war, and against the draft.

"I had a letter from a group in Detroit, which some of you may know (unintelligible) city organizing counsel (unintelligible) special delivery from a black organization organizing against the repression of people here in the United States, as well as against the Vietnamese, and the letter from them said that they need funds to go forward with their program of draft resistance. I had a letter from a group in Washington where the SDS people and the Resistance people have come together to form a Washington area draft resistance union and they need funds to set in full time quarters.

"Within the last three months, draft resistance unions have grown and spread all over the country. Money for the defense of people like the five indicted and the

others who have been and will be indicted is needed and necessary. But tonight, as a symbol of our determination to go forward in organizing against the war, against the draft, we want to take a collection for that purpose for people in California who are organizing, for the people in Detroit who are organizing, for the people in Washington who are organizing, for the people here in Boston who are organizing and will continue to organize and are (unintelligible) continue to be organized against this war and against the draft and against the manner of oppression of people here and overseas. That's what we're collecting this money for and we will continue to collect it, and we will continue to use it for organizing.

"There are people that cup (Phonetic) and hat in various other kind of instruments, and I hope those cups and hats will be filled to overflowing as they go by so that we can say to our brothers, wherever they're organizing, that we stand with them and will continue to stand with them, will continue to support them and aid them until we bring this war to an end. I hope the people will dig into their pockets and their checkbooks. You may take that very casually. Put the money in the cups. Now we assure you that the process of filling that will mean that the process of organizing the resistance will continue in this country.

"I think it would be the best thing to continue the program as I go around and as the program continues to go around (unintelligible). Thank you very much."

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DAVID DELLINGER:

". . .(Unintelligible) the adult contingent resist and now we are going to hear briefly from what it's all about, the people that the adults are supporting and stand (unintelligible)- Bill Hunt from Resistance."

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[REDACTED]

". . .(Unintelligible) I have to go home and get some sleep because I'm being inducted tomorrow. My name is [REDACTED] I just want to make an appeal to all citizens of America and Massachusetts, Massachusetts and America, to search their consciences and stop working to support this war effort in Vietnam. After three years of being underground in California, I decided to go back home and take my stand and so I'm not going. (Unintelligible).

"Tonight, I just want to say that I have to (unintelligible) tomorrow and I'd just appreciate any support that I can get and then I'm going to accept the consequences of my decision and convictions and I don't have any regrets. (Unintelligible)

"Thank you for your patience."

(Unintelligible)

DAVID DELLINGER:

"And now we will have Bill Hunt."

BILL HUNT:

"... (Unintelligible) never been so happy even for [redacted] foul up (unintelligible). [redacted] is (unintelligible) snowed-in in Buffalo and can't be here, but I have spoken from the same platform with him enough times to know what he'd want to say if he were here and that is to get (unintelligible) the kind of support that we want and I'm sure he'd be here for the other defendants as well, not just simply moral solidarity, not even financial contribution, but the kind of support that gives substance to what they're trying to do, in other words, a real effective and active anti-draft movement in this country.

"As you must know, [redacted] is a member of the resistance, which is a national organization brought together around the particular tactic of sending back (unintelligible) en masse to Washington and they will be moving again on April third. It is going to be a week of anti-draft demonstration in Boston (unintelligible) there's going to be a lot of action and keep that in mind.

"I also want to talk just briefly about the Boston Draft Resistance Group, it works with the New England Resistance office in Cambridge. We were talking for a long time about the necessity to move this thing off the campus and into the community to meet the guys that are, in fact, dying in Vietnam and our slogan has really become a reality now for the first time. I don't know how many of you people here are really aware of the tremendous depth of anti-war and anti-draft sentiment of all the working kids, and non-students generally. One of the things that we have been doing is to go down to draft boards and bring them for physicals and orthodox (unintelligible) toward the war (unintelligible) this thing can be resisted, that there are alternatives. They don't have to submit. We come in and ask guys that are lined up, oh fifty of them waiting to be bussed into the Center, how many guys choose

for you to support the war? You know. Sometimes you do. But more often guys (unintelligible). Something gets started when you ask that question (unintelligible) or is something wrong with their head, and we suddenly discover the guy next to him is feeling the same way (unintelligible), so that's exactly what's happening in Boston now and across the country, as you have heard from the letters that were read before. So I think you'll find right now the address to keep in mind is 103 Columbia Street in Cambridge, which is the office of both the Boston Draft Resistance Group and Resistance. We need help. We need organizers and we need money (unintelligible).

"Come to a real conscientious position or political decision against the war in Vietnam, against the (unintelligible) of induction, and we can't continue to handle their votes forever out of the office of Orsage (Phonetic) in Cambridge. We would like to see how community oriented or draft conscious (unintelligible). . ."

DAVID DELLINGER:

". . . (unintelligible) political support that [redacted] would ask of you if he were here tonight (unintelligible) and tonight I would ask about an Antioch student, a girl, who caught a (unintelligible). She took part in a resistance protest, a resistance activity in Cincinnati, Ohio, on December 7, and when several of her cohorts were arrested, she sat down or lay down in front of the paddy wagon feeling that they should not be arrested for this activity. Now at the present time she is serving ninety days in jail in Cincinnati, thirty days for contempt of court, thirty days because she wouldn't stand before the Judge, sounds like maybe similar charges, and thirty days for disorderly conduct. There were a lot of people in jail and a lot of them with sentences of more than ninety days.

"The reason I tell you about the [redacted] case is that she hasn't eaten since she went to jail on December 7. She took water only because it was not her purpose to die and on the 28th day, I am informed that she added vitamin pills, but she was down to ninety when she was told it was a matter of life and death and I might say that I myself, when in jail one time, collapsed after 34 days, so I imagine what she's doing on her fiftieth day. It is life or death with her. There was a motion for mitigation of her sentence today in Cincinnati, or on Friday, Friday January 26th, and it was denied. I think that one of the things that we could do to get something out of this meeting, besides publicizing her case, is tell in telegrams and telephone calls to the Governor of Ohio, Governor James Rhodes, and to the Judge who denied the motion of the mitigation of sentence, and that is Municipal Judge Heiczler, H-E-I-C-Z-L-E-R, in Cincinnati, Ohio, but don't get hung up if you haven't written down the names and don't remember them. Put in a person-to-person phone call to the Governor or send him a telegram (unintelligible).

"New information - she is sentenced until April, 1969? Well, in any event, it is a terrible business and the least we can do is to stand behind her. There aren't any more effective actions (unintelligible) certainly at the beginning telegrams and telephone calls are urgent and publicity. Her name is [redacted] Just remember [redacted] and I'm sure they'll know who she is.

"The five defendants that we have to stand behind is the (unintelligible) at the beginning of the meeting. I'm not a very good mathematician. I kept thinking somehow that it only sounded like four and I tried to think back to think who I'd left out and I thought he was here, but I owe you an apology anyway, not him. It was our next speaker, the Rev. William Sloane Coffin."

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Rev. WILLIAM SLOANE COFFIN:

The talk made by Reverend COFFIN was almost completely unintelligible. He was, however, heard to make the following remarks near the end of his talk:

"... and that thousands of Americans shouldn't be faced with the option of violating the Constitution and going to jail because the national morality is so low that we cannot make provisions for... the so-called Selective conscientious objector. I think it is our citizen's duty, I hope you all agree with me, to try to stand, not only with those who turn in their draft cards, but also the draft cards of all boys. . ."

DAVID DELLINGER:

"Would you please pass the resist statements to the aisle and when they get to the aisle, please pass them forward so they can be collected.

"Now, before I introduce to you Tom Hayden, I want to say a few words about something which he has been involved in and that I have been involved in. You know the charge is continually made by a certain type of politician and a certain type of newspaper that those who oppose the war are somehow betraying the soldiers; that those who want to end the war honorably and bring the soldiers home so they can be safe and live decently with their families are somehow against the soldiers, for it is those who are willing to risk their lives in aggression are somehow their friends and allies (unintelligible), and I wanted just to say that one aspect of this and that is the precedent of war, the American precedent of the NLF and (unintelligible) Hanoi.

"On Tom Hayden's two trips to Vietnam or North Vietnam and my two trips to North Vietnam, and as far as I know, the trip of every American from the anti-war movement or the contact of other countries in Europe, there has only been a concern expressed for the welfare of the American servicemen. Now this comes naturally to us as Americans, but it is not that easy to the Vietnamese whose children, whose families, have been in many cases destroyed as a result of the action of these troops. The one thing that struck me from the very beginning of my contact with the Vietnamese were the compassion and the understanding which they choose to display towards the American soldiers and this general attitude is that these people are trapped in many cases, trapped by what they call brainwashing. We talk about brainwashing of the American Government. But they consider many things in our society brainwashing. Trapped by the draft, trapped by what might happen to them if they don't go into the Army, and Ho Chi Minh himself, in a conversation that I had with him in Hanoi, spoke with great compassion of these people and the desire that the Vietnamese have not to make them suffer, even though they

have done things that the Vietnamese consider to be war crimes. Now today, just before coming to the airport, with my hat and coat still on, I received a telegram. It came from Hanoi, and I consulted with Tom Hayden, he and I worked together in some of it, and we've decided that we should read the telegram now.

"It says 'Vietnamese People's Army has decided to release three American pilots on occasion of the Lunar New Year. Proposed you send immediately to Hanoi a responsible representative for reception.' Signed 'Viet Peace'.

"Frankly, I think it would be ideal if Dr. Spock were able to go, but I imagine his obligations, other obligations may keep him here. But that will (unintelligible) that and other things will have to be explored.

"Now the last time that Tom and I talked with some Vietnamese about the release of prisoners, American prisoners, they told us almost in passing of the number of cases in which the NLF had released American prisoners, had taken them to the (unintelligible) of the military base at Thieu La (phonetic) in South Vietnam and had pointed the way to them and let them go and the next day the Saigon Government announced that it had liberated these prisoners in (unintelligible). And there was another case that you know about, the case of Smith (phonetic) and McClure (phonetic) who were released as a symbol of solidarity with the American people and (unintelligible) opposition to the US aggression in Vietnam, and US interference with their self-determination, and these prisoners were grabbed up by the Army and taken to Okinawa and not allowed to talk to anybody for a long, long time. I forget how many months it was. And now they have (unintelligible) that if they talk at all, that they will be prosecuted and by the time they left Okinawa, they had decided to be very quiet.

"Now the Vietnamese think about these things. And earlier, when Tom and I were talking to the Vietnamese in Bratislava (phonetic), we were told that they were prepared to release three American prisoners at that time, in fact, discussions had been going on for some time, but the week that the prisoners were due to be released, an insane and incessant bombardment of Hanoi began and they said we still plan to

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release the prisoners on (unintelligible), but for us to release them now might be interpreted as an act of weakness, an act of the beginning of some kind of surrender.

"Well, all I want to say about this now, because time is short and it is late, is that Tom will say some more about it. I have no idea of what his plans are, but Tom did journey to (unintelligible) in the last few weeks. Now, in the last few weeks, three prisoners from the NLF, after similar (unintelligible) communications.

"But the thing that I wanted to point out to you tonight, which you can do your own (unintelligible), draw your own conclusions, and examine the implication yourselves, but these five eminently honorable, even eminently respectable, are married. This isn't always true in every section of the peace movement, but these five people are on their way to jail and on the very beginning of this meeting, we received a telegram that they are letting out of jail Americans who have bombed their homes and killed their children."

THOMAS HAYDEN:

"... [redacted] who spoke earlier and served us, from the underground to face induction, wanted it announced clearly that his induction coming tomorrow morning is 7:30 a.m. at Boston Army Base near South Station.

"Now I want to review in a very brief way the situation that some of the speakers have referred to and the situation that we are in and make some personal comments now of possible directions that we might take. I think that it is important to look at the situation because periodically your mind becomes deadened by the daily news from South and North Vietnam, and you begin to lose the sense that there is any progression or it is relevant or that the war is a kind of plague that creeps over the whole body in an imperceptible, invisible way. I think that that is not the case. I think that the war goes through very sharp stages and has effects on American society, which according to (unintelligible) very sharp stages. We are now at the stage where the United States has lost all the military initiative in South Vietnam, and during the period of a year in Vietnam from October to Spring, which is usually that period in which the United States launches military operations. What you have instead is intensification of propaganda issued by American military and civilian officials from South Vietnam, but no intensification of the real military operations of the United States. Things are going downhill for the U.S. in Vietnam and we are at the end of the period of special warfare in which the United States seems to be fighting for certain South Vietnamese people. We are also at the end of the period of limited warfare which the United States prophesied South Vietnam would take primary responsibility for fighting the Vietcong and we are on the verge of a much greater expansion of the strategic objectives, a much larger area in Southeast Asia, and Asia in general, it seems to me, because previous military strategists have essentially been defeated.

"It's because of this, in my own opinion, that a number of things have happened domestically in the United States. First, the replacement of General Westmoreland as the top man by General Abrams, who is a much tougher military officer; secondly, the replacement of McNamara by the new

Defense Secretary Clifford who, according to your local paper this morning, is the man we should say something to (unintelligible) and the indictments of these five men.

"We have seen similar (unintelligible) develop a fascist scale, it seems to me, in black communities where most of the SNCC staff had stayed from three to five-year terms because (unintelligible) where violent suppression of last summer's insurrections have been followed by [redacted] (phonetic) commission to analyze the cause of the riots in which some staff members who emphasized social courses have been fired.

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"Now, it has been assumed for a long time that the inter-resistance movement and the movement against the war that one of three things might develop in this country. One of them would be a state of permanent confusion and uncertainty in the establishment in which (unintelligible) continues the war but doesn't carry it too far and allows protests to develop at home, making (unintelligible); or secondly, that the war would be modified or brought to an end when the country was confronted with the cost, including the cost of imprisoning resisters; or third, the United States would give up the language of democracy, talk the language of power, and understand the war in a very drastic way and count on our American society as much as possible.

"Now (unintelligible). . . No. 3. Although we are not fully aware of it, but it doesn't seem to me that the crackdown, northern pressure (unintelligible) are unrelated nor are they accidents, nor are they the results of right wing pressures to which the President of the United States conceded. All of these events, including the indictments, seems to me to be as logical as the war in Vietnam itself, and if that war in Vietnam and Laos and Thailand can become a war against the whole people of that region, so it is logical that this kind of war would develop eventually into a war against the American people as well. And that the (unintelligible) are beginning to end it. I think many people agree with that. And that means, it seems

to me, that we have to take a much tighter and harder view, what we do with ourselves, in situations where we find ourselves. Now, first of all, apart from what people have said, this means that a democracy in solidarity with the draft resistance movement, that the question of draft resistance, is a line that must cross if you are to be a serious participant in opposition to the war. This requires a very complicated and a very active political courage in the sense that we have to accept any costs that they impose on us for the sake of wishing to impose upon them. But beyond that, the new situation that we are finding ourselves moving into does allow us some political hope of the kind that Reverend Coffin spoke of. It would depend, I believe, that Johnson moves in his preoccupation with Vietnam, and because much more violence and all energies are given to the cause of victory there, it will be necessary to do exactly what Johnson never wanted to do which (unintelligible), anybody in the consensus (unintelligible) militarists agree. This means he's already started, of course, with the intellectuals and students and I suspect that with the tax increases and the flow of blood that the people throughout the society are going to be in either in protest or in a very deep state of discontent. The country will be honeycombed with that feeling, as Dave Dellinger pointed out.

"Now in a situation, there will really be two organized political forces, Johnson and us, in a broader sense, and we have to take the responsibility for trying to explain what's wrong with the country, why people feel not only social injustice, but why they feel the insecurity they do, why they talk about crime in the streets, and why Johnson's policy and this Government's policy can neither be imposed on Vietnam, nor on (unintelligible), nor on the American people with any success, nor will it be possible for the President to impose order either on Vietnam or on this country. That means that we have to have an ideology or a political explanation for people and that we have to organize more people to protest for the domestic priority, the things that they are concerned about which certainly cannot be denied, cannot be gained but have to be denied by this Administration's priority.

"Now, concretely, and that seems to me to indicate that we have to have a real meaningful direction and a sense of organization and a sense of clarity, and we cannot allow ourselves simply to be scattered across the society and isolated individuals or groups as we face more and more centralized military machines with the more and more systematic plans of repression and intimidation and harassment. It seems to me that in this nation we have to find a program around which we can reach people and a program that causes the greatest possible difficulty for the Johnson Administration, difficulty in its ability to keep order and difficulty in its ability to keep its own position in this country.

"Now we have to finish summing up. Mr. Goodman spoke about the annual Third National Draft Resistance Action. Beyond that, in the period of April 21 to 30, there is going to be thirty days of resistance, organized essentially by the student organizations - SDS organization, the Resistance, and other groups, and it seems to me that where possible, without doing something that's artificial, that these days of resistance and demonstration is beginning to focus more concretely and more dramatically on the Democratic Party, that is, on the people who are responsible for the Government just to kill the time. The method of choosing delegates for the Democratic Party Convention, since the (unintelligible) is polled should be exposed, should be opposed. Names of the key Democratic Party (unintelligible) should be revealed (unintelligible) should be considered (unintelligible), Democrat Party should become the recipients of draft cards (unintelligible). Officials at the offices of State Political Chairman should be organized. (Unintelligible) to munitions manufacturers. Movements demanded on the National Convention organizer in August should be developed, should be widely distributed, and should be interpreted (unintelligible), and number two, defense contract recipients (unintelligible) in the country, those people should be exposed and have commitments. And secondly, this summer, there is going to be, without anyone calling it a resistance, there's going to be a great desire in the entire war movement for a period of (unintelligible)

organizing political education and demonstration, and I believe that local coordinating committee should develop and plan some kind of end-of-summer confrontation with the Democratic Convention. But in the meantime, we should have an instrument for recruiting people and training people to be summer organizers, several thousand people who can build any number of things, high school draft resistance unions, challenges against trusted delegates to the Democratic Convention, educational meetings with teachers, doctors, industrial and welfare mothers, about confronting the Convention on a particular day in August. We should be gathering intelligence, and I mean that word literally, about delegates who would be attending the Convention and we should begin to need lists and begin to put pressure on those people as soon as they are found and brought out of their privacy. We should speak to as many possible local trade unions about the war and about racism. We should organize local unions and picket lines at the homes of the Congressmen when they return from Congressional recesses. We should remove as much as possible from the ghetto all Democratic Party headquarters. We should hold on the campuses or in the cities, local war crimes tribunals to expose prominent Democrats who may be on the Harvard Board of Trustees, for example.

". .(unintelligible) personnel files, poison gases, or other methods which have been banned by international agreement. In other words then, the top politicians in this country and leaders make it more and more clear that their only response to us and to Vietnam is the counter revolution, counter revolutionary violence and repression. The movement is going to have to find it necessary to reach out and organize more and more support or be isolated and (unintelligible). So this summer, it seems to me, should be a major time for organizing.

"And third, this summer should be climaxed by a week of demonstration and protest actions at the Democratic National Convention. We should clog the streets of Chicago with people who are demanding (unintelligible) of the Government, demanding an end to the war in Vietnam and demanding social justice at home. I think it's a very serious time. We

should have (unintelligible) convention between fifty to one hundred thousand people who are organized very tightly against Mayor Dailey, against the judges of Chicago, against the Democratic National Committee, that they have a right to those streets because those rights are to be taken away earlier by court injunctions, by other forms of pressure, by conspiracy charges and all the rest. And that is as the platform reaffirms the present policy on Vietnam, and as the delegates might (unintelligible) who brought them there and we should stage, or be prepared to stage, a funeral march on that Convention, beginning as soon as that first ballot is taken, taking at least five hundred thousand people into the streets of Chicago, and making the Democratic process work by insisting that the delegates remain in the International Amphitheatre until a choice is presented to the American people.

"There are many things that can be accomplished during this period of time. Let me give you just one example. On August 26 (unintelligible) the people from (unintelligible) surround the town and (unintelligible) hotel where the delegates will be staying to wait (unintelligible) demonstration and picket lines to dramatize these demands. At noon, the delegates should be handed a menu for lunch totaling twenty-two cents, the allowance (unintelligible). The recipients should then invite themselves to lunch with the delegates in the Conrad Hilton. In the evening, four whites (unintelligible) could march on the Amphitheatre to ask the delegates to spend the night with them in the ghetto instead of the Conrad Hilton. (Unintelligible) International Amphitheatre or those hotels, to invite those people to sleep in the ghetto, but that invitation is going to defeat us, at least in part with police cause for brutality and arrests since the President will have an injunction against all demonstrations at the Convention.

"That is simply an example of the kind of thing that could be going on twenty-four hours a day before nation-wide television audiences, western European television audiences, a dramatic show of strength to indicate that there are people in this country who feel that there is going to be no choice in November, and who feel that despite the failure of the

political party to present a choice, it has to be made clear that this party and this Government do not represent a significant portion of the American people. It is absolutely necessary that we indicate in this kind of forceful way the (unintelligible) of this forceful way, that no amount of talk about (unintelligible) is coming, and no talk about intimidation, and no indictments about draft resistance, and no mace, and none of these crazy chemicals that are going to glue us all together, and those things or dogs or anything else they want to use, is going to be enough to take the streets of America away from people (unintelligible). This means that if the President finds it necessary to take troops to Vietnam or North Korea or the ghetto to secure his own accommodations, then at least the breakdown of representative government and political choice in this country will become an international and historic mission.

"Now, just to conclude, I have (unintelligible), and not in myself but in this movement. That is because, particularly, of the example set by the heroic people of Vietnam. We would not be in this room, our country would not be in the midst of a crisis if not conscience, at least the crisis of the pocketbook, if it were not for the Vietnamese resistance. If the Vietnamese have been exterminated along with other peoples or put out of action along with other peoples, we would still be a complacent and smug society. It is only due to their ability to fight off and defeat American soldiers in Vietnam that the possibility of a movement in the United States has become real. I give you as an example, which will last for thousands of years, of what people can do when they refuse to surrender before (unintelligible), and before military forces, and so are the North Koreans.

"In all of these small countries around the world and now some small people inside the United States are beginning to show the people who run this country that if they intend to police the world, they cannot do it; and if they intend to act like police, we know that you cannot talk the police out of their mission, you have to retire them.

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DAVID DELLINGER:

"... (unintelligible) collected over 350 names for the support petition. The names are still being counted. The money, I think, has all been counted and you contributed \$1100. I want to thank you and I want to thank the school, Northeastern University, for having (unintelligible)"

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Date 2/5/68

The Agents were present and observed a demonstration conducted at the Federal Post Office Building, Post Office Square, from approximately 10:30 to 11:15 A.M., at which they observed several hundred marchers picketing all four sides of the Post Office Building. No incidents were observed by the Agents.

The Agents departed the above demonstration at approximately 11:15 A.M. and proceeded to the Arlington Street Church, Arlington and Boylston Streets, Boston. The Agents entered the church at approximately 11:45 A.M. in order to observe a "Teach-In" to be held from twelve noon until 1:00 P.M. Upon entering the church the Agents were provided, by members of the group sponsoring the "Teach-In" and Rededication Service, the following materials:

1. A mimeographed throwaway sheet entitled "Why Are We Here?" Pamphlet sets forth the reason for the Rededication Service, the function of the Boston Draft Resistance Group, the description of the Membership of the New England Resistance and "Resist".

2. A mimeographed throwaway sheet entitled "Draft Resistant's Support Pledge", which sets forth request for individual's name, address and occupation and a request for a monthly pledge. Also states background with respect to the April 3rd Resistance and request individual to indicate kind of action he would like to participate in, such as civil disobedience, refusal of Income Taxes that go for the War in Vietnam, picketing of Draft Boards in local communities, organizing legal defense and bail funds, canvassing neighborhood, church, job, school, providing room and board for out-of-town participants.

Describes functions of the New England Resistance (NER), the Boston Draft Resistance Group (BDRS) and the Roxbury Blacks Against the Whites.

On 1/29/68 at Boston, Massachusetts File # Boston 25-25171
by SA [redacted] and atl -54- Date dictated 2/1/68

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3. A mimeographed throwaway sheet entitled "The National Resistance". This pamphlet set forth the location of area groups and the names of men who have refused induction, been indicted, or on trial **nationally**, since the first Resistance Action, October 16, 1967.

4. A mimeographed throwaway sheet entitled "A Demonstration in Support of the Five Indicted Men", which sets forth the chronological listing of events to take place on January 29, 1968. Specific events; Picketing at the Federal Building, Post Office Square, Boston, the "Teach-In" at the Arlington Street Church, and the Service of Rededication and Continuing Commitment at the Arlington Street Church.

5. A mimeographed throwaway sheet entitled "New England Resistance Sponsors. What is The Resistance? Who are the Resistantists?" The pamphlet sets forth individuals and their respective positions who are to speak at the Teach-In at the Arlington Street Church. Also sets forth participants in the Service of Rededication to be held at the Arlington Street Church.

6. A mimeographed throwaway sheet entitled "Order of Service of Rededication". This sheet sets forth the exact program to be followed during the service at the Arlington Street Church, January 29, 1968, at 1:00 P.M.

At approximately 11:55 A.M., [redacted] described in the above items as a Representative of the New England Resistance (NER), opened the Teach-In from the lecturn at the front of the Arlington Street Church. After opening remarks by [redacted] the following individuals spoke for short intervals, expressing general support of the five men indicted in Boston on January 5, 1968, specifically SPOCK, [redacted] GOODMAN, RASKIN and COFFIN and criticized in general the Administration's Vietnam policies.

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The individuals who spoke were [redacted] b6
DAVID DELLINGER, Editor, "Liberation" magazine, Chairman, b7C
National Mobilization. [redacted] Professor of English,
Harvard; [redacted] Draft Refuser; EDWIN
OPPENHEIMER, Head of the Boston Draft Resistance Group
(BDRG) Counselling Program; [redacted] Seminarian,
Member of the Resistance; [redacted] recently released
from Federal Prison for draft resistance. With the
conclusion of the above speeches, the Service of Rededica-
tion commenced at approximately 1:30.

The Rededication Service, as observed by Agents
present in the audience, is set forth as follows:

An invocation was given by the [redacted]
[redacted] Assistant Minister of the Arlington Street Church.
After a hymn, [redacted] known to be the wife of MITCHELL
GOODMAN, read three poems, all with a general theme concern-
ing war. Following [redacted] BILL HUNT (BDRG) read from a
Selective Service System Memo on "Channelling" and made
various comments concerning the Memo.

[redacted] read from writings of MAHATMA
GANDHI.

Responsive reading was led by G. ROBERT HOHLER,
Director, Unitarian Universalist Laymen's League. This
reading consisted of questions by HOHLER with a response
from the congregation and was set forth in its entirety in the
order of service listed as item 6 above and reads as
follows:

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"RESPONSIVE READING

Leader, G. Robert Hohler, Director, Unitarian
Universalist Laymen's League

"LEADER What will we say to the world one day
when it asks us why we paid no attention
to the Vietnamese who for over a hundred
years struggled for independence from
the foreign power in their country?

"CONGREGATION We did not care about people with
yellow skins. We were busy building an
empire by destroying people with red
skins and enslaving those with black
skins.

"LEADER Why did we not support the Vietnamese
Declaration of Independence which was
based upon our own?

"CONGREG. We offered billions of dollars to our
friends the French to reoccupy their
colony, and when they faced defeat at
Dien Bien Phu we offered them nuclear
weapons of destruction.

"LEADER Where was America when the French agreed
to settle the war by negotiations at Geneva
and return the land to the Vietnamese people?

"CONGREG. We refused to sign the accords. We chose a
man to rule over the people and put our
power behind him.

"LEADER Where was America when the Vietnamese
people renewed their struggle to choose
their own way of life?

"CONGREG. We denied them a free election in the name
of anti-communism. Instead we sent our
experts in weapons and social control to
use their country as a laboratory for
counter-insurgency.

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- "LEADER Why did we raise no cry of outrage when our government first sent planes to destroy the city of Vinh in North Vietnam?
- "CONGREG. We believed the false reports and lies of our government. We felt secure because we had elected a President who promised peace. We buried ourselves in daily trivia and grew numb. We did not care.
- "LEADER Why did we not learn from the rebellions in our ghettos that we cannot export democracy abroad and deny it to millions at home?
- "CONGREG. We were moving to the suburbs. We gave them some money and some rights and wondered why they were still angry.
- "LEADER Why did we not speak out against napalm, defoliants, cluster bombs, forced concentration of people, and similar crimes for which we hanged the Nazis at Nuremburg?
- "CONGREG. We were using tear gas, Mace, and clubs on our rebels at home. We used official violence to punish a disease in our society.
- "LEADER Where were we when four men burned their draft cards in South Boston in 1965? When over 200 men said No to the government in this church and in Old West Church last fall?
- "CONGREG. We were hiding behind our student and ministerial deferments. We were seeking jobs that were in 'the national interest.' We were able to afford medical and psychological excuses, while our black, poor, and working class brothers were sent to die. We were working within the system. We were paying our taxes to make the system work.

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"LEADER The world will say that we were wrong
and its judgment will be harsh upon us.
The world will say that we should have
disobeyed our leaders. History will
remember us as 'Good Americans' as we
remember those who acquiesced to the
slaughter of the Jews as 'Good Germans.'
Our children will not accept the excuse
that we were only doing our job.

"CONGREG. We were wrong. But if it is not too
late, we are ready now to act.

"LEADER It is not too late. For although
there are many we have ignored there
are many others we can help. Today
at the Boston army base Richard
Wolcott, one of our black brothers, is
refusing induction.

"CONGREG. We counsel him to follow his conscience
and resist induction into the army. His
fight and our fight are here in Boston,
not in Vietnam. We offer him our help
and support.

"LEADER Today at the Boston Federal Court, five
men were arraigned for conspiracy to aid and
counsel others to resist the draft.

"CONGREG. We stand beside these men also.

"LEADER And tomorrow, and the day after, and every
day until the war ends in Vietnam and
our country turns to freedom and justice
for all its people at home, thousands and
thousands of young Americans will stand
up and resist the machinery of war and
racism.

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"CONGREG. We pledge to work beside these young
men. Their struggle is our struggle.
Their fate is our fate. The world
shall not say they stood alone."

Following the Responsive Reading, the principal address and call to Resist was given by Father PHILLIP BERRIGAN, SSJ, who is described in Item #4 above as recently indicted for pouring blood on draft files. BERRIGAN, in his address, connected himself with an incident at Baltimore, Maryland and made general remarks supporting actions of the indicted five persons listed above. At the conclusion of the address he urged those present to talk with GIs about possibly refusing to go to Vietnam and the possibility of desertion from the service. He also advocated that members of the Resistance become acquainted with the Draft Board System in their respective communities and through nonviolent harassment force the Selective Service System to consolidate itself into one location which would be beneficial to their cause. He also stated that contact should be made with individuals of a 1A status in order that they be apprised of the feelings of the Resistance and to consider the possibility of refusing to be inducted into military service.

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At the conclusion of the address, Father BERRIGAN issued a call to "resist" and requested those present who desired to turn in Selective Service Cards to come forward and they would be accepted by a Rabbi, the Rev. RICHARD MUMMA, Presbyterian Chaplain, Harvard University, DAVID DELLINGER, identified above, the Rev. HARRIS, and himself. At this point at least sixteen persons were observed handing to these individuals some type of document reported to be Selective Service Cards. [redacted] identifying himself as the son of DAVID DELLINGER, was the only member of these sixteen persons making a statement. His statement in general supported the actions of the Resistance Group.

[redacted] assisted in acceptance of the cards and the ushering of the young men turning in their cards to and from the front of the church. Father BERRIGAN announced that the draft cards collected would be turned over to RAMSEY CLARK, Attorney General of the United States.

At the conclusion of the "Turn-in" Ceremony, loaves of bread were distributed to those present symbolizing a reconciliation of conscience and an offering was taken.

Also after the "Turn-in" Ceremony, [redacted] identified heretofore, made a short statement in which he counselled everyone affiliated in any way with the Selective Service System that if it was repulsive to them they should turn in their cards and that if, in Vietnam, and what was going on there was repulsive to them, the service personnel should come home.

A Rabbi made a short address, setting forth his personal views with respect to the Resistance.

Announcements were then made by [redacted] of the BDRG and NER, concerning a dinner at his residence, [redacted] Cambridge, Massachusetts, and he made remarks in which he called on all "black men" to resist, turn in their cards, and refuse induction. He stated that "No black man should fight in this war until he is free himself."

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The benediction was given by the Rev. RICHARD MUMMA, described heretofore.

The above meeting was terminated at 2:55 P.M. at which time the crowd dispersed with no incidents noted.

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FEDERAL BUREAU OF INVESTIGATION

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A Service of Rededication was held at the Arlington Street Church, Arlington and Boylston Streets, Boston, Massachusetts, on January 29, 1968, and was attended by Special Agents [redacted]

On February 2, 1968, Agents [redacted] viewed a sound motion picture film photographed by [redacted] of Johnston, Rhode Island, at the Arlington Street Church. This film includes a portion of a picketing demonstration conducted on January 29, 1968, at the U. S. Post Office and Courthouse Building, Post Office Square, Boston, Massachusetts, where Dr. BENJAMIN SPOCK, MARCUS RASKIN, MITCHELL GOODMAN, [redacted] and the Reverend WILLIAM SLOANE COFFIN were entering pleas to indictments outstanding against them in U. S. District Court.

Agents [redacted] observed a number of individuals standing at the front of the church, and these individuals received various documents from a number of individuals that filed past them. These individuals had either been introduced or identified on the program as the following:

Rev. RICHARD MUMMA
DAVID DELLINGER
Father PHILLIP BERRIGAN
VICTOR JOGGEL (Phonetic)
Rabbi HERMAN POLLACK

On 2/2/68 at Boston, Massachusetts File # Boston 25-25171
by SA [redacted] and jkr/mac - 634 Date dictated 2/2/68

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BOSTON	DATE 9/11/68	INVESTIGATIVE PERIOD 3/16-9/9/68
TITLE OF CASE DAVID DELLINGER, aka		REPORT MADE BY 	TYPED BY lrs
		CHARACTER OF CASE SSA, 1948	3 b6 b7C

REFERENCE: Report of SA (A) dated 3/29/68 at Boston. *sh*

- P* -

ADMINISTRATIVE:

Inasmuch as there is no investigation outstanding in this matter and the USA, Boston has advised that any prosecution of DELLINGER depends on the decision of the Department of Justice, Washington, D.C., this case is being maintained in a pending inactive status.

- A* -

COVER PAGE

ACCOMPLISHMENTS CLAIMED						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
							PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO
APPROVED <i>MA</i> COPIES MADE:						SPECIAL AGENT IN CHARGE	
3-Bureau (1-100-384411) 1-USA, Boston 1-Newark (100-41323) (Info) 3-Boston (25-25626) (1-100-37416)						DO NOT WRITE IN SPACES BELOW	
						100-384411-1415 25-570527-2 11 SEP 12 1968	
Dissemination Record of Attached Report						Notations	
Agency	Loc by 0-6D to Dept.					REC-34 SEP 12 1968	
Request Recd.	Attn: <i>Mr. Baur</i>						
Date Fwd.	Date sent <i>10-3-68</i>						
How Fwd.	By <i>EFF/jsm</i>						
51 OCT - 8 1968 <i>202</i>							

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONb6
b7C

Copy to: 1-USA, Boston (ATTN: AUSA JOHN WALL)

Report of:
Date:[REDACTED]
9/11/68

Office: Boston, Massachusetts

Field Office File #: 25-25626

Bureau File #:

Title: DAVID DELLINGER

Character: SELECTIVE SERVICE ACT, 1948

Synopsis: AUSA, Boston on 9/5/68, advised that a prosecutive opinion in this matter is being held in abeyance pending advice from the Department of Justice, Washington, D.C.

- P* -

DETAILS:

On September 5, 1968, Assistant United States Attorney JOHN WALL, Boston, advised that a prosecutive opinion concerning this matter is being held in abeyance pending advice to the United States Attorney, Boston, Massachusetts from the U.S. Department of Justice, Washington, D.C.

- 1* -

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 2/27/69

FROM : SAC, BOSTON (25-25626) (P*)

SUBJECT: DAVID DELLINGER, aka
SSA, 1948
(OO: BS)

b6
b7C

ReBsrep of SA dated 9/11/68. *sur 2*

On 2/27/69 AUSA HAROLD J. KOEHANE, Boston, Mass., advised that a prosecutive opinion in this matter is being held in abeyance pending advice of the Department of Justice, Washington.

Inasmuch as there is no investigation outstanding at Boston, this case is being maintained in a pending inactive status.

REG 11

3-Bureau
(1 -100-384411)
1-Newark (100-41323) (Info)
3-Boston (25-25626)
(1 -100-37416)
HRC/nlc
(7)

10 FEB 28 1969



MAR 19 1969

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

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach *[initials]*

FROM : J. H. Gale *[initials]*

SUBJECT: DAVID DELLINGER
SELECTIVE SERVICE ACT

DATE: 7/3/69

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

On 6/29/69 Dellinger led a forum in New York City attended by 40 individuals dealing with draft problems in the United States. Dellinger openly encouraged those in attendance to resort to violent methods such as burning of draft files to obtain publicity supporting their movement. He stated that the upsetting of one draft board is insignificant and a tremendous impact could be had if 1,000 or more were destroyed simultaneously. He also advocated secrecy in taking aggressive action. New York furnished this information to the Selective Service System. Dellinger, who is on the Security Index with a Priority I Rating, is Chairman of the National Mobilization Committee to End the War in Vietnam. Dellinger was one of eight individuals indicted by the Federal Grand Jury, Chicago, Illinois, 3/20/69 for violation of the antiriot law resulting from his activities at the Democratic National Convention in August of 1968. Dellinger is scheduled to stand trial in U. S. District Court, Chicago, on 9/24/69 for this offense.

ACTION:

For information. This case is being closely followed with New York.

The Department is being advised of Dellinger's violent statements by separate memorandum and the New York Office is attempting to develop a Selective Service violation involving Dellinger.

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Gale
- 1 -
- 1 -

JRB:rcm
(7)

b6
b7C

EX-102

REC-73

50 JUL 7 1969

72 JUL 10 1969

F B I

Date: 7/1/69

Transmit the following in _____
(Type in plaintext or code)b6
b7CVia AIRTEL _____
(Priority)ROUTING UNIT
ERROR LETTER SENT
7-2-69
146

TO: DIRECTOR, FBI

FROM: SAC, NEW YORK (25-110164)

SUBJECT: DAVID DELLINGER
SSA

On 6/29/69, a forum dealing with the pros and cons of draft file destruction was held at the Washington Square Methodist Church, 135 West Fourth Street, NYC. Approximately 40 persons were in attendance at this forum. Numerous questions dealing with draft problems in the United States were discussed openly, and questions and answers were given by the audience to DELLINGER.

DELLINGER definitely stated that any resistance to the draft could no longer be of a pacifist nature but must continue in a more violent manner.

He stated that the non-violent method of resistance had not been effective and that such overt acts of violence such as the burning of draft files would produce far more publicity and, as a result, this type of action would most likely be more beneficial to the Movement.

DELLINGER stated that when one draft board is upset by a form of violence it has small significance, but if there were a hundred draft boards destroyed on one given day, this would have a tremendous impact on the nation. In addition, if one hundred or one thousand draft boards were destroyed simultaneously, this would paralyze the entire draft system. He stated that this would be the method of promising total destruction to the draft system. He added that secrecy would be the number one rule pertaining to these types of actions in order that they could be carried out and become effective.

2 - Bureau
1 - New York
JJD:vm

MCT38

REC-50

595935

25-570527-5

JUL 2 1969

Sent _____ M Per _____

Special Agent in Charge

NY 25-110164

An unidentified individual from the Milwaukee 14 Support Committee stated in the near future something would definitely happen to a draft board.

This individual, however, would not discuss or give additional details concerning this protest activity.

The forum was held from 11 a.m. to approximately 2 p.m. with a lunch break and thereafter continued at 2:30 p.m. and lasted to approximately 5:20 p.m.

Selective Service Headquarters, NYC, has been advised of the fact that the burning of draft files and the destruction of draft boards had been discussed at this forum.

The Domestic Intelligence Division is being advised by separate communication.

SAC, New York (25-110164)

7/8/69

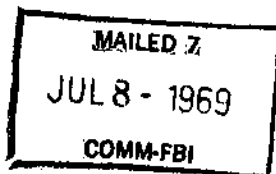
Director, FBI

DAVID ⁴DELLINGER
SSA

Reference New York airtel to the Bureau dated
7/1/69.

New York should continue to follow and report
Dellinger's activities in connection with case entitled
"David Tyre Dellinger, aka, Security Matter - C (Key Activist),"
New York file 100-121672, Bureau file 100-384411.

In the event that evidence is obtained that Dellinger
is in violation of the Selective Service Act, a substantive case
should be opened and the Bureau advised under the Selective
Service caption.



1 - [redacted] 920 9th & D
1 - Bureau file 100-384411

b6
b7C

NOTE: Bu files reflect Dellinger being actively investigated by
NY in Security Matter - C investigation. In referenced communication
Dellinger made violent antidraft statements which were reported to
the Bureau by confidential informant. NY instructed to continue to
investigate Dellinger in Security Matter - C case until such time
as evidence is obtained which can be used against him in Selective
Service case.

REC-50

25-570527-6
595935-2

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

JRB:rcm
(6)

53 JUL 24 1969

MAIL ROOM ☐ TELETYPE UNIT ☐

JUL 9 1969

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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1339526-001

Total Deleted Page(s) = 11
Page 46 ~ b6; b7C; OTHER;
Page 49 ~ b6; b7C; OTHER;
Page 50 ~ b6; b7C; OTHER;
Page 52 ~ b6; b7C; OTHER;
Page 53 ~ b6; b7C; OTHER;
Page 54 ~ b6; b7C; OTHER;
Page 55 ~ b6; b7C; OTHER;
Page 56 ~ b6; b7C; OTHER;
Page 57 ~ b6; b7C; OTHER;
Page 58 ~ b6; b7C; OTHER;
Page 59 ~ b6; b7C; OTHER;

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F B I

Date: 8/4/76

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(Type in plaintext or code)

Via AIRTELAIRMAIL

(Priority)

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

TO: DIRECTOR, FBI
(ATTN: LEGAL COUNSEL DIVISION)

FROM: SAC, LOUISVILLE (92-281B)

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

Re Bureau airtel to Louisville, New Orleans and
New York, dated 7/29/76.

Enclosed herewith for the Bureau is the original
and ten (10) copies of notarized affidavit subscribed and
sworn by SA EDMUND V. ARMENTO on 8/4/76 at Louisville,
Kentucky, reflecting negative search of ELSUR indices concern-
ing the Southern Conference Educational Fund (SCEF) (LS 100-197),
3210 West Broadway, Louisville, Kentucky, telephone numbers
502/778-3348 and 502/778-3349, and 3208 West Broadway,
Louisville, Kentucky (1969-1974).

- ② - Bureau (Enc. 11) (RM) **ENCLOSURE**
2 - Louisville
(1-92-281B)
(1-100-6375)

EVA/scs
(4)

REC-33 62-112989-351

EX-108

23 SEP 20 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/21/80 BY SP-2 TAP/102

2/9/93

10/22/93

3/5/80

Approved: *[Signature]*

Sent _____

M

Per _____

Special Agent in Charge

4 SEP 29 1976

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

Civil Action No. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED 315820
DATE 2-9-93 BY 10480 KML/KC

County of Jefferson)

State of Kentucky)

ss

AFFIDAVIT

I, Edmund V. Armento, after having been duly sworn,
do hereby depose and state the following:

I am a Special Agent of the Federal Bureau of Investigation
(FBI) and am currently assigned to the Louisville, Kentucky Field
Office of the FBI.

On August 4, 1976, I made a careful and diligent search
of the electronic surveillance indices maintained at the Louisville,
Kentucky Field Office of the FBI, which include the following:

- (1) Index cards indicating the name of subjects
of electronic surveillances and the date or dates
such surveillances were maintained;
- (2) Index cards indicating the names of persons
who while not subjects of a surveillance, were
incidentally overheard on surveillance of another
and the date or dates of such overhears.

Based upon my search. I determined that these indices

2. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

The foregoing indices constitute a comprehensive index of all electronic surveillances conducted by the Louisville, Kentucky Field Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in Louisville, Kentucky, at the addresses and telephone numbers listed or at any address within the jurisdiction of the Louisville, Kentucky Field Office, the name of that organization would have been contained in the indices.

/s/ Edmund V. Armento

Special Agent
Federal Bureau of Investigation
Louisville, Kentucky

Subscribed and sworn to before me this 4th day of August, 1976.

/s/ Carl E. Ross

Notary Public

My Commission expires My Commission expires Feb. 27, 1978

memorandum

DATE: Ms. Barbara Allen Babcock

TO: Assistant Attorney General

FROM: Civil Division

FEDERAL GOVERNMENT

BAB:JBSmith:rmm

145-11-71 &

SUBJECT: David Dellinger, et al. v. John N. Mitchell, et al., 145-0-12-3205

(U.S.D.C. D.C.) C.A. No. 1768-69;

Black Panther Party, et al. v. Edward Levi, et al.,

AUG 1 1977

(U.S.D.C. D.C.) C.A. No. 76-2205

TO: Mr. Clarence M. Kelley

Director

Federal Bureau of Investigation

Attention: Legal Counsel Division

Please find enclosed a copy of the protective Order entered in the Dellinger case on February 26, 1974. Although the Order does not specifically prohibit the Bureau from releasing documents involved in the Dellinger case, we have, since its entry, not released documents without first seeking the approval of the Court by way of motion to modify the protective Order.

It has recently come to our attention that 14 documents concerning the Bureau's electronic surveillance of the Black Panther Party in New Haven, Connecticut were released to the press, pursuant to the Freedom of Information Act, 5 U.S.C. §552, on April 20, 1977. Those documents are covered by the Dellinger protective Order.

In view of the enclosed protective Order and the recent filing of Black Panther Party v. Levi, challenging, inter alia, the Bureau's investigation of the Black Panther Party, we would appreciate your coordinating any further releases of materials involving the Party under the Freedom of Information Act with this office.

Enclosure

FBI Information
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9-9-93 BY 1048 DCM/SC
3/5/820

EX-130

REC-63

62-112989-35 Please advise
appropria persons

ENCLOSURE

XEROX

DEC 13 1977

20 DEC 13 1977

LEGAL COUNSEL

MFK



7 DEC 19 1977

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

RECORDED 62-112989-35

b6
b7C

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
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DATE 1-3-82 BY SP5 JIA/7

MOTION TO POSTPONE PRETRIAL CONFERENCE

The defendants, through their undersigned counsel and pursuant to Rule 6(b), Federal Rules of Civil Procedure, hereby move for an Order postponing the Pretrial Conference now scheduled for February 5, 1979.

In support of this motion, the defendants state the following:

On November 14, 1979, this Court entered an Order which, inter alia, required the completion of discovery by January 31, 1979 and referred this case to the Magistrate for Pretrial immediately thereafter. Pursuant to that Order, Magistrate Lawrence S. Margolis entered an Order on November 27, 1978, setting a Pretrial Conference for February 5, 1979.

In accordance with the November 14 Order, defendants noticed the depositions of the individual plaintiffs for January 15-23, 1979. After the denial of their motion to postpone those depositions, the plaintiffs chose to ignore the Court's Orders and to decline to attend the depositions as scheduled. Defendants have, therefore, moved

for the imposition of sanctions, seeking the dismissal of the claims of the plaintiffs remaining in this case because

NOT RECORDED

2 JAN 25 1979

Thus, in its present posture, this case is not ready for a pretrial conference. Discovery has not been completed and the case may be dismissed without the necessity for a trial. The plaintiffs, through counsel, agree that the Pretrial Conference should be postponed.

For these reasons, the Pretrial Conference scheduled for February 5, 1979, should be postponed.

Respectfully submitted,

BARBARA ALLEN BABCOCK
Assistant Attorney General

EARL J. SILBERT
United States Attorney


JOHN J. FARLEY, III
Assistant Director


JONATHAN B. SMITH
Trial Attorney

Torts Branch, Civil Division
Department of Justice
Washington, D.C. 20530
Telephone: (202) 724-6746

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

CIVIL ACTION NO. 1768-69

ORDER

Upon consideration of the defendants' motion to postpone the Pretrial Conference in this case and the record in this case, it is, this _____ day of _____, 1979,

ORDERED that defendants' motion should be, and it hereby is, granted; and it is further

ORDERED that the Pretrial Conference scheduled for February 5, 1979, is postponed pending further Order of this Court.

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I served a copy of the foregoing Motion To Postpone Pretrial Conference upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

• Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 17102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties Union Foundation
22 E. 40th Street
New York, New York 10016

Hayward C. Reed, Esquire
1776 K Street, N.W.
Room 607
Washington, D.C. 20006

Date: January 19, 1978

Jonathan B. Smith
JONATHAN B. SMITH
Attorney, Department of Justice

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

CIVIL ACTION NO. 1768-69

MOTION FOR A PROTECTIVE ORDER

The defendants, through their undersigned counsel and pursuant to Rule 26(c) and (d), Federal Rules of Civil Procedures, hereby move this Court to enter a protective Order providing that the Document Requests and Cross-interrogatories, served by Plaintiff Black Panther Party on September 19, 1978, shall not be responded to by defendants, pending a decision of defendants' motion to compel answers to interrogatories.

A memorandum of points and authorities and a proposed Order are submitted in support of this motion.

Respectfully submitted,

BARBARA ALLEN BABCOCK
Assistant Attorney General

JOHN J. FARLEY, III

JONATHAN B. SMITH

Attorneys, Department of Justice
521 12th Street, N.W.
Washington, D.C. 20530
Tel: (202) 724-6746

Attorneys for Defendants

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DATE 1-5-82 BY [signature]

ICC for Rm 7338

3 ENCLOSURE

62-112989-

NOT RECORDED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)
)
Plaintiffs,)
)
v.)
)
JOHN N. MITCHELL, et al.,)
)
Defendants.)

CIVIL ACTION NO. 1768-69

MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF MOTION FOR A PROTECTIVE
ORDER

[This Memorandum is filed under seal
pursuant to the protective Order
entered on February 26, 1978.]

On April 6, 1978, defendants filed a second set of interrogatories and document requests upon the Black Panther Party (BPP). Those interrogatories and document requests generally seek information concerning certain activities of the BPP which caused the defendants to take the actions challenged in this case. Following the plaintiffs' filing of blanket objections, the defendants moved to compel answers to those interrogatories and document requests. The plaintiffs filed the interrogatories at issue when they opposed that motion. They seek the same information sought from the BPP by the defendants in the second set of interrogatories, insofar as that information is reflected in the files of the defendants; indeed, plaintiffs' interrogatories are all but verbatim submissions of defendants' interrogatories to plaintiffs.

The defendants, by this motion, request the entry of a protective Order requiring that the discovery now sought by the plaintiffs not be had until the BPP answers such interrogatories as the Court orders it to answer in ruling upon the defendants' motion to compel. The defendants have

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DATE 2/10/92 BY JON R. BROWN
315820

heretofore produced certain of the information sought by the plaintiffs. They have, for example, made available over 100 memoranda by which defendant Mitchell authorized electronic surveillance of the BPP and the FBI forms by which field offices justified their requests for authorization to install or maintain the surveillances.^{*/} Those documents contain many of the facts available to Mitchell, which he relied upon in authorizing surveillances and which the defendants are attempting to elicit from the plaintiffs by their motion to compel. Plaintiff could thus amass certain of the information they presently seek by perusing the materials already available to them.

Moreover, the filing of the instant interrogatories by the plaintiffs is a maneuver on their part designed to direct the Court's attention to the position they have adopted in opposing defendants' motion to compel them to produce information not presently available to the defendants. It may also be an attempt on their part to seek information from the defendants to be used if and when they are compelled to answer the interrogatories served by the defendants. The defendants efforts to elicit relevant information from the plaintiffs should not be frustrated, or delayed, by their having to answer their own interrogatories before the plaintiffs are required to respond. To allow the plaintiffs

^{*/} It should be noted that the FBI is not a defendant in this case, and that Mitchell does not have custody, control or possession of its files - indeed he has no access to those files at the present. Thus,

to request the defendants to answer their own discovery would be to condone and encourage their filing of blanket objections to all discovery sought by the defendants and to make discovery a "one way street," a result which the Supreme Court refused to sanction in Hickman v. Taylor, 329 U.S. 495, 507(1947).

Defendants are aware that rule 26(d), Federal Rules of Civil Procedure, provides that discovery may be had by both parties simultaneously - that one party does not gain priority in discovery merely by seeking discovery before the other party does so. That rule also provides, however, that the Court in its discretion may establish sequences and methods of discovery for the convenience of the parties and in the interest of justice. The interests of justice in this case demand that the plaintiffs respond to discovery served by the defendants prior to requesting the defendants to answer their own interrogatories.

CONCLUSION

For these reasons, the defendant's motion for a protective Order should be granted.

Respectfully submitted,

BARBARA ALLEN BABCOCK
Assistant Attorney General


JOHN J. FARLEY, III


JONATHAN B. SMITH

Attorneys, Department of Justice
521 12th Street, N.W.
Washington, D.C. 20530
Tel: (202) 724-6746

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 JOHN N. MITCHELL, et al.,)
)
 Defendants.)
 _____)

Civil Action No. 1768-69

ORDER

Upon consideration of the defendants' motion for a protective order, the memoranda filed by the parties and the record in this case, it is, this _____ day of _____, 1978.

ORDERED that the defendants' motion be, and it hereby is granted; and it is further

ORDERED that the defendants shall not be required to respond to the interrogatories served by plaintiff Black Panther Party on September 19, 1978, until thirty (30) days after plaintiff Black Panther Party answers such interrogatories as the Court directs it to answer in ruling upon the defendants' pending motion to compel answers to the interrogatories served by defendants on April 6, 1978.

UNITED STATES DISTRICT JUDGE

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that on this date, I served a copy of the foregoing Motion For A Protective Order, the supporting memorandum and proposed Order upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 17102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties Union Foundation
22 E. 40th Street
New York, New York 10016

Hayward C. Reed, Esquire
1776 K Street, N.W.
Room 607
Washington, D.C. 20006

Date: October 23, 1978


JONATHAN B. SMITH
Attorney, Department of Justice

SFO 01 0240245M

RR HQ

DE SF 014

R 240229Z JAN 78

FM SAN FRANCISCO (66-672B) (P)

TO DIRECTOR (62-112989) ROUTINE

BT

CLEAR

ATTN: LEGAL COUNSEL DIVISION, SUPERVISOR [REDACTED]

DAVID T. DELLINGER, ET AL; V. ATTORNEY GENERAL JOHN N.

MITCHELL, ET AL; ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS.

RE BUREAU TELETYPE TO SAN FRANCISCO, ET AL, AUGUST 2, 1974
AND SAN FRANCISCO TEL TO BUREAU, MAY 20, 1975, BOTH IN CAPTIONED
MATTER.

[REDACTED] OF ATTORNEY [REDACTED] OFFICE
HAS BEEN IN SAN FRANCISCO OFFICE TO REVIEW ELSUR LOGS RE
BPP MATERIAL UNDER PROTECTIVE ORDER DESCRIBED IN RE TEL
DATED AUGUST 2, 1974. [REDACTED] WAS LAST IN SAN FRANCISCO
OFFICE IN DECEMBER, 1977. [REDACTED] HAS REQUESTED ACCESS
TO FEDERAL RECORDS FOR OTHER FUTURE DATES INCLUDING JANUARY

REC-21

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/5/82 BY [REDACTED]

2/10/93

1048 [REDACTED]

315820

55 FEB 7 1978

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 23 9 51 PM '78

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

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23 JAN 26 1978

EX-124

11-LEGAL COUNSEL

PAGE TWO

SF 66-672B

T O

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26, 1978. IT IS ANTICIPATED THAT [REDACTED] AND/OR OTHER REPRESENTATIVES OF ABOVE ATTORNEYS OFFICE WILL SEEK ACCESS TO SAID FILES ON A FAIRLY FREQUENT BASIS DURING NEXT SEVERAL MONTHS.

AS POINTED IN RE TEL, MAY 20, 1975, A REVIEW OF THESE FILES IS EXTREMELY SLOW. IN PAST, AN AGENT OF SAN FRANCISCO OFFICE HAS BEEN PRESENT DURING ALL REVIEW OF SAID LOGS. SAN FRANCISCO IS OF OPINION THAT AGENT PERSONNEL TIME NOT NEEDED OR JUSTIFIED SINCE MECHANICS FOR REVIEWING ARE ALREADY ESTABLISHED, AND ONLY REASON FOR PRESENCE OF AGENT IS TO INSURE THAT NO DOCUMENTS ARE REMOVED FROM VOLUMES. IT IS NOTED THAT DUTY AGENT AND AGENT HANDLING PRESS MATTERS FOR SAN FRANCISCO OFFICE OCCUPY OFFICES NEAR OFFICE WHERE LOGS ARE REVIEWED.

UACB, SAN FRANCISCO WILL APPOINT A SC OR CLERK TO ACCOMPANY OUTSIDE PERSONNEL DURING THEIR REVIEW OF LOGS AND RELATED DOCUMENTS IN SAN FRANCISCO OFFICE SPACE ON FUTURE OCCASIONS.

BT

Airtel

BEST AVAILABLE COPY

2/2/78

TO: SAC, Louisville (92-281 B) 1 - Mr. Mintz
SAC, New Orleans (66-2864) 1 - Civil Litigation Unit
SAC, New York (100-121672)

FROM: Director, FBI

DAVID DELLINGER, et al., v.
JOHN W. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/5/82 BY SP5 Jg/Rp 315820
2/24/93 1048 9803 RDD/SC

BUDED: 2/13/78

62-112989-349
Rebuairtel to Louisville, New Orleans, and New York
dated 7/29/76.

Rebuairtel instructed the receiving offices to conduct ELSUR checks concerning certain organizational plaintiffs and, in the event said checks were negative, to furnish affidavits to that effect. The Department had requested the affidavits to support a Motion for Summary Judgment as to those plaintiff organizations.

Louisville, New Orleans, and New York subsequently submitted to Federal Bureau of Investigation (FBI) Headquarters affidavits executed by Special Agents (SAs) Edmund V. Armento, Clifford H. Anderson, and [redacted] respectively. However, the Department thereafter decided to hold in abeyance the Motion for Summary Judgment and the affidavits were not filed.

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On 1/27/78, Departmental Attorney Jonathan Smith, handling captioned matter, advised Legal Counsel (CB) that he is now prepared to move for summary judgment to those plaintiff organizations set forth in Bureau airtel. He plans to file the motion at the trial in this matter, which is set for 2/16/78. That the ELSUR checks be updated and the

REC-21

SEE NOTE - PAGE 2

1. FEB 3 1978

PE UNIT ☐

SAC, Louisville (15)
SAC, New Orleans (2364)
SAC, New York (100-12672)

previously submitted affidavits be reexecuted.

Louisville and New Orleans should submit affidavits in language identical to those previously furnished with the exception of the date of the ELSUR check.

New York should add to the affidavit previously submitted language to the effect that the indices searched constitute a comprehensive index of all electronic surveillances conducted by the New York Office of the FBI and if the Catholic Peace Fellowship or the War Resisters League had been the subject of an electronic surveillance conducted by the FBI in New York, New York, at the addresses listed or at any address within the jurisdiction of the New York Field Office, the name of that organization would have been contained in the indices. This language is necessary to bring the New York affidavit into conformity with those of Louisville and New Orleans.

Receiving offices should furnish the affidavits to FBI Headquarters, Attention: LCD, no later than 2/13/78.

Should any questions arise concerning this matter, please contact SA [redacted] FBI Headquarters, LCD, at [redacted]

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NOTE: By airtel dated 7/29/76, the Bureau requested Louisville, New Orleans, and New York conduct ELSUR checks on three plaintiff organizations and thereafter submit affidavits to support Motion for Summary Judgment in the event said checks were negative. Those offices thereafter submitted affidavits. However, the Department decided to hold in abeyance the filing of the Motion for Summary Judgment. On 1/27/78, Departmental Attorney Jonathan Smith advised LCD he is now prepared to move for summary judgment and requested that the affidavits be updated and reexecuted. He further requested that New York add language to its affidavit to bring it into conformity with affidavits furnished by Louisville and New Orleans. This airtel instructs receiving offices to furnish updated affidavits.

APPROVED:

- 2 -

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

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

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

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ E F T O
☐ CLEAR

Date 2/10/78

TO: DIRECTOR, FBI (62-117540)
 ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, LOUISVILLE (92-281B)

SUBJECT: DAVID DELLINGER, et al., v.
 JOHN N. MITCHELL, et al.
 (U.S.D.C., D.C.)
 CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 1/5/82 BY SP5/SP6
 2/16/93 104884/ml/SC
 3/5/82

BUDED 2/13/78

62-112989-256

Re Bureau airtel to Louisville, New Orleans and
 New York, dated 2/2/78.

Enclosed herewith for the Bureau is the original and
 ten (10) copies of notarized affidavit subscribed and sworn by
 SA EDMUND V. ARMENTO on 2/10/78 at Louisville, Kentucky,
 reflecting negative search of ELSUR indices concerning the
 Southern Conference Educational Fund (SCEF) (LS 100-197), 3210
 West Broadway, Louisville, Kentucky, telephone numbers
 502/778-3348 and 502/778-3349, and 3208 West Broadway, Louisville,
 Kentucky (1969-1974).

100 7338 2-Bureau (Enc. 11)

2-Louisville
 (1-92-281B)
 (1-100-6375)

EVA/mla
 (4)

ENC B
 0305
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 17338

REC-70

62-112989-3

EX-111

21 FEB 1978

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Approved

14 1978

Communication Airtel 2/10/78
Enc. To Bureau 62-117540
From LS-File 92-281B
BuFile A & Disc of
affidavit by SA Edmund
+ comments
original + 10 copies
cc:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/5/82 BY 2514/9

2/10/93 1048 DCM/SC
315820

62-112882

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

FROM : Legal Counsel *Jam*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

DATE: 12/9/77

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

PURPOSE: To advise Records Management Division of a Stipulation modifying the 2/26/74, Protective Order in captioned matter to permit dissemination of material set forth in response to interrogatories in this matter to third parties when Freedom of Information and/or Privacy Act requests are made by such parties.

SYNOPSIS AND DETAILS: Captioned civil action was filed on 6/29/69, on behalf of nine organizations and eight individuals, alleging that each plaintiff was subjected to unlawfully actionable electronic surveillance by the Bureau. Plaintiffs seek declaratory and injunctive relief and money damages. Subsequent to the filing of the suit, five of the organizational plaintiffs voluntarily withdrew rather than respond to interrogatories addressed to them by the defendants.

On 8/5/69, the plaintiffs served interrogatories on the defendants requesting information as to whether defendants engaged in electronic surveillance of conversations to which plaintiffs were parties, the interception of which was aimed at the plaintiffs, and/or in which any acts or activities of the plaintiffs were discussed. The matter of a response to these interrogatories was litigated for several years, and on 1/10/74, the Court ordered that the defendants fully respond to plaintiffs' interrogatories.

Enclosures (3) || ENCLOSURE

1 - [redacted] (Attn: [redacted]) - Encs. (3)

1 - Mr. Mintz

1 - Civ. Lit. Unit - Encs. (3)

DEC 13 1977

BFH:tjk

LEAD



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

Legal Counsel to the Associate Director
RE: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.

On 2/26/74, the Court entered a Protective Order (attached) in this matter restricting access to and dissemination of information pertaining to third parties contained in defendants' answers to interrogatories to plaintiffs and their counsel of record in the case until such time as the Court removed or modified the prohibitions.

On 3/18/74, the defendants responded to plaintiffs' interrogatories, identifying numerous electronic surveillances wherein plaintiffs were the subjects thereof or incidentally overheard thereon. The pertinent part of the response identifying these electronic surveillances is attached hereto.

As a result of the 2/26/74 Protective Order, the Bureau has been unable to respond to third party requests under the Freedom of Information and/Privacy Act for information as to whether the requestor was overheard or mentioned on any of the electronic surveillances subject to the Protective Order.

On 12/6/77, Departmental Attorney Larry L. Gregg, Civil Division, furnished Legal Counsel Division a copy of a Stipulation in captioned civil action (attached) modifying the 2/26/74, Protective Order to permit the dissemination of the logs and transcripts of the conversations of third parties by the Federal Bureau of Investigation to those third parties when a Freedom of Information and/or Privacy Act request for such materials is made by a third party who was incidentally overheard or mentioned on any of the electronic surveillances which were subject to the Protective Order.

The Stipulation was approved by United States Judge Aubrey E. Robinson, Jr. on 11/28/77.

RECOMMENDATION: That the Stipulation and modification of the 2/26/74 Protective Order be brought to the attention of all Records Management Division personnel processing requests under the Freedom of Information and/or Privacy Act.

APPROVED:

Director *[Signature]*
Asst. Dir. *[Signature]*
Dep. AD Adm. *[Signature]*
Dep. AD Inv. *[Signature]*

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. *[Signature]*
Plan. & Insp. *[Signature]*
Rec. Mgnt. *[Signature]*
Spec. Inv. _____
Tech. Serv. _____
Train. _____
Public Aff. _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-5-82 BY SP5 Nigh
3/10/93 1648 DCM/SC
315820

62-112989-357X

194-315-
ENCLOSURE

Robinson, J

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.

Defendants.

Civil Action No. 1768-69

FILED

NOV 28 1977

STIPULATION

JAMES F. DAVEY, CLERK

It is hereby stipulated by and between counsel for the plaintiffs and counsel for the defendants that the protective Order entered herein on February 26, 1974, is modified, subject to the approval of this Court, to permit the dissemination of the logs and transcripts of the conversations of third parties by the FBI to those third parties, when a Freedom of Information and/or Privacy Act request for such materials is made by a third party who was incidentally overheard or mentioned or any of the electronic surveillances which are the subject matter of this action.

Respectfully submitted,

Jonathan B. Smith

JONATHAN B. SMITH
Attorney, Department of Justice
Washington, D.C. 20530
Telephone: 202/739-3336

Counsel for Defendants

Morton Stavis

MORTON STAVIS
744 Broad Street
Newark, New Jersey 07102
Telephone: 201/622-3789

Counsel for Plaintiffs

FDI Information
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 1018 DLM/SC
3/58220

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)

Plaintiffs,)

v.)

Civil Action No. 1768-69

JOHN N. MITCHELL, et al.,)

Defendants.)

FEB 25 1974

ORDER

Upon consideration of the motion filed in this cause by the defendants for a protective Order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure to restrict the dissemination of information pertaining to third parties contained in defendants' Answers to Interrogatories, and it appearing to the court that the requested relief is necessary to protect the right of privacy of third parties, now therefore it is this ^{25th} day of February 1974,

ORDERED, that the copies of defendants' Answers to Interrogatories to be filed with the Court be delivered to this Court personally for the purpose of being preserved and retained under seal;

IT IS FURTHER ORDERED, that the copies of the Answers to Interrogatories served upon counsel for plaintiffs shall be retained in the custody of such counsel;

IT IS FURTHER ORDERED, that no additional copies or por-

purposes of reproduction, without the express permission of this Court. Access to the aforementioned Answers to Interrogatories is restricted to the plaintiffs and their counsel of record in this case;

IT IS FURTHER ORDERED, that the plaintiffs and their counsel shall make no disclosure of any matter relating to individuals other than themselves contained in said Answers to Interrogatories except as may be necessary to effectuate the proceeding in this case and then only in connection with testimony in open Court or in legal argument in Court or in chambers under conditions to be prescribed by the Court;

IT IS FURTHER ORDERED, that prohibition against access by others and disclosure to others shall remain in effect throughout the proceedings in this case and until such time as this Court removes or modifies these prohibitions. If counsel for plaintiffs find that in order to effectively prepare their case for any hearing it will be necessary to make a disclosure, however limited, then, at that time, this Court will entertain an application in this regard and may modify the prohibition against disclosure to the extent that justice requires it;

IT IS FURTHER ORDERED, that immediately upon termination of a proceedings in this Court, counsel for the plaintiffs

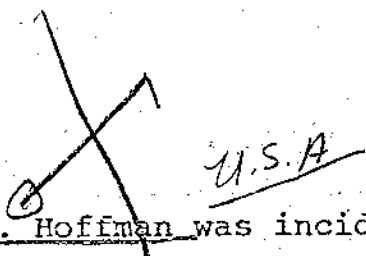
~~Plaintiff Jerry C. Rubin~~ ^{U.S.A.} was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

1. ~~W.E.B. DuBois Clubs of America~~, 5935 Grove Street, Oakland, California; microphone surveillance; 10/25/64.
2. Mortimer Harvey Scheer, 2629 Acton Road, Berkeley, California; telephone surveillance on number 845-7574; 4/23/65.
3. A telephone surveillance of an individual, organization or location, the identity of which is the subject of a claim of Executive privilege by the Attorney General; 5/19/65.
4. Black Panther Party National Headquarters, 3106

Plaintiff David Dellinger was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

1. Students for a Democratic Society, 1103 East 63rd Street, Chicago, Illinois; telephone surveillance on number 667-6050; 10/15/65.
2. Bayard Rustin, Apartment 9J, 340 West 28th Street, New York, New York; telephone surveillance on number YU-9-9890; 6/23/64.
3. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 4/19/69.

5. Black Panther Party, 2026 Seventh Avenue,
New York, New York; telephone surveillance
on numbers 666-3603, 864-8951; 7/2/69,
9/16/71.
6. A surveillance of an individual, organization
or location, the identity of which is the
subject of a claim of Executive privilege by
the Attorney General; 4/4/71, 4/7/71.
7. Black Panther Party, 1370 Boston Road, Bronx,
New York; telephone surveillance on numbers
328-2828, 328-9009, 328-9911; 6/25/70.


Plaintiff Abbott H. Hoffman was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

1. Black Panther Party National Headquarters,
3106 Shattuck Avenue, Berkeley, California;
telephone surveillance on numbers 845-0103,
845-0104, 845-0773, 846-6705; 6/10/69, 6/11/69,
7/9/69.
2. Students for a Democratic Society, 1608 West
Madison Street, Chicago, Illinois; telephone
surveillance on numbers 666-3874, 666-3875;
7/16/69.
3. Howard Joel Emmer, 2915 Ludlow Road, Cleveland,
Ohio; telephone surveillance on numbers
752-1874, 752-8944; 11/20/70, 11/27/70.
4. Nancy Sarah Kurshan, 718 Stow Street, Kent,

20, 21, 22, 24, 25

Plaintiff Black Panther Party was the subject of the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

1. Black Panther Party, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 2/26/69 to 6/11/70. Telephone numbers 845-0103, 845-0104, 845-0773 were listed in the name of Marilyn H. Moorehead and telephone number 848-6705 was listed in the name of Charles Bursey.
2. Black Panther Party, 1046 Peralta Street, Oakland, California, telephone surveillance on numbers 465-5047, 465-5048, 465-5049; 6/11/70 to 5/23/72. The above telephones were listed

3/8/72. The above telephone was listed under the name of Rosemary Gross and Clarence Terry.

4. Black Panther Party, 8505 East 14th Street, Oakland, California; telephone surveillance on numbers 636-1986, 636-1987, 636-1988, 636-1989;

6/5/72 to 6/19/72. The above telephones were listed in the name of Marilyn Moorehead Peace and Freedom Party.

5. Black Panther Party, 1336 1/2 Fillmore Street, San Francisco, California; telephone surveil-

lance on numbers 922-0095, 922-6322, 922-6415;

5/27/69 to 6/3/71 and from 6/24/71 to 9/23/71.

Telephone number 922-6322 is listed in the name of Sam Napier. The subscriber of the other numbers is not known.

6. Black Panther Party, Apartment 25A, 1200 Lakeshore

Drive, Oakland, California; telephone surveillance

on numbers 465-9592, 763-0202, 763-0203, 763-1919;

12/18/70 to 6/19/72. Telephone number 465-9592

was listed to David Lubell. Telephone numbers

763-1919, 763-0203, 763-0202 was listed to

Stronghold Consolidated Productions Incorporated.

7. Black Panther Party, Apartment 25A, 1200 Lakeshore

Drive, Oakland, California; microphone surveillance;

12/22/70 to 2/10/72 and from 2/26/72 to 6/19/72.

8. Black Panther Party, 2026 Seventh Avenue, New York,

9. Black Panther Party, 1370 Boston Road, Bronx, New York; telephone surveillance on numbers 328-2828, 328-9009, 328-9911; 1/21/70 to 4/12/71. The above telephones were listed in the name of the Black Panther Party.
10. Black Panther Party, 12 West 127th Street, New York, New York; microphone surveillance; 4/22/70 to 5/25/70.
11. Black Panther Party, 402 East 10th Street, New York, New York; telephone surveillance on number 228-7209; 5/29/71 to 6/23/71. The above telephone was listed in the name of Marie Ann Depury.
12. Black Panther Party, 1248 North Gay Street, Baltimore, Maryland; telephone surveillance on number 342-8536; 10/5/70 to 11/21/70. The above telephone was listed in the name of C. L. Jackson.
13. Black Panther Party, 567 Mosher Street, Baltimore, Maryland; telephone surveillance on number 523-9010; 12/14/70 to 12/24/70, and from 12/26/70 to 12/31/70, and from 1/2/71 to 2/10/71. The above telephone was listed in the name of David Lawrence.
14. Black Panther Party, 21-23 Winthrop Street, Roxbury, Massachusetts; telephone surveillance

15. Black Panther Party, 2312 East 79th Street, Cleveland, Ohio; telephone on numbers 881-5054, 881-5055, 881-5056; 11/16/70 to 12/17/70. The above telephones were listed in the name of the National Committee to Combat Fascism-Black Panther Party.
16. Black Panther Party, 9049 Oakland Street, Detroit, Michigan; telephone surveillance on number 897-3610; 5/14/69 to 6/1/69. The above telephone was listed in the name of the Black Arts Development Center.
17. Black Panther Party, 8417 12th Street, Detroit, Michigan; telephone surveillance on number 868-9836; 6/16/69 to 6/16/69. The above telephone was listed in the name of the Black Panther Party.
18. Black Panther Party, 2219 Indiandale Street, Detroit, Michigan; telephone surveillance on number 868-9836; 5/7/70 to 6/2/70 and from 8/6/70 to 10/15/70. The above telephone was listed in the name of the Black Panther Party. National Committee to Combat Fascism.
19. Black Panther Party, 2350 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 243-8276, 738-0778, 738-0779; 5/14/69

20. Black Panther Party, 4233 South Indiana Avenue, Chicago, Illinois; telephone surveillance on numbers 924-6575, 924-6576; 12/21/70 to 3/1/72. No surveillance was conducted on 12/25/70, 1/1/71, 11/25/71, 12/25/71, 1/1/72. The above telephones were listed in the name of Alphonso Massey.
21. Black Panther Party, 4115 South Central Avenue, Los Angeles, California; telephone surveillance on numbers 235-4127, 235-4128, 235-4127, 235-5866; 4/15/69 to 2/3/70. The above telephones were listed in the name of the Black Panther Party.
22. Black Panther Party, 2728 Ellendale Place, Apt. 3, Los Angeles, California; telephone surveillance on number 734-0280; 10/21/69 to 11/12/69. The above telephone was listed in the name of Evon Carter.
23. Black Panther Party, 9818 Anzac, Los Angeles, California; telephone surveillance on numbers 567-8027, 569-5902; 2/10/70 to 2/26/70. Telephone number 567-8027 was listed in the name of Gwen Goodloe and number 569-5902 was listed in the name of Robert Steve Tommy Community Center.
24. Black Panther Party, 2043 East Stockwell, Los Angeles, California; telephone surveillance on numbers 635-

25. Black Panther Party, 334 West 55th Street, Los Angeles, California; telephone surveillance on number 759-4518; 9/10/70 to 12/14/70. The above telephone was listed in the name of Gwen Goodloe.
26. Black Panther Party, 2136 East 113th Street, Los Angeles, California; telephone surveillance on number 564-2728; 12/4/70 to 2/6/71. The above telephone was listed in the name of Dorothy Phillips.
27. Black Panther Party, 731 East 78th Street, Los Angeles, California; telephone surveillance on number 750-5509; 2/4/71 to 2/28/72. The above telephone was listed in the name of Paul Cross.
28. Black Panther Party, 5321 Staunton, Los Angeles, California; telephone surveillance on number 585-1448; 2/25/71 to 2/28/72. The above telephone was listed in the name of Norma Armour.
29. Black Panther Party, 35 Sylvan Avenue, New Haven, Connecticut; telephone surveillance on numbers 562-7463, 562-8557; 1/15/70 to 4/9/71. The above telephones were listed in the name of James E. Wilson.
30. Black Panther Party, 259 Dixwell Avenue, New Haven, Connecticut; telephone surveillance on numbers 4/6/71 to 4/28/71.

31. Black Panther Party, 2935 Columbia Avenue, Philadelphia, Pennsylvania; telephone surveillance on number CE. 5-7203, CE. 5-7525, CE. 5-7526; 7/13/70 to 7/14/70 and from 9/28/70 to 11/10/70. The above telephones were listed in the name of the Black Panther Party.
32. Black Panther Party, 3626 Wallace Street, Philadelphia, Pennsylvania; telephone surveillance on numbers PA. 2-0855, EV. 7-2867, EV. 7-2868; 8/25/70 to 9/28/70 and from 11/23/70 to 1/11/71 and from 1/16/71 to 2/10/71. The above telephones were listed in the name of the Black Panther Party.
33. Black Panther Party, 2941 35th Street, Sacramento, California; telephone surveillance on numbers 457-9831, 457-9991; 7/14/69 to 9/8/69. The above telephones were listed in the name of the Black Panther Party.
34. Black Panther Party, 2327 18th Street, N.W., Washington, D. C.; telephone surveillance on numbers 265-4418, 265-4419, 462-9379; 6/10/70 to 2/1/71 and from 4/19/71 to 6/25/71. As of January 18, 1971, the telephone service at the above address was listed in the name of the Black Panther Party Ministry of Information.

462-9360; 7/30/70 to 2/1/71 and from 4/19/71 to 6/25/71. As of December 22, 1970 the telephone service at the above address was listed in the name of the Black Panther Party Community Information Center.

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ E F T O
☐ CLEAR

Date 2/10/78

TO: DIRECTOR, FBI
 Attention: SA [REDACTED]
 Legal Counsel Division

FROM: SAC, NEW ORLEANS (66-2864) (RUC)

DAVID BELLINGER, Et Al, v.
 JOHN N. MITCHELL, Et Al
 (U.S.D.C., D.C.)
 CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

Buded: 2/13/78

DATE 1-5-82 BY 4051g/vp 3/5820
 2/10/93 104886 km/SC

Re Bureau airtel to Louisville, New Orleans,
 and New York, 2/12/78.

Enclosed for the Bureau is the original and
 three copies of an affidavit of SA C. DONALD BAXTER
 which responds to referenced airtel.

REC-13

EX-132

62-112989-357X1

197-315-3

7 FEB 27 1978

ENCLOSURE

1 ENC
 1 USDS
 1 ENC
 7338

- ② - Bureau (Enc 4)
 2 - New Orleans (1 - 66-2864)
 (1 - 66-2855)

JPM:nep
 (4)

Approved: [Signature]

Transmitted

(Number)

(Time)

Per

54 MAR 16 1978

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.)
Plaintiffs,)
v.)
JOHN N. MITCHELL, et al.,)
Defendants.)

Civil Action No. 1768-69

Parish of Orleans)
State of Louisiana) ss

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 1042 DCM/SC

AFFIDAVIT

I, C. Donald Baxter, after having been duly sworn,
do hereby depose and state the following:

I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the New Orleans, Louisiana, Field Office of the FBI.

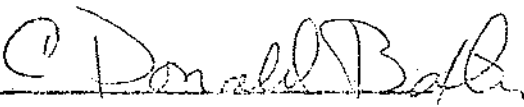
On February 6, 1978, I made a careful and diligent search of the electronic surveillance indices maintained at the New Orleans, Louisiana, Field Office of the FBI, which include the following:

- (1) Index cards indicating the name of subjects of electronic surveillances and the date or dates such surveillances were maintained.
- (2) Index cards indicating the names of persons who while not subjects of a surveillance, were incidentally overheard on surveillance of another and the date or dates of such overhears.

Based upon my search, I determine that these indices

of electronic surveillance of the following

Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in New Orleans, Louisiana, at the address listed, or at any other address within the jurisdiction of the New Orleans, Louisiana, Field Office, the name of that organization would have been contained in the indices.


C. Donald Baxter
Special Agent
Federal Bureau of Investigation
New Orleans, Louisiana

Sworn to and subscribed before me this 15th day of February, 1978.


NOTARY PUBLIC

My commission expires at death.

62-112989-357X2
197-315-2

COPY
5 Enc.

2/13/78

ADIC NY

JUNE

DAVID DELLINGER; ET AL
JOHN N. MITCHELL; ET AL
(USDC, D.C.)
CIVIL ACTION #69-1768

Encl. for the Bu are original and 4 copies of
affidavit requested in reairtel. Affidavit
submitted by SA NYO.

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COPY OF ABSTRACT FOR THIS SERIAL IS PLACED IN FILE
IN LIEU OF THE MAIL WHICH HAS NOT BEEN LOCATED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/1/82 BY [signature]

2/10/93

1048 DKM/SC
315820

UNITED STATES GOVERNMENT

Memorandum

to: **Mr. Clarence M. Kelley** FEDERAL GOVERNMENT
:Director
Federal Bureau of Investigation

DATE: FEB 22 1978

:Barbara-Allen Babcock
Assistant Attorney General
Civil Division

BAB:JBSmith:clw
145-11-71 737-3536

SUBJECT: David Dellinger, et al. v. John N. Mitchell, et al.,
Civil Action No. 1768-69 (D.D.C.)

Attn: Legal Counsel Division

b6
b7C

As you are aware, the Black Panther Party is a plaintiff in the referenced civil action, which seeks injunctive relief and damages on the basis of electronic surveillance of the named plaintiffs' premises and conversations by the Bureau. During the course of discovery, we have provided the plaintiffs with documents, including authorization memoranda, concerning the Bureau's surveillance of the BPP, its offices and officials.

It has recently come to our attention that the Bureau conducted an electronic surveillance of the telephone of [redacted] at [redacted] New York. Documents concerning that electronic surveillance, which were provided to the Congress, demonstrate that the surveillance was based upon [redacted] connection with the BPP. Those documents were not, however, provided to the plaintiffs in the Dellinger case.

We would appreciate your reviewing your files to determine whether documents concerning the above-mentioned electronic surveillance should be provided to the plaintiffs in the Dellinger case.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 1048 DCM/SC

EX-111

315820

2/10/7338

62-112989-357X3
197-35-3K

EXP. PROC.
FEB 24 1978
31



5010-110

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

Assistant Attorney General
Civil Division
Attn: Jonathan B. Smith, Esq.

~~FEDERAL GOVERNMENT~~

February 23, 1978

fl - Assistant Director
Administrative Services Div
(Attn:) Enc.
1 - Mr. Mintz
1 - Civil Lit. Unit

Assistant Director - Legal Counsel
Federal Bureau of Investigation

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

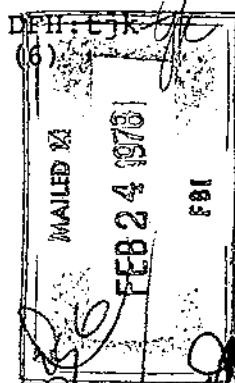
b6
b7C

By memorandum dated July 16, 1976, the Assistant Attorney General, Criminal Division, advised that on the basis of answers to certain interrogatories provided by plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League, and affidavits from Bureau personnel, the Department planned to move for summary judgment as to those three plaintiffs. The memorandum requested that the Bureau conduct elsur checks of the three organizations, and, in the event such checks were negative, that affidavits to that effect be prepared.

By memorandum dated September 15, 1976, the requested affidavits were forwarded to the Assistant Attorney General, Criminal Division.

On January 27, 1978, Mr. Jonathan B. Smith of your Division advised Legal Counsel Division that the previously executed affidavits had not been filed but that he was now prepared to move for summary judgment as to the above-named plaintiff organizations. He requested that the elsur checks previously conducted be updated and that the affidavits, including that of the Federal Bureau of Investigation (FBI) Personnel Officer, be reexecuted.

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



SE124

62-112989-357X4
SEE NOTE--PAGE TWO

REC-13

7 FEB 27 1978

TELETYPE UNIT ☐

FBI/DOJ

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/5/82 BY SP5/BJH/35820
2/10/93 SP5/BJH/35820

Assistant Attorney General
Civil Division

Enclosed herewith are affidavits executed by Special Agents (SA) C. Donald Baxter, New Orleans, Louisiana, Field Office, Edmund V. Armento, Louisville, Kentucky, Field Office, and Joseph P. Smith, III, New York Field Office. Also enclosed is an affidavit executed by SA S. Ray Burns, Personnel Officer, FBI Headquarters, which attests that the above-named individuals are SAs of the FBI.

Should any questions arise concerning this matter, please contact SA [redacted] Legal Counsel Division, telephone [redacted]

Enclosures (4)

NOTE: In 7/76, the Department requested elsur checks of three organizations who are plaintiffs in captioned matter and the submission of affidavits to support a motion for summary judgment as to those plaintiffs in the event said checks were negative. In 9/76, the requested affidavits were forwarded to the Department. In 1/78, the Departmental Attorney now handling this matter advised that the affidavits had not been filed and requested the elsur checks be updated and the affidavits reexecuted. LCD instructed the appropriate field offices to conduct the elsur checks and submit affidavits. This communication transmits to the Department the requested affidavits and the affidavit of the FBIHQ Personnel Officer that the individuals conducting the elsur checks are SAs of the FBI.

rc/b

DEF

APPROVED:

Director

Assoc. Dir.

Dep. AD Adm.

Dep. AD Inv.

Adm. Serv.

Crim. Inv.

Ident.

Intell.

Laboratory

Legal Coun.

Rec. Mgmt.

Trng.

Off. of Cong. & Public Affs.

Public Affs. Off.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)
)
Plaintiffs,)
)
v.)
)
JOHN N. MITCHELL, et al.,)
)
Defendants.)

Civil Action No. 1768-69

City of Washington)
) ss
District of Columbia)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/19/93 BY 103 RDD/SC

AFFIDAVIT

S. Ray Burns, being duly sworn, deposes and says:

1) I am a Special Agent of the Federal Bureau of Investigation (FBI) and presently assigned as Personnel Officer at FBI Headquarters, Washington, D.C.

2) I hereby attest that C. Donald Baxter is a Special Agent of the FBI currently assigned to the New Orleans, Louisiana Field Office of the FBI.

3) I hereby attest that Edmund V. Armento is a Special Agent of the FBI currently assigned to the Louisville, Kentucky Field Office of the FBI.

4) I hereby attest that Joseph P. Smith, III, is a Special Agent of the FBI currently assigned to the New York, New York Field Office of the FBI.

S. Ray Burns
S. RAY BURNS
Special Agent
Federal Bureau of Investigation
Washington, D.C.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. William H. Webster
Director
Federal Bureau of Investigation

DATE: APR 13 1978

FROM : Barbara Allen Babcock
Assistant Attorney General
Civil Division

BAB:JBSmith:dss
145-11-71

SUBJECT: David Dellinger, et al., v. John N. Mitchell, et al.,
C.A. No. 1768-69 (D.D.C.)

Attn: Legal Counsel Division

Enclosed for your information and files are copies of
papers recently filed in the referenced civil action.

Enclosure

ENCLOSURE ATTACHED

12 ENCLOSURE
100 LETTER
7338
100 EA ENC
7338

REC-26

62-112989-357X5

177-515-5

ST-121

20 APR 18 1978

EXP. PROC.
30 APR 14 1978
40

b6
b7C



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

3/5830
2/10/93 1048DCMIS (C)
On this Envelope

8473

~~62-119989-357X5~~
62-119989-357X5

DAVID DELLINGER, et al.,)
)
 Plaintiffs,)
) Civil Action No. 1768-69
 v.)
)
 JOHN N. MITCHELL, et al.,)
)
 Defendants.)
)

AFFIDAVIT

I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the Louisville, Kentucky Field Office of the FBI.

On February 10, 1978, I made a careful and diligent search of the electronic surveillance indices maintained at the Louisville, Kentucky Field Office of the FBI, which include the following:

(1) Index cards indicating the name of subjects of electronic surveillances and the date or dates such surveillances were maintained;

(2) ~~Index cards indicating the names of persons~~
who while not subjects of a surveillance, were
incidentally overheard on surveillance of another
and the date or dates of such overhears.

Based upon my search, I determined that these indices contained no record of electronic surveillance of the following organization at the addresses and telephone numbers listed:

Southern Conference Educational Fund:

1. 3210 West Broadway 502/778-3348
Louisville, Kentucky 40211 502/778-3349

Exhibit 4

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 1048 DCM/SC

2. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

The foregoing indices constitute a comprehensive index of all electronic surveillances conducted by the Louisville, Kentucky Field Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in Louisville, Kentucky, at the addresses and telephone numbers listed or at any address within the jurisdiction of the Louisville, Kentucky Field Office, the name of that organization would have been contained in the indices.

Edmund V. Armante

Special Agent
Federal Bureau of Investigation
Louisville, Kentucky

Subscribed and sworn to before me this 10th day of February, 1978.

W. H. Carter
Notary Public

My Comm. Expires Feb. 2, 1979

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)
)
Plaintiffs,)
)
v.)
)
JOHN N. MITCHELL, et al.,)
)
Defendants.)
_____)

Civil Action No. 1768-69

City of Washington)
) ss
District of Columbia)

AFFIDAVIT

S. Ray Burns, being duly sworn, deposes and says:

1) I am a Special Agent of the Federal Bureau of Investigation (FBI) and presently assigned as Personnel Officer at FBI Headquarters, Washington, D.C.

2) I hereby attest that C. Donald Baxter is a Special Agent of the FBI currently assigned to the New Orleans, Louisiana Field Office of the FBI.

3) I hereby attest that Edmund V. Armento is a Special Agent of the FBI currently assigned to the Louisville, Kentucky Field Office of the FBI.

4) I hereby attest that Joseph P. Smith, III, is a Special Agent of the FBI currently assigned to the New York, New York Field Office of the FBI.

S. Ray Burns
S. RAY BURNS
Special Agent
Federal Bureau of Investigation
Washington, D.C.

Subscribed and sworn to before me this 21st day of February, 1978.

Notary Public
NOTARY PUBLIC

My Commission expires 12-21-79.

Exhibit 5

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 108 Dkm/SC

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing Motion to Dismiss and for Summary Judgment as to Certain Plaintiffs, and supporting papers, upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 07102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties
Union Foundation
22 E. 40th Street
New York, New York 10016

16 April 78
DATE

Jonathan B. Smith
JONATHAN B. SMITH
Attorney, Department of Justice
Washington, D. C. 20530
Telephone: 202-739-3336

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

CIVIL ACTION NO.

1768-69

ORDER

Upon consideration of the motion by the defendants for an Order dismissing the claims of plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam and New York Resistance, and Abbott Hoffman, and granting summary judgment for defendants against plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League, the memorandum of points and authorities in support thereof, and the pleadings, affidavits, answers to interrogatories, and replies to requests for admissions on file herein; and finding that plaintiff Hoffman has disregarded Orders of this Court requiring him to respond to interrogatories and has provided neither reasonable explanation nor a showing of inability to produce the information, it is by the Court this _____ day of _____, 1978;

ORDERED that defendants' motion to dismiss and for summary judgment should be, and is hereby granted; and it is

FURTHER ORDERED that the claims of plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam, New York Resistance and Abbott Hoffman should be, and they hereby are, dismissed; and it is

FURTHER ORDERED that judgment against plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League should be, and hereby is, entered in favor of the defendants.

UNITED STATES DISTRICT JUDGE

C25

RUTGERS UNIVERSITY The State University of New Jersey

Dec 23 6 34 PM '72

DEPT. OF JUSTICE
MAIL ROOM
GROM

SCHOOL OF LAW • NEWARK

Constitutional Litigation Clinic

103 Washington Street, Newark, New Jersey 07102

Tel. 201-648-1766

Writer's Direct

Dial Number: 648-5687

December 22, 1972

RECEIVED

DEC 27 1972

Appellate and Civil Litigation Room

Benjamin C. Flannagan, Esq.
Attorney, Department of Justice
Washington, D. C. 20530

Dear Mr. Flannagan:

Enclosed are our initial answers to Defendants first interrogatories in the Dellinger v. Mitchell case from five of the individual plaintiffs and four of the plaintiff associations.

We will not pursue the litigation as to the following plaintiff associations: Student Non-violent Coordinating Committee; National Mobilization Committee to End the War; and New York Resistance.

We are still gathering information as to Black Panther Party; the Southern Conference Educational Fund; and Rennie Davis. We will furnish this information shortly.

David Dellinger is presently in the hospital and has been for some time. He will furnish us with the necessary information as soon as he is able.

The information supplied as to Thomas Hayden is incomplete at this time and will be supplemented.

~~As to Mr. Seale, his attorney, Charles Garry is presently evaluating his current situation and will inform us presently of his decision.~~

The necessary verifications will be supplied as to all information. The press of time did not permit the gathering of the necessary signatures from all over the country. In the meanwhile, the enclosed should help in the requisite search of your files to inform us of the facts we seek.

Very truly yours,

William J. Bender
William J. Bender

RECEIVED

DEC 28 1972

Correspondence Control Unit
Internal Security Division

WJB:da
Enclosures

Exhibit 1

145-11-71	
DEPARTMENT OF JUSTICE	
3	DEC 28 1972
R.A.O.	
INTERNAL SECURITY DIV.	
Civil Section	

Counsel: Frank Askin, Esq. • David Lubell, Esq., Member, New York Bar • William Bender, Esq., Administrative Director

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER et al

Plaintiff

- v -

AFFIDAVIT

JOHN N. MITCHELL et al

69 Civil 1768

Defendants

STATE OF NEW YORK)
COUNTY OF NEW YORK : as
SOUTHERN DISTRICT OF NEW YORK)

JOSEPH P. SMITH, III, being duly sworn, deposes and says:

1. I am a Special Agent of the Federal Bureau of Investigation, Legal Counsel Unit, 201 East 69th Street, New York, New York, 10021.

2. On February 13, 1978, I have caused a diligent search to be made of electronic surveillance indices located in the New York Office of the Federal Bureau of Investigation and have found no record regarding the following plaintiffs:

Plaintiff - Catholic Peace Fellowship
524 Upper Broadway (212) LO 8-8200
Nyack, New York (914) EL 8-4601
5 Beekman Street (212) WO 4-8367
New York, New York

339 Lafayette Street (212) 673-8990
New York, New York

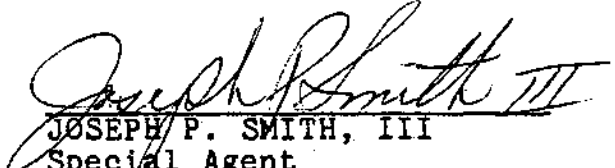
Plaintiff - War Resisters League
5 Beekman Street (212) CO 7-4592
New York, New York (212) CO 7-4593
(212) CO 7-4594

339 Lafayette Street (212) 228-0450
New York, New York (212) 228-0451
(212) 228-0452

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED 3/5/82
DATE 2/10/93 BY 012 DCM/SC

Exhibit 2

The foregoing indices constitute a comprehensive index of all electronic surveillances conducted by the New York Office of the Federal Bureau of Investigation. If the Catholic Peace Fellowship and the War Resisters League had been the subject of an electronic surveillance conducted by this office at the addresses listed, or at any other addresses within the jurisdiction of the New York Office, the names of those organizations would have been contained in the indices.


JOSEPH P. SMITH, III
Special Agent
Federal Bureau of Investigation

Sworn to before me this

13th day of February, 1978


Notary Public

MARTIN A. CROWE
Attorney and Counsellor At Law
State of New York
No. 30-4658820
Qualified in Nassau County
Commission Expires March 30, 1979

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.)
Plaintiffs,)
v.)
JOHN N. MITCHELL, et al.,)
Defendants.)

Civil Action No. 1768-69

Parish of Orleans)
State of Louisiana) ss

AFFIDAVIT

I, C. Donald Baxter, after having been duly sworn,
do hereby depose and state the following:

I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the New Orleans, Louisiana, Field Office of the FBI.

On February 6, 1978, I made a careful and diligent search of the electronic surveillance indices maintained at the New Orleans, Louisiana, Field Office of the FBI, which include the following:

- (1) Index cards indicating the name of subjects of electronic surveillances and the date or dates such surveillances were maintained.
- (2) Index cards indicating the names of persons who while not subjects of a surveillance, were incidentally overheard on surveillance of another and the date or dates of such overhears.

Based upon my search, I determine that these indices contained no record of electronic surveillance of the following organization at the address listed:

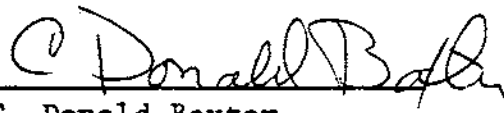
Southern Conference Educational Fund:

822 Perdido Street
Suite 408
New Orleans, Louisiana
(1965 to March, 1966)

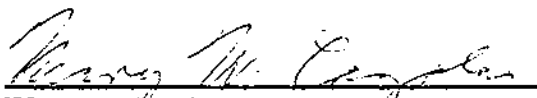
The foregoing indices constitute a comprehensive index of all electronic surveillances conducted by the New Orleans Field

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/10/93 BY 7012 DKM/PC

Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in New Orleans, Louisiana, at the address listed, or at any other address within the jurisdiction of the New Orleans, Louisiana, Field Office, the name of that organization would have been contained in the indices.


C. Donald Baxter
Special Agent
Federal Bureau of Investigation
New Orleans, Louisiana

Sworn to and subscribed before me this 15th day of February, 1978.


NOTARY PUBLIC

My commission expires at death.

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	
JOHN N. MITCHELL, et al.,	)	1768-69
	)	
Defendants.	)	

STATEMENT OF MATERIAL FACTS AS TO
WHICH THERE IS NO GENUINE ISSUE

1. Plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship, and War Resisters League have alleged that they were subject to electronic surveillance by defendants Mitchell and Hoover. Complaint, ¶6(c).

2. Between 1965 and the present, plaintiff the Southern Conference Educational Fund has maintained offices, and subscribed to telephone service, at the following addresses and with the following phone numbers:

1. 822 Perdido Street
Suite 408
New Orleans, Louisiana
(1965 to March, 1966)
2. 3210 West Broadway 502/778-3348
Louisville, Kentucky 40211 502/778-3349
(March, 1966 to present)
3. 3208 West Broadway
Louisville, Kentucky 40211

Response to plaintiff Southern Conference Educational Fund to Defendants' First Interrogatories, served on June 25, 1976.

3. Between 1965 and the present, plaintiff Catholic

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DATE 2/10/93 BY 1048 DCM/KPC
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Peace Fellowship has maintained offices, and subscribed to telephone service, at the following addresses and with the following telephone numbers:

1. 5 Beekman Street 212/WO4-8367
New York, New York
(1964 to 1968)
2. 339 Lafayette Street 212/673-8990
New York, New York
(1968 to present)
3. 524 Upper Broadway 212/LO8-8200
Nyack, New York 914/EL8-4601
(1964 to 1976)

Response of plaintiff Catholic Peace Fellowship to Defendants' First Interrogatories, served on May 17, 1976.

4. Between 1965 and the present, plaintiff War Resisters League has maintained offices, and subscribed to telephone service at the following addresses and with the following telephone numbers:

1. 5 Beekman Street 212/CO7-4592
New York, New York 212/CO7-4593
(1965 to May, 1969) 212/CO7-4594
2. 339 Lafayette Street 212/228-0450
New York, New York 212/228-0451
(June, 1969 to present) 212/228-0452

Response of plaintiff War Resisters League to Defendants' First Interrogatories, served on June 16, 1976.

5. The relevant records of the Federal Bureau of Investigation contain no record that plaintiff the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League were subjected to electronic surveillance by the Federal Bureau of Investigation at the addresses and phone numbers listed.

Affidavits of Joseph H. Smith, III, C. Donald Baxter and Edmund V. Armento, filed herein on April 6, 1978. See also, the Defendants' Response to Plaintiffs' Modified Request for Admission of Facts under Rule 36, filed herein

on March 18, 1974; and the Defendants' Response to Interrogatories Propounded by the Plaintiffs, and Appendix A thereto, filed herein on March 18, 1974.

6. Plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been the subject of electronic surveillance conducted by the defendants herein.

Respectfully submitted,

Barbara Allen Babcock /om
BARBARA ALLEN BABCOCK
Assistant Attorney General

EARL J. SILBERT
United States Attorney

Barbara B. O'Malley
BARBARA B. O'MALLEY

Jonathan B. Smith
JONATHAN B. SMITH

Attorneys, Department of Justice
Attorneys for Defendants
Tenth & Pennsylvania Avenue, N.W.
Washington, D. C. 20530
Telephone: 739-3336

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

CIVIL ACTION NO.

1768-69

DEFENDANTS' SECOND SET OF INTERROGATORIES
AND DOCUMENT REQUESTS TO PLAINTIFF
THE BLACK PANTHER PARTY

TO: THE BLACK PANTHER PARTY
c/o Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 07102

The defendants hereby propound the following Interrogatories and Document Requests to plaintiff The Black Panther Party (hereinafter the "BPP") in the above entitled matter to be answered under oath pursuant to Rules 33 and 34 of the Federal Rules of Civil Procedure. Answers to said Interrogatories and Document Requests are to be furnished under oath by June 15, 1978, pursuant to said Rules and to the record of the status call had herein on March 30, 1978.

"Document" as used in these interrogatories and document requests means any written, recorded, graphic or other form of material constituting a means of information storage or data compilation in any form.

"Member" as used in these interrogatories and document requests means any person who is now a member of the BPP or was, at any time since 1965, a member of the BPP.

"Affiliate" as used in these interrogatories and document requests shall include, but not be limited to, Stronghold Consolidated Productions, Inc., National Committees to Combat Fascism, and Community (Information) Centers.

"Officer" as used in these interrogatories and document requests means any member of the BPP who has, or had at any time since 1965, a title or position in the BPP (e.g., "Chief of Staff," "Minister of Information").

If any documents, production of which is requested, have been destroyed please set forth a description of each document and its contents, the date of destruction and the reason(s) for destruction.

1. Please state whether any officers or members of the BPP travelled to any foreign country, including but not limited to, Algeria, Cuba, North Korea, North Vietnam, the Peoples Republic of China, and the Union of Soviet Socialist Republic, during the period 1965 to the present.

2. If your response to interrogatory 1 is in the affirmative, please state for each instance of foreign travel:

(a) the names of all members of the BPP making each trip and the position of each in the BPP;

~~(b) the foreign countries and cities visited;~~

(c) the dates of each foreign visit;

(d) the names of all persons with whom each BPP member met in each foreign country and the positions held by them, if any, in foreign governments (whether or not such positions were held in the government of the country visited), or private organizations (including the name thereof);

(e) the names of the persons or organizations (whether governmental or private) who paid for the transportation and/or expenses of the BPP members.

(f) the purpose for each such visit;

(g) produce for inspection and copying all documents which reflect or relate to such foreign travel, including but not limited to, itineraries, travel or lodging receipts, minutes or reports of meetings attended, and newspaper accounts.

3. Please state whether BPP officers or members had or maintained any contacts with representatives of foreign governments or foreign private organizations, during the period 1965 to the present, exclusive of those set forth in response to Interrogatory 2.

4. If your response to interrogatory 3 is in the affirmative, please state for each such contact:

(a) the name of the person with whom the contact was had or maintained, the government or private organization of which he was a representative, and the position held by him in that government or organization;

(b) the date of each contact;

(c) the purpose of each contact;

(d) produce for inspection and copying all documents which refer or relate to each contact with representatives of foreign governments or organizations, including but not limited to telephone bill records, minutes or reports of such contacts, and weekly, monthly, or other reports submitted by the International Section of the BPP.

5. Please state whether any BPP officers or members were provided military training or training in the use of firearms or explosives by representatives of foreign governments or private organizations during the period 1965 to the present.

6. If your response to Interrogatory 5 is in the affirmative, please state for each instance of such training:

(a) the names of the BPP officers and members who were provided such training;

(b) the names of the persons providing the training, the government or organization of which they were representatives and the positions held by them in that government or organization;

(c) the date(s) and location(s) of the training;

(d) produce for inspection and copying all documents which refer or relate to such training, including but not limited to manuals or instructions received during such training.

7. Please state whether the BPP or its officers or members received monetary contributions or payments of any kind from representatives of foreign governments or foreign private organizations during the period 1965 to the present.

8. If your response to Interrogatory 7 is in the affirmative, please state for each contribution or payment:

(a) the name of the person making the contribution or payment, the government or organization of which he was a representative, and the position held by him in such government or organization;

(b) the amount of the contribution or payment and the date it was received;

(c) as to any payment for services or products, a description of the services rendered or products delivered;

(d) produce for inspection and copying all documents which refer or relate to each contribution or payment.

9. Please state whether the BPP has ever requested that the United Nations accord it any status in that organization.

10. If your response to Interrogatory 9 is in the affirmative, please state:

(a) the date of the request(s);

(b) the results of the request(s);

(c) the purpose for the request(s);

(d) produce for inspection and copying all documents which refer or relate to any such request(s).

11. Identify by make, model and serial number each revolver, rifle, shotgun and other firearm or weapon which has been stored or located at any time since 1965 in an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates and members.

12. As to each firearm identified, state whether it is or was registered under the statutes or laws of any jurisdiction, and, as to each which is or was registered, state the person or organization by whom it is or was registered and the registration or permit number.

13. Identify by description all explosives which have been stored or located at any time since 1965 in an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates and members.

~~14. With respect to each firearm, weapon or explosive~~
listed in response to Interrogatories 11, 12 and 13, please state:

(a) the address of the office or other location at which it was stored or located;

(b) the dates upon which it was stored or located at that address;

(c) the purpose for the storage or location of the firearm or explosive.

15. Produce for inspection and copying all documents which relate or refer to the storage or location of any firearm, weapon or explosive at an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates, and members.

16. Produce for inspection and copying all documents originated by the BPP, its officers, chapters, branches, affiliates, and members, which reflect statements, suggestions, orders, or policy that members or others should kill police officers, judges, or other public officials (including, but not limited to, issues of "The Black Panther" newspaper).

Respectfully submitted,

Barbara Allen Babcock /om
BARBARA ALLEN BABCOCK
Assistant Attorney General

EARL J. SILBERT
United States Attorney

Barbara B. O'Malley
BARBARA B. O'MALLEY

Jonathan B. Smith
JONATHAN B. SMITH

Attorneys, Department of Justice
Attorneys for Defendants
Tenth & Pennsylvania Avenue, N.W.
Washington, D. C. 20530
Telephone: 739-3336

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing Defendants' Second Set of Interrogatories and Document Requests to Plaintiff The Black Panther Party, upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 07102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties
Union Foundation
22 E. 40th Street
New York, New York 10016

6 April 78
DATE

Jonathan B. Smith
JONATHAN B. SMITH
Attorney, Department of Justice
Washington, D. C. 20530
Telephone: 202-739-3336

MORTON STAVIS
COUNSELOR AT LAW

b6
b7C

744 BROAD STREET
NEWARK, NEW JERSEY 07102

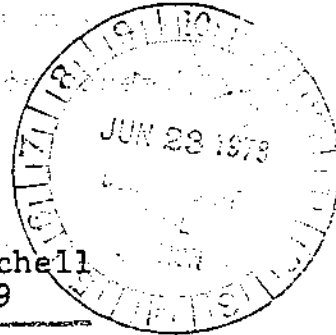
(201) 622-3789
(201) 622-3649

FEDERAL GOVERNMENT

June 20, 1978

Honorable Aubrey E. Robinson, Jr.
United States District Court
U. S. Court House
Washington, D. C. 20001

Re: Dellinger v. Mitchell
Civil No. 1768-69



My dear Judge Robinson:

In accordance with my conversation of today with Mr. Pasano, I enclose the original and two copies of each of the following:

- 1) Response to Motion to Dismiss and for Summary Judgment as to Certain Plaintiffs;
- 2) Affidavit of Morton Stavis, dated today;
- 3) Counter-Statement by Plaintiffs of Material Facts as to Which There is a Genuine Issue Necessary to be Litigated;
- 4) Objections to Second Set of Interrogatories and Document Requests Addressed to Plaintiff Black Panther Party.

I believe that the issues on the motion for summary judgment, at least those concerning the Southern Conference Educational Fund, the Catholic Peace Fellowship and the War Resisters League, may require oral argument.

Very respectfully yours,

Morton Stavis

MS:mbt
Enclosures

cc: Jonathan B. Smith, Attorney
Department of Justice

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-5-82 BY 1048 DCM/JS
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ENCLOSURE

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UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,

Plaintiffs,

v.

Civil Action No. 1768-69

JOHN N. MITCHELL, et al.,

Defendants.

RESPONSE TO MOTION TO DISMISS AND FOR
SUMMARY JUDGMENT AS TO CERTAIN PLAINTIFFS

The motion of the defendants has three parts:

1) A motion to dismiss the claims of plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam, and New York Resistance, for failure to prosecute this action.

2) A motion for summary judgment against the plaintiffs The Southern Conference Educational Fund, Catholic Peace Fellowship, and War Resisters League, on the claim that the record demonstrates that those plaintiffs were not subjected to electronic surveillance by the defendants.

3) A motion to dismiss as to the plaintiff Abbott Hoffman for failure to comply with the orders of this Court requiring answers to certain interrogatories.

Our response is directed to the separate portions of the motion.

I.

Plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam, and New York Resistance do not intend to prosecute this action and have no objection to a dismissal upon those grounds.

II.

Plaintiffs The Southern Conference Educational Fund, Catholic Peace Fellowship, and War Resisters League dispute the motion for summary judgment because it is by no means demonstrated that the said plaintiffs were not the subject of electronic surveillance.

The record in this respect is as follows:

Plaintiffs served interrogatories seeking, among other facts, details as to all electronic surveillance -

- "a) To which plaintiffs were parties
- b) The interception of which was aimed at plaintiffs; and
- c) In which any acts or activities of plaintiffs were discussed."

In 1974, in respect to the plaintiffs' interrogatories, the defendants denied that the plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship, and other organizations were ever the subject of electronic surveillance, though no reference is made to the officers of said organizations.

At the time, it was arguable that the defendants did not know the names of the officers of those organizations. Defendants later, in 1975, served interrogatories demanding the names of officers of those organizations. In due course those interrogatories were answered and the defendants obtained the sought-after information.

It is in the light of this data, now in the hands of the defendants, and the annexed affidavit of Morton Stavis, that the Court should evaluate the affidavits submitted by the defendants in support of their motion for summary judgment.

The affidavits of Joseph P. Smith III, C. Donald Baxter, and Edwin V. Armento are carefully phrased so that they state certain facts but may be concealing the facts relevant to this case, as follows:

- a) The affidavits state that no record has been found regarding the named plaintiff organizations; nothing is said about

officers of the organizations - and, after all, an organization, as such, does not use a phone. The organization functions through its officers.

b) The affidavits reveal nothing about the manner in which the indices which were examined are kept. The annexed affidavit of Morton Stavis, in its references to the testimony of John L. Smythe, shows that the method of keeping the indices in fact does not reveal the names of organizations.

c) The affidavits refer to the search of local indices. But as the aforesaid affidavit of Morton Stavis shows, the main index of electronic surveillance is the ELSUR index maintained in Washington and nothing is mentioned about that at all.

d) The affidavits show nothing with respect to the search of case files. The affidavit of Mr. Stavis demonstrates that in the Kinoy case an inspection of the case files resulted in the disclosure of a substantial number of incidents of electronic surveillance though the existence of such surveillance had earlier been denied.

Thus the affidavits may be concealing more than they reveal. As the affidavit of Morton Stavis shows, the means and methods of the maintenance of electronic surveillance records have been the subject of sworn testimony subject to cross-examination. When that is done - and perhaps it should be in this case by depositions - the full story will be told.

Plaintiffs believe that on the basis of the foregoing, the Court should deny the motion for summary judgment. If, however, the Court retains any doubt of the matter, then plaintiffs will be pleased to undertake to notice the taking of depositions in the matter so that the Court can have a record from the affiants themselves as to the limited nature of their affidavits.

Aside from the plain insufficiency of the affidavits there is another factor also set forth in the affidavit of Morton Stavis which strongly indicates that the motion for summary judgment

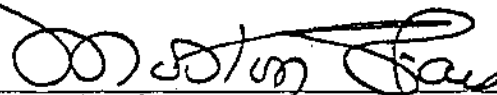
should not be granted.

The record of government denials of electronic surveillance followed by concessions that such surveillance did in fact occur is by this time so extensive that it is not possible to accept at face value a government affidavit of such a denial. It may be, as we have indicated above, that such a denial should trigger active discovery techniques on the other side. And if the Court so indicates, we shall promptly file notices to take depositions of persons in charge of the electronic surveillance indices and take the kinds of steps which caused the explosion of information in the case of Kinoy v. Mitchell, as detailed in the affidavit of Morton Stavis.

III.

As to the plaintiff Hoffman, counsel states to the Court that he does not know his present whereabouts. Counsel urges that there is no reason to dismiss the proceedings against Mr. Hoffman at this time. When the case has been set for trial, if it still appears that Mr. Hoffman is not available to answer interrogatories, there will be time enough then for the Court to take whatever action is called for. Certainly defendants have shown no reason why any action is required to be taken now.

Respectfully submitted,


MORTON STAVIS
Attorney for the Plaintiffs
744 Broad Street
Newark, N. J. 07102
(201) 622-3789

Dated: Newark, N. J.
June 20, 1978.

STATE OF NEW JERSEY)
) ss.:
COUNTY OF E S S E X)

MORTON STAVIS, being duly sworn according to law, upon his oath deposes and says:

1. I am one of counsel for the plaintiffs in the within case and I make this affidavit in response to the motion for summary judgment against the plaintiff Southern Conference Educational Fund, Catholic Peace Fellowship, and War Resisters League.

2. I have been involved in a number of cases relating to electronic surveillance in addition to the instant one. In this affidavit I shall set forth knowledge obtained in other cases which shows the inadequacy and unreliability of denials of electronic surveillance as those denials appear in the affidavits of Joseph H. Smith III, C. Donald Baxter, and Edwin V. Armento.

I.

3. In or about September 17, 1976, I was one of counsel in a case entitled In re: Grand Jury Proceedings - Subpoena of Jay Weiner, Subpoena of Phillip Kent Shinnick, Civil Action Nos. 4636 and 4643, United States District Court, Middle District of Pennsylvania. This case involved an effort by the government to enforce a grand jury subpoena. The witnesses sought to vacate the subpoena on several grounds, one of which was that it was the product of unlawful electronic surveillance.

4. In the course of extensive evidentiary hearings which were conducted on that matter, testimony was taken of John L. Smythe, who had been identified as the person "in a supervisory capacity" in F.B.I. headquarters in Washington, D.C. He described his function as follows:

"Well, among other things, I maintain and control the electronic surveillance indices, which is known as the ELSUR indices." (Tr. 9/17/76, 59-17.) */

*/ All references to the testimony of Mr. Smythe are to his testimony on September 17, 1976, in open court before the Hon. William J. Nealon, Chief Judge, U.S. District Court, Middle Dist. of Pennsylvania.

5. Mr. Smythe described the index as being maintained on 3x5 cards and the information contained thereon as being:

"A. It would be the name of the individual overheard, the date of the overheard and the source of the overheard.

Q. What do you mean by source of overheard?

A. The identifier as to the -- it's a code symbol number to the electronic device whereby they were overheard, over which they were overheard. If it were a telephone, it would be a code symbol designating a telephone.

Q. Is that the only information that is contained on these cards?

A. That is all.

Q. Is that the only information that you have?

A. That I have?

Q. Yes. In your indices do you have any back-up information to the information contained on the 3x5 card?

A. In some instances there might be some specific identifier relative to the individual overheard. Not very often, but every once in a while the agent who has prepared the card may put down the name of a company or something like this, some type of identifying data relative to the individual who was overheard." (Tr. 60-2 to 22, emphasis supplied.)

6. Mr. Smythe was describing the central electronic surveillance index maintained for the entire country by the F.B.I.

7. He then described how he obtains the cards in question:

"Q. Where do you get your information, Mr. Smythe?

A. Where do I get what information?

Q. The information that comes into those indices?

A. In the cards?

Q. Right.

A. From the field office.

Q. From the field office. Is it telephoned in to your office?

A. No.

Q. Do they make up the cards and send them in?

A. That's correct; they make up the cards and send them in.

Q. How many field offices send information into your department?

A. How many do on a regular basis?

Q. Right.

A. I can't tell you.

Q. Are all of them supposed to, if they conduct taps?

A. All of them are supposed to, that's correct." (Tr. 63-4 to 21.)

8. It thus is clear that the information in the field offices is the same as that in the central office. It is also clear that the cards give only the names of the individuals who are overheard and, as stated by Mr. Smythe, only "once in a while" does the agent "put down the name of a company or something like this, some type of identifying data relative to the individual who was overheard" (Tr. 60-19 et seq.).

9. It is plain that a denial of overhearing of an organization is no indication whatever as to whether there were overhearings of individuals at the organizations' headquarters, for the simple reason that the indices do not show organizational names.

10. I am also one of counsel in Kinoy v. Mitchell, #70-Civ-5698, U. S. District Court, So. Dist., New York. In that case there was an original denial of any unlawful electronic surveillance. Thereafter, there was an admission of 23 overhearings. Counsel in that case challenged the adequacy of the search and served a notice to take depositions on the persons in charge of the field office. Before the depositions were actually taken, the local F.B.I. office agreed to examine case files in addition to its indices of overhearings. Following that, the defendants admitted 138 additional overhearings - and they have not yet completed the search of their files. Annexed hereto and made a part hereof is a copy of a letter dated March 20, 1978, sent by the United States Attorney in Kinoy v. Mitchell, admitting that there had been a discovery of additional incidents of electronic surveillance after the first

disclosures. It will be observed that the U.S. Attorney requested that an investigation be made of the circumstances of this non-disclosure.

11. The experience in both the Weiner-Shinnick case and the Kinoy case strongly suggests the unreliability of affidavits denying unlawful electronic surveillance, and that is even the more so in the instant case because it does not appear that any search was made except in the electronic surveillance indices which were maintained in the local office.

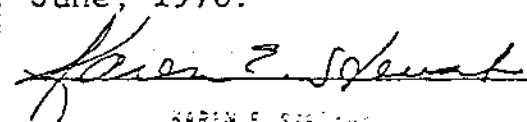
12. In addition to the fact that there was no indication of what was contained on the indices which were examined, it is clear that a mere search of indices without a search of case files is a wholly unreliable means of determining the existence of electronic surveillance. The extensive disclosures in the Kinoy case occurred only after case files were studied in addition to the electronic surveillance indices.

13. In view of the massive disclosures of F.B.I. surveillance of organizations which disagreed with government policy - and the organizations here involved are certainly in that category - it is not conceivable that there was not F.B.I. surveillance, including electronic surveillance, of these organizations and their officers.

14. All that is being presented in the within motion is that the F.B.I. has made a limited inspection through its local offices and has reported that nothing has been found in that limited inspection. The affidavits do not show that there was no electronic surveillance of the organizations in question.


MORTON STAVIS

Sworn to and subscribed
before me this 20th day of
June, 1978.


KAREN E. STEWART
A Notary Public of New Jersey
My Commission Expires Feb. 10, 1981



United States Department of Justice

UNITED STATES ATTORNEY

SOUTHERN DISTRICT OF NEW YORK

ONE ST. ANDREW'S PLAZA

NEW YORK, NEW YORK 10007

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

March 20, 1978

LGC:n

BY HAND

Honorable Robert J. Ward
United States District Judge
United States Courthouse
Foley Square
New York, New York 10007

BY HAND

Honorable
United States
District Judge

Re: Kinoy v. Mitchell
70 Civ. 5698 (RJW)

Dear Judge Ward:

In the course of preparing the Government's response to plaintiffs' request to produce documents pursuant to Rule 34 of the Federal Rules of Civil Procedure, the FBI has just advised this office that it has discovered that there are additional incidents of electronic surveillance of plaintiff Arthur Kinoy in its files. We have asked the FBI to promptly and thoroughly investigate this matter in order to determine the number of such undisclosed incidents of electronic surveillance, the surrounding facts and circumstances, and the reasons why they were not previously disclosed. We will report to the Court and counsel on these matters as soon as the investigation is complete. At this time, we are unable to determine what, if any, effect these matters will have on the Government's pending motion to dismiss.

Respectfully submitted,

ROBERT B. FISKE, JR.
United States Attorney

By:

LOUIS G. CORSI
Assistant United States Attorney
Tel. No.: (212) 791-1967

cc: Michael Ratner, Esq.
351 Broadway
New York, New York

LGC:n

BY HAND

Honorable Robert J. Ward
United States District Judge

March 20, 1978
Page 2.

cc: Rhonda Copelon, Esq.
Center for Constitutional Rights
853 Broadway
14th Floor
New York, New York 10003

Jeremiah S. Gutman, Esq.
363 Seventh Avenue
New York, New York 10001

Marvin Segal, Esq.
745 Fifth Avenue
New York, New York

Marshall Perlin, Esq.
36 West 44th Street
New York, New York

David White, Esq.
U. S. Department of Justice
Civil Division
General Litigation Section
Washington, D.C. 20530

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,

Plaintiffs,

v.

Civil Action No. 1768-69

JOHN N. MITCHELL, et al.,

Defendants.

PLAINTIFFS' COUNTER-STATEMENT
OF MATERIAL FACTS AS TO WHICH
THERE IS A GENUINE ISSUE
NECESSARY TO BE LITIGATED

Plaintiffs agree to the following numbered paragraphs of the defendants' Statement of Material Facts as to Which There is no Genuine Issue: Paragraphs # 1, 2, 3, and 4.

Plaintiffs state that there is a genuine issue necessary to be litigated with respect to the assertions in Paragraphs # 5 and 6 of the defendants' statement. See affidavit of Morton Stavis, dated June 20, 1978, submitted in response to the motion for summary judgment.

Respectfully submitted,

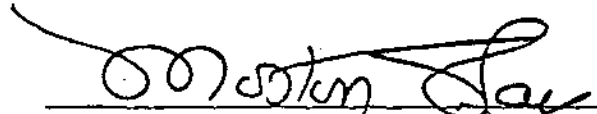

MORTON STAVIS
Attorney for Plaintiffs
744 Broad Street
Newark, N. J. 07102
(201) 622-3789

Dated: Newark, N. J.
June 20, 1978.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served copies of the foregoing Response to Motion to Dismiss and for Summary Judgment as to Certain Plaintiffs, the Affidavit of Morton Stavis, and Plaintiff's Counter-Statement of Material Facts as to Which There is a Genuine Issue Necessary to be Litigated, upon the defendants by serving copies thereof by mail, postage prepaid, upon:

Jonathan B. Smith, Attorney
Department of Justice
Washington, D. C. 20530.


MORTON STAVIS

Dated: June 20, 1978.

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,

Plaintiffs,

v:

Civil Action No. 1768-69

JOHN N. MITCHELL, et al.,

Defendants.

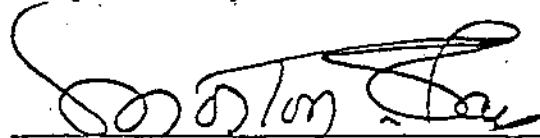
OBJECTIONS TO SECOND SET OF
INTERROGATORIES AND DOCUMENT
REQUESTS ADDRESSED TO THE
PLAINTIFF BLACK PANTHER PARTY

Plaintiff Black Panther Party objects to answering each of the sixteen interrogatories and document requests contained in the second set of interrogatories and document requests addressed to that plaintiff, on the grounds that each of the interrogatories or document requests -

a) Seeks information which is not relevant to the subject matter involved in the pending action, nor is it reasonably calculated to lead to discovery of admissible evidence; and/or

b) Seeks information violative of the rights of the plaintiff under the First Amendment.

Respectfully submitted,



MORTON STAVIS
Attorney for Plaintiffs
744 Broad Street
Newark, N. J. 07102
(201) 622-3789

Dated: Newark, N. J.
June 20, 1978.

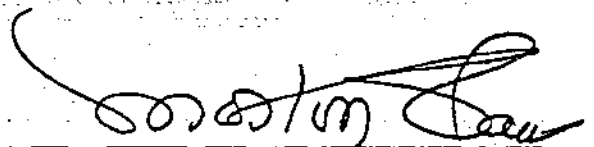
CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing Objections to Second Set of Interrogatories and Document Requests Addressed to the Plaintiff Black Panther Party upon the defendants by serving a copy thereof by mail, postage prepaid, upon the following:

Defendants

Jonathan B. Smith, Attorney
Department of Justice
Washington, D. C. 20530.

Dated: June 20, 1978.


MORTON STAVIS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

Civil Action No. 1768-69

FEB 26 1974

ORDER

Upon consideration of the motion filed in this cause by the defendants for a protective Order pursuant to Rule 26(c) of the Federal Rules of Civil Procedure to restrict the dissemination of information pertaining to third parties contained in defendants' Answers to Interrogatories, and it appearing to the Court that the requested relief is necessary to protect the right of privacy of third parties, now therefore it is this ^{21st} day of February 1974,

ORDERED, that the copies of defendants' Answers to Interrogatories to be filed with the Court be delivered to this Court personally for the purpose of being preserved and retained under seal;

IT IS FURTHER ORDERED, that the copies of the Answers to ~~Interrogatories served upon counsel for plaintiffs~~ shall be retained in the custody of such counsel;

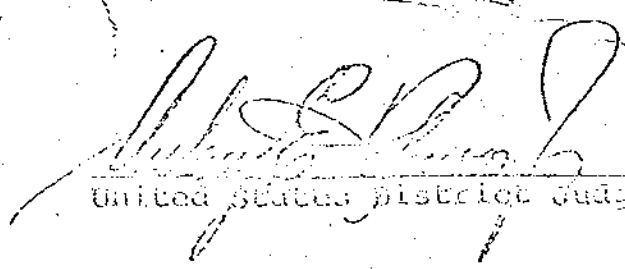
IT IS FURTHER ORDERED, that no additional copies or portions of said Answers to Interrogatories shall be made by the plaintiffs or their counsel, nor shall the aforementioned Answers to Interrogatories be released to any other person.

purposes of reproduction, without the express permission of this Court. Access to the aforementioned Answers to Interrogatories is restricted to the plaintiffs and their counsel of record in this case;

IT IS FURTHER ORDERED, that the plaintiffs and their counsel shall make no disclosure of any matter relating to individuals other than themselves contained in said Answers to Interrogatories except as may be necessary to effectuate the proceeding in this case and then only in connection with testimony in open Court or in legal argument in Court or in chambers under conditions to be prescribed by the Court;

IT IS FURTHER ORDERED, that prohibition against access by others and disclosure to others shall remain in effect throughout the proceedings in this case and until such time as this Court removes or modifies these prohibitions. If counsel for plaintiffs find that in order to effectively prepare their case for any hearing it will be necessary to make a disclosure, however limited, then, at that time, this Court will entertain an application in this regard and may modify the prohibition against disclosure to the extent that justice requires it;

IT IS FURTHER ORDERED, that immediately upon termination of a proceedings in this Court, counsel for the plaintiffs shall deliver to this Court-personally the copy of the aforementioned Answers to Interrogatories and any additional copies made pursuant to the Court's permission for the purpose of being sealed and preserved with the records of this case in the event of appellate review.


United States District Judge

Date of Mail APRIL 15, 1977

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JHP
2-9-93 1048 DKM/SC
35820

Subject JUNE MAIL -DAVID T. DELLINGER *DS*

79 MAY 19 1977

Removed By _____

File Number 62-112989-353

Permanent Serial Charge Out

Date of Mail AUGUST 6, 1976

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP-1 MJA/vp 325820
2-9-93 1048 DCM BC

Subject JUNE MAIL -DAVID DELLINGER

Removed By 79 SEP 30 1976

File Number 62-112989-352 F321

Permanent Serial Charge Out

UNITED STATES GOVERNMENT

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Memorandum

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

TO : Assistant Director
Records Management Division

DATE: 10/2/78

FROM : Assistant Director
Legal Counsel

- 1 - Mr. Bassett (Enc.)
(Attn: Unit Chief, Special Projects Review Unit)
- 1 - Mr. Mintz
- 1 - Civ. Lit. Unit (Enc.)

SUBJECT: DAVID BELLINGER, et al. v. JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

PURPOSE: To report receipt of Document Requests And Cross-Interrogatories Served By Plaintiff, Black Panther Party (BPP).

SYNOPSIS AND DETAILS: Captioned civil action seeks monetary damages for allegedly illegal electronic surveillance of plaintiffs in the past and injunctive relief barring such coverage in the future. Plaintiffs are eight individuals and four organizations including the BPP. Extensive discovery has taken place in connection with this litigation.

In April, 1978, we propounded Defendants' Second Set of Interrogatories and Document Requests To Plaintiff, the BPP. These sixteen interrogatories seek, inter alia, information re foreign travel by, explosives training for, and possession of firearms and explosives by, officers and members of the BPP.

In June, 1978, plaintiff BPP filed objections to the sixteen interrogatories on the grounds that they are irrelevant and violative of plaintiffs' first amendment rights.

On July 28, 1978, we filed a Motion to Compel Answers to the Interrogatories, asserting that responses to the interrogatories were necessary to support the good faith defense of the Federal Defendants and are relevant to the mitigation of damages argument.

On September 18, 1978, Plaintiffs' Response To Defendants' Motion To Compel Answers To Second Set Of Interrogatories and Document Requests And Cross-Interrogatories, Served By Plaintiff, Black Panther Party, (copy attached), were filed.

Enclosure

Bufile 62-112989

DFH:kas
(4)

ENCLOSURE



JUN 18 1979

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

MAY 15 1979

9-LEGAL COUNSEL

b6
b7C

FBI/DOJ

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-5-82 BY SP5 EJA/SP5 S820

Assistant Director
Records Management Division
Re: David Dellinger

Basically, the interrogatories seek the information in possession of Federal Defendants upon which the claim of good faith is predicated.

Copies of the September 18, 1978, filings were furnished to Legal Counsel Division (LCD), on September 25, 1978, by Departmental Attorney Jonathan Smith, who is representing Federal Defendants in captioned matter.

On September 27, 1978, Mr. Smith advised that he will seek a Protective Order under Rule 26(c) Federal Rules of Civil Procedure, that the defendants not answer the attached Document Requests And Interrogatories until such time as Plaintiffs respond to Defendants' Second Set Of Interrogatories And Document Requests. However, he requested that we initiate a file review at this time to ascertain the amount of time and work which will be necessary to respond to the attached interrogatories. This initial review is to be limited to the Federal Bureau of Investigation Headquarters main file on the BPP.

This memorandum requests that the Special Projects Review Unit (SPRU), Records Management Division (RMD), ascertain for LCD the necessary file sections to be reviewed and man hours to be expended to respond to interrogatories. It is requested this information be furnished to LCD by October 13, 1978.

This memorandum further requests that SPRU, RMD, furnish LCD information and documents responsive to the attached discovery request at such time as a response is required. LCD will keep RMD apprised of all developments in this matter.

RECOMMENDATION: 1. That SPRU, RMD, review the attached Document Requests And Interrogatories and furnish LCD with an estimation of the number of file sections which would have to be reviewed and the number of man hours which would have to be expended to respond to the interrogatories and document requests.

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

2. That SPRU, RMD, furnish LCD documents and information responsive to the attached Document Request And Interrogatories at such time as a response to the interrogatories and document request is required.

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

Civil Action

No. 1768-69

JOHN N. MITCHELL, et al.,

Defendants.

DOCUMENT REQUESTS AND
CROSS-INTERROGATORIES SERVED
BY PLAINTIFF BLACK PANTHER PARTY

Plaintiff Black Panther Party hereby serves on defendants its Document Requests and Cross-Interrogatories. Since defendants assert a defense of qualified immunity to plaintiff's claims under 18 U.S.C., §2510-20, it is imperative that plaintiff obtain the information upon which defendants base their claim of good faith. In order to avoid any undue surprise and to prepare adequately for the trial of the issues involved in this case, it is necessary that plaintiff obtain the information which defendants utilized in their determination that the Black Panther Party (hereinafter the BPP) were a threat to national security.

1. Did you have any information in your possession at the time the electronic surveillances which related to the BPP were initiated concerning the foreign travel of any officers or members of the BPP?

2. If your response to interrogatory 1 is in the affirmative, please state what information was then in your possession concerning the foreign travel of BPP officers or members to any foreign country, including but not limited to Algeria, Cuba, North Korea, North Vietnam, the Peoples Republic of China, and the Union of Soviet Socialist Republics.

3. Please state what information was then in your

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possession concerning the foreign travel of BPP members or officers with respect to the following:

- a) the names of all members of the BPP making each trip and the position of each in the BPP;
- b) the foreign countries and cities visited;
- c) the dates of each foreign visit;
- d) the names of all persons with whom each BPP member met in each foreign country and the positions held by them, if any, in foreign governments (whether or not such positions were held in the government of the country visited), or private organizations (including the name thereof);
- e) the names of the persons or organizations (whether governmental or private) who paid for the transportation and/or expenses of the BPP members;
- f) the purpose for each such visit;
- g) produce for inspection and copying all documents which reflect or relate to such foreign travel, including but not limited to sources of such information and reports of the foreign travel.

4. Was there information in your possession at the time the surveillances which related to the BPP were initiated, concerning any contacts which the BPP maintained with representatives of any foreign governments, or foreign private organizations, exclusive of those set forth in interrogatories 1-3?

5. If your response to interrogatory 4 is in the affirmative, please state with respect to each contact the information then in your possession concerning the following:

- a) the name of the person with whom the contact was had or maintained, the government or private organization of which he was a representative, and the position held by him in that government or organization;
- b) the date of each contact;

- c) the purpose of each contact;
- d) produce for inspection and copying all documents which refer or relate to each contact with representatives of foreign governments or organizations, including but not limited to telephone bill records, reports, and sources of such information.

6. Was there information in your possession, at the time the electronic surveillances which related to the BPP were initiated, with respect to whether any BPP officers or members were provided with military training in the use of firearms or explosives by representatives of foreign government or private organizations?

7. If your response to interrogatory 6 is in the affirmative, please state for each instance of such training the information then in your possession concerning the following:

- a) the names of the BPP officers and members who were provided such training;
- b) the names of the persons providing the training, the government or organization of which they were representatives and the positions held by them in that government or organization;
- c) the date(s) and location(s) of the training;
- d) produce for inspection and copying all documents which refer or relate to such training, including but not limited to reports and sources of the above information.

8. Was there information in your possession, at the time the electronic surveillances which related to the BPP were initiated, with respect to whether any of the officers or members of the BPP had received any monetary contributions or payments of any kind from foreign governments or foreign private organizations?

9. If your response to interrogatory 8 is in the affirmative, please state for each contribution or payment the information then in your possession concerning the following:

- a) the name of the person making the contribution

or payment, the government or organization of which he was a representative, and the position held by him in such government or organization;

b) the amount of the contribution or payment and the date it was received;

c) any payment for services or products;

d) produce for inspection and copying all documents or reports which refer or relate to each contribution or payment and the sources of such information.

10. Was there any information in your possession, at the time the electronic surveillances which related to the BPP were initiated, concerning any requests made by the BPP that the United Nations accord it any status in that organization?

11. If your response to interrogatory 10 is in the affirmative, please state what information was then available with respect to the following:

a) the date of the request(s);

b) the results of the request(s);

c) the purpose for the request(s);

d) produce for inspection and copying all documents which refer or relate to any such request(s) and attach reports and sources of such information.

12. Was there any information in your possession, at the time the electronic surveillances which related to the BPP were initiated, concerning any firearms which may have been stored or located at any time in an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates and members?

13. If the answer to interrogatory 13 is in the affirmative, identify by make, model and serial number each such revolver, rifle, shotgun and other firearm or weapon and as to each state what information, if any, was then in your possession with respect to whether it was registered under the statutes or laws of any jurisdiction and, if so, the person or organization by whom it was registered and the registration or permit number.

14. Was there any information in your possession, at the time the electronic surveillances which related to the BPP were initiated, with respect to any explosives which may have been stored or located in an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates and members?

15. If the answer to interrogatory 14 is in the affirmative, set forth each such item of information.

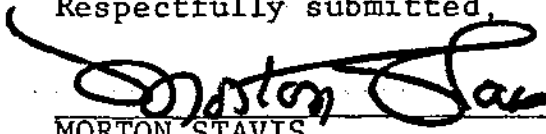
16. With respect to each firearm, weapon or explosive listed in interrogatories 12, 13, 14 and 15, state what information was then in your possession concerning:

- a) the address of the office or other location at which it was stored or located;
- b) the dates upon which it was stored or located at that address;
- c) the purpose for the storage or location of the firearm or explosive.

17. Produce for inspection and copying all documents which were in your possession, at the time the electronic surveillances which related to the BPP were initiated, which relate or refer to the storage or location of any firearm, weapon or explosive at an office or other location owned, leased or otherwise occupied, possessed or used by the BPP, its officers, chapters, branches, affiliates and members, and reports or the sources of such information.

18. Produce for inspection and copying all documents, reports, and sources of information which were in your possession, at the time the electronic surveillances which related to the BPP were initiated, concerning statements, suggestions, orders, or policy that members of the BPP or others should kill police officers, judges or other public officials.

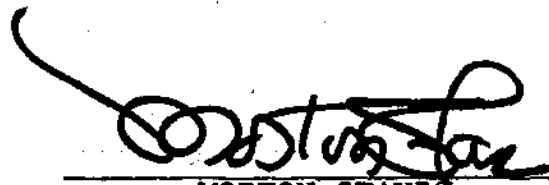
Respectfully submitted,


MORTON STAVIS
Attorney for Plaintiffs
744 Broad Street
Newark, N. J. 07102

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of September, 1978, I served a copy of the foregoing Plaintiffs' Response to Defendants' Motion to Compel Answers to Second Set of Interrogatories upon the defendants by serving a copy thereof by mail, postage prepaid, upon the following:

Jonathan B. Smith, Attorney
Department of Justice
10th and Constitution Ave., N.W.
Washington, D. C. 20530



MORTON STAVIS

RECEIVED

OCT 19 1978

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

DAVID DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

CIVIL ACTION/NO. 1768-69

FILED

OCT 18 1978

JAMES F. DAVEY, Clerk

ORDER

Upon consideration of the defendants' motion to compel answers to interrogatories and document requests, the plaintiff's objections to that discovery and opposition to defendants' motion, and the record in this case, it is hereby, this 17th day October, 1978,

ORDERED that the defendants' motion should be, and it hereby is, granted; and it is further

ORDERED that plaintiff Black Panther Party shall answer each of the interrogatories and document requests filed by defendants on April 6, 1978, within ^{20 days} ~~10~~ days of the date of the entry of this Order.

[Signature]
UNITED STATES DISTRICT JUDGE

EX-113

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ENCLOSURE

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-27-88 BY [signature]

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,)
)
 Plaintiffs,)
)
 v.)
)
JOHN N. MITCHELL, et al.,)
)
 Defendants.)

CIVIL ACTION NO.
1768-69 ✓

FILED

OCT 18 1978

ORDER

JAMES F. DAVEY, Clerk

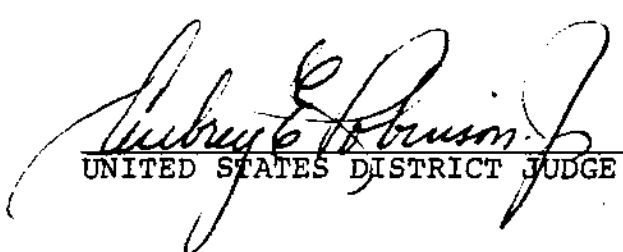
Upon consideration of the motion by the defendants for an Order dismissing the claims of plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam and New York Resistance, and Abbott Hoffman, and granting summary judgment for defendants against plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League, the memorandum of points and authorities in support thereof, and the pleadings, affidavits, answers to interrogatories, and replies to requests for admissions on file herein; and finding that plaintiff Hoffman has disregarded Orders of this Court requiring him to respond to interrogatories and has provided neither reasonable explanation nor a showing of inability to produce the information, it is by the Court this 17th day of October, 1978;

ORDERED that defendants' motion to dismiss and for summary judgment ~~should be~~, and is hereby granted; and it is

62-112989-259
ENCLOSURE

FURTHER ORDERED that the claims of plaintiffs Student Non-Violent Coordinating Committee, Congress of Racial Equality, American Servicemen's Union, National Mobilization Committee to End the War in Vietnam, New York Resistance and Abbott Hoffman should be, and they hereby are, dismissed; and, it is

FURTHER ORDERED that judgment against plaintiffs the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League should be, and hereby is, entered in favor of the defendants.


UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

~~FEDERAL GOVERNMENT~~

Plaintiffs,

v.

Civil Action No. 1768-69

JOHN N. MITCHELL, et al.,

Defendants.

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DATE 1-5-82 BY [signature]

MOTION TO FIX SEPTEMBER 14 AS THE
DATE BY WHICH PLAINTIFFS SHALL
RESPOND TO DEFENDANTS' MOTION TO
COMPEL ANSWERS TO DEFENDANTS'
SECOND SET OF INTERROGATORIES, ETC.,
TO PLAINTIFF BLACK PANTHER PARTY

The plaintiffs, by their undersigned attorney, respectfully move this Court for an Order fixing September 14, 1978, as the date by which plaintiffs shall respond to Defendants' Motion to Compel Answers to Defendants' Second Set of Interrogatories and Document Requests to Plaintiff Black Panther Party.

In support of this motion, plaintiffs rely on the annexed affidavit of Morton Stavis.

Respectfully submitted,

[Signature]

MORTON STAVIS
Attorney for Plaintiffs
744 Broad Street
Newark, N. J. 07102
(201) 622-3789

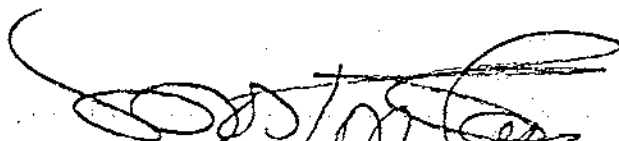


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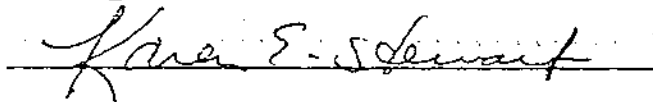
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b) Regardless of the need for consultation, the issues which are presented by the motion require careful research.

and methodical responses. On my return from my vacation I found a massive amount of work facing me and it will simply not be possible for me to file a credible response without a modest extension of time.


MORTON STAVIS

Sworn to and subscribed
before me this 10th day
of August, 1978.

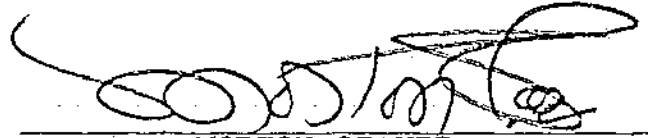


KAREN E. STEWART
A Notary Public of New Jersey
My Commission Expires Feb. 10, 1981

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing motion and affidavit upon the defendants by serving a copy thereof by mail, postage prepaid, upon the following:

Jonathan B. Smith, Attorney
Department of Justice
10th and Constitution Ave., N.W.
Washington, D. C. 20530.



MORTON STAVIS

Dated: August 11, 1978.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,
Plaintiffs,

v.

JOHN N. MITCHELL, et al.,
Defendants.

Civil Action No. 1768-69
**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5-8-82 BY 4034/100**

DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION TO
GRANT PLAINTIFFS UNTIL SEPTEMBER 6 TO FILE
THEIR RESPONSE TO DEFENDANTS' REPLY TO PLAINTIFFS'
RESPONSE TO MOTION TO DISMISS AND FOR SUMMARY
JUDGMENT AS TO CERTAIN PLAINTIFFS

On April 6, 1978, defendants served and filed a motion seeking, inter alia, summary judgment against plaintiff Southern Conference Educational Fund (SCEF). That motion was supported by affidavits denying electronic surveillance of SCEF by defendants or their agents. In opposition, served on June 20, 1978, plaintiff SCEF produced no evidence to indicate that such electronic surveillance took place, merely attacking the sufficiency of the affidavits in support of that motion. A reply to that opposition, including a further affidavit, was served on July 19, 1978.

As was noted in the memoranda supporting defendants' motion, there is no evidence of record to support plaintiff SCEF's allegation that it was subjected to electronic surveillance by the defendants or their agents. In its answer to an interrogatory requesting that it state all facts upon which that allegation was based, the plaintiff responded only that because the Government had conducted massive electronic surveillance of groups which opposed Government policy, SCEF must have been subjected to electronic surveillance.

Thus, nine years after the initiation of this action, plaintiff SCEF seeks additional time in which to offer evidence supporting its claim. It would appear that the



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gathering of such evidence would have properly begun prior to the full briefing of defendants' motion for summary judgment.

The defendants submit that if the plaintiff's motion is granted, they should have a period of 20 days in which to fill a reply to any submission that is made.

Respectfully submitted,

Barbara Allen Babcock / om

BARBARA ALLEN BABCOCK
Assistant Attorney General

Barbara B. O'Malley

BARBARA B. O'MALLEY

Jonathan B. Smith

JONATHAN B. SMITH

Attorneys, Department of Justice
Washington, D.C. 20530
Telephone: (202) 739-3336

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing Defendants' Response to Plaintiffs' Motion to Grant Plaintiffs Until September 6 to File Their Response to Defendants' Reply to Plaintiffs' Response to Motion to Dismiss and for Summary Judgment as to Certain Plaintiffs, upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

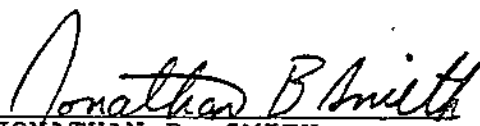
Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 07102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties
Union Foundation
22 E. 40th Street
New York, New York 10016

August 23, 1978
DATE


JONATHAN B. SMITH
Attorney, Department of Justice
Washington, D.C. 20530
Telephone: (202) 739-3336

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FEDERAL GOVERNMENT

DAVID DELLINGER, et al.,
Plaintiffs,

v.

JOHN N. MITCHELL, et al.,
Defendants.

Civil Action No. 1768-69

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DEFENDANTS' REPLY TO PLAINTIFFS' RESPONSE
TO MOTION TO DISMISS AND FOR SUMMARY
JUDGMENT AS TO CERTAIN PLAINTIFFS

STATEMENT

On April 6, 1978, defendants filed a three part motion to dismiss and for summary judgment. This memorandum is filed in reply to the plaintiffs' opposition to entry of judgment against plaintiffs Southern Conference Educational Fund (SCEF), Catholic Peace Fellowship (CPF) and War Resisters League (WRL) and to the dismissal of plaintiff Abbott Hoffman.

ARGUMENT

1. Summary judgment against SCEF, CPF and WRL should be entered.

Those organizations resist summary judgment generally on two grounds. They argue initially that the supporting affidavits are insufficient to demonstrate that no electronic surveillance of those organizations was conducted by the Federal Bureau of Investigation (FBI). Secondly, they contend that the failure to include the officers of those organizations in the denial is fatal to the motion. As will be demonstrated, however, neither of those grounds precludes summary judgment at this juncture in this case.

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COUNSEL

The Affidavits of Joseph P. Smith, III, C. Donald Baxter, and Edmund V. Armento (filed as Exhibits 2-4 in support of defendants' motion for summary judgment, on April 6, 1978) declare that a careful and diligent search of the electronic surveillance (Elsur) indices maintained by the New York, New Orleans and Louisville Field Offices, contain no record of electronic surveillance of SCEF, CPF and WRL at the addresses and telephone numbers therein listed. Those addresses and phone numbers are those which the plaintiff organizations themselves provided as locations and phones in which they had an interest.^{*/} Each affidavit, moreover, states that had the organizations been the subject of the electronic surveillance at those addresses or on those numbers, the indices would have contained a record of that surveillance.

Plaintiffs attack the affidavits initially because there is no mention of a search of the Elsur index maintained at FBI Headquarters in Washington, D.C. However, as even the affidavit of Morton Stavis^{**/} asserts, the Headquarters Elsur index does not contain the names of all organizations which have been the subject of FBI electronic surveillances. Rather it is an index of individuals who have been overheard on electronic surveillances conducted by the FBI since January, 1960.^{***/} Nevertheless, the FBI has conducted an index check of the Elsur index at Headquarters and has found no record of electronic surveillance of SCEF, CPF and WRL at the addresses and phone numbers that were provided by those plaintiffs.

Litzenberg Affidavit, ¶ 8.

^{*/} Those addresses and telephone numbers were set forth by the plaintiffs in answer to interrogatories requesting, inter alia, the location of all real property in which each organization has had an interest since January 1, 1965 and all telephone numbers subscribed to or used by the organizations in that period.

^{**/} That affidavit was filed in opposition to defendant's motion for summary judgment on June 20, 1978.

^{***/} See the Affidavit of George Litzenberg, Jr., filed herewith as Exhibit 6, ¶6.

Furthermore, the affidavit of George Litzenberg, Jr., explains the misconception contained in paragraphs 8 and 9 of the Affidavit of Morton Stavis, i.e., that the "information in the field offices is the same as that in the central office." Although the Headquarters Elsur index contains only the names of individuals overheard, the Field Office indices are more comprehensive and may indeed contain the names of organizations which have been the subject of electronic surveillance. Thus, the Litzenberg affidavit supports the affidavits filed by Field Office personnel stating that electronic surveillances of SCEF, CPF and WRL would have been recorded in the Field Office indices had such surveillances occurred.

Plaintiffs also assert that, because declarations concerning electronic surveillance overhears of individuals have been inaccurate in the past, the affidavits filed in this case ought not to be taken at face value. However, as is also explained in the Litzenberg affidavit, the problems and inaccuracies in the Elsur indices with respect to a listing of every overhear of an individual, on all surveillances conducted by the FBI, are not encountered when the indices are searched to determine whether an organization was the subject of an electronic surveillance. Although it is difficult to determine the dates and locations of all overhears of an individual on electronic surveillances, it is much less problematic to determine whether a particular organization was the subject of electronic surveillance at its office(s) or over its telephone(s). Thus, the problems encountered by the FBI in Kinoy v. Mitchell, Civil Action No. 70 Civ. 5698 (RJW) (S.D.N.Y.), as set forth in the affidavit of Morton Stavis are immaterial and cannot be employed to demonstrate the existence of a genuine issue of fact in this instance.

The plaintiffs further resist summary judgment because the defendants' denial that electronic surveillance of SCEF, CPR and WRL took place, did not include the officers of these organizations. The officers, however, are not plaintiffs in this case and their interests cannot be represented by the organizations.

On August 5, 1969, shortly after this suit was filed, the plaintiffs served interrogatories seeking information as to electronic surveillance by the FBI of the plaintiffs and "their officers, agents, members or employees." Following the vacation of the Order staying proceedings in this case, the plaintiffs filed a motion to compel answers to those interrogatories, as amended, on August 13, 1973. The reference to "officers, agents, members and employees" was deleted in the Amended Interrogatories. Moreover, counsel stated in the brief in support of their motion to compel, "... it must be noted that the litigation is not being pursued as to 'officers, agents, members and employees' of plaintiff organizations." [Emphasis supplied].^{*/} Thus it is abundantly clear that the plaintiff organizations, by their own choice, have not pursued this litigation with respect to electronic surveillance of their officers, but have been concerned only with electronic surveillance of which the organizations, as organizations, were the subject.

Although plaintiffs SCEF, CPF and WRL have opposed the defendants' motion for summary judgment by attacking the sufficiency of the denial that electronic surveillance occurred, they have failed to come forward with any fact to demonstrate that such electronic surveillance occurred. Paragraph 13 of the Stavis affidavit states that since it has been revealed that the FBI conducted electronic surveillance of organizations which opposed government policy, these organizations must have been included.

^{*/} See page 7 of Brief In Support of Plaintiffs' Motion For An Order Compelling Defendants To Answer Plaintiffs' First Set Of Interrogatories And To Supply Requests For Admission, filed herein on August 13, 1973.

The plaintiffs are, in reality, merely reiterating the conclusory allegations of the Complaint in an attempt to demonstrate the existence of a genuine issue of fact. That, however, is not permitted by Rule 56(e), Federal Rules of Civil Procedure, which states in part:

When a motion for summary judgment is made and supported as provided in this rule, an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him. [Emphasis supplied.]

As the Supreme Court, in First National Bank v. Cities Service, 391 U.S. 253, 289 (1968), held: "[w]hat Rule 56(e) does make clear is that a party cannot rest on the allegations in his complaint in opposition to a properly supported summary judgment motion made against him." The party opposing a motion for summary judgment must respond by affidavits, or otherwise, setting forth specific facts showing genuine issues. Bloomgarden v. Coyer, 479 F.2d 201 (D.C. Cir. 1973); Chapman v. Rudd Paint and Varnish Company, 409 F.2d 635 (9th Cir. 1969).

Organizations are protected by the First and Fourth Amendments (see, e.g., NAACP v. Button, 371 U.S. 415 (1963); Silverthorne Lumber Co. v. United States, 251 U.S. 385 (1920)) and by 18 U.S.C. §2520. Thus, when an organization has a proprietary interest in premises searched or objects seized, the Fourth Amendment is available to protect the organization rights. Silverthorne Lumber Co., supra; Go-Bart Company v. Habig, 474 F.2d 57, 62 (7th Cir. 1973). Similarly, when an organization's First Amendment rights are infringed, it may sue to vindicate those rights. NAACP v. Button, supra; National Student Association v. Hershey, 412 F.2d 1103 (D.C. Cir. 1969). An organization cannot, however, claim that its rights are coincident and congruent with those of the individuals associated with it. It does not have a

stake in every search conducted of its officers' or members' premises. The constitutional rights of those members are personal and cannot be vicariously asserted by the organization. Alderman v. United States, 394 U.S. 165, 174 (1969); Simmons v. United States, 390 U.S. 377 (1968).

In this case, the plaintiff organizations have alleged that they were subjects of FBI electronic surveillance. They have not chosen to proceed on behalf of their officers. They have provided, in response to interrogatories, the locations of premises and telephones in which the organizations have had a proprietary interest, and Elsur index searches have confirmed that those premises and telephones were never the target of FBI electronic surveillance. Plaintiffs SCEF, CPF and WRL have come forward with no facts to demonstrate that their offices or phones were subjected to electronic surveillance by the FBI.

Under these circumstances, a lengthy review of FBI investigative files and an index search to determine whether conversations of any officers of SCEF, CPF and WRL were monitored by the FBI are inappropriate. There is simply no evidence on the record to challenge defendants' denial of electronic surveillance of those organizations' premises or phones. Moreover, the fact that one of their officer's conversations may have been monitored over an electronic surveillance directed at an individual or organization other than SCEF, CPF or WRL simply does not give those organizations standing to maintain this case. Cf., NAACP v. Alabama, 357 U.S. 449, 459 (1958), where the association was allowed to assert its members' right to free association because "[t]o require that it be claimed by the members themselves would result in nullification of the right at the

very moment of its assertion." In this case such impediment blocks the way of the officers of SCEF, CPF and WRL. If they believe that their conversations have been overheard by the FBI on electronic surveillances, there is nothing to prevent their assertion of their constitutional and statutory rights. Thus, defendants are entitled to judgement as a matter of law against plaintiffs SCEF, CPF and WRL.

2. Plaintiff Abbott Hoffman's claim should be dismissed.

The argument advanced by the defendants in their moving brief will not be repeated here. The cases cited there clearly support a dismissal at this time. To allow a plaintiff to refuse to comply with discovery orders until the case is ready for trial would serve to frustrate the discovery process and delay the preparation of this case for trial.

CONCLUSION

For these reasons, the defendants motion to dismiss and for summary judgment should be granted in its entirety.

Respectfully submitted,

Barbara Allen Babcock /om
BARBARA ALLEN BABCOCK
Assistant Attorney General

Barbara B. O'Malley
BARBARA B. O'MALLEY

Jonathan B. Smith
JONATHAN B. SMITH

Attorneys, Department of Justice
10th & Constitution Ave., N.W.
Washington, D.C. 20530
Telephone: (202) 739-3336

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing Defendants' Reply to Plaintiffs' Response to Motion to Dismiss and for Summary Judgment as to Certain Plaintiffs and supporting affidavit, upon the plaintiffs by serving a copy thereof by mail, postage prepaid, upon the following counsel of record:

Morton Stavis, Esquire
744 Broad Street
Newark, New Jersey 07102

Rhonda Copelon, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Arthur Kinoy, Esquire
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003

Jack D. Novik, Esquire
American Civil Liberties
Union Foundation
22 E. 40th Street
New York, New York 10016

July 19, 1978
DATE

Jonathan B. Smith
JONATHAN B. SMITH
Attorney, Department of Justice
Washington, D.C. 20530
Telephone: (202)739-3336

ENCLOSURE

62-112989-

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,
Plaintiffs,
v.
JOHN N. MITCHELL, et al.,
Defendants.

Civil Action No. 1768-69

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DATE 2/9/93 BY 1042 DCM/SC

AFFIDAVIT OF GEORGE LITZENBERG, JR.

George Litzenberg, Jr., deposes and states:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), currently assigned to Headquarters at Washington, D.C. I am the custodian of the electronic surveillance (Elsur) index maintained at FBI Headquarters. I am familiar with the Headquarters index and I am generally familiar with the Elsur indices maintained by the FBI Field Offices.

2. I have read and am familiar with the Affidavit executed by Morton Stavis on June 20, 1978, and filed in this case.

3. The Headquarters Elsur Index is a compilation of 3x5 inch index cards prepared by the Field Offices and cards prepared at Headquarters related to Department of Justice and Freedom of Information/Privacy Act requests concerning electronic surveillance. The index contains the name of each individual overheard on electronic surveillances conducted by the FBI, the symbol number assigned to that electronic surveillance (if one was assigned), the date of the initial overheard of that individual, and the Field Office conducting the monitoring. Subsequent overhears of an individual on each surveillance would not generally be included in the Headquarters Elsur index. This index was compiled pursuant to a communication from the Director to selected Field Offices, dated October 5, 1966, and goes back to January 1,

1960.

4. The Headquarters index, since it was created in October, 1966, contains only those names located in logs or records of conversations existing in October, 1966, for the period of January, 1960 to October, 1966. It would not be all-inclusive of everyone monitored between those dates, since certain of the records obtained between those dates were destroyed prior to October, 1966. The Elsur index card, except in rare instances, contains no identifying data other than the name of a person monitored. There are instances in which a voice is never identified by name and in those instances the index would contain no record of the intercept. It must be recognized that in all clerical functions there is a possibility for clerical error and in regards to the Headquarters Elsur index, misfilings, transposed letters in a name and incorrect spelling of a phonetic name may occur.

5. Elsur index checks, in the usual situation, involve searching for an individual's name in the Headquarters index. If that name is located in the Headquarters index, a further search of the index of each Field Office referred to on the Headquarter card(s) is conducted in order to obtain complete data on each overhear and to effect an identification of the person overheard where possible.

6. The Headquarter's Elsur index normally includes only persons, places and telephones monitored by the FBI on electronic surveillances. The indexing procedures followed in the past did ~~not require retrievability of organizations by name~~, although in some isolated instances organizations were indexed. The Field Office Elsur indices contain a more complete inventory of the totality of the overhears of a person.

7. The F.B.I. Headquarters does not prepare "overhear" cards, for persons monitored. The Field Offices prepare those cards. When they are prepared, two are made, one being retained in the Field Office and one being sent to FBI

Headquarters for inclusion in the Headquarters Elsur index. However, the Field Office Elsur indices are not (as is implied by the affidavit of Morton Stavis at page 3, paragraph 8) "the same as" that maintained at Headquarters. The Field Office indices are more comprehensive and would generally reflect the subject, or target, of each electronic surveillance conducted by the Field Office since January 1, 1960, when that subject was an individual and, in some offices, an organization. Since the Field Office indices are more comprehensive, an index check in the Field Offices obviates the need for a Headquarters index check.

8. In light of the opposition to the motion for summary judgment against plaintiffs, The Southern Conference Education Fund, Catholic Peace Fellowship and War Resisters League, I have carefully and diligently searched the Headquarters Elsur index with reference to those organizations. As a result of my search of the Headquarters Elsur index, I found no record of electronic surveillance of those organizations at the following addresses and telephone numbers:

Southern Conference Educational Fund

1. 822 Peridido Street
Suite 408
New Orleans, Louisiana
2. 3210 West Broadway (502)778-3348
Louisville, Kentucky 40211 (502)778-3349
3. 3208 West Broadway
Louisville, Kentucky 40211

Catholic Peace Fellowship

1. 5 Beekman Street (212)W04-8367
New York, New York
2. 339 Lafayette Street (212)673-8990
New York, New York
3. 524 Upper Broadway (212)L08-8200
Nyack, New York (914)EL8-4601

War Resisters League

1. 5 Beekman Street (212)L07-4592
New York, New York (212)L07-4593
(212)L07-4594

2. 339 Lafayette Street
New York, New York

(212) 228-0450
(212) 228-0451
(212) 228-0452

I declare under penalty of perjury that the foregoing is
true and correct.


GEORGE LITZENBERG, JR.

Executed on July 18, 1978.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1339526-001

Total Deleted Page(s) = 23

Page 55 ~ b3; b6; b7C;
Page 67 ~ b6; b7C; OTHER;
Page 68 ~ b6; b7C; OTHER;
Page 69 ~ b6; b7C; OTHER;
Page 72 ~ b6; b7C;
Page 73 ~ b6; b7C; OTHER;
Page 74 ~ b6; b7C; OTHER;
Page 75 ~ b6; b7C; OTHER;
Page 76 ~ b6; b7C; OTHER;
Page 77 ~ b6; b7C; OTHER;
Page 78 ~ b6; b7C; OTHER;
Page 79 ~ b6; b7C; OTHER;
Page 80 ~ b6; b7C; OTHER;
Page 81 ~ b6; b7C; OTHER;
Page 95 ~ Duplicate;
Page 96 ~ Duplicate;
Page 117 ~ b3;
Page 118 ~ b3;
Page 119 ~ b3;
Page 120 ~ b3;
Page 122 ~ b3; b6; b7C;
Page 130 ~ b6; b7C;
Page 131 ~ b6; b7C;

XXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXX

Assistant Attorney General
Criminal Division

April 18, 1975

Director, FBI

EX-110

REC-9

62-112989

DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

1 - Mr. Wannall
1 -
2 - Mr. Mintz
1 -

b6
b7C

By memorandum dated July 24, 1974, I advised that our Los Angeles Office had 19,600 pages of logs and transcripts but no tapes concerning this matter. This Office has now advised that these figures should be revised to indicate that they have approximately 60,000 pages of logs and transcripts and 3,655 tapes concerning this matter.

1 - Los Angeles (176-79B)

62-112989

NOTE: Based on Los Angeles airtel to the Bureau dated 4/9/75, captioned as above.

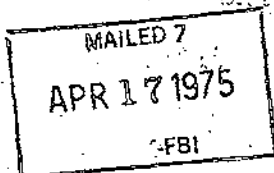
GML:lsh
(9)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY sp5/ig/rd

2-9-93 1048 DCM/8
WRW/twl
3/5820

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



SBA
PUN

1-16 ROOM ☒

TELETYPE UNIT ☐

F B I

Date: 4/9/75

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

TO: DIRECTOR, FBI (62-112989) *counsel*
 FROM: SAC, LOS ANGELES (176-79B) ATTN: LEGAL COUNCIL SECTION
 SUBJECT: DAVID T. DELLINGER, ET AL
 vs. JOHN M. MITCHELL, ET AL
 (USDC, DC)
 CIVIL ACTION 1768-69

Re Los Angeles nitel dated 4/7/75 and Los Angeles letter and letterhead memorandum dated 6/13/74, captioned "DAVID T. DELLINGER, Et Al, vs Attorney General JOHN M. MITCHELL, Et Al, Alleged Violation of Constitutional Rights (Attention: Intelligence Division, Section CI-3)."

On 4/8/75, [redacted] American Civil Liberties Union Attorney, came to the Los Angeles Office where he remained for a period of approximately one hour. During this period [redacted] made a cursory review of technical logs pertaining to installations at various Black Panther Party (BPP) Headquarters located in the Los Angeles, California, area. The purpose of [redacted] visit ostensibly was to make a determination as to the extent of time involved in reviewing logs, memoranda and tapes concerning the BPP which were maintained by the Los Angeles Office. [redacted] primary concern appeared to be centered around the period of early or mid-1969.

- ② - Bureau
 2 - Los Angeles
 (1 - 94-430B-1231JJ)

TC/jla
 (4)

cc: Mr. Mintz

Report to AAG, Criminal Div
 4/18/75
 RFO: [redacted]

REC-9

EX-110

APR 14 1975

5-2

LEGAL COUNSEL

b6
b7Cb6
b7C

Approved: [Signature]
 Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 11/4/82 BY [redacted]
 2/24/93
 10/20/93
 3/5/82

APR 14 1975
 5-2
 LEGAL COUNSEL
 [redacted]

During the course of conversation with [redacted] it was indicated to him that tapes pertaining to respective technical logs had been destroyed. (During June 1974, a survey was made by personnel of the Los Angeles Office to locate these tapes with negative results and it was assumed at that time that they had been destroyed.) Stimulated by a remark made by [redacted] to the effect that he had replayed tapes made available to him by the San Francisco Office, that office was telephonically contacted and [redacted] statement was confirmed. Subsequently, a painstaking search of the Los Angeles Office resulted in these tapes being located in a specially designated area apart from other evidence.

At about 4:30 pm, 4/8/75, SAC JAMES L. STARTZELL endeavored to contact [redacted] in order to rectify the statement made to him to the effect that the tapes had been destroyed. SAC STARTZELL's efforts resulted in a contact with an answering service which indicated [redacted] would not be available until about noon on 4/9/75. SAC STARTZELL directed that [redacted] be informed that SAC STARTZELL desired to talk to him. At 2:25 pm, 4/9/75, he returned this call and was advised by SAC STARTZELL that there was some tapes available and they would be included in the material he might review on his next trip to the office and in the mean time a complete inventory would be done to determine if they were all retained.

It should be noted in above-referenced airtel and letterhead memorandum dated 6/13/74, in answer to Interrogatory Number Six, Item A, it was stated that the tapes were not available. This statement should be corrected to note that the tapes are, in fact, available. Also, in the same Interrogatory, it was pointed out that an estimate of approximately 9,650 pages of logs and close to another 10,000 pages of transcripts and/or other records and memoranda relating to the surveillance would be available for review. These figures should be revised to indicate that approximately 15,000 pages of logs are available and approximately 45,000 pages of related transcripts and/or other records and memoranda are available for review.

[redacted] indicated that he would ^{be} returning to the Los Angeles Office, probably with other help, on the morning of 4/15/75.

*On 4/15/75
[redacted]
LA advised
office has
3,655
tapes re
electronic coverage
of BPP
BMT*

Date of Mail 4/29/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED**

DATE 1/4/82 **BY** SP-5 JAB/TP
2-9-93 1048 DICM/KPC
315820

Subject JUNE MAIL DAVID DELLINGER

Removed By 79 MAY 30 1975

File Number 62-112989-317

Permanent Serial Charge Out

UNITED STATES GOVERNMENT

Memorandum

CONFIDENTIAL

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

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

DATE 5-8-75
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY *[Signature]*
29-93
1018DKM/SC/ *[Signature]*
3158 20

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances and they seek money damages. The Department has provided plaintiffs with copies of authorizations and reauthorizations signed by the Attorney General, certain Departmental policy memoranda relating to national security electronic surveillances, and certain internal Bureau memoranda relating to electronic surveillances of the W.E.B. DuBois Clubs of America, the Black Panther Party, the White Panther Party, Students for a Democratic Society, *[Redacted]* Bayard Rustin, *[Redacted]* and Nathan Schwerner.

On 4-15-75 a subpoena in this action, directed to Assistant Director John A. Mintz, was delivered to the Washington Field Office. It commanded Mr. Mintz to appear and give testimony concerning this action at 2:00 p.m., 5-8-75, in the office of *[Redacted]* National Press Building, Washington, D. C. The subpoena, however, failed to reflect the scope or subject matter of the testimony desired.

On 4-24-75, Edward S. Christenbury, Criminal Division, advised that in addition to Mr. Mintz, counsel for plaintiffs during April and May, 1975, will depose *[Redacted]* a retired Special Agent of the Bureau; Robert C. Mardian and Daniel J. McAuliffe, former Departmental officials; and Kevin J. Maroney and John L. Martin, present officials of the Department. Counsel for plaintiffs

- 1 - Mr. Adams
- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 - *[Redacted]*

REC 17

EX-101

47 MAY 14 1975

GML:mbk

[Signature]
MAY 22 1975

(CONTINUED - OVER)

CONFIDENTIAL

LEGAL COUNSEL *[Signature]*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

CLASS. & EXT. BY
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW

b6
b7C

b6
b7C

~~CONFIDENTIAL~~

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
(D.D.C.), Civil Action No. 1768-69

has also communicated to Mr. Christenbury concerning the scope of testimony desired from the above individuals. Generally, plaintiffs are seeking any information concerning warrantless electronic surveillance during the period January, 1967, through December, 1972. The Department feels the depositions will give the Government an opportunity to put the national security surveillances in question in the best light.

On 5-8-75 Mr. Christenbury furnished this Division a copy of a telegraphic message from John C. Keeney, Acting Assistant Attorney General, Criminal Division, directed to Assistant Director Mintz. The communication authorizes Mr. Mintz to testify, to the extent of his personal knowledge, to the following:

- 1) Departmental and Bureau policies and practices relating to the initiation, continuation and termination of the above electronic surveillances and surveillances of the plaintiffs, including records kept, the receipt, evaluation and dissemination of the contents of such surveillances, and the monitoring of the use of such surveillances, including minimization of overhearings;
- 2) The evaluation of the information obtained from such surveillances;
- 3) The development of and the basis for the Department's legal position with regard to the lawfulness of such surveillances, as well as any ex parte communications with the court in this regard;
- 4) The relationship between the Department or the Bureau and the telephone company with regard to such surveillances;
- 5) The Department's position with regard to the indemnification of Government officials sued for conducting electronic surveillances and the authority of the Department to furnish legal counsel to Government officials so sued; and

~~CONFIDENTIAL~~

↓ ↓
(CONTINUED - OVER)

~~CONFIDENTIAL~~

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
(D. D. C.), Civil Action No. 1768-69

6) The Intelligence Evaluation Committee to the extent
such information relates to the plaintiffs herein or the above
surveillances.

RECOMMENDATION:

For information.

I will attend at 2 p.m. today.

Jam

PLM

Jam *Amos*

~~CONFIDENTIAL~~

CIVIL SUBPOENA

United States District Court
for the
District of Columbia

DELLINGER, et al.

Plaintiff.

vs.

CIVIL ACTION No. 1768-69

MITCHELL, et al.

Defendant.

To: Mr. John A. Mintz, Asst. Legal Counsel
Federal Bureau of Investigation
Washington, D. C.

YOU ARE HEREBY COMMANDED to appear in (~~this court~~) (the office of David Rein, Esq.,
Suite 430, National Press Building, 14th & F Streets, NW,
Washington, D. C.
to give testimony in the above-entitled cause on the 8th day of May, 19 75,
at 2 o'clock P. m. (and bring with you)

and do not depart without leave.

James F. Davey, Clerk

By

Robert L. Davis
Deputy Clerk.

Date April 14, 1975

Morton Stavis

Attorney for

Plaintiff.

RETURN ON SERVICE

Summoned the above-named witness by delivering a copy to _____ and tendering to him the fees
for one day's attendance and mileage allowed by law, on the _____ day of _____,
19 _____, at _____

Dated _____

Subscribed and sworn to before me, a _____ this _____ day of _____, 19 _____

NOTE.—Affidavit required only if service is made by a person other than a U.S. Marshal or his deputy.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 5/9/75

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(D. D.C.)
CIVIL ACTION NO. 1768-69

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

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances, and they seek money damages. By memorandum dated 5/8/75, I advised that on 4/15/75, a subpoena was received which commanded me to give testimony concerning this action and that on 5/8/75, I received authority from the Assistant Attorney General, Criminal Division, to be deposed.

On 5/8/75, at 2:30 p.m., I, accompanied by SA of this Division and Edward S. Christenbury and Jonathan B. Smith of the Criminal Division, appeared at the office of National Press Building, Washington, D. C. Counsel for plaintiffs in this action, Morton Stavis, who was assisted by four Rutgers University law students, generally asked questions pertaining to warrantless electronic surveillance. Information was furnished to the extent of my personal knowledge prior to 2/71. Concerning my knowledge from 2/71, to the present, that is, the period of my assignment to the FBI's Legal Counsel Division, however, no information was furnished, and the attorney-client privilege was invoked.

62-112989

EX-101
REC 17

- 1 - Mr. Adams
- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 -

MAY 14 1975

CONTINUED - OVER

GML:lsb
(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 2519/2

54 MAY 22 1975

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al. v.
John N. Mitchell, et al., etc.

In order to obtain testimony concerning my knowledge for the period 2/71, to the present, plaintiffs must obtain a court order compelling me to testify. The Department has indicated that it will stand fast and defend vigorously the assertion of this privilege.

Attorneys in this Division must preserve the confidences and secrets of our clients, Bureau officials and FBI personnel. If we are compelled to testify concerning the confidences of these individuals they will be unable to come to us with the assurance that the usual lawyer-client relationship will prevail and thus they will be less willing to seek our advice. Operational personnel might then make decisions without the advice of legal counsel and the public interest could be damaged in a substantial way.

RECOMMENDATION:

None. For information.

[Handwritten signature] *[Handwritten initials JSA]* *[Handwritten initials JSA]* *[Handwritten signature]*

FBI

Date: 4-29-75

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, CLEVELAND (66-5396)

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69
BUDED: 4-30-75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 5549/24

2-9-93 1048 DKM WPC
315820

Re Bureau airtel, 4-24-75.

Enclosed for the Bureau are five (5) copies of an LHM as requested in re airtel.

Cleveland notes that info in Appendix A relating to ABBOTT H. HOFFMAN indicates HOFFMAN was overheard on 4-13-70 at 718 Stow Street, Kent, Ohio. The date of the overhearing should be 4-13-71.

- 2 - Bureau (Enc. 5) (RM)
- 2 - Cleveland (1-100-31175)

RGS:nrb
(4)

ST 114

MAY 1 1975

b6
b7C

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

See memo AAG, Criminal Division
5/20/75 Gmt: nrb

CC LHM
furnished
to Dept att.
D. Smith
5/5/75
Gmt

ENCLOSURE

REC-23

62-112989-320



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Cleveland, Ohio

April 29, 1975

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

The following information is set forth in response to interrogatories 1 and 2 of plaintiffs' second set of interrogatories.

RE INTERROGATORY 1

b6
b7C

Former Special Agent in Charge (SAC) CHARLES G. CUSICK, currently employed by [redacted] was assigned to the Cleveland Division at the time of the installation of the below-listed surveillances and during the entire time that they were in operation:

A)

[redacted]

Telephone surveillance
on telephone numbers

[redacted]

B)

[redacted]

Telephone surveillance
on telephone number

[redacted]

b3
b6
b7C

C)

[redacted]

Telephone surveillance
on telephone numbers

[redacted]

The above telephone numbers were listed

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/1/82 BY 20519/20
2-9-93 1048 SKM/SC
315820

ENCLOSURE

62-112989-320

RE: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

Mr. CUSICK was assigned to the Cleveland Division
when all individual overhearings of [REDACTED]
[REDACTED] occurred.

RE INTERROGATORY 2

On [REDACTED] Mr. CUSICK learned of the
installation of the telephone surveillance on [REDACTED]
[REDACTED] and on [REDACTED]
[REDACTED] The Director, FBI, was informed by Cleveland
communication dated [REDACTED] that these surveillances
had been installed.

b3
b6
b7C

On [REDACTED] Mr. CUSICK learned of the
installation of the telephone surveillance on [REDACTED]
[REDACTED] The Director, FBI, was informed by Cleveland
communication dated [REDACTED] that this surveillance
had been installed.

FBI

Date: 5/6/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)b6
b7C

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, BOSTON (62-5411)

SUBJECT: DAVID T. DELLINGER, ET AL. VS.
ATTORNEY GENERAL JOHN N. MITCHELL, ET AL.
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS
(ATTENTION INTELLIGENCE DIVISION, SECTION CI-3)

Re Bureau airtel, 4/24/75. *per 315*

Enclosed for the Bureau are (4) copies of an LHM, dated and captioned as above.

(1) copy of this LHM was furnished to the Bureau by Facsimile Machine on 5/6/75, Attn: Bureau Supervisor, Legal Counsel Division.

b6
b7CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1/4/82 BY *SP-10/82*
8993 1088 *CM/82*
3458220

EX-110

REC-6

62-112989-321

4- ENCLOSURE 2-0

MAY 9 1975

3 - Bureau (62-112989) (Encls. 4)

2 - Boston (62-5411)

RWK/ck

(5)

CC 5649

LEGAL COUNSEL

b6
b7C

70 MAY 27 1975

Approved: *[Signature]*

Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 62-5411

Boston, Massachusetts

May 6, 1975

DAVID T. DELLINGER, AND OTHERS, VERSUS
ATTORNEY GENERAL JOHN N. MITCHELL, AND OTHERS
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS

With respect to the second set of interrogatories
filed by the plaintiffs in this matter, the following is
set forth in reply:

1. Former Special Agent in Charge, James L.
Handley was the Official in Charge of the Boston Office
of the Federal Bureau of Investigation (FBI) during the
period from October 19, 1970 to March 19, 1971 when the
telephone installations maintained by the Boston Office
and identified on Page 22 of the defendant's answer to the
plaintiff's interrogatory Number One were in operation. This
answer, identified as Appendix A, sets forth the following
telephone numbers on which telephone surveillances were in-
stalled by the Boston Office:

- A. Telephone Number [REDACTED]
- B. " " [REDACTED]
- C. " " [REDACTED]

Mr. Handley died on February 17, 1973.

2. The records of the Boston Office of the FBI
fail to reflect the date on which Mr. Handley was notified
of the above installations.

By communication dated [REDACTED] the
Director, FBI, was informed that the installation of the
telephone surveillance on telephone numbers [REDACTED] and
[REDACTED] was completed on that date.

By communication dated [REDACTED] the
Director, FBI, was advised by the Boston Office that the
installation of a telephone surveillance on telephone
number [REDACTED] was completed on [REDACTED]

By communication dated [REDACTED] the

b3
b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/4/82 BY SP5 JYB/ep
10/18/80
3/5/82

ENCLOSURE

62-112989-321



DAVID T. DELLINGER, AND OTHERS, VERSUS
ATTORNEY GENERAL JOHN N. MITCHELL, AND OTHERS
ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS

b3
b6
b7C

Director, FBI, was advised that as of that date the telephone surveillance installations on telephone numbers [REDACTED] [REDACTED] and [REDACTED] were discontinued.

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

Date of Mail 5/9/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JG/14
2-9-93 1048DKM18
315820

Subject JUNE MAIL DAVID T. DELLINGER

Removed By 79 MAY 30 1975

File Number 62-112989-322

Permanent Serial Charge Out

Airtel

April 24, 1975

To: SACs Baltimore (Enc. 2) (157-3241 Sub A)
Boston (Enc. 2) (62-5411)
Chicago (Enc. 2) (62-7126)
Cleveland (Enc. 2) (66-5396)
Detroit (Enc. 2) (62-5032)
Los Angeles (Enc. 2) (94-430)
New Haven (Enc. 2) (66-3543)
New York (Enc. 2) (100-121672)
Philadelphia (Enc. 2) (157-2004)
Sacramento (Enc. 2) (66-179)
San Francisco (Enc. 2) (66-672 B)
Washington Field (Enc. 2) (66-779 Sub G)

1 - Mr. Wannall
1 -
2 - Mr. Mintz
1 -
b6
b7C

From: Director, FBI (62-112989)

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/4/82 BY 2990-10483 kmv
315820

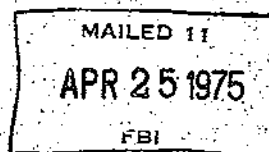
Enclosed for each receiving office is one copy of plaintiffs' second set of interrogatories and one copy of Appendix A of defendants' response to interrogatories earlier propounded by plaintiffs in this civil action.

FBI Headquarters must furnish to the Department information responsive to plaintiffs' second set of interrogatories.

Disregarding surveillances in Appendix A which are the subject of claims of Executive privilege, please furnish to the Bureau, Attention:

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

GML:lsh
(30)



MAY 20 1975

MAIL ROOM

TELETYPE UNIT

GPO 934-346

Airtel to Baltimore, et al.
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

Legal Counsel Division, by LHM, information responsive to Interrogatories 1 and 2 of plaintiffs' second set of interrogatories. Regarding Interrogatory 1 furnish the identities and present business addresses, if known, of the SACs who were assigned to your Division at the time of:

1. The installation for each surveillance identified in Appendix A; (These include surveillances wherein individuals were overheard as well as surveillances of the Black Panther Party.)
2. Each individual overhearing identified in Appendix A (pages 1 through 19); and,
3. Each surveillance of the Black Panther Party identified in Appendix A (pages 20 through 27). (Here, of course, more than one SAC may have been assigned to your Division during the period of a surveillance.)

Regarding Interrogatory 2, identify the date that the appropriate SAC learned of the installation of the surveillances identified in Appendix A. If your records fail to reflect such a date, so state. Also, identify the date of the communication to the Director, FBI, wherein your Division informed him of the installation for each surveillance identified in Appendix A.

Set forth the above information in an LHM, so the reader may readily apply it to the information set forth in Appendix A.

Disregard Interrogatories 3 through 8.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

MAY 06 1975

TELETYPE

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

NR 006 SC CODED

5-41 PM NITEL 5/6/75 RRH

TO DIRECTOR (62-112989)

FROM SACRAMENTO (157-52 SUB 1)

ATTN: LEGAL COUNSEL SECTION

DAVID T. DELLINGER, ET AL, V. JOHN N. MITCHELL, ET AL, (DDC)

CIVIL ACTION NO. 1768-69.

RE LOS ANGELES NITEL TO BUREAU, APR. 7, 1975.

ON MAY 6, 1975, FEMALE, [REDACTED] (LNU), WHO IDENTIFIED HERSELF AS SECRETARY TO [REDACTED] TELEPHONICALLY CONTACTED SACRAMENTO OFFICE AND ADVISED [REDACTED] DESIRED TO MAKE ARRANGEMENTS TO REVIEW FILES AT SACRAMENTO OFFICE AT APPROXIMATELY 10:30 AM, THURSDAY, MAY 8, 1975. ARRANGEMENTS WERE SO MADE.

INTERESTED OFFICES ADVISED BY AIRMAIL OF [REDACTED] VISIT TO SACRAMENTO OFFICE.

REC-112

E N D

HOLD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY [REDACTED]
2-9-93 1048 Dkm/80
3/5820

50 JUN 06 1975

21 MAY 20 1975

LEGAL COUNSEL

UNITED STATES GOVERNMENT

Memorandum

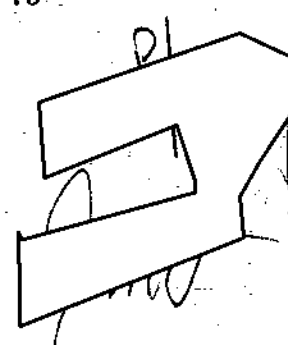
TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT : DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

DATE: 4/23/75

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection *[initials]*
Intell. *[initials]*
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Tech. Serv. _____
Director Sec'y _____



In captioned civil action plaintiffs seek damages for allegedly illegal electronic surveillance. Pursuant to court order plaintiffs are being given access in our field offices to the tapes, logs, and transcripts concerning this coverage.

By memorandum dated 4/16/75, the Department enclosed a copy of plaintiffs' second set of interrogatories and requested that information responsive to these interrogatories be made available to them.

Interrogatories 1 and 2 ask for the names and current addresses of the officials to whom FBI Agents installing and monitoring the electronic surveillance reported as well as the dates that such officials received information from the installers of the electronic surveillances. By attached airtel pertinent FBI field offices are being requested to furnish information responsive to these interrogatories.

Interrogatory 3 asks for the names and current addresses of officials having had supervisory authority over the electronic surveillances referred to in Interrogatory 1. The names of pertinent SACs as well as the late Director J. Edgar Hoover's name will be furnished as responsive to this Interrogatory.

Enc.

62-112989

- 1 - Mr. Wannall
- 1 -
- 2 - Mr. Mintz
- 1 -

GML:lsh

[Handwritten signatures and initials]
4 1975

ST-117

REC-56

MAY 21 1975

CONTINUED - OVER

b6
b7C

b6
b7C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/4/82 BY *[initials]* 3/5/82
2-9-93 *[initials]*

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al. v.
John N. Mitchell, et al., etc.

Interrogatories 4 and 5 ask for the hierarchial position held by FBI officials named in response to Interrogatories 1 and 3 and the scope of their supervisory authority. An explanation of the hierarchial position of SACs and the Director and a statement concerning the scope of their supervisory authority will be furnished as responsive to these interrogatories.

Interrogatory 6 asks for the names, addresses and positions of all persons to whom the contents of the electronic surveillances in question were revealed. This interrogatory will be objected to on the ground of burdensomeness. Involved here are a substantial number of tapes, logs and transcripts located in 12 FBI field offices. An impossible and unreasonable burden would be placed on this Bureau if we were required to furnish information responsive to this interrogatory. We will also submit that plaintiffs have shown no good cause for the production of this information.

Interrogatory 7 asks for the current addresses of certain former or present officials of the FBI, including "Mark Felt," "William Sullivan" and "William Brennan." The last known addresses for Felt and Sullivan will be furnished. As to William Brennan, plaintiffs are probably referring to Charles D. Brennan. We, however, will answer by stating we have no present or former official by the name of William Brennan.

Interrogatory 8 asks for the identity of persons who attended meetings of the Intelligence Evaluation Committee (IEC). Inasmuch as the IEC was directed by the Department, the Departmental attorney handling this matter indicated the Criminal Division would furnish information responsive to this question.

RECOMMENDATION:

That the attached airtel be approved and sent.

502
per
RSD
FSP
JH
E. P. W. B. - Jm

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTN: LEGAL COUNSEL DIVISION

FROM : SAC, SACRAMENTO (157-52 Sub 1) (P)

SUBJECT: DAVID DELLINGER, et al, v.
JOHN N MITCHELL, et al
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

DATE: 5/9/75

Re Sacramento nitel to Director, 5/6/75.

Enclosed for the Bureau are five copies of an LHM reflecting plaintiff's inspection of Sacramento file re captioned matter.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY 4511/14

2-9-93

1048DCM/SC

3/5820

ST-117

REC-23

62-112989-326

16 MAY 19 1975

b6
b7C

CC 5640

2 - Bureau (Enc. 5) (RM)
2 - Sacramento
HLL:emw
(4)



JUN 4

1975

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



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Sacramento, California

In Reply, Please Refer to
File No.

May 9, 1975

DAVID DELLINGER, et al, v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

b6
b7C

On May 8, 1975, [redacted]

[redacted] appeared at the
Sacramento, California, Office of the Federal Bureau of
Investigation, at which time he was given access to
certain documents pursuant to court order.

These documents are described as follows:

Surveillance logs with partial transcriptions
of a telephone surveillance conducted by the FBI from
[redacted] on telephones at
[redacted]

b3

[redacted] made notes concerning information
contained in these logs; however, no copies of the logs
were made.

b6
b7C

His review of the logs lasted approximately
35 minutes and he advised upon leaving that he did not
expect further review of these logs would be necessary.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/92 BY [signature]

2-9-93 10485 CM/SC
315820

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

62-112989-326

ENCLOSURE

FBI

Date: 4/29/75

Transmit the following in _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

Via AIRTEL

DATE 1/4/82 BY SP5 JG/rd

2-9-93

1048 DKM/80
3/5820

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, NEW HAVEN (66-3543) (C)

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

ReBuairtel 4/24/75. *per 3/5*

Enclosed for the Bureau are 6 copies of an LHM
dated and captioned as above.

For the information of the Bureau, former SAC
CHARLES E. WEEKS retired in 1973. Home address for former
SAC WEEKS is [redacted] which
address not set forth in LHM.

Although electronic surveillance transferred
from [redacted] to [redacted]
[redacted]
is identified as one surveillance in enclosed LHM.

EX 104

REC-762 112989-327

MAY 1 1975

2 Bureau (Enc. 6) (RM)
1 New Haven
GSP:eam
(3)

Approved: *BOUNTY*
Special Agent in Charge

Sent _____ M Per _____

b6
b7Cb3
b6
b7Cb6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 66-3543

New Haven, Connecticut
April 29, 1975

DAVID DELLINGER, ET AL.,
VS. ATTORNEY GENERAL JOHN
N. MITCHELL, ET AL.

b3

Regarding electronic surveillance of [redacted]

on telephone numbers [redacted]

CHARLES E. WEEKS (retired) was the Special Agent in Charge (SAC) of the New Haven Division during that period of time.

Records of the Federal Bureau of Investigation (FBI), New Haven, Connecticut, do not reflect the date former SAC CHARLES E. WEEKS learned of the installation of the above electronic surveillance. By a communication dated [redacted]

[redacted] the New Haven Office of the FBI informed FBI Headquarters, Washington, D.C. of the installation of the above electronic surveillance.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 1048 DCM/SP
2-9-93 315820

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

ENCLOSURE

62-112989-327

F B I

Date: 5/6/75

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

TO: DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL SECTION

FROM: SAC, SACRAMENTO (157-52 Sub 1) (P)

DAVID DELLINGER, et al, v.
JOHN N. MITCHELL, et al
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

ReBuairtel to Baltimore, 4/24/75.

Enclosed for the Bureau are five copies of LHM reflecting Sacramento Division's response to plaintiffs' second set of interrogatories.

The Bureau should note that enclosed LHM previously furnished by facsimile on 5/6/75.

2-9-93 1048 DCM/JS
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY 4519/SP

REC-762-112989-328

2 - Bureau (Enc. 5) (RM) EX 104
1 - Sacramento
HLL:epg
(3)

14 MAY 9 1975

b6
b7C

Approved: 54 AUG 22 1975

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Sacramento, California
May 6, 1975

DAVID T. DELLINGER, ET AL, V.
JOHN N. MITCHELL, ET AL
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69

In response to plaintiffs' second set of interrogatories, the following information is set forth concerning a telephone surveillance conducted by the Federal Bureau of Investigation (FBI) [REDACTED]

Re: Interrogatory #1

Special Agent in Charge (SAC) John H. Williams, retired, c/o FBI, P.O. Box 13130, Sacramento, California 95813, was SAC of the Sacramento Division at the time of the installation of the surveillance set forth above.

Re: Interrogatory #2

SAC Williams was advised of the installation of the surveillance identified in Appendix A on [REDACTED] and by communication dated [REDACTED] the Director, FBI was informed of the installation of the surveillance set forth above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JAG/24
2-9-93 1048 DKM/80
315820

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

ENCLOSURE

1*

62-112989-328

FBI

Date: 5/1/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)TO : DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, DETROIT (62-5032)(P)

DAVID DELLINGER, et al
vs
JOHN N. MITCHELL, et al
(USDC, D.C.)
CIVIL ACTION NUMBER 1768-69ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1/4/82 BY SP5 sjh/p
2-9-93 1048 DCM/PC
315 820

Re Bureau airtel of 4/24/75.

Enclosed for the Bureau are the original and three
copies of an LHM regarding captioned matter.For former SAC PAUL H. STODDARD, the only business
address that the Detroit Division possesses is [redacted]
[redacted] A more current residence should be available in the
files of retired personnel maintained at FBIHQ.The answers to Interrogatory Number 1 and Interrogatory
Number 2a through 2g for [redacted] sub para-
graph 16, 17, and 18 list incorrect telephone numbers for the
technical surveillance conducted by Detroit. The corrected
telephone numbers are listed in the enclosed LHM.② - Bureau (Enc. 4) (RM)
2 - Detroit
RWM/dmz
(4)

ENCLOSURE

REC-7 62-112989-32

EX 104

3 MAY 1975

LEGAL COUNSEL

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

Enc. memo AAG, Civil Action
5/20/75 GML:manCC LHM
from Smith
Rpt 5/5/75
GMLb6
b7C

b3

BRR
115/5/75
GML



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Detroit, Michigan
May 1, 1975

b3
b6
b7C

Re: David T. Dellinger
Versus
John N. Mitchell

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted]

On [redacted] the Director of the Federal Bureau of Investigation (FBI) was advised of the initiation of the surveillance and on [redacted] the Director of the FBI was advised of the termination of the surveillance.

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted] and terminated [redacted]

[redacted] The Director of the FBI was advised on [redacted] of the initiation of the surveillance and he was advised on [redacted] of its termination.

The technical surveillance which was instituted on

[redacted]
[redacted] commenced on [redacted] and terminated on [redacted]

[redacted] The Director of the FBI was advised of the initiation of the surveillance on [redacted] and he was advised on [redacted] that the surveillance had been terminated.

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5/ghp/315820
a-9-93 1048 BKM/SC

ENCLOSURE

62-112989-329

ENCLOSURE

Re: David T. Dellinger
Versus
John W. Mitchell

b3
b6
b7C

The technical surveillance which was instituted on [redacted]
[redacted] commenced on [redacted] and was terminated
[redacted] The Director of the FBI was advised on
[redacted] that the surveillance had been initiated and
he was advised on [redacted] that the surveillance had
been terminated.

There is no record which indicates when the following
listed Special Agents in Charge were advised of the technical
surveillances starting and terminating.

Paul H. Stoddard [redacted] was the Special
Agent in Charge during the technical surveillances of 1969
and at the start of the surveillance which began [redacted]

Neil J. Welch [redacted], became Special
Agent in Charge of the Detroit Division on May 18, 1970, while
the surveillance on [redacted] was being conduct-
ed. Mr. Welch was the Special Agent in Charge, Detroit Division
FBI during the surveillance of [redacted] which
was terminated on [redacted]

The technical surveillance which was instituted on [redacted]
[redacted] commenced on [redacted] and terminated
on [redacted] The Director of the FBI was advised of
the initiation of the surveillance on [redacted] and of
it's termination on [redacted] Neil J. Welch was Special
Agent in Charge of the Detroit Division during the surveillance
of [redacted]

FBI

Date: 4/30/75

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

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (62-112989)
(Attention: Legal Counsel Division)

FROM: SAC, BALTIMORE (157-3241 Sub A)

DAVID DELLINGER, et al., V.
JOHN N. MITCHELL, et al.
U.S.D.C., D.C.
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

Re Bureau airtel dated 4/24/75.

Enclosed for the Bureau is the original and five (5) copies of a LHM in response to interrogatories to defendant JOHN N. MITCHELL as ordered by the court.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JG/JP 315820
2-9-93 1048 DCM/SC

REC-7 62-112989-330

21 MAY 1975

- 3 - Bureau (Enc. 6)
1 - Baltimore

MMW.: v1h
(4)

b6
b7C

Approved: _____

4 JUL 9

1975

Sent

LM

Per

Special Agent in Charge

U.S. Government Printing Office: 1972 — 455-574



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Baltimore, Maryland

April 30, 1975

DAVID T. DELLINGER; et al., V.
JOHN N. MITCHELL; et al.
ALLEGED VIOLATION OF CONSTITUTIONAL
RIGHTS

The Baltimore Office of the Federal Bureau of
Investigation (FBI) operated [redacted]

[redacted] from [redacted]
until [redacted] The surveillance was resumed
at [redacted] This was
located at [redacted] The
surveillance was discontinued on [redacted]

Mr. Victor Turyn was the Special Agent in Charge
(SAC) of the Baltimore Office of the FBI during the entire
period mentioned above. Mr. Turyn has since retired. He is
now employed by [redacted]

[redacted] This institution is located at
[redacted]

There is no indication at Baltimore when SAC Turyn
first learned of [redacted]

[redacted] FBI headquarters was notified
of the installation of [redacted]

[redacted] by letters of [redacted]

and [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY [redacted]

2/9/93

1048 DEm/SC
315820



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

ENCLOSURE

62-112989-330

F B I

Date: 5/5/75

Transmit the following in _____

(Type in plaintext or code)

AIRTEL

Via _____

(Priority)

TO: DIRECTOR, FBI (62-112989)
 ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, WFO (66-779 SUB G)(P)

DAVID DELLINGER, et al, v.
 JOHN N. MITCHELL, et al.
 (USDC, D.C.)
 CIVIL ACTION NO. 1768-69

Reurairtel, 4/24/75.

Enclosed are original and three copies of a
 self-explanatory letterhead memorandum.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY SP5 JG/SP

2-9-93

1048DCM/JO

315820

EX-101

REC-37

62-112989-331

16 MAY 20 1975

2 - Bureau (Enc)
 1 - WFO

CWC:mm1
 (3)

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

b6
 b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535

May 7, 1975

In Reply, Please Refer to
File No.

DAVID DELLINGER, ET AL, V.
JOHN N. MITCHELL, ET AL
(UNITED STATES DISTRICT COURT,
DISTRICT OF COLUMBIA
CIVIL ACTION NUMBER 1768-69)

Reference is made to Answers to Interrogatory Number 1 and Interrogatory Number 2a through 2g for the Black Panther Party, item numbers 34 and 35, and following Answers to Plaintiff's Second Set of Interrogatories to Defendant John N. Mitchell.

34-1. Edwin Tully was Special Agent in Charge (SAC) of the Washington Field Office (WFO) during surveillance period of [redacted] through and including [redacted] when he retired from the Federal Bureau of Investigation (FBI). His current business address is unknown. Robert Kunkel was SAC of the WFO during the surveillance period of August 1, 1970, to February 1, 1971, and from April 19, 1971, to June 25, 1971. Kunkel is currently SAC, FBI, 300 North Lee Street, Alexandria, Virginia, 22314.

34-2. Records fail to identify the dates SAC's Tully and/or Kunkel learned of the installations of the above surveillances. However, headquarters of the FBI were sent communications from the SAC, WFO, dated [redacted] and [redacted].

34-3. SAC Kunkel was assigned to the WFO during all surveillances described except for period of June 10, 1970, through and including July 30, 1970, when Tully was SAC.

35-1. Edwin Tully was SAC of the WFO during surveillance period of July 30, 1970, only. Robert Kunkel was SAC of the WFO during the surveillance period August 1, 1970, to June 25, 1971. He is currently SAC, FBI, 300 North Lee Street, Alexandria, Virginia, 22314.

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

ENCLOSURE

42-112989-331

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY 89549/br 315820

b3

DAVID DELLINGER, ET AL, V.
JOHN MITCHELL, ET AL

35-2. Records fail to identify the dates SAC Tully or Kunkel learned of the installation of the above surveillances. However, headquarters of the FBI were sent communications from the SAC, WFO dated [redacted] and [redacted] advising of the installations. b3

35-3. SAC Kunkel was assigned to the WFO during all surveillances described above except for July 30, 1970, only.

F B I

Date: 4/29/75

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (62-112989)

FROM: SAC, LOS ANGELES (176-79B)(P)

SUBJECT: DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69
BUDED 4/30/75

ATTN: LEGAL COUNSEL
DIVISION

Re Bureau airtel dated 4/24/75.

Enclosed for the Bureau are five copies of a letterhead memorandum setting forth responses to plaintiffs' second set of interrogatories as they pertain to the Los Angeles Division.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY SP5 RJG/rp
2-9-93 1048 D Km (S) C
EX-101 315820

b3
b6
b7C

REC-37

2 - Bureau (Enc. 5) (RM)
1 - Los Angeles

TC/jla

(3)

MAY 2 1975

LEGAL COUNSEL

b6
b7C

Approved:

58 AUG 22 1975

Special Agent in Charge

Sent _____

M

Per _____



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Los Angeles, California

April 29, 1975

In Reply, Please Refer to
File No.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

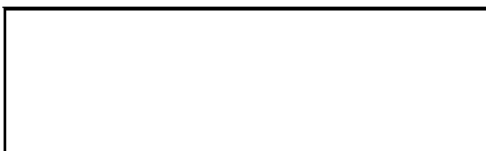
The following is in response to interrogatories propounded by the plaintiffs in the above-captioned civil matter as set out in the plaintiffs' second set of interrogatories to the defendants in this matter: (See items 21 through 28 of Appendix.)

INTERROGATORY #1



Former Special Agent in Charge (SAC)
Wesley G. Grapp
Flying Tiger Airfreight Worldwide
7401 World Way West
Los Angeles, California

b3



Former SAC Wesley G. Grapp
Flying Tiger Airfreight Worldwide
7401 World Way West
Los Angeles, California

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 jja/bp
2-9-93 1048 BKM/SC

315820

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62-112889-332
ENCLOSURE



DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tigar Airfreight Worldwide
7401 World Way West
Los Angeles, California

b3

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[REDACTED]

Former SAC Wesley G. Grapp
Flying Tiger Airfreight Worldwide
7401 World Way West
Los Angeles, California

INTERROGATORY #2

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] captioned
"Black Panther Party, Los Angeles Division,
Racial Matters."

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] under
BPP caption.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

b3

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype dated
[REDACTED] under BPP caption.

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Previous authority utilized to
continue former installation at this address.
Authority to continue contained in Los Angeles
airtel to FBI Headquarters dated [REDACTED]
under BPP caption.

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] under
BPP caption.

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype dated
[REDACTED] under BPP caption.

DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(U.S.D.C., DC)
CIVIL ACTION NUMBER 1763-69

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles teletype to FBI
Headquarters dated [REDACTED] under
BPP caption.

b3

[REDACTED]

Period SAC Wesley G. Grapp received reports:
[REDACTED] through [REDACTED]

Communication advising FBI Headquarters of
installation: Los Angeles airtel to FBI
Headquarters dated [REDACTED] under
BPP caption.

FBI

Date: 4/30/75

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

AIRTEL

Via _____
(Priority)TO : DIRECTOR, FBI (62-112989)
ATTN: LEGAL COUNSEL DIVISION

FROM: SAC, CHICAGO (62-7126)

DAVID DELLINGER, ETAL V.
JOHN N. MITCHELL, ETAL
(U.S.D.C., D.C.)
CIVIL ACTION #1768-69
BUDED 4/30/75ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIEDDATE 1-4-82 BY sp5 jgh/ep
2-9-93 1048 DCM/SC

101 315315820

ReBuairtel to Baltimore, etal, this caption 4/24/75.

Enclosed for the Bureau are five copies of a LHM
responsive to instructions in reairtel.Attached to reBuairtel was a copy of plaintiff's
second set of interrogatories dated 4/9/75 and an appendix
containing specific overhearings of record regarding each
plaintiff, the appendix earlier propounded by plaintiffs in
connection with a prior brief.Since this appendix contained overhearing dates
set out individually by respective plaintiff, and as Bureau
instructed only that the LHM be readily applicable to the
appendix, Chicago has likewise set forth the requested
information, that is under plaintiff caption in the same order.It was not deemed necessary to specifically identify
each overhearing date listed in this appendix in terms of the
particular SAC who was then serving at Chicago. The effective
dates of each SAC's assignment here is set forth in specifics
in the enclosed and consequently it appears that such informa-
tion is immediately apparent to any reader.2 - Bureau (Enc. 5)
1 - Chicago
JCS:meb
(3)

ENCLOSURE

REC-37

3 MAY 3 1975

EX-101

Approved: _____

Sent _____

Per _____

Special Agent in Charge

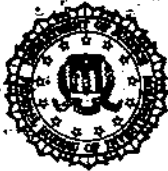
58 AUG 22 1975

b6
b7CSee memo 4/25/75, Civil Div
5/20/75, Compliance

CG 62-7126

In that connection Chicago is cognizant that former SAC JOHNSON's effective retirement date was 6/15/70 rather than 5/3/70 as shown in enclosed. However, inasmuch as SAC BATES formally assumed official responsibility for the Chicago Office on the latter date, it was felt more practical to remove from the LHM any indication of a question of dual or overlapping authority.

Above for information of the Bureau.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Chicago, Illinois

In Reply, Please Refer to
File No.

April 30, 1975

DAVID DELLINGER, ET AL,
PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL,
DEFENDANTS
CIVIL ACTION NUMBER 1768-69
UNITED STATES DISTRICT COURT,
WASHINGTON, D.C.

Reference is made to document dated April 9, 1975, entitled Plaintiffs Second Set of Interrogatories to Defendant John N. Mitchell.

Set forth hereinafter is information as available from records, Chicago Office, Federal Bureau of Investigation, responsive to Interrogatories numbered 1 and 2, in referenced document. Responses are set forth under the name of the individual plaintiff, where applicable to Chicago:

DAVID DELLINGER

A. Interrogatory Number 1

b3
b6
b7C

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

2-9-93 1018 DCM/PC 315820
**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 ajg/jp**

ENCLOSURE

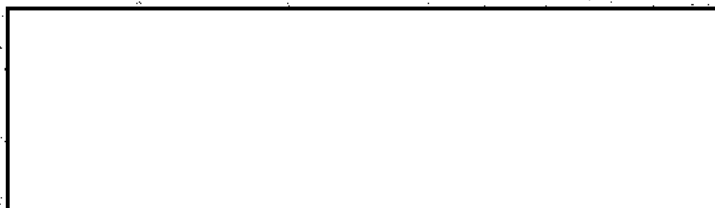
62-112989-333

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

Marlin W. Johnson was Special Agent in Charge (SAC) of the Chicago FBI Office at the time of the installation of telephone surveillances on above listed numbers, as well as the dates of overhearings indicated after the telephone number in question.

His effective dates of assignment to Chicago were October 16, 1962, to May 3, 1970.

Johnson's current business address is as follows:



b6
b7C

B. Interrogatory Number 2

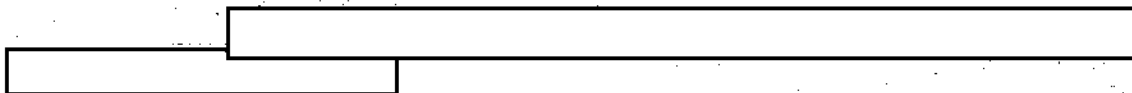
Records of the Chicago Office reflect that former SAC JOHNSON was aware of the installation of [redacted] surveillance on [redacted] as of [redacted] On [redacted] the Chicago Office advised the Director, FBI, Washington, D.C., of the activation of this installation on [redacted]

Records of the Chicago Office reflect former SAC JOHNSON was aware of the installation of telephone surveillance on [redacted] on [redacted] On that date the Chicago Office informed the Director, FBI, of this installation, to be activated A.M. the following day.

b3
b6
b7C



A. and B. Interrogatories Number 1 and Number 2



Information which is responsive to both Interrogatories 1 and 2 will be found in the response under [redacted] cation, that is as to identity of SAC, Chicago, at time of overhearing and as to installation of the telephone surveillance on [redacted]

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

[REDACTED]
A. and B. Interrogatories Number 1 and Number 2

[REDACTED]
[REDACTED]
Information responsive to these two Interrogatories will be found, as in the case of [REDACTED] in the above responses under [REDACTED] caption.

[REDACTED]
A. and B. Interrogatories Number 1 and Number 2

[REDACTED]
[REDACTED]
[REDACTED]
Note that regarding the dates of the installation of [REDACTED] and [REDACTED] as well as regarding the dates of each of the above specified overhearings, information has been set forth previously reflecting Marlin W. Johnson to have been then assigned the Chicago FBI Office as SAC.

Regarding [REDACTED]
[REDACTED]
[REDACTED] the following is set forth:

[REDACTED]
Records of the Chicago Office reflect that former SAC Johnson was aware of the installation of telephone surveillance on this number as of [REDACTED] the same date the Director, FBI, was advised of the activation of this installation.

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

[REDACTED]

Records of the Chicago Office reflect that former SAC Johnson was aware of the installation of [REDACTED] as of [REDACTED]. On that date the Director, FBI, was advised of the activation, same date, of this installation.

b3
b6
b7C

[REDACTED]

Records of the Chicago Office, FBI, reflect that the Director, FBI, was informed of the telephone installation [REDACTED] on [REDACTED] and on [REDACTED] on [REDACTED].

Attention is directed to previous information reflecting former SAC Johnson terminated his tour of duty as SAC, Chicago, effective May 3, 1970.

On May 3, 1970, Charles W. Bates assumed the post of SAC, Chicago FBI Office, where he so served until October 3, 1971.

Mr. Bates is currently assigned as SAC, San Francisco Office, FBI, address 450 Golden Gate Avenue, San Francisco, California 94102.

A review of the appropriate records of the Chicago Office fails to reflect SAC Bates was aware of the installations on [REDACTED] and [REDACTED] which occurred during his tenure of duty at Chicago.

BOBBY G. SEALE

A. and B. Interrogatories Number 1 and Number 2

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DAVID DELLINGER, ET AL, PLAINTIFFS
VS.
JOHN N. MITCHELL, ET AL, DEFENDANTS

Under [redacted] caption, above, information was set forth reflecting Charles W. Bates served as SAC, Chicago FBI Office, in the period [redacted] to [redacted]

On October 18, 1971, Mr. Roy K. Moore assumed the position of SAC, Chicago FBI Office, serving in this capacity until January 15, 1973.

Mr. Moore's current business address is [redacted]
[redacted]

During the period October 3, 1971, to October 18, 1971, prior to Mr. Moore's assumption of the post of SAC, the Acting SAC of the Chicago Office was Mr. Bernard Huelskamp, who was serving in the Chicago Office in this period as Assistant Agent in Charge.

The current business address of Mr. Huelskamp is not known.

In connection with the overhearings set forth above from [redacted] attention is directed to information set forth above under [redacted] caption, as well as immediately above, which collectively contains data responsive to these two Interrogatories.

Regarding the overhearings of [redacted] and [redacted] information under [redacted] caption, above, is responsive thereto relative to Interrogatories 1 and 2.

[redacted]
A. and B. Interrogatories Number 1 and Number 2
[redacted]
[redacted]
[redacted]

DAVID DELLINGER, ET AL, PLAINTIFFS

VS.

JOHN N. MITCHELL, ET AL, DEFFENDANTS

Information responsive to these two Interrogatories
will be found in the material set forth above, under the
Davis and/or Seale captions.

FBI

Date: 4/29/75

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

TO: DIRECTOR, FBI (62-112989)
(ATTN: LEGAL COUNSEL DIVISION)

FROM: SAC, NEW YORK (100-121672) (P)

SUBJECT: DAVID DELLINGER, ET AL, v.
JOHN N. MITCHELL, ET AL
(USDC, DC)
CIVIL ACTION NO. 1768-69
BUDED: 4/30/75

ReBuairtel to Baltimore, dated 4/24/75.

Enclosed for the Bureau are six copies of an LHM, captioned and dated as above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 jg/pd
2-9-93 1048 DCM (PC)
315820

REC-37

MAY 12 1975

2 - Bureau (Encls. 6) (RM)
1 - New York

NFD:ji
(3)

Approved: AUG 26 1975 Sent _____ M Per _____
Special Agent in Charge



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

April 29, 1975

In Reply, Please Refer to
File No.

David Dellinger, ET AL, v.
John N. Mitchell, ET AL
(U.S.D.C., D.C.)
Civil Action Number 1768-69

In response to Interrogatory one of plaintiff's second set of interrogatories, Assistant Director John F. Malone, retired, was assigned to the New York Office of the Federal Bureau of Investigation (FBI) during the time of all of the surveillances in question.

In response to Interrogatory two of plaintiff's second set of interrogatories, no information is available to indicate the date that Assistant Director Malone was advised of the installation of the surveillances in question. With regard to the date, a communication was sent to the Director, FBI informing him of the installation, the following is set forth, broken down by individual plaintiff:

b3
b6
b7C

David Dellinger

1)

[Redacted]

2)

[Redacted]

3)

[Redacted]

[Redacted]

1)

[Redacted]

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

RECEIVED

62-115721-31

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HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY SP5 JH/BA
9-9-93 1048 DCM/SC
3/5820

ST-117

Assistant Attorney General
Criminal Division

REC-20
Director, FBI

May 22, 1975

1 - Mr. Wannall

1 - [redacted]

2 - Mr. Mintz

1 - [redacted]

DAVID DELLINGER, et al.
v. JOHN W. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION NO. 1768-69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY SP5 MAB/1215820
2-9-83 R 1048 JCM/SPC

By memorandum dated April 16, 1975, you enclosed a copy of Plaintiffs' Second Set of Interrogatories in this civil action and requested that information in Bureau files responsive to these interrogatories be made available to you. On May 5, 7, and 9, 1975, information in Bureau files responsive to these interrogatories was furnished to Mr. Jonathan B. Smith of your office by Special Agent [redacted] of our headquarters staff. This memorandum will confirm these conversations.

Mr. Smith was furnished one copy each of twelve letter-head memoranda prepared by twelve of our field offices, copies of which are enclosed. Information responsive to Interrogatories 1 and 2 is contained in these memoranda.

Interrogatory 3 asks for the names and current addresses of officials who had supervisory authority over the electronic surveillances referred to in Interrogatory 1. The names of the Special Agents in Charge who had supervisory authority over the surveillances in our field offices, as well as their current business addresses if known, are contained in the enclosed material. The late J. Edgar Hoover, as Director of the FBI, also had supervisory authority over the surveillances until his death on May 2, 1972. The late Clyde A. Tolson served as Acting Director on May 2, 1972, and L. Patrick Gray, III, served as Acting Director from May 3, 1972, through April 27, 1973. Messrs. Tolson and Gray had supervisory authority over the surveillances when they served as Acting Director.

Interrogatories 4 and 5 ask for the hierarchical position held by FBI officials named in response to Interrogatories 1 and 3 and the scope of their supervisory authority.

NOTE: Based on Legal Counsel Division memorandum to Mr. J. B. Adams dated April 23, 1975, captioned as above.

(Bufile 62-112989)

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

56 JUN 04 1975

GPO 934-246

Assistant Attorney General
Criminal Division

The Special Agents in Charge identified in the enclosed letterhead memoranda functioned as the heads of the field offices to which they were assigned, and as such were directly responsible to the Director or the respective Acting Directors who, of course, served as heads of this Bureau.

Interrogatory 6 asks for the names, addresses, and positions of all persons to whom the contents of the electronic surveillances in question were revealed. For your information, involved here are a substantial number of tapes, logs, and transcripts located in twelve FBI field offices. An impossible and unreasonable burden would be placed on this Bureau if we were required to furnish information responsive to this interrogatory. Thus, we recommend that your office object to answering this interrogatory on the ground of burdensomeness. In addition, it does not appear to us that plaintiffs have shown any good cause for the production of this information.

Interrogatory 7 asks for the current addresses of certain present or former officials of the FBI. We have no present or former official by the name "William Brennan" (7a). W. Mark Felt (7b), retired from this Bureau on June 22, 1973. His address as of February, 1975, was 3216 Wynford Drive, Fairfax, Virginia 22030. William C. Sullivan (7c), retired from this Bureau on October 21, 1971. His present address is Sunset Road, Sugar Hill, New Hampshire 03585. Individuals identified in Interrogatories 7d through 7f are believed to be former Departmental officials.

Interrogatory 8 asks for the identity of persons who attended meetings of the Intelligence Evaluation Committee (IEC). Inasmuch as the IEC was directed by the Department, Mr. Smith advised the Department would furnish information responsive to this request.

Enclosures (12)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Office of Legal Counsel

DATE: April 16, 1975

FROM : John C. Keeney
Acting Assistant Attorney General
Criminal Division

SUBJECT: David Dellinger, et al. v. John N. Mitchell, et al.
(D.D.C.) Civil Action No. 1768-69

Please find enclosed a copy of Plaintiffs' second set of Interrogatories to Defendant John N. Mitchell. The defendant's answer to the interrogatories is due on May 9, 1975. Accordingly, it is requested that the information contained in Bureau files necessary for the preparation of the answer be made available to the Department in sufficient time to allow filing of the answer on that date. If disclosure of that information is in your judgment objectionable, please so indicate in order that consideration may be given to interposing an appropriate objection.

Enclosure

ST-117

1CC: Mr. Mintz

REC-20 62-112989-335

5-27
APR 17 1975

ENCLOSURE

b6
b7C

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

v.

JOHN N. MITCHELL, et al.,

Defendants.

Civil Action #1768-69

PLAINTIFFS' SECOND SET
OF INTERROGATORIES TO
DEFENDANT
JOHN N. MITCHELL

To: Mr. John N. Mitchell
c/o Edw. S. Christenbury, Esq.
Civil Litigation Unit
U. S. Department of Justice
Washington, D. C.

The plaintiffs request that the defendant, John N. Mitchell, answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the within Interrogatories, in the space provided; if such space is inadequate, please answer the Interrogatories on additional pages.

PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. What are the names and current addresses of the officials to whom the FBI agents installing and monitoring the surveillances listed in Appendix A of Defendants' Response to Interrogatories Propounded by the Plaintiffs reported with respect to such surveillances?

2. For each official receiving reports at any time from the installers of the electronic surveillances referred to in Question One of these Interrogatories, what were the specific dates during which such official received such reports?

3. What are the names and current addresses of any officials having had any supervisory authority over the electronic surveillances referred to in Question One and what are the specific dates during which such supervisory positions were held with respect to each supervisory official?

4. What was the official hierarchical position held by each official within the FBI or Justice Department named in response to Questions One and Three of these Interrogatories?

5. What was the scope of the supervisory authority exercised by each official within the FBI or Justice Department named in response to Questions One and Three of these Interrogatories?

6. What are the names, current addresses, and official governmental positions, if any, of any and all persons to whom any of the contents of the electronic surveillances referred to in Question One of these Interrogatories were revealed?

7. What are the current addresses of the following present or former employees of the FBI or the Department of Justice:

- CD
- a) William Brennan
 - b) Mark Felt
 - c) William Sullivan

8. What are the names and current addresses of all persons who at any time attended meetings of the Intelligence Evaluation Committee? What governmental agency did each person represent? What dates did each person attend such meetings?

Morton Stavis

WILLIAM J. BENDER
MORTON STAVIS
c/o Constitutional Litigation Clinic
175 University Avenue
Conklin Hall
Newark, New Jersey 07102
201-648-5687

ATTORNEYS FOR PLAINTIFFS

Dated:

April 9, 1975

CERTIFICATION

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

JOHN N. MITCHELL

Dated:

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
JERRY C. RUBIN

Appendix A

Answer to Interrogatory No. 1

1.a. Yes

1.b. No

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. See answer to interrogatory number one above.

2.b. and c. Plaintiff Jerry C. Rubin was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

- ✓ 1. W.E.B. DuBois Clubs of America, 5935 Grove Street, Oakland, California; microphone surveillance; 10/25/64.
- ✓ 2. Mortimer Harvey Scheer, 2629 Acton Road, Berkeley, California; telephone surveillance on number 845-7574; 4/23/65.
3. A telephone surveillance of an individual, organization or location, the identity of which is the subject of a claim of Executive privilege by the Attorney General; 5/19/65.
- ✓ 4. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone

✓ Nancy Darrell Frappier 670 Ensenada Avenue,
Berkeley, California; telephone surveillance
on number 527-1816; 3/15/71.

2.d.(i) Surveillance number one above was approved by
Clyde A. Tolson, Associate Director of the Federal
Bureau of Investigation under Departmental practice
in effect at that time; surveillance number two above
was authorized by Attorney General Nicholas deB.
Katzenbach; surveillance number three above was
authorized by Attorney General Francis Biddle;
surveillances four, five and six above were author-
ized by Attorney General John N. Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph
2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. Yes; such entry was not with the consent of the
occupants, residents or lessees of such premises.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
FOR DAVID DELLINGER

Answer to Interrogatory No. 1

- 1.a. Yes
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. See answer to interrogatory number one above.
- 2.b. and c. Plaintiff David Dellinger was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:
 - ✓ 1. Students for a Democratic Society, 1103 East 63rd Street, Chicago, Illinois; telephone surveillance on number 667-6050; 10/15/65.
 - ✓ 2. Bayard Rustin, Apartment 9J, 340 West 28th Street, New York, New York; telephone surveillance on number YU-9-9890; 6/23/64.
 - ✓ 3. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 4/19/69.
 - ✓ 4. Students for a Democratic Society, 1608 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 666-3874 and 666-3875;

✓ 5. Black Panther Party, 2026 Seventh Avenue,
New York, New York; telephone surveillance
on numbers 666-3603, 864-8951; 7/2/69,
9/16/71.

6. A surveillance of an individual, organization
or location, the identity of which is the
subject of a claim of Executive privilege by
the Attorney General; 4/4/71, 4/7/71.

✓ 7. Black Panther Party, 1370 Boston Road, Bronx,
New York; telephone surveillance on numbers
328-2828, 328-9009, 328-9911; 6/25/70.

2.d.(i) Surveillance number one above was authorized by
Attorney General Nicholas deB. Katzenbach; sur-
veillance number two above was authorized by
Attorney General Robert F. Kennedy; surveillances
numbered three, four, five, six and seven above
were authorized by Attorney General John N.
Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph

2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. No.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
ABBOTT H. HOFFMAN

Answer to Interrogatory No. 1

- 1.a. Yes
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. See answer to interrogatory number one above.
- 2.b. and c. Plaintiff Abbott H. Hoffman was incidentally overheard on the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:
 - ✓ 1. Black Panther Party National Headquarters, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 6/10/69, 6/11/69, 7/9/69.
 - ✓ 2. Students for a Democratic Society, 1608 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 666-3874, 666-3875; 7/16/69.
 - ✓ 3. Howard Joel Emmer, 2915 Ludlow Road, Cleveland, Ohio; telephone surveillance on numbers 752-1874, 752-8944; 11/20/70, 11/27/70.
 - ✓ 4. Nancy Sarah Kurshan, 718 Stow Street, Kent, Ohio; telephone surveillance on number 673-3708; 4/13/70.

2.d.(i) Surveillances number one, two, three and four above were authorized by Attorney General John N. Mitchell.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph 2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. No.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2a THROUGH 2g
FOR THE BLACK PANTHER PARTY

Answer to Interrogatory No. 1

1.a. No

1.b. Yes

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. See answer to interrogatory number one above.

2.b. and c. Plaintiff Black Panther Party was the subject of the following "domestic" national security surveillances conducted in the manner, at the location and on the date indicated:

✓ 1. Black Panther Party, 3106 Shattuck Avenue, Berkeley, California; telephone surveillance on numbers 845-0103, 845-0104, 845-0773, 846-6705; 2/26/69 to 6/11/70. Telephone numbers 845-0103, 845-0104, 845-0773 were listed in the name of Marilyn H. Moorehead and telephone number 848-6705 was listed in the name of Charles Bursey.

✓ 2. Black Panther Party, 1046 Peralta Street, Oakland, California, telephone surveillance on numbers 465-5047, 465-5048, 465-5049; 6/11/70 to 5/23/72. The above telephones were listed

THE NAME OF ROBERTA GROSS AND CHILDREN, ETC.

- ✓ 4. Black Panther Party, 8505 East 14th Street, Oakland, California; telephone surveillance on numbers 636-1986, 636-1987, 636-1988, 636-1989; 6/5/72 to 6/19/72. The above telephones were listed in the name of Marilyn Moorehead Peace and Freedom Party.
- ✓ 5. Black Panther Party, 1336 1/2 Fillmore Street, San Francisco, California; telephone surveillance on numbers 922-0095, 922-6322, 922-6415; 5/27/69 to 6/3/71 and from 6/24/71 to 9/23/71. Telephone number 922-6322 is listed in the name of Sam Napier. The subscriber of the other numbers is not known.
- ✓ 6. Black Panther Party, Apartment 25A, 1200 Lakeshore Drive, Oakland, California; telephone surveillance on numbers 465-9592, 763-0202, 763-0203, 763-1919; 12/18/70 to 6/19/72. Telephone number 465-9592 was listed to David Lubell. Telephone numbers 763-1919, 763-0203, 763-0202 was listed to Stronghold Consolidated Productions Incorporated.
- ✓ 7. Black Panther Party, Apartment 25A, 1200 Lakeshore Drive, Oakland, California; microphone surveillance; 12/22/70 to 2/19/72 and from 2/26/72 to 6/19/72.
- ✓ 8. Black Panther Party, 2026 Seventh Avenue, New York, New York; telephone surveillance on numbers 666-3603, 864-8951. 4/7/69 to 12/5/70 and from

9. Black Panther Party, 1370 East 104th Street, Bronx, New York; telephone surveillance on numbers 328-2828, 328-9009, 328-9911; 1/21/70 to 4/12/71.

The above telephones were listed in the name of the Black Panther Party.

10. Black Panther Party, 12 West 127th Street, New York, New York; microphone surveillance; 4/22/70 to 5/25/70.

11. Black Panther Party, 402 East 10th Street, New York, New York; telephone surveillance on number 228-7209; 5/29/71 to 6/23/71. The above telephone was listed in the name of Marie Ann Depury.

12. Black Panther Party, 1248 North Gay Street, Baltimore, Maryland; telephone surveillance on number 342-8536; 10/5/70 to 11/21/70. The above telephone was listed in the name of C. L. Jackson.

13. Black Panther Party, 567 Mosher Street, Baltimore, Maryland; telephone surveillance on number 523-9010; 12/14/70 to 12/24/70, and from 12/26/70 to 12/31/70, and from 1/2/71 to 2/10/71. The above telephone was listed in the name of David Lawrence.

14. Black Panther Party, 21-23 Winthrop Street, Roxbury, Massachusetts; telephone surveillance on numbers 442-0100, 442-0101, 442-7396; 10/19/70 to 3/19/71. Telephone numbers 442-0100 and 442-0101 were listed in the name of the Black Panther

✓ 15. Black Panther Party, 2312 East 79th Street,

Cleveland, Ohio; telephone on numbers 881-5054, 881-5055, 881-5056; 11/16/70 to 12/17/70. The above telephones were listed in the name of the National Committee to Combat Fascism-Black Panther Party.

✓ 16. Black Panther Party, 9049 Oakland Street, Detroit, Michigan; telephone surveillance on number ⁸⁷³ ~~897-~~

²⁵⁵⁰ 3610; 5/14/69 to 6/1/69. The above telephone was listed in the name of the Black Arts Development Center.

✓ 17. Black Panther Party, 8417 12th Street, Detroit, Michigan; telephone surveillance on number ⁸⁹⁷⁻³⁶¹⁰ ~~868~~

~~9836~~ 6/16/69 to 6/16/69. The above telephone was listed in the name of the Black Panther Party.

✓ 18. Black Panther Party, 2219 Indiandale Street, Detroit, Michigan; telephone surveillance on number 868-9836; 5/7/70 to 6/2/70 and from 8/6/70 to 10/15/70. The above telephone was listed in the name of the Black Panther Party. National

Committee to Combat Fascism.

✓ 19. Black Panther Party, 2350 West Madison Street, Chicago, Illinois; telephone surveillance on numbers 243-8276, 738-0778, 738-0779; 5/14/69

to 3/1/72. The surveillance was not conducted on 11/27/69, 12/25/69, 1/1/70, 12/25/70, 1/1/71,

20. Black Panther Party, 4113 South Indiana Avenue,
Chicago, Illinois; telephone surveillance on

✓ numbers 924-6575, 924-6576; 12/21/70 to 3/1/72.

No surveillance was conducted on 12/25/70, 1/1/71,
11/25/71, 12/25/71, 1/1/72. The above telephones
were listed in the name of Alphonso Massey.

✓ 21. Black Panther Party, 4115 South Central Avenue,
Los Angeles, California; telephone surveillance

on numbers 235-4127, 235-4128, 235-4127, 235-5866;
4/15/69 to 2/3/70. The above telephones were

listed in the name of the Black Panther Party.

✓ 22. Black Panther Party, 2728 Ellendale Place, Apt. 3,
Los Angeles, California; telephone surveillance

on number 734-0280; 10/21/69 to 11/12/69. The

above telephone was listed in the name of Evon
Carter.

✓ 23. Black Panther Party, 9818 Anzac, Los Angeles,
California; telephone surveillance on numbers

567-8027, 569-5902; 2/10/70 to 2/26/70. Telephone

number 567-8027 was listed in the name of Gwen
Goodloe and number 569-5902 was listed in the
name of Robert Steve Tommy Community Center.

✓ 24. Black Panther Party, 2043 East Stockwell, Los Angeles,
California; telephone surveillance on numbers 635-

2586, 635-2559, 635-9882, 636-1763, 636-1764;

3/12/70 to 2/28/72. The above telephones were
listed in the name of the Black Panther Party.

25. ✓ Black Panther Party, 334 West 55th Street.

Los Angeles, California; telephone surveillance on number 759-4518; 9/10/70 to 12/14/70. The above telephone was listed in the name of Gwen Goodloe.

✓ 26. Black Panther Party, 2136 East 113th Street,

Los Angeles, California; telephone surveillance on number 564-2728; 12/4/70 to 2/6/71. The above telephone was listed in the name of Dorothy Phillips.

✓ 27. Black Panther Party, 731 East 78th Street,

Los Angeles, California; telephone surveillance on number 750-5509; 2/4/71 to 2/28/72. The above telephone was listed in the name of Paul Cross.

✓ 28. Black Panther Party, 5321 Staunton, Los Angeles,

California; telephone surveillance on number

585-1448; 2/25/71 to 2/28/72. The above telephone was listed in the name of Norma Armour.

✓ 29. Black Panther Party, 35 Sylvan Avenue, New Haven,

Connecticut; telephone surveillance on numbers

562-7463, 562-8557; 1/15/70 to 4/9/71. The above telephones were listed in the name of James E. Wilson.

✓ 30. Black Panther Party, 259 Dixwell Avenue, New Haven,

Connecticut; telephone surveillance on numbers

562-7463, 562-8557, 787-2949; 4/9/71 to 4/28/71.

The above telephones were listed in the name of

31. Black Panther Party, 2935 Columbia Avenue,
Philadelphia, Pennsylvania; telephone surveil-
lance on number CE. 5-7203, CE. 5-7525,
CE. 5-7526; 7/13/70 to 7/14/70 and from 9/28/70
to 11/10/70. The above telephones were listed
in the name of the Black Panther Party.
32. Black Panther Party, 3626 Wallace Street,
Philadelphia, Pennsylvania; telephone surveil-
lance on numbers BA. 2-0855, EV. 7-2867,
EV. 7-2868; 8/25/70 to 9/28/70 and from 11/23/70
to 1/11/71 and from 1/16/71 to 2/10/71. The
above telephones were listed in the name of the
Black Panther Party.
33. Black Panther Party, 2941 35th Street, Sacramento,
California; telephone surveillance on numbers
457-9831, 457-9991; 7/14/69 to 9/8/69. The above
telephones were listed in the name of the Black
Panther Party.
34. Black Panther Party, 2327 18th Street, N.W.,
Washington, D. C.; telephone surveillance on
numbers 265-4418, 265-4419, 462-9379; 6/10/70 to
2/1/71 and from 4/19/71 to 6/25/71. As of
January 18, 1971, the telephone service at the
above address was listed in the name of the
Black Panther Party Ministry of Information.

462-9360: 7/30/70 to 2/1/71 and from 4/12/71 to 6/25/71. As of December 22, 1970 the telephone service at the above address was listed in the name of the Black Panther Party Community Information Center.

2.d.(i) Surveillances number one, two, three, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, and thirty-five above were initially authorized by Attorney General John N. Mitchell. Surveillance number four above was authorized by Attorney General Richard G. Kleindienst.

2.d.(ii) See accompanying motion.

2.d.(iii) See accompanying motion.

2.d.(iv) No person is described in response to paragraph

2(c)(i).

2.e. See accompanying motion.

2.f. See accompanying motion.

2.g. Yes; such entry was not with the consent of the occupants, residents or lessees of such premises.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2
FOR THE SOUTHERN CONFERENCE EDUCATIONAL FUND.

Answer to Interrogatory No. 1

- 1.a. No
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. - 2.i. See answer to interrogatory number one above.

ANSWER TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2 FOR THE
WAR RESISTERS LEAGUE

Answer to Interrogatory No. 1

- 1.a. No
- 1.b. No
- 1.c. See accompanying motion

Answer to Interrogatory No. 2

- 2.a. - 2.i. See answer to interrogatory number one above.

ANSWERS TO INTERROGATORY NO. 1 AND
INTERROGATORY NO. 2 FOR THE
CATHOLIC PEACE FELLOWSHIP

Answer to Interrogatory No. 1

1.a. No

1.b. No.

1.c. See accompanying motion

Answer to Interrogatory No. 2

2.a. - 2.i. See answer to interrogatory number one above.

DIRECTOR, FBI (176-1410)
(ATTN: INTELLIGENCE DIVISION)

5/12/75

SAC, CHICAGO (176-5) (P)

DAVID TYRE DELLINGER, aka
ET AL
COC

OO: Chicago

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/13/81 BY SP5 RJG/MS 315820
2-9-93 1068 DCM/LS C

Re Bureau letter dated 10/30/74 and WFO airtel dated 3/24/75, both under above caption.

As the Bureau is aware from above referenced WFO communication and various media accounts, the United States Supreme Court has disposed of the defendants' petition for a writ of certiorari in connection with the contempt citations arising from the original conspiracy seven trial. It would appear therefore that this matter has reached its final conclusion.

Consequently, Chicago is renewing its request in letter dated October 8, 1974, this caption, to destroy and/or re-use the recordings of public appearances of WILLIAM KUNSTLER and the other three defendants, (DELLINGER, RUBIN and HOFFMAN), maintained due to the pending litigation which is now concluded.

In the event Bureau authority for above is received, Chicago will review appropriate records regarding these recordings and advise all other offices similarly retaining such material.

- 3 - Bureau (RM)
(1 - 62-112989)
2 - Chicago
(1 - 62-7126)

62-112989
NOT RECORDED

47 JUN 2 1975

JUN 5 1975

ORIGINAL FILED IN 176-1410-3796

10-2-71

FEDERAL BUREAU OF INVESTIGATION

Transmitted by Facsimile - PLAIN COMMUNICATIONS SECTION

Priority Immediate

TO: DIRECTOR, FBI (67-11184) ^{MAY 06 1975}

From: SAC, BOSTON (67-544) ^{TELETYPE}

Subject: David T. DeHinger

Date: 5/6/75

Time Transmitted -

Received -

- ☐ Fingerprint Photo
- ☐ Fingerprint Record
- ☐ Map
- ☐ Newspaper clipping
- ☐ Photograph
- ☐ Artists Conception
- ☐ Other LHM
- ☐ (6 min)
- ☐ (4 min)

Special handling instructions: HAND DELIVER IMMEDIATELY TO
SUPER [redacted] LOCAL COUNSEL

DIVISION

ENCLOSURE

30N/R
Approved: [signature]

REC 862-112489-151
12 JUN 2 1975

*See memo to
AA G. Criminal Div
5/21/75
Gant. done*

gm j
[signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/1/82 BY [signature]

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (62-112989) DATE: 4/29/75

FROM : *RJB* SAC, PHILADELPHIA (157-2004) (P)

SUBJECT: *0*

DAVID DELLINGER, ET AL V.
JOHN N. MITCHELL, ET AL (U.S.D.C.
D. C.) CIVIL ACTION NO. 1765-69
BUDED 4/30/75

[Scribbled out area]

per 323
Re Bureau airtel to Philadelphia dated 4/24/75. *U*

Enclosed for the Bureau are eight copies of an
LHM dated and captioned as above.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE *1/4/82* BY *SP5 Ljg/r* 315820
2/25/93 9803 RDD/SC

ST-103

REC-25

62-112989-337

- See memo AAG, Bureau dated 5/20/75 GMB:mlb*
- C LHM Dept att
furn & Smith
5/5/75
[Signature]*
- 2 - Bureau (62-112989) (Encls. 8) (RM)
 - 1 - Philadelphia (157-2004)

CAT/kgg
(3)



5010-110

102

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
JUN 6 1975

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Philadelphia, Pennsylvania 19106

April 29, 1975

DAVID DELLINGER, ET AL V.
JOHN N. MITCHELL, ET AL
(U.S.D.C., D.C.) CIVIL ACTION
NO. 1765-69

At the time of the installation and monitoring

of [REDACTED]

[REDACTED] the official in charge was Special Agent in Charge Joe David Jamieson. He is now retired. His last address was care of FBI Academy, Quantico, Virginia.

Records failed to reflect the date Special Agent in Charge Jamieson learned of the installation of the surveillances.

The dates of the communication to the Director, FBI when the Philadelphia Division informed the Director of the installation for each surveillance are [REDACTED]

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY [signature]

2-9-93

1048 DKM/SC

315820

62-112989-331

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

ENCLOSURE

b3

NR 013 SF PLAIN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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

5:10PM NITEL MAY 20, 1975 KCK

MAY 20 1975

TO: DIRECTOR (62-112989)

TELETYPE

FROM: SAN FRANCISCO (66-672B)

ATTN: LEGAL SECTION

DAVID T. DELLINGER, ET AL VS. ATTORNEY GENERAL JOHN W. MITCHELL
ET AL; ALLEGED VIOLATION OF CONSTITUTIONAL RIGHTS.

AT PRESENT THE ONLY PERSON REVIEWING BLACK PANTHER PARTY
FILES AT SAN FRANCISCO IS [REDACTED] HE HAS REVIEWED
THESE FILES ON MAY 14, 15, AND 19, 1975. HE IS TO RETURN ON
MAY 21 FOR FURTHER REVIEW. INASMUCH AS HIS REVIEW OF THESE
FILES IS EXTREMELY SLOW, IT IS REQUESTED THAT BUREAU PERMISSION
BE GIVEN TO HAVE A SPECIAL EMPLOYEE OR CLERK BY WITH HIM DURING
HIS FILE REVIEW. IT IS FELT THAT THE AGENT PERSONNEL TIME IS
NOT NEEDED OR JUSTIFIED, INASMUCH AS THE MECHANICS OF THIS
OPERATION HAVE BEEN SET UP. IT IS POINTED OUT THAT THE DUTY
AGENT IS NEXT DOOR TO THE OFFICE WHERE THE FILES ARE BEING
REVIEWED AND IS IMMEDIATELY AVAILABLE IF ANY QUESTION ARISES.
CURRENTLY THE ONLY REASON FOR THE PRESENCE OF AN AGENT IS TO
INSURE THAT HE DOES NOT TAKE ANY PAGES OUT OF THE VOLUMES
CONTAINING THE LOGS.

b6
b7C

END

HOLD

REC 98

EX 103

62-112989-338

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY [signature]

JUN 5 1975

LEGAL COUNSEL

Date of Mail 9/25/75

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY 2519/2
2-9-93 1048 DKM/KC
315820

Subject JUNE MAIL DAVID DELLINGER

Removed By 79 OCT 7 1975

File Number 62-112989-339

43
Permanent Serial Charge Out

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

MAILED 6
AUG 26 1975
FBI

Assistant Attorney General
Criminal Division

August 26, 1975

Director, FBI

REC-30

62-112989-340

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)

CIVIL ACTION NO. 1768-69

1 - Mr. Wannall
1 -
1 -
1 -
2 - Mr. Mintz
1 -
b6
b7C

By memorandum dated August 11, 1975, you furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants and requested that information necessary for the preparation of the Government's response be made available to you prior to August 28, 1975.

Review of the Third Set of Interrogatories Addressed to Defendants fails to reveal that any of the items therein are directed to the FBI. Review of the Rule 34 Requests reveals that items 2c, 2d, 4c, 10, 12a, 13 and 14 are directed to the FBI.

2c. Memorandum dated January 27, 1971, from the Director, FBI, to the Assistant Attorney General, Internal Security Division, captioned "Intelligence Evaluation Committee," which memorandum is classified "Secret," does not appear to be relevant to the issues in this civil suit. Accordingly, we request that you resist discovery of this document.

2d. Review of the FBI files reveals two memoranda dated February 3, 1971, from the Director, FBI, to the Assistant Attorney General, Internal Security Division, captioned "Intelligence Evaluation Committee." One document is classified "Confidential"; the second is classified "Secret." Neither document appears relevant to the issues in this civil action. Accordingly, we request that you resist discovery of both documents.

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

GML:kiw
(10)

(See NOTE, Last Page.)

MAIL ROOM ☐

TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Assistant Attorney General
Criminal Division

4c. Review of appropriate FBI files fails to reveal a memorandum dated May 17, 1971, from the Director, FBI, to the Attorney General "the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases."

10. The material requested herein was furnished to you by memorandum dated July 14, 1975, captioned "Morton H. Halperin, et al., v. Henry A. Kissinger, et al. (D.D.C.) Civil Action File No. 1187-73."

12a. No forms are used by this Bureau to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants. As you are aware, requests of this nature come to us from the Department of Justice. This Bureau responds to the Department's request by memorandum, detailing the results of the electronic surveillance check.

13. On August 15, 1975, Mr. Smith of your office noted that plaintiffs have requested a substantial number of documents in this item and stated that the Department would obtain a delay concerning this matter. Documents requested herein will be furnished to you prior to October 1, 1975.

14. In this item, plaintiffs request the FBI Handbook for Special Agents. For your information, this Handbook is a summary of and contains citations to the FBI Manual of Rules and Regulations and the FBI Manual of Instructions. A copy of the FBI Handbook is issued to each Special Agent of the FBI, and its contents are to be held in confidence by our employees. Disclosure of this Handbook would reveal FBI techniques and procedures and

Assistant Attorney General
Criminal Division

thus adversely affect our ability to function effectively, thereby causing substantial damage to the public interest. To require the FBI to produce this document would be "comparable to requiring one football team to give its 'play-book' to the opposing team before the game." Cuneo v. Laird, 338 F. Supp. 504, 506 (D.D.C. 1974). On the other hand, plaintiffs have failed to show any good cause for the production of this document; nor have they shown its relevancy to the issues in this civil action. Accordingly, we request that you resist discovery of this item.

NOTE: Based on Legal Counsel memorandum to Mr. J. B. Adams dated 8/19/75 and R. L. McCarthy to Mr. Cleveland memorandum dated 8/20/75. Responses to items 2c, 2d and 4c, Rule 34 Requests, were coordinated with T. H. Howard, Intelligence Division. On 8/21/75, Jonathan B. Smith, Departmental Attorney handling this civil action, advised that it would be unnecessary for this Bureau to furnish to the Department copies of documents requested by plaintiffs in items 2c, 2d and 4c, Rule 34 Requests.

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. Cleveland

FROM : R. J. McCarthy

SUBJECT: DAVID DELLINGER, et al v.
JOHN N. MITCHELL, et al
(D.D.C.)
CIVIL ACTION NO. 1768-69

DATE: 8/20/75

b6
b7C

Reference memorandum of Legal Counsel to Mr. J. B. Adams dated August 19, 1975, captioned as above.

In reference to request for information, oral documents responsive to Item 12a., Rule 34 requests, it is pointed out that no forms are used by the FBI to respond to request for disclosure of information concerning electronic surveillance of criminal defendants. Requests of this nature originate from the Justice Department and response is in letter form detailing the results of the search of electronic surveillance indices.

EX 103

REC-30

62-112989-340

SEP 11 1975

2-9-9-3 1048 D/cm/SP
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY ps/jg/vp

- 1 - Mr. Wannall
- 1 - Mr. Mintz
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - [Redacted]

JLS:bam
(7)

b6
b7C

F B I

Date: 9/19/75

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

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

TO: DIRECTOR FBI (62-112989)

FROM: *curp* SAC SAN FRANCISCO (66-672B)

RE: DAVID DELLINGER
ET AL
vs. JOHN N. MITCHELL, ET AL
(USDC..D.C.)
CIVIL ACTION # 1768-69

[redacted] who represented herself as a member of the staff of [redacted] office, telephonically contacted the writer this date and stated that she was interested in knowing the status of authorization for [redacted] to be able to assist [redacted] office in reviewing Black Panther Party (BPP) logs in the office of the FBI. She was asked who [redacted] was and she stated that [redacted] was an investigative researcher for [redacted] office.

[redacted] was told that the FBI at San Francisco had no knowledge of the status concerning authorization for [redacted] to review such records.

It should be noted by the Bureau that [redacted] is probably identical to [redacted]

This information is being furnished for information of the Bureau should they receive inquiries from the Department or the court concerning this matter.

REC-48

62-112989-341

cc 5640

5 SEP 30

- ② - Bureau (RM)
2 - San Francisco
(1 - 157-4592)

HML/sdc (S-2)

5 OCT 14 1975

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

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HEREIN IS UNCLASSIFIED 2/9/93

DATE 1-4-82 BY sp5 jlm/1048 DCM/LSO 315820

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~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al., U.S.D.C.,
(D.D.C.) CIVIL ACTION NO. 1768-69

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2-9-93 10480 DM/PC
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In this civil action, brought by organizational as well as individual plaintiffs, illegal wiretapping is alleged, and plaintiffs seek money damages. In the course of discovery, the Department produced copies of authorizations signed by the Attorney General, certain Departmental policy memoranda relating to national security electronic surveillances, and certain internal Bureau memoranda relating to the electronic surveillances of the W.E.B. DuBois Clubs of America, the Black Panther Party (BPP), the White Panther Party, Students for a Democratic Society, [redacted] Bayard Rustin, [redacted] and Nathan Schwerner.

On 9/12/75, Jonathan B. Smith, Departmental Attorney handling this case, advised the Department desires to serve interrogatories in this matter on plaintiff BPP as well as the following individual plaintiffs: [redacted] David Dellinger, [redacted] Jerry Clyde Rubin, Abbot H. Hoffman, [redacted] and [redacted] Smith requested that the Bureau draft suggested interrogatories to direct to the above plaintiffs. The interrogatories should be written so that responses will reveal information to justify the FBI's internal security investigations on the above plaintiffs, i.e., information concerning foreign travel as well as unlawful goals and activities.

- 1 - Mr. Wannall
- 2 - Mr. Mintz
- 1 - [redacted]

GML/jcr

CONTINUED - OVER
5 SEP 30 1975

~~CONFIDENTIAL~~

57 OCT 3 1 1975

CLASS. BY [redacted]
REASON-FRIM II, 1-2.4.1 (2)
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Rec'd
WASP
9/19/75
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per mail
WNP, 9/29/75

55

Tracy Hall
(rec'd by GTE
10/23/75)

100-112980-342

CONFIDENTIAL

Memo to Mr. Adams

RE: DAVID DELLINGER, et al., v.

JOHN N. MITCHELL

(D.D.C.) CIVIL ACTION NO. 1768-69

RECOMMENDATION:

1. That the Intelligence Division furnish Legal Counsel Division factual information concerning the revolutionary goals and activities of the above listed plaintiffs.

2. That Legal Counsel Division draft appropriate interrogatories concerning the named plaintiffs and correspond with the Department.

WRW/509

[Signature]

CONFIDENTIAL

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 8/19/75

FROM : Legal Counsel *gnt*

SUBJECT: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

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DATE 1-4-82 BY *ms/ghw* 3-5820
2-9-93 *1048 DFM/SC*

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Director Sec'y _____

In this civil action certain of the plaintiffs were incidentally overheard as the result of national security electronic surveillances, and they seek money damages. By memorandum dated 8/11/75, the Assistant Attorney General, Criminal Division, furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants. (Rule 34 of the Federal Rules of Civil Procedure pertains to Discovery and Production of Documents and Things for Inspection, Copying, or Photographing.) The Assistant Attorney General, Criminal Division, requested that information and documents contained in Bureau files necessary for the preparation of the Government's response be made available to the Department prior to 8/28/75.

Review of the Rule 34 Requests reveals that the following are requested from the FBI:

2.c. "Memorandum dated January 27, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee."

Enc.

62-112989

136-1410

6- ENCLOSURE

1 - Mr. Wannall

2 - Mr. Mintz

1 -

GML:lsh

(7)



5010-108

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

FIVE

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

2.d. "Memorandum dated February 3, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee."

4.c. "Memorandum dated May 17, 1971 from the Director, Federal Bureau of Investigation, to Attorney General Mitchell, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases."

10. "Manual or other material or memoranda describing the system employed by the F.B.I. for the indexing and retrieval of electronic surveillance data."

12.a. "Any and all forms used by the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants."

13. "With respect to each of the requests for authorization and/or reauthorization of warrantless electronic surveillance (emanating from the Director of the F.B.I. to the Attorney General) heretofore made available to the plaintiffs by earlier discovery in this case, copies of any and all memoranda or documents within the F.B.I. which preceded and/or which were the basis for the request of the Director of the F.B.I. to the Attorney General for such authorization or reauthorization."

14. "A training and/or operations manual entitled Handbook for Special Agents, pertaining, among other things, to the preparation of F.B.I. reports referred to by John A. Mintz in testimony of May 8, 1975."

Review of the Third Set of Interrogatories Addressed to Defendants fails to reveal that any of the items therein are directed to the FBI.

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

The material requested in item 10 was furnished to the Assistant Attorney General, Criminal Division, by memorandum dated 7/14/75, as a result of a discovery request in a civil action titled Morton H. Halperin, et al. v. Henry A. Kissinger, et al. (D.D.C.) Civil Action No. 1187-73. Jonathan B. Smith, Departmental Attorney handling this civil action, has been informed that information responsive to item 10 was furnished to the Department via the above memorandum. The effort to obtain the FBI Handbook for Special Agents, requested in item 14, will be resisted; Legal Counsel Division will furnish to the Department reasons for objecting to production of the above.

On 8/15/75, Mr. Smith was informed that plaintiffs have requested a substantial number of documents in item 13, Rule 34 Requests, and that it will take a great deal of time and effort to locate these documents. Smith acknowledged that it would be unreasonable to require the Bureau to furnish the above within a short period of time and indicated that the Department would obtain a delay regarding this item. He requested that the Bureau furnish documents requested in item 13 no later than 10/1/75.

Mr. Smith requested that the Department be furnished two copies of each document now being requested by plaintiffs in this civil action. One copy should be a true, unexcised copy as it appears in Bureau files. The second copy should have deleted from it both administrative and privileged material. Concerning deletions in the documents, the Bureau should follow the guidelines developed by Departmental and Bureau officials on 1/30/75. One copy of Legal Counsel memorandum to Mr. J. B. Adams dated 2/10/75, wherein these guidelines are set forth, is attached.

Also attached is a list of authorizations for electronic surveillance that has been furnished to plaintiffs in this civil action. In addition, attached are three requests for authorization for electronic

Memorandum to Mr. J. B. Adams
Ré: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

surveillance furnished to plaintiffs that were not approved (these are dated 5/13/68, 7/8/71, and 11/8/68) as well as a list of FD-142's and FD-143's (FBI documents which preceded and/or which were the basis for electronic surveillance requests) previously furnished to plaintiffs.

RECOMMENDATIONS:

1. That the Special Investigative Division, no later than 8/21/75, furnish information or documents responsive to item 12.a., Rule 34 Requests.

2. That the Intelligence Division, no later than 8/21/75, furnish appropriately excised documents responsive to items 2.c., 2.d., and 4.c.

3. That upon receipt of above, Legal Counsel Division correspond with the Department and furnish information or documents responsive to items 2.c., 2.d., 4.c., 10, 12.a., and 14, Rule 34 Requests.

4. That the Intelligence Division, no later than 9/21/75, furnish appropriately excised documents, responsive to item 13, except for FD-142's and FD-143's previously furnished to plaintiffs.

*Furnished
by Memorandum
dated 8/25/75
GMS*

*memo to
Crim. Div.
10/21/75 - GML:km*

Memorandum to Mr. J. B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al., etc.

5. That upon receipt of information from
the Intelligence Division, Legal Counsel Division
correspond with the Department.

JBT
per

W/C

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DATE 1/4/82 BY sp5/jg/bp
2/9/93 1048 DKm/SC
315820

ENCLOSURE

Mr. J. B. Adams

2/10/75

Legal Counsel

SOCIALIST WORKERS PARTY, et al. v
ATTORNEY GENERAL, et al.
(U. S. D. C., S. D. NEW YORK)
73 Civ 3160 TPG

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY SP5 sjh/p
2/9/93 1048 BEM (SC)

Plaintiffs, the Socialist Workers Party (SWP), its youth group the Young Socialist Alliance (YSA) and fifteen individual plaintiffs, filed captioned civil action during July, 1973, alleging that defendants, the FBI, and other Governmental agencies and officers, have denied them constitutional rights as a political party. They seek substantial damages as well as broad injunctive relief.

By letter dated 1/9/75, Paul J. Curran, U. S. Attorney, Southern District of New York, advised that on 1/7/75, the court in captioned civil action ordered us to produce "all files relating to everything gathered about the plaintiffs, including the results of surveillance conducted of the SWP or the YSA, and documents relating to the purpose of such surveillance."

By memorandum to Mr. J. B. Adams dated 1/23/75, Legal Counsel advised that as a result of contact with the Department, it would be necessary to release a number of Bureau documents concerning plaintiffs, including certain SWP Disruption Program documents. Legal Counsel Division then conferred with the Intelligence Division and made available guidelines for review of the SWP Disruption Program documents. Subsequent to the review by the Intelligence Division, Legal Counsel reviewed

1 - Mr. Adams
1 - Mr. Wannall
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(12)

CONTINUED - OVER

Memorandum to Mr. J. B. Adams
Re: Socialist Workers Party, et al. v.
Attorney General, et al., etc.

the material and suggested that because the court order was so broad that additional documents would be required. To resolve the scope of discovery, a meeting was held on 1/30/75, in the office of Assistant Director Mintz. Present were Mr. Mintz, [redacted] Legal Counsel Division; Edward Christenbury, Deputy Chief, and Robert L. Keuch, Chief, Special Litigations Section, Criminal Division, Department of Justice [redacted] of the Intelligence Division.

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At this meeting it was agreed that it would be necessary to make available to plaintiffs all Bureau documents concerning the SWP Disruption Program except documents in the program pertaining to recommendations not implemented. Documents to be made available include preparatory or "backup" documents which led up to the approval of a Disruption Program recommendation, documents setting forth Bureau authority to implement a recommendation, periodic documents reflecting FBIHQ or field office analyses of the Program. References in the documents should be retained, but privileged material in them may be deleted. Specifically, the following deletions may be made.

Excise the identities of informants.

Excise information which, if released, by its very nature, would tend to identify an informant.

Excise T symbols where, in our judgment, they would tend to identify a source.

Excise the identities of individuals who have furnished information under either an express or implied promise of confidentiality. This also would include any information which would tend to identify these individuals.

Excise information which would tend to expose a confidential investigative technique.

Excise information of an administrative nature. This would include information such as file numbers, Agents', Supervisors', and

Memorandum to Mr. J. B. Adams
Re: Socialist Workers Party, et al. v.
Attorney General, et al., etc.

Bureau officials' names and initials, markings such as indexing symbols, copy counts, serial numbers, block stamps, date stamps, names identifying recipients of tickler copies, and other such information.

Excise classified information. Determine what information is classified and excise that information. Information from foreign intelligence sources is usually classified. If not, it should be excised also, for there is implied confidentiality.

Excise classification markings when the classified information is excised.

Excise information from other Federal agencies, for any determination on the release of such information should be made by the agency involved. If necessary, the Bureau will subsequently refer any requests for such information to the interested agencies.

As indicated above, documents in the Disruption Program pertaining to recommendations not implemented need not be produced to plaintiffs. However, it was agreed that if these documents contain information, except a mere reference, concerning a recommendation that was approved, that information in the document, but only that information, must be made available. Of course, any privileged material in that information may be deleted.

RECOMMENDATION:

None; for information.

Document Number	Date	Requested by	Authorized by	tel/ mic	File(s)
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II. STUDENTS FOR A DEMOCRATIC SOCIETY (SDS)

A. 1103 East 63rd Street

*Auth-106 6/4/65 JEH

Ndek

tel

D

*file reflects
the backup
document, an FD 142,
was destroyed on 9/5/69
No reasons given. RJD*

Document Number	Date	Requested by	Authorized by	tel/mic	File(s)
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VII. [REDACTED]

A. [REDACTED] (home)

*Auth-124	7/23/63	JEH	RFK	tel	I
Auth-125	5/27/65	JEH		tel	I
Auth-126	11/22/65	JEH		tel	I
Auth-127	5/20/66	JEH		tel	I

B. [REDACTED]

*Auth-124	7/23/63	JEH	RFK	tel	I
Auth-125	5/27/65	JEH		tel	I
Auth-126	11/22/65	JEH		tel	I

C. [REDACTED] (home)

Auth-126	11/22/65	JEH		tel	I
Auth-127	5/20/66	JEH		tel	I

D. [REDACTED]

Auth-127	5/20/66	JEH		tel	I
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[REDACTED]

J b3
J b6
J b7C
J

IX. BAYARD RUSTIN (New York)

A. 340 West 28th Street

*Auth-132	10/31/63	JEH	RFK	tel	K
Auth-133	6/4/65	JEH		tel	K
Auth-134	11/26/65	JEH		tel	K

X. [REDACTED]

A. [REDACTED]

*Auth-135	12/1/64	JEH	NdeK	tel	L
Auth-136	7/20/65	JEH		tel	L
Auth-137	1/26/66	JEH		tel	L

XI. [REDACTED]

A. [REDACTED]

*Auth-138	6/30/64	JEH	NdeK	tel	M
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INDEX 4

FD-142's AND FD-143's (to Bureau recommending authorization,
continuation or discontinuance of electronic surveillances).

Document No.	Date	From	Subject	Auth	File(s)
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FD-1					
FD-2					
FD-3					
FD-4					
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FD-23					

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

May 13, 1968

*Revised by AC
11/17/69*
MEMORANDUM FOR THE ATTORNEY GENERAL

RE: JERRY CLYDE RUBIN
SECURITY MATTER - COMMUNIST

Jerry Clyde Rubin traveled to communist Cuba in 1964 via Czechoslovakia in violation of a Government ban on travel to Cuba. Thereafter, he was the founder and served as cochairman of the Vietnam Day Committee, Berkeley, California, a vigorous sponsor of antiwar demonstrations and protest rallies between 1965 and 1967 in the San Francisco area. Demonstrations sponsored by this organization under the leadership of Rubin led to numerous arrests and injuries to demonstrators. Rubin, himself, was arrested in August, 1965, in a demonstration which virtually trapped General Maxwell D. Taylor in a hotel office.

Since this period, Rubin became the Project Director for the National Mobilization Committee to End the War in Vietnam in New York, New York. In this capacity, ~~he was the coordinator of demonstrations at the Pentagon and in Washington, D. C., October 20-22, 1967. These~~ activities also led to violence and mass arrests, including the arrest of Rubin for refusing to move from a restricted area.

In January, 1968, he was the founder and is now employed as a staff member of the Youth International Party, New York, New York. This group was reportedly organized to promote a "festival of life" demonstration at the National Democratic Convention in Chicago in August, 1968.

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~~SECRET~~

~~Excluded from automatic
downgrading and
declassification~~

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~~SECRET~~

MEMORANDUM FOR THE ATTORNEY GENERAL

With little apparent effort or planning, this organization has already backed two impressive demonstrations. One of these, called a "yip-in," was held at Grand Central Station in New York City on a late Saturday night for the purpose of celebrating the coming of spring. Violence and mass arrests occurred and the demonstration developed antidraft and antiwar implications. This organization presently plans another demonstration for Macy's Department Store in New York City on June 8, 1968.

Rubin constitutes a danger to the national security as evidenced by revolutionary statements. On the occasion of a public speech June 26, 1965, he stated the following must be included as a part of the peace movement: "massive civil disobedience and picketing," "working in slum areas," "teach-ins against labor unions," and "we must consider treason--deliberate sabotage of the war machine." He ended the speech by stating members of the peace movement must be willing to "put their bodies on the line." Participating in a panel discussion on November 27, 1965, he said the power structure in the United States had to be changed and he wanted demonstrations and civil disobedience rather than liberal means.

Coverage of Rubin's activities at the headquarters of the Youth International Party has been established and efforts are currently being made to increase this coverage. It is to be noted that many of the Youth International Party followers are "hippie types" and such would normally include numerous students. It could reasonably be expected that many of Rubin's contacts and organizational efforts would be made at night from his residence telephone. For this reason, a telephone surveillance of his residence would afford vital information as to organizational plans and the identity of key organizers, which would not be otherwise obtained through coverage of his place of employment.

The history of this individual in the direction of demonstrations which lead to violence has been established. It is recognized that he is capable of creating, through such demonstrations, a major civil disturbance if complete coverage of his activities is not effected.

MEMORANDUM FOR THE ATTORNEY GENERAL

Accordingly, I recommend the installation of a telephone surveillance on the residence of Jerry Clyde Rubin at 13 East 3rd Street, New York, New York, or any address to which he may move in the future.

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

Approved _____

Date _____

November 8, 1968

~~Declassified~~
4/3/74

MEMORANDUM FOR THE ATTORNEY GENERAL

RE: BLACK PANTHER PARTY
LOS ANGELES, CALIFORNIA

The Black Panther Party in Los Angeles, California, is an active chapter of the national Black Panther Party headquartered in Berkeley, California. The Black Panther Party is the most active black extremist group in the United States today. Its leaders envision this organization as one which will unite black people in revolutionary action against the United States Government. They have also preached hate and violence and have openly advocated the use of firearms and guerrilla warfare for attainment of their goals.

In addition to the constant physical threat to lives and property represented by members of the Black Panther Party, there is increasing evidence that they represent a threat to the internal security of the United States inasmuch as they have publicly revealed their solidarity with Cuban and Chinese-communist revolutionaries. Members of the Black Panther Party have recently traveled to Cuba and it has been announced that such travel will increase in the future. An informant who recently returned from Cuba reported that Cuban intelligence agents with whom he was in contact exhibited a keen interest in the Black Panther Party.

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DATE 09/93 BY 1048 DKM/SC

315822

MEMORANDUM FOR THE ATTORNEY GENERAL

The Black Panther Party in Los Angeles maintains its headquarters at 4115 South Central Avenue, Los Angeles, California. It is requested that authority be granted for a telephone surveillance at the headquarters at this address or at any other address to which the headquarters might move.

Very truly yours,

John Edgar Hoover
Director

APPROVED _____

DATE _____

UNITED STATES GOVERNMENT

Memorandum

TO

Mr. W. R. Wannall *WRW*

FROM

S. S. Mignosa *SSM*

SUBJECT:

DAVID DELLINGER, ET AL., V.
JOHN N. MITCHELL, ET AL.
(D.D.C.)
CIVIL ACTION NO. 1768-69

1 - Mr. J. A. Mintz
1 - Mr. W. R. Wannall

DATE: 9/23/75

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1 - Mr. S. S. Mignosa

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Captioned matter is a civil suit in which individual and organizational plaintiffs seek money damages based on allegedly illegal electronic surveillance overhears and direct coverage.

Memorandum Legal Counsel to J. B. Adams dated 8/19/75 advised of the receipt of plaintiffs' interrogatories requiring the production of certain documents and requesting that such documents, appropriately excised, be furnished by the appropriate FBIHQ Divisions.

Some of the requested documents were previously furnished to Legal Counsel. The last aspect to be handled by the Intelligence Division, the response to item #4, page 4 of the above-mentioned memorandum, concerns the furnishing of documents which constitute the basis for the various requests for authorization and reauthorization, by the Attorney General, of pertinent electronic surveillances involved in this case. There are attached Xerox copies of 151 documents, along with single copies of the excised versions of those documents, as requested by Legal Counsel.

RECOMMENDATIONS:

1. That upon approval, attached documents be furnished to Legal Counsel.

15 OCT 21 1975

2. That a memorandum to file be prepared, listing the above documents by file and serial number and enclosing a file copy of the excised version of each.

Sent 10/10/75 to Dept.
Enclosures - 302

62-112989

RJD:rbs

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56 DEC 10 1975

LEGAL COUNSEL

~~CONFIDENTIAL~~

October 10, 1975

Assistant Attorney General
Criminal Division

Director, FBI

1 - Mr. Wannall

2 - Mr. Mintz

1 -

DAVID DELLINGER, et al., v.
JOHN W. MITCHELL, et al.
(D.D.C.)
CIVIL ACTION NO. 1768-69

By memorandum dated August 11, 1975, you furnished copies of plaintiffs' Third Set of Interrogatories Addressed to Defendants as well as Rule 34 Requests directed to defendants and requested that information and documents contained in Bureau files necessary for the preparation of the Government's response be furnished to the Department. By memorandum dated August 26, 1975, I furnished to you information concerning items directed to the FBI, except for documents requested in Item 13 of the Rule 34 Requests.

In Item 13, Rule 34 Requests, plaintiffs have requested, with respect to each authorization or reauthorization for warrantless electronic surveillance heretofore made available to plaintiffs, copies of all memoranda or documents which were the basis for the Director's request to the Attorney General for such authorizations or reauthorizations. On August 15, 1975, Jonathan B. Smith of your office noted that plaintiffs have requested a substantial number of documents in this Item and stated that the Department would obtain a delay concerning this matter. Mr. Smith requested that the Bureau furnish documents requested by plaintiffs in Item 13 no later than October 1, 1975.

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DATE OF REVIEW 10/19/95
1-4-82

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~~CONFIDENTIAL~~

(See NOTE, Page 2.)

MAIL ROOM ☐ TELETYPE UNIT ☐

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

Assistant Attorney General
Criminal Division

For your information, review of our files fails to reveal any documents which were the basis for the Director's request to the Attorney General for the electronic surveillances of the Black Panther Party, 3106 Shattuck Avenue, Berkeley, California, authorization dated March 28, 1969, [or the W.E.B. DuBois Clubs of America, 5935 Grove Street, Oakland, California, authorization dated August 1, 1964.] Review of our files further reveals that the document which was the basis for the Director's request to the Attorney General for the electronic surveillance of Students For A Democratic Society, 1103 East 63rd Street, Chicago, Illinois, authorization dated June 4, 1965, was destroyed on September 5, 1969. The file fails to reflect a reason for the destruction of this document.

Except for documents which were the basis for the above surveillances, two copies of each document requested by plaintiffs in Item 13 were furnished to Mr. Smith on September 29, 1975. One copy was a true, unexcised copy as it appears in Bureau files. The second copy had deleted from it administrative and privileged material.

NOTE: Based on Legal Counsel memorandum to Mr. J. B. Adams dated 8/19/75, S. S. Mignosa memorandum to Mr. W. R. Wannall dated 9/23/75, and information furnished orally on 9/23/75 by SA [redacted] Intelligence Division, to SA [redacted] Legal Counsel Division.

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~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Office of Legal Counsel

DATE: August 11, 1975

RLT:RLK:ESC:JBSmith:mlh

FROM : *RLT*
Richard L. Thornburgh
Assistant Attorney General
SUBJECT: Criminal Division

David Dellinger, et al. v. John N. Mitchell, et al.
(D.D.C.) Civil Action No. 1768-69

27 Please find enclosed copies of plaintiffs' THIRD SET OF INTERROGATORIES ADDRESSED TO DEFENDANTS and Rule 34 REQUESTS, served upon this office by letter of July 29, 1975. The defendant's answer to these interrogatories and requests is due on August 28, 1975. Accordingly, it is requested that the information and documents contained in Bureau files necessary for the preparation of our response be made available to the Department in sufficient time that to allow filing of a response on that date. If disclosure of the requested information or documents is in your judgment objectionable, please so indicate in order that consideration may be given to interposing an appropriate objection.

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EX-106

REC-29

62-112989-345

10/29
AUG 12 1975

ENCLOSURE

62-112989

LEGAL COUNSEL



5010-110

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

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID T. DELLINGER, et al.,

Civil Action No. 1768-69

Plaintiffs,

v.

RULE 34 REQUESTS

JOHN N. MITCHELL, et al.,

Defendants.

581 Information
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED *3/5820*
DATE *2/25/93* BY *9803 RDD/SC*

Pursuant to the provisions of Rule 34 of the Federal Rules of Civil Procedure, plaintiffs request that the defendants produce and permit plaintiffs or someone acting on their behalf to inspect and copy the following:

1. The documents listed in the Third Set of Interrogatories 1 and 2, dated this date.

2. a) Memorandum dated December 4, 1970 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

b) Memorandum dated January 27, 1971 from Assistant Attorney General Mardian to Attorney General Mitcehl, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

62-113887-11
✓ c) Memorandum dated January 27, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General, Internal Security Division, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

✓ d) Memorandum dated February 3, 1971 from the Director, Federal Bureau of Investigation, to the Assistant Attorney General,
62-113887-11

e) Memorandum dated February 10, 1971 from Assistant Attorney General Mardian to George C. Moore, Benson Buffham, Thomas J. Kelley, Colonel John W. Downey, and Richard Ober, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

f) Memorandum dated April 26, 1971 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

g) All other memoranda to or from Assistant Attorney General Mardian the subject of which, or one of the subjects of which, was the Intelligence Evaluation Committee.

3. Memorandum from Assistant Attorney General Will Wilson to the Director, Federal Bureau of Investigation, dated April 16, 1969, and captioned, in part, "Electronic Surveillance etc., et al."

4. a) A memorandum dated March 10, 1971 from Assistant Attorney General Mardian to Attorney General Mitchell, the subject of which, or one of the subjects of which, was a proposal that requests for written authorization to conduct electronic surveillance in national security cases be routed through the Internal Security Division, Department of Justice.

b) Memorandum dated March 22, 1971 from Attorney General Mitchell to Assistant Attorney General Mardian in reply to memorandum described in 4(a), supra.

✓ c) Memorandum dated May 17, 1971 from the Director, Federal Bureau of Investigation, to Attorney General Mitchell, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveill-

the Department of Justice, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases.

e) Memorandum dated June 9, 1971 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, the subject of which, or one of the subjects of which, was new procedures in requests for authorization of electronic surveillance in national security cases.

f) Any and all attachments to the memoranda described in 4 (a) through (e), supra.

5. Study by Daniel McAuliffe and/or William Olson reviewing authorizations and re-authorizations for electronic surveillance projects.

6. Memorandum referred to by Robert L. Mardian in deposition of April 27 and 28, 1975 in Phoenix, Arizona, prepared by John David or any other person prior to May 6, 1969 and directed to either Attorney General Mitchell or the Director, Federal Bureau of Investigation, or both, containing recommendations concerning electronic surveillance, and speaking to the effect of the Omnibus Crime Control Act of 1968 thereon.

7. Manual referred to on page 2 of May 6, 1969 memorandum from Attorney General Mitchell to the Director, Federal Bureau of Investigation.

8. Form letter sent to various government agencies by the Department of Justice, either the Criminal Division or the Internal Security Division or any other division, requesting information concerning electronic surveillance of various

9. Letters sent to various government agencies by the Internal Security Division or the Criminal Division, or both, requesting information concerning electronic surveillance in United States v. Dellinger, Cr. No. 69-180 (N.D. Ill.).

✓ 10. Manual or other material or memoranda describing the system employed by the F.B.I. for the indexing and retrieval of electronic surveillance data. *any basis for objecting*

11. Any and all background memoranda, minutes of meetings, records of discussions, and other material concerning the development of the electronic surveillance policy propounded in a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, including copies of all preliminary drafts of the foregoing memorandum.

12. a) Any and all forms used by the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants. *are no forms*

b) Any and all forms used by federal offices and agencies other than the F.B.I. to respond to requests for disclosure of information concerning electronic surveillance of criminal defendants.

c) Any and all responses from government offices and agencies to requests for disclosure of information concerning electronic surveillance in United States v. Dellinger, Cr. No. 69-180 (N.D. Ill.), decided February 20, 1970.

7 13. With respect to each of the requests for authorization and/or reauthorization of warrantless electronic surveillance (emanating from the Director of the F.B.I. to the Attorney

basis for the request of the Director of the F.B.I. to the Attorney General for such authorization or reauthorization.

✓ 14. A training and/or operations manual entitled Handbook for Special Agents, pertaining, among other things, to the preparation of F.B.I. reports referred to by John A. Mintz in testimony of May 8, 1975.

Attorneys for Plaintiffs

By:

Morton Stavis
MORTON STAVIS
One of Counsel to
Plaintiffs

Dated: Newark, N. J.
July 30, 1975.

744 Broad Street
Newark, N. J. 07102
(201) 622-3789

Affidavit of Service

STATE OF NEW JERSEY)
COUNTY OF ESSEX) ss.

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original of the foregoing Rule 34 Requests on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Margaret B. Thompson

Sworn to and subscribed
before me this 31st day
of July, 1975.

Karen E. Stewart

KAREN E. STEWART
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Feb. 11, 1976

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

Civil Action

No. 1768-69

v.

JOHN N. MITCHELL, et al.,

Defendants.

THIRD SET OF INTERROGATORIES
ADDRESSED TO DEFENDANTS

The plaintiffs request that the defendants answer under oath, in accordance with Rule 33 of the Federal Rules of Civil Procedure, the within Interrogatories, in the space provided; if such space is inadequate, please answer the Interrogatories on additional pages.

PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. Has the federal government agreed to indemnify or otherwise compensate defendant Mitchell, or the representatives of defendant Hoover, or both, if plaintiffs prevail on their damage claim? If such indemnity or compensation arrangements have been made, describe their terms and extent and the source of authority therefor. If there is a document setting forth such arrangement, please furnish a copy or submit such document for copying pursuant to Rule 34 F.R.C.P.

2. Did Attorney General Clark respond prior to January 20, 1969 to a memorandum dated July 2, 1968 from the Director, Federal Bureau of Investigation, to the Attorney General, the subject of which was the effect of the Omnibus Crime Control Act of 1968 upon electronic surveillance programs? If so, was such response oral, written, or both? If oral, please state the date or dates of such communication or communications, and the contents thereof. If written, please furnish a copy or submit such document to plaintiffs for copying pursuant to Rule 34, Fed. Rules of Civil Proc.

3. List all material submitted as in camera exhibits to courts in United States v. Dellinger, CR No. 69-180 (N. D. Ill., decided February 20, 1970), reversed 472 F. 2d 340 (7th Cir. 1972).

4. State the division or office of the Department of Justice in which a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, marked Deponent 3, in Deposition of Robert Mardian, 4/28/75, originated. State also the names and titles of any and all individuals who participated in the preparation or drafting of the said memorandum; state whether such a document was the

5. Set forth as to each case in which the Department of Justice submitted for a court's in camera inspection, electronic surveillance relating to any of the plaintiffs herein:

- (a) the name of such case, and the court where the same was pending;
- (b) the date of submission;
- (c) a list of all items included in such submission.

ATTORNEYS FOR PLAINTIFFS

By: Morton Stavis
MORTON STAVIS
One of Counsel to Plaintiffs

Dated: Newark, N.J.
July 30, 1975.

Affidavit of Service

STATE OF NEW JERSEY) ss.:
COUNTY OF ESSEX)

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original and one copy of the foregoing Third Set of Interrogatories Addressed to Defendants on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Sworn to and subscribed
before me this 31st day
of July, 1975.

Karen E. Stewart

Margaret B. Thompson

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,

Plaintiffs,

Civil Action

No. 1768-69

v.

JOHN N. MITCHELL, et al.,

Defendants.

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ADDRESSED TO DEFENDANTS

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PLEASE TAKE NOTICE that a copy of such answers must be served upon the undersigned within the time prescribed by law.

1. Has the federal government agreed to indemnify or otherwise compensate defendant Mitchell, or the representatives of defendant Hoover, or both, if plaintiffs prevail on their damage claim? If such indemnity or compensation arrangements have been made, describe their terms and extent and the source of authority therefor. If there is a document setting forth such arrangement, please furnish a copy or submit such document for copying pursuant to Rule 34 F.R.C.P.

2. Did Attorney General Clark respond prior to January 20, 1969 to a memorandum dated July 2, 1968 from the Director, Federal Bureau of Investigation, to the Attorney General, the subject of which was the effect of the Omnibus Crime Control Act of 1968 upon electronic surveillance programs? If so, was such response oral, written, or both? If oral, please state the date or dates of such communication or communications, and the contents thereof. If written, please furnish a copy or submit such document to plaintiffs for copying pursuant to Rule 34, Fed. Rules of Civil Proc.

3. List all material submitted as in camera exhibits to courts in United States v. Dellinger, CR No. 69-180 (N. D. Ill., decided February 20, 1970), reversed 472 F. 2d 340 (7th Cir. 1972).

4. State the division or office of the Department of Justice in which a memorandum dated May 6, 1969 from Attorney General Mitchell to the Director, Federal Bureau of Investigation, marked Deponent 3, in Deposition of Robert Mardian, 4/28/75, originated. State also the names and titles of any and all individuals who participated in the preparation or ~~drafting of the said memorandum~~, state whether such a document was the subject of any conference or meeting and, if so, state the date and place

5. Set forth as to each case in which the Department of Justice submitted for a court's in camera inspection, electronic surveillance relating to any of the plaintiffs herein:

- (a) the name of such case, and the court where the same was pending;
- (b) the date of submission;
- (c) a list of all items included in such submission.

ATTORNEYS FOR PLAINTIFFS

By:

Morton Stavis

MORTON STAVIS

One of Counsel to Plaintiffs

Dated: Newark, N.J.
July 30, 1975.

Affidavit of Service

STATE OF NEW JERSEY) ss.:
COUNTY OF ESSEX)

Margaret B. Thompson, of full age, being duly sworn according to law, upon her oath deposes and says: On July 31, 1975, I served the original and one copy of the foregoing Third Set of Interrogatories Addressed to Defendants on Edward S. Christenbury, Esq., Civil Litigation Unit, Criminal Division, United States Department of Justice, Washington, D.C. 20530, by certified mail, return receipt requested.

Margaret B. Thompson

Sworn to and subscribed
before me this 31st day
of July, 1975.

Karen E. Stewart

PLAINTEXT

TELETYPE

NITEL

APRIL 1, 1976

TO SAC SAN FRANCISCO (66-672 B)

FROM DIRECTOR, FBI (62-112989)

DAVID DELLINGER, ET AL. V. JOHN N. MITCHELL, ET AL.

(U.S.D.C., D.C.) CIVIL ACTION FILE NO. 1768-69

1 - Mr. Leavitt

1 - [REDACTED]

1 - Mr. Mintz

2 - [REDACTED]

RE BUAIRTEL DATED APRIL 16, 1975. *Mr 314*

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ON MARCH 31, 1976, SA [REDACTED] OF YOUR OFFICE

ADVISED THAT [REDACTED] AND [REDACTED] HAVE REQUESTED ACCESS TO MATERIAL BEING PROVIDED TO PLAINTIFFS IN THE COURSE OF DISCOVERY IN THIS CIVIL ACTION AND THAT RECORDS OF YOUR OFFICE REVEAL THAT ONLY [REDACTED] IS TO BE GIVEN ACCESS TO THE MATERIAL.

ON MARCH 31, 1976, DEPARTMENTAL ATTORNEY, JONATHAN B. SMITH, ADVISED THAT [REDACTED] HAS EXECUTED AN AFFIDAVIT IN ACCORDANCE WITH THE OCTOBER 24, 1974, COURT ORDER IN THIS MATTER AND THAT SHE IS ALSO TO BE ALLOWED ACCESS TO THE MATERIAL IN QUESTION.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY 9951/24 315820
2-9-83 9488/24 1502

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

GML:bjr

EX 103

(SEE NOTE PAGE 2)

5 APR 5 1976

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

APR 2 1976
32545 HQ
TELETYPE

57 APR 15 1976

MAIL ROOM ☐

TELETYPE UNIT ☐

GPO : 1975 O - 569-820

NITEL TO SAN FRANCISCO
RE: DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.) CIVIL ACTION
FILE NUMBER 1768-69

NOTE:

In instant matter, a civil suit based on allegedly illegal electronic surveillance, plaintiffs have sought FBI records regarding pertinent coverage. In view of volume of such records it was recommended and approved that Department be furnished a schedule showing location and estimate of volume of material along with suggestion that such records be made available for inspection by plaintiffs' counsel at the individual field offices during regular working hours and upon reasonable notice to SAC. Department in turn so answered that part of the interrogatory and that procedure was in effect agreed to by plaintiffs. On 10/24/74, the Court entered an order in this civil action to modify its earlier protective order dated 2/26/74 to allow plaintiffs "to use commercial facilities and/or student or clerical personnel or other assistants to make copies and/or monitor the copying process and use student and clerical personnel to read and analyze all material being provided in the course of discovery, and to make reports thereon to [plaintiffs'] counsel of record. . . ." The order also specifies that "any such person obtaining access to the information. . . shall be informed of the Court's order [dated 2/26/74] and shall sign an affidavit . . . and indicate assurance of compliance to the order. . . ."

UNITED STATES GOVERNMENT

Memorandum

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

TO : Mr. J. B. Adams

FROM : Legal Counsel *[Signature]*

SUBJECT: DAVID T. DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

DATE: 5/21/76

PURPOSE

To advise that in connection with captioned civil suit Departmental Attorney requires access to files of individual plaintiffs to prepare for depositions scheduled to begin in late June, 1976.

SYNOPSIS

Captioned civil suit was filed by plaintiffs seeking monetary damages based on alleged illegal electronic surveillance coverage of them in the past, as well as declaratory and injunctive relief against future coverage. On 5/21/76, Departmental Attorney John Smith, Criminal Division, advised that he intends to notice depositions for individual plaintiffs beginning late June, 1976, and that to prepare for these he will need all information relating to plaintiffs' activities for the past ten years. Mr. Smith indicated that he believed direct access to the files to be the only feasible way to obtain the information he requires and Legal Counsel Division concurs.

CURRENT BUREAU POLICY

Departmental Attorneys have been given direct access to FBI files in another civil action concerning [redacted] where such access was also necessary in order to properly protect the interests of this Bureau.

(CONTINUED - OVER)

- 2 - Mr. Leavitt
(1 - [redacted])
1 - Mr. Mintz
1 - Legal Research Unit
PGD:kia
(5)

28 1976

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

FBI/DOJ

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1-4-82 BY 9510/108 D. [redacted] 3/5/82

N

62-112989-347

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Legal Counsel Memorandum
to Mr. J. B. Adams
Re: David T. Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

RECOMMENDATION

That Departmental Attorney John Smith be afforded direct access to the files of the individual plaintiffs in captioned civil action for the purposes of assembling information required to prepare him to conduct depositions of plaintiffs. Such access will be afforded within FBI space by the Intelligence Division.

APPROVED: *OK* *per* *John*
Assoc. Dir. *smc* Ext. Affairs..... Laboratory.....
Dep. AD Adm. Fin. & Pers. Legal Coun. *mpe*
Dep. AD Inv. Gen. Inv. Plan. & Eval.
Asst. Dir.: Ident. Rec. Mgmt.
Adm. Serv. Inspection Spec. Inv.
Intell. *TWB/ST* Training

DETAILS

Captioned civil action was filed seeking damages for allegedly illegal electronic surveillance coverage of plaintiffs in the past and declaratory and injunctive relief barring such coverage in the future. The plaintiffs are the "Chicago 8" and four organizations including the Black Panther Party. Extensive discovery has taken place in this case, and in connection therewith the Department desires to begin depositions of plaintiffs. This will necessitate that the Departmental Attorney in charge of this matter, Mr. John Smith, Criminal Division, familiarize himself with the activities of individual plaintiffs and their public statements as a basis for conducting such depositions.

↓ ↓
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J. B. Adams

Re: David T. Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

On 5/21/76, Mr. Smith stated that he would like to notice depositions for four of the individual plaintiffs for late June, 1976. These plaintiffs are [redacted] Abbie Hoffman and Jerry Rubin. Mr. Smith advised that he was interested in reviewing both public source material and reports and letterhead memoranda which summarize the activities of these plaintiffs for the past ten years. He indicated that upon such review he could then flag the particular items that he was interested in having copies of. He further indicated that he understood that when he had picked out various items of information as the basis for questioning that it might be necessary with regard to some of the items to converse with case Agents in various offices in order to insure that a particular line of inquiry would not tend to identify informants.

In view of the volume of material involved and the time frame as well as the fact that Mr. Smith will be out of town during the period June 6-19, 1976, it is believed that the only feasible method for such review is by the direct access that Mr. Smith requests. This would also preclude needless duplication of materials which may be of no use for his particular purposes. Mr. Smith indicated that he realized that he would be examining the materials within FBI space and stated that he would like to begin as soon as possible.

*Final results
furnished to Jonathan Smith,
Crim. Div., on 6/4/76.*

RJD

UNITED STATES GOVERNMENT

Memorandum

TO : Director
Federal Bureau of Investigation
Attention: Legal Counsel Division
FROM : Richard L. Thornburgh
Assistant Attorney General
Criminal Division
SUBJECT: David Dellinger, et al. v. John N. Mitchell,
et al., (D.D.C.) Civil Action No. 1768-69

DATE: 16 JUL 1976

The above-entitled action was filed on behalf of nine organizations and eight individuals, alleging that each plaintiff was subjected to actionable electronic surveillance by the Bureau. We have recently been provided with answers to certain interrogatories served by us, from the Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League, and, on the basis of those answers, and affidavits from Bureau personnel, we plan to move for summary judgment as to those three plaintiff associations.

By memorandum of February 8, 1973, captioned as above, the Department was informed that plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been subjected to electronic surveillance by the Bureau. The following are lists of the addresses and telephone numbers of those organizations from 1965 to the present:

Southern Conference Educational Fund:

- 822 Perdido Street EX- 108
Suite 408
New Orleans, Louisiana
(1965 to March, 1966)
2. 3210 West Broadway 502/778-3348
Louisville, Kentucky 40211 502/778-3349
3. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

Catholic Peace Fellowship:

1. 5 Beekman Street 212/WO4-8367
New York, New York
(1964 to 1968)
2. 339 Lafayette Street 212/673-8990
New York, New York
(1968 to present)

EXP. PROC.
40 JUL 19 1976
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9-21
JUL 19 1976

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/2/80 BY SP-2777/lee
8993 1048 DCM/SC



56 SEP 27 1976

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

War Resisters League:

- | | | |
|----|------------------------|--------------|
| 1. | 5 Beekman Street | 212/CO7-4592 |
| | New York, New York | 212/CO7-4593 |
| | (1944 to May 1969) | 212/CO7-4594 |
| 2. | 339 Lafayette Street | 212/228-0450 |
| | New York, New York | 212/228-0451 |
| | (June 1969 to present) | 212/228-0452 |

Based upon these lists, we request that a further elsur check of the three plaintiff organizations be conducted by the Bureau. In the event that such elsur checks are negative, we request the preparation of affidavits reflecting that fact in order that they might be filed in support of our motion for summary judgment.

The affidavits should indicate that searches have been undertaken of elsur files at Bureau Headquarters and at any field office located in the cities in which each plaintiff organization maintained or maintains an office. The addresses and phone numbers listed should also be contained in the affidavits.

The affidavits will be filed pursuant to Rule 44(b), Federal Rules of Civil Procedure. The Rule requires the affidavit to be executed by the custodian of the records searched, a statement that a "diligent search" has been undertaken, and a separate certificate, as provided by Rule 44(a)(1), that the affiant is in fact the custodian of the records in question.

Receipt of the affidavits is requested at your earliest convenience.

Airtel

To: SACS, Louisville
New Orleans
New York

7/29/76

1 - Mr. Walsh

(Attn [redacted])

1 - [redacted]

1 - Mr. Mintz

2 - [redacted]

108
From: Director, FBI

REC-33

DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

Enclosed is one copy of Departmental memorandum regarding captioned civil action dated 7/16/76. Disregard paragraph 3, page 2 concerning Rule 44(b), Federal Rules of Civil Procedure. On 7/28/76, John Smith, Departmental Attorney, telephonically advised that he inadvertently failed to include on the Departmental memorandum additional pertinent information regarding plaintiff Catholic Peace Fellowship:

524 Upper Broadway
Nyack, New York
(1964 - present)

212/LO8-0200
914/EL8-4601

Louisville and New Orleans are requested to have a Special Agent conduct an ELSUR check concerning plaintiff Southern Conference Educational Fund. New York is requested to have a Special Agent conduct ELSUR checks concerning plaintiffs Catholic Peace Fellowship and War Resisters League. In the event these checks are negative, the Agents conducting the searches should prepare a notarized affidavit reflecting that fact. The addresses and telephone numbers listed in the Departmental memorandum as well as those furnished by Mr. Smith on 7/28/76, should be set forth in the affidavits.

Enc.

NOTE: Based on Legal Counsel memorandum to Mr. J.B. [redacted] dated 7/27/76.

GML:kiw
(12)

26 SEP 27 1976
MAIL ROOM ☒

TELETYPE UNIT ☐

Airtel to SAC, Louisville
Re: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 75-69

Furnish the affidavits, or in the alternative, positive information to the Bureau, Attention: Legal Counsel Division, no later than 8/5/76. Questions concerning this matter may be directed to Special Agent [redacted] Extension 4532, FBI Headquarters

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

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

DATE: 7/27/76

FROM : Legal Counsel *jm*

SUBJECT: DAVID DELLINGER, et al. v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

2/9/93 1048 Dkm/SC
315820
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1-4-82 BY sp5 jg/hp

PURPOSE

To advise that the Department has requested that ELSUR checks be conducted concerning three organizational plaintiffs in this lawsuit.

SYNOPSIS

By memorandum dated 2/8/73, the Director informed the Department that plaintiffs Southern Conference Educational Fund, Catholic Peace Fellowship and War Resisters League have not been electronically surveilled by this Bureau. These plaintiffs recently produced a list of their addresses and telephone numbers from 1965 to present. By attached memorandum dated 7/16/76, the Assistant Attorney General, Criminal Division, requested that further ELSUR checks be conducted regarding the above plaintiffs at FBI Headquarters and at any field office located in cities in which each plaintiff organization maintained or maintains an office. In the event such checks are negative, the Assistant Attorney General, requests the preparation of affidavits reflecting that fact. The FBI's Personnel Officer, however, will be required to submit an affidavit specifying that the individuals who conducted the ELSUR checks and submitted the affidavits are Special Agents of the FBI.

Enc.

1 - Mr. Walsh

(Attn: [redacted])

1 - [redacted]

1 - Mr. Mintz

2 - [redacted]

GML:kiw

(6)

jm f

REC-33 62-112989-349
(CONTINUED - OVER)

23 SEP 21 1976

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Legal Counsel Memorandum
to Mr. J. B. Adams
Re: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

RECOMMENDATIONS

1. That INTD conduct ELSUR checks in accordance with the request by the Department and in the event such checks are negative, submit a notarized affidavit reflecting same.

2. That in the event ELSUR check affidavits are submitted, the FBI's Personnel Officer submit an affidavit specifying that affiants are Special Agents of this Bureau.

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

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

(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J. B. Adams
R. e: David Dellinger, et al. v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

DETAILS

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These organizational plaintiffs recently produced in discovery the following list of their addresses and telephone numbers from 1965 to present:

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Suite 408
New Orleans, Louisiana
(1965 to March, 1966)
2. 3210 West Broadway 502/778-3348
Louisville, Kentucky 40211 502/778-3349
3. 3208 West Broadway
Louisville, Kentucky 40211
(1969 to 1974)

↓ ↓
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J.B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

Catholic Peace Fellowship:

- | | |
|--|--------------|
| 1. 5 Beekman Street
New York, New York
(1964 to 1968) | 212/WO4-8367 |
| 2. 339 Lafayette Street
New York, New York
(1968 to present) | 212/673-8990 |

War Resisters League:

- | | |
|---|--|
| 1. 5 Beekman Street
New York, New York
(1944 to May, 1969) | 212/CO7-4592
212/CO7-4593
212/CO7-4594 |
| 2. 339 Lafayette Street
New York, New York
(June, 1969, to present) | 212/228-0450
212/228-0451
212/228-0452 |

By attached memorandum dated 7/16/76, the Assistant Attorney General, Criminal Division, requested that further ELSUR checks be conducted by this Bureau. In the event such checks are negative, the Assistant Attorney General, Criminal Division, requests the preparation of affidavits reflecting that fact. The affidavits should specify that searches have been made of ELSUR files at FBI Headquarters and at any field offices located in the cities in which each plaintiff organization maintained or presently maintains an office. The addresses and telephone numbers listed above should also be contained in the affidavits.

↘ ↘
(CONTINUED - OVER)

Legal Counsel Memorandum
to Mr. J.B. Adams
Re: David Dellinger, et al., v.
John N. Mitchell, et al.
Civil Action File No. 1768-69

On 7/20/76, Jonathan B. Smith, Departmental Attorney handling this matter, advised we should ignore the information concerning Rule 44(b) in the second to last paragraph, page 2 of the Assistant Attorney General's memorandum dated 7/16/76. The FBI's Personnel Officer, however, will be required to submit an affidavit specifying that that individuals who submitted the ELSUR check affidavits are Special Agents of the FBI.

By airtel dated 7/29/76, Louisville, New Orleans and New York were requested to conduct ELSUR checks and to submit affidavits, if appropriate.



F.B.I.

Date: 8/4/76

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIRMAIL

(Priority)

TO: DIRECTOR, FBI
ATTENTION: [REDACTED]
LEGAL COUNSEL DIVISION

FROM: SAC, NEW ORLEANS (66-2864) (RUC)

DAVID DELLINGER, et al., v.
JOHN N. MITCHELL, et al.
(U.S.D.C., D.C.)
CIVIL ACTION FILE NO. 1768-69

Re Bureau airtel to Louisville, 7/29/76.

Enclosed for the Bureau is the original and three copies of an affidavit of Supervisor CLIFFORD H. ANDERSON, which responds to referenced Bureau airtel.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP4 JRP

3-9-93 1048 Dm WPC
315820

EX-108

REC-33

62-112989-350

6-ENCLOSURE

9-20
AUG 8 1976

- ② - Bureau (Encs. 4)
- 2 - New Orleans (1 - 66-2864)
- (1 - 66-2855)

CHA:pd
(4)

1cc 71326
orig. & one copy
71326

[REDACTED]

LEP 8/27/76

7326

751
SEP 23 1976

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 1/4/82 BY SP5 JG/2P
2-9-93 1048 Dkm/SC
315820

F372

ENCLOSURE

62-12489-350

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.)
)
Plaintiffs,)
)
v.)
)
JOHN N. MITCHELL, et al.,)
)
Defendants.)

Civil Action No. 1768-69

Parish of Orleans)
) ss
State of Louisiana)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/4/82 BY SP5 JG/PP

2-9-93

1048DK m/8
315820

AFFIDAVIT

I, Clifford H. Anderson, after having been duly sworn,
do hereby depose and state the following:

I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the New Orleans, Louisiana, Field Office of the FBI.

On August 2, 1976, I made a careful and diligent search of the electronic surveillance indices maintained at the New Orleans, Louisiana, Field Office of the FBI, which include the following:

- (1) Index cards indicating the name of subjects of electronic surveillances and the date or dates such surveillances were maintained;
- (2) Index cards indicating the names of persons who while not subjects of a surveillance, were incidentally overheard on surveillance of another and the date or dates of such overhears.

Based upon my search, I determined that these indices contained no record of electronic surveillance of the following organization at the address listed:

Office of the FBI. If the Southern Conference Educational Fund had been the subject of an electronic surveillance conducted by this Agency in New Orleans, Louisiana, at the address listed, or at any other address within the jurisdiction of the New Orleans, Louisiana, Field Office, the name of that organization would have been contained in the indices.

Clifford H. Anderson
Clifford H. Anderson
Supervisory Special Agent
Federal Bureau of Investigation
New Orleans, Louisiana

Subscribed and Sworn to before me this 4th day of August, 1976.

Michelle J. Pitaro
NOTARY PUBLIC

My commission expires *at death*

duplicate original

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID DELLINGER, et al.,)

Plaintiffs,)

v.)

JOHN N. MITCHELL, et al.,)

Defendants.)

Civil Action No. 1768-69

City of Washington)

District of Columbia)

ss

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 4/4/82 BY SP5 JAB/
2-9-93 1048 JKM/SPC
315820

AFFIDAVIT

S. Ray Burns, being duly sworn deposes and says:

1) I am a Special Agent of the Federal Bureau of Investigation (FBI) and presently assigned as Personnel Officer at FBI Headquarters, Washington, D. C.

2) I hereby attest that Clifford H. Anderson is a Special Agent of the FBI currently assigned to the New Orleans, Louisiana Field Office of the FBI.

3) I hereby attest that Edmund V. Armento is a Special Agent of the FBI currently assigned to the Louisville, Kentucky Field Office of the FBI.

4) I hereby attest that Neil F. Divers is a Special Agent of the FBI currently assigned to the New York, New York Field Office of the FBI.

S. RAY BURNS
Special Agent
Federal Bureau of Investigation
Washington, D. C.

Subscribed and sworn to before me this _____ day of _____, 1976.

NOTARY PUBLIC

My Commission expires _____

Memorandum

TO : Director, FBI

DATE:

July 28

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	

JW
FROM : J. Walter Yeagley, Assistant Attorney General, Internal Security Division

DAVID
SUBJECT: DELLINGER, et al. v. ATTORNEY GENERAL, et al.

M
This is in regard to the recent Notice of Deposition which was served on you in the captioned case and which is returnable on August 28, 1969.

I wish to advise you that this Division in consultation with the Criminal and Civil Divisions, is presently preparing responsive pleadings to the Complaint and we are hopeful that we will be able to secure a dismissal of the Complaint without ever getting to the point of discovery proceedings. We also plan to file, in addition, an appropriate motion addressed to the Notice of Deposition with the expectation that the court would grant the motion although it might permit the submitting of pertinent written interrogatories. In any event, every possible legal step will be taken to protect you and the Department's interest in this case and you will be advised of our plans in this regard on a continuing basis.

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

EXP. PROC. 28-1969

b6
b7C

REC-117 100-384411-318
EX-117 14 JUL 28 1969

56 AUG 6 1969

F176

SEC.

UNITED STATES GOVERNMENT
Memorandum

TO : DIRECTOR, FBI (100-384411)

DATE: AUG 1 1969

FROM : SAC, NEW YORK (100-121672)

EX-103

SUBJECT: DAVID TYRE DELLINGER
SM - C (Key Activist)

REC-4

Enclosed for the Chicago is one (1) addressbook - diary, the property of [redacted] subject's secretary.

On 6/17/69, [redacted] Chief of Detectives, New York City Transit Authority Police Department, 370 Jay St., Brooklyn, New York made available a combination diary and address book, the property of [redacted] New York, New York. This book was found by Transit Authority Patrolman [redacted] Shield Number [redacted]. When found the book was wedged between two seat cushions on a BMT LL Train. Patrolman [redacted] after reviewing the contents of this book, indicated in his report that from notations contained therein he felt the owner might be connected with an international conspiracy harmful to the national defense of the United States. Those items which [redacted] felt might relate to such a conspiracy or national defense were bracketed by him with a black marking pen. For this reason it is not being photographed and returned to the owner.

- 2 - Bureau (RM)
- 2 - Atlanta (RM)
- 2 - Baltimore (RM)
- 2 - Chicago (Enc. 1) (RM)
- 2 - Los Angeles (RM)
- 2 - Milwaukee (RM)
- 2 - New Haven (RM)
- 2 - San Francisco (RM)
- 2 - Washington Field (RM)
- 1 - New York (100-121672)
- 1 - New York (100-159735) [redacted]
- 1 - New York (176-133) (David T. Dellinger, aka ETAL, ARL - Conspiracy)

(21)

RAC:caf

4-25-96 1/1/CEJUN
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/30/79 BY SP-2 TAP/drc

0005969

100-384411-319

11 AUG 4 1969



AUG 18 1969

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

The following items were contained in the address book part:

1. ~~STEVE ALLEN~~, 1558 N. Vine Street,
Hollywood, California
2. ~~RALPH ABERNATHY~~, Private (LOH) 522-2494
SCLC - 522-1420

3.

4.

5.

6.

7. HERBERT APTHEKER, MU 9-4530
BETTINA (415) 841-9120

Aptheker

b6

b7C

NY 100-121672

b6
b7C

- 8) [REDACTED]
- 9) [REDACTED]
- 10) [REDACTED]
- 11) [REDACTED]
- 12) [REDACTED]
- 13) [REDACTED]
- 14) [REDACTED]
- 15) [REDACTED] California
- 16) [REDACTED]
- 17) [REDACTED]
- 18) [REDACTED] SF
- 19) [REDACTED]
- 20) [REDACTED]
- 21) BDRG 547-8260
- 22) [REDACTED]
- 23) [REDACTED]
- 24) [REDACTED] (Sec. [REDACTED])
- 25) [REDACTED]
- 26) [REDACTED]
- 27) [REDACTED]
- 28) [REDACTED]
- [REDACTED]

NY 100-121672

b6
b7C

- 94) [REDACTED]
95) [REDACTED]
96) [REDACTED]
97) [REDACTED]
98) [REDACTED]
99) [REDACTED]
100) [REDACTED]
101) CORETTA KING, 234 Sunset Avenue, NW
Atlanta 30314, 688-3164
(Sec. Mrs. Z. BARGLEWY) 525-8083
102) [REDACTED]
103) [REDACTED]
104) UCLA [REDACTED]
[REDACTED]
Parents, [REDACTED]
105) Lancaster Printer, [REDACTED]
106) [REDACTED]
107) [REDACTED]
108) [REDACTED]
109) [REDACTED]
110) [REDACTED]
111) [REDACTED]
112) [REDACTED]
[REDACTED]
113) [REDACTED]
[REDACTED]
114) Mexico City-Hotel Marlöwe, Independencia 17, 21-95-40
115) MAILER, O--UL 5-8966
116) [REDACTED]
117) [REDACTED]
118) Möbe, [REDACTED]
119) MLP Deleg. 49 Ave. Cambaceres, VERRIERE-LE-BUISSON
920-21-51, 920-44-55
120) Restaurant Maubert, 3 Rue Basse des Canes, Paris
121) [REDACTED]

NY 100-121672

b6
b7C

- 22
- 29) [REDACTED]
- 30) [REDACTED]
- 31) [REDACTED]
- 32) [REDACTED]
- 33) [REDACTED]
- 34) [REDACTED]
- 35) [REDACTED]
- 36) [REDACTED]
- 37) [REDACTED]
- 38) [REDACTED]
- 39) [REDACTED]
- 40) [REDACTED]
- 41) [REDACTED]
- 42) [REDACTED]
- 43) [REDACTED]
- 44) [REDACTED]
- 45) Cuban Mission, 61E 67th Street, UN-1-5250
- 46) Catholic Peace Fellowship, 964-8367
- 47) Conspiracy, 641-5955
- 48) Cuban Dept. of Ed. [REDACTED]
- 49) [REDACTED]
- 50) [REDACTED] LA [REDACTED]
- 51) [REDACTED]
- 52) [REDACTED]
- 53) [REDACTED]
- 54) [REDACTED]
- 55) [REDACTED] La Mesa, California
- 56) C. R. V. [REDACTED]
- 57) Daily News, BOB KAPPSTATTER, MU 2-1234 #106
- 58) [REDACTED]
- 59) [REDACTED]

NY 100-121672

60) [REDACTED]

61)

62)

63)

64)

65) GESSIE DAVIS, (914) BE 5-6867,
44 Cortland Avenue, New Rochelle, NY b6

66)

67)

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91) ABLE HOFFMAN, 228-8432, 5626

92)

93)

NY 100-121672

122)

123)

124)

Mr. Jones

125)

126)

127)

128)

129)

130)

131)

132)

Mr. Jones

133)

134)

135)

136)

137) SNCC, 1005 R. Avenue, YU 9-1313,

360 Nelson Street, SW Atlanta (404) 688-0331

138)

Mr. Jones

139)

140)

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150)

BEN SPOCK, H - 249-2769; O - 421-1085

SDS, NY, 674-1608 W. Madison, 666-3874

202 Washington, 1829 Corcoran NW, 332-7183,

NY 100-121672

151)

152)

153)

154)

155)

156)

157) Viet Vets

158)

159) UN Mission: FRANK VREELAND, YU 6-2424.

160)

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Copies of this letter are being sent to the indicated offices due to the fact that names of more prominent individuals listed in the address book are residing in those field divisions.

The NYO will index all the names in the address book.

For additional information of the Chicago Division, the aforementioned book contains various notation concerning "The Conspiracy" and other speeches of the subject. " "

The Chicago Division is requested furnish the book to the USA, Chicago for any value it may be to him in relation to the investigation entitled "DAVID T. DELLINGER, AKA, ETAL, ARL - CONSPIRACY".

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY UC60233LE/EJ/bes

(Mount Clipping in Space Below)

The State

WILLIAM D. WORKMAN JR., Editor

WILLIAM E. RONE JR.
Editorial Page EditorWILLIAM P. CHESHIRE
Associate Editor

CHARLES H. WICKENBERG, Executive News Editor

12-A

Columbia, South Carolina, Wednesday, July 30, 1969

Disgraceful 'Diplomacy'

SEVERAL weeks ago, the State Department dispatched David Dellinger to Paris, there to negotiate with North Vietnamese Communists for the release of three American prisoners of war. The question that now arises is, who released the State Department from its senses?

Dellinger, it has to be understood, is no diplomat. He is, among other things, a Communist, which helps explain why the North Vietnamese insisted on negotiating with him and no one else. He likewise is under federal indictment for violating the Anti-Riot Act.

According to FBI Director J. Edgar Hoover, the National Mobilization Committee to End the War in Vietnam, which Dellinger heads, "emerged as the dominant coordinating force in planning disruption" in Chicago during the Democratic National Convention. It was because of his participation in this New Left outing that Dellinger was indicted. As a matter of fact, before it could send Dellinger to Paris, the State Department had to get permission from the federal court.

Dellinger, again according to Hoover, likewise planned the so-called "countercultural" ceremonies in Washington last January. These it

will be recalled, included throwing dirt clods at Vice President-elect Agnew and his party during a reception at the Smithsonian Institution, and heaving smokebombs and other objects at the President during the inaugural parade.

It is incredible that such a notorious disturber of the peace should have been sent overseas as a semi-official envoy of the United States, no matter what the Communists demanded. As for his assignment, no one wants American GIs to be held captive any longer than necessary and every honorable means should be employed to obtain their quick release. But surely the government ought to have declined to ransom these men with the moral integrity of the United States.

Rep. Albert Watson of South Carolina has called in State Department's action "sordid and unbelievable." That characterization will have to do until some stronger condemnation comes to mind. In the meantime, it would be useful to know who, precisely, contrived this national embarrassment and whether Secretary of State Rogers proposes to leave such loonies in command of his department.

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 _____

b6

b7C

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

12-A

The State

Columbia, S. C.

100-384411-A-
NOT RECORDED
AUG 26 1969

Date: 7/30/69

Edition:

Author:

Editor: W. D. Workman, Jr.

Title:

Character:

or

Classification:

Submitting Office: Columbia

☐ Being Investigated

100-384411-

File 5-

F B I

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-21-2008 BY UC60235LP/PJ/bes

Date: 7/29/69

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (100-384411)

FROM: SAC, CHICAGO (100-43767) (P)

SUBJECT: DAVID TYRE DELLINGER,
SM - C (KEY ACTIVIST)

OO: NEW YORK

Re Chicago tel to Bureau, 7/15/69.

Enclosed for the Bureau are ten copies and four copies for New York of an LHM setting out a verbatim transcript of a tape recording of a press conference held at the Federal Building, Chicago, Illinois, on July 15, 1969, held by DELLINGER and RENNIE DAVIS. One copy of the LHM is being designated for the USA, Chicago.

This recording was made by SA [redacted] and the original tape is being retained in 100-43767-1B1, and an appropriate 302 is being maintained in Chicago.

ENCLOSURE

- 2 - Bureau (Enc. 10) (RM)
- 2 - New York (100-121672) (Enc. 4) (RM)
- 4 - Chicago
- (1 - 176-41) (DELLINGER)
- (1 - 100-41932) (DAVIS)
- (1 - 176-37) (DAVIS)

JAM/eje
(8)

AGENCY: G-2, ONI, OSI, SEC. SER., STATE

CIA, DIA
RAO (ISD, CD, CD) [redacted]

DATE FORW: 8/4/69

HOW FORW: R/S

BY: SSC:dlh

REC-42

JUL 31 1969

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

57 AUG 11 1969

b6
b7C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

100-43767

Chicago, Illinois
July 29, 1969

DAVID TYRE DELLINGER;
RENNARD CORDON DAVIS

Attached hereto is a verbatim transcript of a tape recording of a press conference held on July 15, 1969, in the lobby of the Federal Building, Chicago, Illinois. This press conference consisted of statements by David Dellinger and Rennie Davis regarding Davis' forthcoming trip to Hanoi, North Vietnam.

This recording was made by a Special Agent of the Federal Bureau of Investigation.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

b6
b7c

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

ENCLOSURE

100-384411-320

DAVE DELLINGER:

As you may know, I just returned from Paris, where I succeeded in working out the arrangements with the North Vietnamese, who gave the release of three American war pilots. While I was in Paris, I conferred with Ambassador HENRY CABOT LODGE, who assured us that the government would do everything possible to make sure there was no interference with this release. We worked out a team of four representatives of the American anti-war movement who were scheduled to leave New York City at 9:00 o'clock tonight in order to make a very close connection with the one weekly plane into Hanoi on Friday. This would have expedited the release of the prisoners and brought them home to their families in the most rapid way possible. All this was explained to the Government Justice Department and State Department and we went into court a few minutes ago with Judge HOFFMAN with an agreement between the United States Attorneys and the attorneys for ourselves that RENNARD DAVIS, Rennie Davis, one of the defendants in this case, would be permitted to leave the jurisdiction of the court to travel to Hanoi and speed the return of these prisoners to the United States. In a fanciful reaction, Judge HOFFMAN spoke angrily of the enemy countries and denied permission for DAVIS to leave the court. This means that under the most favorable circumstances and with the best efforts on his part to work out a replacement for DAVIS with somebody who will be familiar with the delicate negotiations, will be trusted and will have the confidence of the Vietnamese, at the very least the release of the prisoners will be delayed for one week, which we consider to be tragic at this time with the anticipation of the families,

ENCLOSURE 100-384411-321

DAVE DELLINGER:
(Continued)

the anticipation of the prisoners themselves; and we are trying very hard to get around this. We have immediately made an appeal and we ought to be heard by Justice KERNER of the Appeals Court in a few minutes. It is just a very slight chance that if he overrules Judge HOFFMAN and grants permission that Mr. DAVIS will be able through use of helicopters, in making the connection and actually get on the ICC plane on Friday.

Question:

Mr. DELLINGER, I would like you to tell us one thing before you are through. Why was DAVIS selected when you knew he was under indictment here and there would undoubtedly be trouble in getting him to a country with which we have no diplomatic relations?

DAVE DELLINGER:

Well, perhaps we foolishly believe the old American saw about being innocent until proven guilty. He has been indicted, but he has not been found guilty of any crime. Secondly, the indictment stems from Mr. DAVIS' determination to end the war in Vietnam. Demonstrations demanding such things as an end to the bombing, which have now taken place but was not granted by the Government at that time, and now a total withdrawal of American troops. Mr. DAVIS' position on these matters plus the fact that he has had contact with the Vietnamese in the past over the question of prisoner release makes him peculiarly capable of carrying out this trip. We're not saying that under no circumstances could nobody else do it, but we are saying that this is an unfortunate set back which will take given the fact that there is only one plane a week to Hanoi, will take at least a week to repair.

Question:

He would be the best propaganda man as far as the North Vietnamese were concerned wouldn't he?

DAVE DELLINGER:

Well, I don't know what you mean by propaganda. I was asked the other day at a similar conference if I felt I was being used by the Vietnamese, and I said well, since I support the Vietnamese position that American troops should be completely and unequivocally withdrawn from Vietnam. I think it is impossible for me being used by them. In addition, I'm happy to play any part I can to get three prisoners home to their families.

Question:

(A few unintelligible words) using them as pawns for the enemy, for North Vietnamese propaganda?

DAVE DELLINGER:

Well, I think it is clear that what we're interested in is Vietnam having the same self-determination that the United States got for itself in 1776, self-determination as a people and that nobody is using any pawns, any prisoners as pawns. This is a simple humanitarian act in which three people are being released to come home to their families. Now it does not mean, of course, that there are not other prisoners there. It is clear too that the problem of the prisoners and the problem of the GIs that are being killed everyday in Vietnam cannot be resolved until the United States makes the firm decision that Vietnam is entitled to the same independence and the same freedom from foreign aggression that it covets for itself. Now, I would like to introduce Mr. DAVIS. Would you let me (pause)

Question:

(unintelligible)

DAVIS:

Roughly a year ago on July 4, the North Vietnamese released three prisoners as a humanitarian gesture to the American people to commemorate July 4, our own Independence Day. I think this gesture was made more than anything else to remind us that this country was founded on a revolution, and founded on a fight for our own freedom and our own independence day, a fight that goes on today in Vietnam. Now, again to commemorate July 4 of 1969, the North Vietnamese have announced that they are prepared to release three pilots to a representative delegation of the anti-war movement in the United States. I am privileged to have been selected to be one of those people to play a small part in bringing back these three men to their families. I think that it is clear that for myself and for millions of other Americans who have worked against this war that we have been engaged in, an unrelentless search is out to bring home our troops from Vietnam and if we can play this small part in bringing these three men back promptly and speedily, we certainly want to do it. I am absolutely incensed and outraged that a judge who ~~was~~ the judge demonstrator at the Democratic Convention who came to Chicago to protest four more years of JOHNSON's war policy and are now under indictment that that judge now views - that he has the right to say that this delegation has to be slowed down and that those men in North Vietnam have to spend another week or longer in a prisoner-of-war camp in that country. I think that it is a tragedy that this judge has made this decision. I think it is an indication that this judge is not fit to judge demonstrators against the war,

DAVIS:
(Continued)

people who have in every conceivable way made it clear that they will continue to fight in this country to bring home every American soldier and not just these three pilots.

Question:

Mr. DAVIS, if you are denied the appeal, will you go anyway?

DAVIS:

Well, I think that we'll have to consult very carefully with our attorneys and with the other representatives on the delegation. There's no question that very complicated negotiations are involved here with the Vietnamese and with our own groups. There's no question that this delegation is going to be delayed because of this decision, if it is not overturned at the appeal level, and I'll have to make a personal judgment as to whether or not these men's liberty is so in jeopardy that I would have to consider violating the order that was made today by Judge HOFFMAN.

Question:

Will you tell me Mr. DAVIS how it was that you were selected and who selected you to lead this delegation?

DAVIS:

Well, the committee who organized the delegation was a committee of the National Mobilization to End the War in Vietnam which is the largest coalition of anti-war draft resisters, students and women and black liberation groups in the United States. The delegation was represented by its chairman by the Mobilization Chairman DAVE DELLINGER in Paris and a number of problems were made in Paris and it was finally agreed upon in Paris that this four-man delegation of the North Vietnamese....the North Vietnamese are granting the visa for the four people and for one of the people not to participate now or to be thrown out by a decision of this court jeopardizing the whole delegation and connections will now have to be resumed

DAVIS:
(Continued)

both here in the United States and probably in Paris before a delegation could be put forward. It is not possible for this delegation to move without the (pause) it would be a violation of the agreement that was reached in Paris, a a a to have a delegation that did not include the four people that were worked out in that country.

Question:

Wasn't this an understanding with our own State Department too that this....

DAVIS:

This has the support of the State Department. It was recommended by the State Department to the court that I be permitted to travel to Hanoi to bring back these three prisoners. The Justice Department in Washington concurred with that decision. The Government United States Attorney representing the Justice Department in the court today recommended to the judge that I be permitted to travel. It is our judge that made the decision unilaterally, apparently that these men should.....stay confined in Vietnam until this delegation can be constituted and the trip can get underway.

Question:

Well then how do you....how do you evaluate this decision? Rather obviously Judge HOFFMAN knew he was going against all these recommendations, a a no matter what his attitude, he certainly is not stupid from the stand point he knows that he is going against the State Department and everyone.

DAVIS:

Well, Judge HOFFMAN today made a statement that said to the effect that he regarded the North Vietnamese as the enemy and that a person such as myself could not travel to North Vietnam even when it was

DAVIS:
(Continued)

a question of the liberty of the three American pilots. Of course, speaking for myself I don't regard the North Vietnamese people as my enemy but the enemy of American people. I think the enemy is the pentagon that continues to place those GIs in that situation fighting a war that is senseless and brutal, illegal and unjust and that simply what has happened today, Judge HOFFMAN has lined up against the real enemy of the American people, namely the pentagon.

Question:

Mr. DAVIS, will you tell us why you said that this was July 4 release in honor of independence and revolution? Why then is it taking this long in waiting until your trial is coming up in public light?

DAVIS:

It has nothing to do with our trial. It has to do with the announcement made on July 4 in North Vietnam. It was then a matter of making arrangements for the delegation to go to Hanoi to secure the release of these three men. That first required one trip to Paris which Mr. DELLINGER made. Then a trip back to the United States to make the arrangements for the delegation and all this takes a matter of weeks. By withdrawing my name from the delegation would mean that much more time is wasted, whereas these men's liberty is at stake and I think it is an absolute outrage.

Question:

You wouldn't think that this is also a god send for your publicity campaign in this case?

DAVIS:

I don't think this.....that is a question here. I think that that's a very arrogant question for you to even ask, where these three men are involved.

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

TO: DIRECTOR, FBI (100-384411)

FROM: SAC, BALTIMORE (176-48) (RUC)

SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

DATE: August 8, 1969

Re Bureau airtel dated May 6, 1969, and Baltimore airtel to the Bureau captioned "DAVID TYRE DELLINGER, aka; (Principal Subject) ARL."

[REDACTED] who were separately interviewed on August 5, 1969, advised that they were present at the Unitarian Church, Baltimore, Maryland on March 31, 1969. The occasions was an affair sponsored by the Baltimore Defense Committee (BDC). Above captioned individuals was the principal speaker.

b2
b7D
b6
b7C

A characterization of the BDC is appended hereto.

Both informants advised that no mention was made during the course of the affair as to whether or not DELLINGER was receiving money for making a speech. Both informants advised that at the end of the meeting, a collection was taken up but no statement was made as to the disposition of the money collected.

On August 6, 1969, [REDACTED] Inspectional Services, Baltimore, Maryland Police Department, advised that he had talked with sources of the Police Department present at the March 31, 1969 affair, and they had advised him that no mention was made as to any payment to Mr. DELLINGER, nor was there any statement made as to the disposition of the money collected at the close of the meeting.

b6
b7C

[REDACTED] who is close to [REDACTED] BDC Organizer, advised on August 5, 1969, that monies collected at BDC sponsored affairs are handled by [REDACTED]

- EX-114
- ② - Bureau (REGISTERED MAIL)
2 - New York (100-121672) (REGIS. MAIL)
3 - Baltimore (1 - 176-48) (1 - [REDACTED])
(1 - [REDACTED])

12 AUG 8 1969

b2
b7D

RCN:kss
(7)

5 AUG 18 1969



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

BA 176-48

all of whom are active in the BDC. These three individuals do not disclose to other persons affiliated with the BDC as to what disposition is made of monies collected during the course of BDC meetings.

b6
b7C

APPENDIX

BALTIMORE DEFENSE COMMITTEE

On January 27, 1969, a source advised that the Baltimore Defense Committee (BDC) was organized on September 18, 1968, by a group of individuals active in conducting demonstrations against the war in Vietnam and the Selective Service System.

The BDC has conducted activities against the war in Vietnam and the Selective Service System and has, in addition, during the fall of 1968, demonstrated on behalf of nine individuals charged with destruction of draft records at a Selective Service Board in Catonsville, Maryland.

The source advised that headquarters for the BDC is 2525 Maryland Avenue, Baltimore, Maryland. There have been no officers elected in the BDC.

On May 27, 1968, a second source advised that Dean Pappas, principal organizer of the BDC and leader of the organization, stated during May, 1968, that he was working for the "New Left" and advocated militancy until a socialist America is achieved.

On May 5, 1969, the first source advised that the BDC continues to exist, maintain its headquarters at 2525 Maryland Avenue, Baltimore, Maryland, and continues its activities against the war in Vietnam and the Selective Service System. The first source also advised on May 5, 1969, that there are no officers in the organization and that it continues to be led by Dean Pappas.

APPENDIX

8/8/69

AIRTEL

TO: DIRECTOR, FBI (176-39)
FROM: SAC, BOSTON (176-60) (P)
SUBJECT: DAVID TYRE DELLINGER, aka
ET AL
(TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY

Re Boston airtel, 8/7/69.

Subject and wife located in Cottage #2, Green
Dolphin Cottages, Route 6, South Wellfleet, Mass.

Source advised subject spending part of his time
dictating to his wife, who is typing material for him.
Wife plans to return to work, NYC, approximately 8/15/69,
and subject will move to Cottage #5, where he plans to
remain until 9/1/69.

They have had no visitors and appear to be
seeking solitude and vacation.

Boston will report activities.

- 5 - Bureau (176-39) (RM)
 2 - 176-1418
 2 - 100-161445
 1 - 100-384411
1 - Chicago (176-5) (Sub C) (Info) (RM)
2 - New York (176-133) (Info) (RM)
 1 - 100-121672
2 - Boston (176-60)
 1 - 100-37416

UNC:mrg
(10)

100-384411-
NOT RECORDED
136 AUG 14 1969

7 AUG 21 1969

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

FBI

Date: 8/7/69

Transmit the following in _____

(Type in plaintext or code)

Via _____

AIRTEL

(Priority)

TO: DIRECTOR, FBI (176-39)
FROM: SAC, BOSTON (176-60) (P)
SUBJECT: DAVID TYRRE DELLINGER, aka
ET AL
(TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY
(OO: CHICAGO)

b6
b7C

Re Boston airtel to Director, 8/6/69.

Spot fisurs at Wellfleet, Mass homes of [redacted]
and others who might be sympathetic to DELLINGER
causes negative.

Sources previously alerted who have viewed
DELLINGER photos recontacted but none have seen him.

No mail being received, Wellfleet Post Office,
for DELLINGER.

Postmaster, South Wellfleet, Mass., advised 8/7/69
three pieces of mail arrived c/o General Delivery for
DELLINGER from 339 Lafayette Street and 5 Beekman Street,
both NYC, and 2500 Filbert Street, San Francisco, California.
He will advise when above mail is called for.

Chicago and New York will continue efforts,
through sources, to obtain more specific current
information re DELLINGER's whereabouts.

- (5) Bureau (176-39) (RM)
(1 - 100-161445)
(1 - 176-1418)
(1 - 100-384411)
2 - Chicago (176-5) (Sub C) (RM)
3 - New York (176-133) (1 - 100-121672) (RM)
3 - Boston (176-60) (RM)
(1 - 100-37416) WHC:nrg (13)

100-384411-

NOT RECORDED
198 AUG 12 1969

4 AUG 18 1969

Special Agent in Charge

Sent _____ M Per _____

ORIGINAL FILED IN 176-39-98

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

F B I

Date: 8/1/69

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (176-39)
FROM: SAC, BOSTON (176-60) (P)
SUBJECT: DAVID TYRE DELLINGER, aka;
ET AL
(TRAVEL OF DEFENDANTS);
ARL - CONSPIRACY
(OO:CG)

b6

b7C

Re New York airtel to Director dated 7/24/69; Chicago teletype to Director dated 7/25/69.

[redacted] Manager, Provincetown-Boston Airlines, Inc., on 7/31/69 and 8/1/69, said no one using the name DELLINGER flew in or out of Provincetown 7/30 or 7/31/69. A reservation under "DILLIMAN" for flight, Provincetown to Boston, 8:10 a.m., 7/30/69, and return flight, Boston to Provincetown, leaving Boston 7:10 p.m., 7/31/69, was cancelled when no call was received by 7/29/69 reaffirming above reservations.

Flights in and out of Hyannis, Massachusetts, on above dates via Northeast Airlines, Executive Airlines or Cape

- cc 918940
5-Bureau (176-39) (RM)
(1 - 176-1418)
(1 - 100-161445)
(1 - 100-384411) (DAVID TYRE DELLINGER)
2-Chicago (176-5 Sub-C) (RM)
3-New York (176-133) (RM)
(1 - 100-121672) (DAVID TYRE DELLINGER)
3-Boston (176-60)
(1 - 100-37416)

WHC:mac
(13)

100-384411-
NOT RECORDED
172 AUG 8 1969

~~5 AUG 5 1969~~

54 AUG 14 1969

Approved: [signature]

Sent

M

Per

ORIGINAL FILED IN 176-39-96

BS 176-60

b6
b7C

and Island's Flight Service under name of DELLINGER reflect no reservations or travel by anyone using that name.

Established sources, including Postmaster, Wellfleet, Massachusetts, have no information regarding DELLINGER's arriving at Wellfleet.

[redacted] of Wellesley, Massachusetts, who is an associate of DELLINGER, is currently in Montreal, Canada, and no one is currently residing in her home at Wellesley.

Above sources alerted and will advise of DELLINGER's arrival.

LEADS

CHICAGO

AT CHICAGO, ILLINOIS

Will recontact USA to determine if DELLINGER changed his itinerary.

Will also determine if DELLINGER furnished any specific address at Wellfleet, Massachusetts.

NEW YORK

AT NEW YORK CITY, NEW YORK

Will recheck with Sarah Marquis Travel Service to determine if DELLINGER traveled 7/30-31/69, as scheduled.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

F B I

Date: 8/4/69

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (100-384411)

Hgm/km FROM: SAC, CINCINNATI (100-18010) (RUC)

SUBJECT: DAVID TYRE ^DDELLINGER
SM - C (KEY ACTIVIST)

Re NY airtel to Bureau, 7/8/69.

[redacted] Wright State University, Fairborn, Ohio (conceal identity), who has furnished reliable information in the past, advised SA [redacted] on 7/28/69 that DAVID DELLINGER was issued a check by Wright State University for \$200 on 3/26/69. It was endorsed and deposited in the Chemical Bank New York Trust Co., on 4/11/69. It had a number below his signature of 033517223, which might be his account number.

[redacted] stated he had determined that the amount of the check was agreed upon between the Artist and Lecturer Series Committee of Wright State University, and either DELLINGER or his agent, and there was no known breakdown regarding expenses and/or services.

- cc 91854D*
- ② - Bureau (RM)
 - 2 - New York (100-121672) (RM)
 - 1 - Cincinnati

RMJ/mhc
(5)

EX-102
REC-31

100-384411-322

AUG 6 1969

INT. SEC.

Sent

M

Per

b6
b7C
b7D

b6
b7C

AUG 14 1969

~~SECRET~~

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 07-21-2008

~~CONFIDENTIAL~~

FBI

Date: 8/1/69

Transmit the following in

Via AIRTEL

(Type in plaintext or code)

(Priority)

12-2-8X
CLASS. & EXT. BY *SP-5/12*
REASON FOR IT 1-2.4.2
DATE OF REVIEW 8-1-88
WCS
WCS
WCS

TO: DIRECTOR, FBI (100-384411)

b6

FROM: SAC, NEW YORK (100-121672)

b7C

SUBJECT: DAVID TYRE DELLINGER aka
SM - C (KEY ACTIVIST)

ReNYairtel and LHM, dated 7/25/69, captioned
"Travel of United States Citizens to Cuba, July 7, 1969
IS-Misc."

Enclosed for the Bureau are nine copies of an LHM,
suitable for dissemination. Enclosed for Chicago are five
copies of the LHM.

The enclosed LHM is being sent to the Chicago
Division pursuant to previous instructions concerning the
subject's activity in connection with the investigation
entitled "DAVID T. DELLINGER aka, ET AL; ARL - Conspiracy."

The source mentioned in the LHM is

b1

The LHM is classified "Confidential" because data
reported by the source mentioned in the LHM, if disclosed,
could result in the identification of a confidential source
of continuing value and compromise its future effectiveness.
Such compromise could be detrimental to the defense interests
of the nation.

The NYO will continue to follow and report activities
of the subject.

- 3-Bureau (Encls. 9) (RM)
(1-176-1410) (DAVID T. DELLINGER)
2-Chicago (Encls. 5) (RM)
(1-176-5 Sub C) (DAVID DELLINGER)
2-New York
(1-176-133) (DAVID T. DELLINGER)

RAC:pmh

(10)

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN OTHERWISE

25 AUG 2 1969

INT. SEC.

~~CONFIDENTIAL~~

Special Agent in Charge

~~SECRET~~

UNRECORDED

UNRECORDED

CC 1 How to
HCSI, AMI, OSI, SS, STATE
CIA, RA00-(ZSA CD)
BY RLS SSC: dlu 8/16/69
100-4-2004 95-18

7/20 AUG 2 1969
7/20 AUG 2 1969



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
August 1, 1969

~~CONFIDENTIAL~~
CO

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

David Tyre Dellinger

b6
b7C

On July 22, 1969; a source, who has furnished reliable information in the past, advised that [redacted] of Movement for a Democratic Society (MDS), in New York City, an off-campus non-student wing of the Students for a Democratic Society (SDS) advised that David Dellinger made arrangements for representatives of the "New Left" in the United States, who were in Cuba as of July 14, 1969, to attend a conference in Cuba, met with representatives of the National Liberation Front there. There were approximately 30 people in the group, including SDS members from New York and other SDS chapters around the country, as well as representatives of the Committee of Returned Volunteers (CRV). The leading representative of SDS was Ted Gold, who is also leader of Teachers for a Democratic Society of MDS in New York. No MDS delegates were in attendance due to a factional dispute between SDS and MDS. Dellinger wanted Bob Gottlieb, MDS head, to represent that organization at the conference but Gottlieb was unable to attend due to pressure of business. (C)

DECLASSIFIED BY [redacted]

A characterization of SDS is contained in the appendix attached hereto.

David Dellinger is characterized in the characterization of "Liberation" magazine which is attached in the appendix:

INTERAGENCY AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF CLASS
DATE 12-8-81 PMC

12-2-81
CLASS. & EXT. BY SP-8 JH/pte
REASON-FCI II, 1-2.4.2
DATE OF REVIEW 8-1-82

5-23-96
CLASSIFIED BY SP-7C/UN
DECLASSIFY ON: 25X1

THIS DOCUMENT CONTAINS NEITHER
RECOMMENDATIONS NOR CONCLUSIONS
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AGENCY; IT AND ITS CONTENTS ARE
NOT TO BE DISTRIBUTED OUTSIDE
YOUR AGENCY.

GROUP 1
Excluded from automatic
downgrading and
declassification

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

ENCLOSURE

1 100-384211-323

David Tyre Dellinger

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

APPENDIX

1.

STUDENTS FOR A DEMOCRATIC SOCIETY

A source has advised that the Students for a Democratic Society (SDS), as it is known today, came into being at a founding convention held at Port Huron, Michigan, in June, 1962. From an initial ideological posture of "participatory democracy," the current line of the national leadership reveals an adherence to Marxism-Leninism. Michael Klonsky, National Secretary, in March, 1969, called for the building of a revolutionary Marxist-Leninist movement. The program of SDS has moved from involvement in civil rights struggles to an anti-Vietnam war position and finally to its present advocacy of an anti-imperialist line, linking up the oppressed peoples of Asia, Africa and Latin America with the black liberation movement in the United States. China, Vietnam and Cuba are regarded as countries which are leading the world-wide struggles against United States imperialism. On the other hand, SDS regards the Soviet Union as an imperialist power and does not support the policies of that country.

SDS maintains a National Office in Room 206, 1608 West Madison Street, Chicago, Illinois. Its official paper "New Left Notes" reflects the line of the national leadership and program adopted at meetings of the National Council and National Interim Committee (NIC). Three national officers and a NIC of eleven members are elected each year during a June National Convention.

SDS Regional Offices and university and college chapters elect delegates to National Council meetings wherein program and ideology are debated, but each Region and chapter is autonomous in nature and is free to carry out independent policy and programs reflective of local conditions.

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

APPENDIX

1.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

LIBERATION MAGAZINE

"Liberation" Magazine (LM) is self-described as an independent monthly with offices at 5 Beekman Street, New York, New York. A "Statement of Ownership, Management, and Circulation" was published in the November, 1967 issue. It listed the Publisher and Editor of the magazine as DAVE DELLINGER. The circulation was given as 10,000.

The following comments appeared in a leaflet distributed by LM in May, 1968:

"Since its inception in 1956, LIBERATION has played an active and creative role in the growth of the new radicalism in the United States. From civil rights to black liberation, from 'ban the bomb' to the movement to end the war in Vietnam, LIBERATION has been vital. Its radical critique of American society and its emphasis on democratic and direct action against the inequalities and injustices of our present social structure have inspired radicals, young and old".

"In addition, LIBERATION will continue to carry articles and discussions written by and to community organizers, student and non-student activists, educators, economists, and social scientists - of interest to anybody concerned with building a radical and nonviolent Movement that will bring a fundamental change to the existing order".

On May 14, 1963, a source advised that during a speech in New York, New York, on May 10, 1963, DAVE DELLINGER identified himself as a pacifist. He stated it was necessary to abolish the cause of war, which was capitalism. He advocated a Communist society and said, "I am a Communist", but further stated he was not a Soviet type Communist.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

TO : DIRECTOR, FBI (100-384411)

FROM : SAC, NEWARK (100-41323)-RUC-

SUBJECT: DAVID TYRE DELLINGER
SM-C
(KEY ACT: VISIT)
(OO:NEW YORK)

DATE: 8/22/69

Re New York letter to the Bureau dated 4/15/69.

Listed below are subscribers to telephone numbers requested by New York Division in referenced communication, along with all available background information in possession of Newark Division regarding subscribers.

On 5/5/69, [REDACTED] made available to IC [REDACTED] the subscribers of the following telephone numbers.

1. [REDACTED]

Newark Division indices reflects that [REDACTED] is an attorney. She served as a legal counsel in a Mississippi Summer Project in 1964 with a Lawyers Constitutional Defense Committee, Inc. The committee was formed for the express purpose of providing legal counsel for civil rights demonstrators in key trouble areas of the south from June through October of 1964. [REDACTED] served on this committee from July 24 through August 4, 1964.

LOCATION:
NK 157-1593-3

Furnished: June 17, 1964, by MELVIN L. WULF, Legal Director, American Civil Liberties Union to the Memphis Office. Information furnished Director by Newark LHM and airtel captioned "MISSISSIPPI SUMMER PROJECT; LAWYERS CONSTITUTIONAL DEFENSE COMMITTEE, 722/64; RM; OO:NO".

2-Bureau (RM)
2-New York (RM)
1-Newark
PW/bak

REC-23

EX - 117

AUG 25 1969

56 SEP 5 1969

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

INSEC.



NK 100-41323

On 7/10/69, Det. [redacted] of the Belleville P.D., advised IC [redacted] that their records do not reflect any information identifiable with [redacted]

2. [redacted]

b6
b7C

Newark Division indices reflects no information identifiable with [redacted]

On 7/24/69, [redacted] (protect identity), made available to SA [redacted] the subscribers to telephone numbers listed below:

b6
b7C
b7D

1. [redacted]

Newark Division indices negative.

2. [redacted]

b6
b7C

Newark Division indices negative.

3. [redacted]

Newark Division indices negative.

4. DAVID DELLINGER
201-638-6542

5. [redacted]

Newark Division indices reflect that [redacted] was used as a neighborhood source by the Newark Office when DELLINGER resided in the Glen Gardner, N.J., area, in 1951.

NK 100-41323

b6
b7C

6.



Hampton, N.J.



FBI

Date: 8/21/69

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (176-1410)
FROM: SAC, BOSTON (176-60) (P)
SUBJECT: DAVID TYRE DELLINGER, aka.
ET AL
(TRAVEL OF DEFENDANTS ARL - CONSPIRACY)
(OO:Chicago)

Fisur and source reflects subject continues his routine of typing in his cottage most of the time, making his own meals, and taking a daily swim and sunbath.

No contact or pertinent activities to report at this time.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

100-384411-
NOT RECORDED
198 AUG 26 1969

- 1 cc, Rom vrb6
- 2- Bureau (176-1410)
 - 1- 100-~~121572~~
 - 2- Chicago (176-5-Sub C)
 - 2- New York (176-133)
 - 3- Boston
 - 1-100-37416
- WFO:cau
(9)

176-1410
25 AUG 28 1969

ORIGINAL FILED IN

b6
b7C

56 SEP 4 1969

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

F B I

Date: 8/20/69

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

Via A I R T E L _____
(Priority)

TO: DIRECTOR, FBI (176-1410)
FROM: SAC, CHICAGO (176-5) (P)
SUBJECT: DAVID T. DELLINGER, aka;
ET AL
ARL - CONSPIRACY
OO: CHICAGO

b6
b7C

Re New York airtel to Bureau, 8/14/69.

On 8/20/69, AUSA RICHARD G. SCHULTZ, Chicago, advised that New York summary report of SA dated 5/12/69, captioned "DAVID TYRE DELLINGER, aka, SM - C (Key Activist)", appears to be sufficient for his purpose of a ready reference of past organizational activities and background information concerning DELLINGER.

AUSA SCHULTZ also advised that current report on DELLINGER is being expeditiously prepared and he stated that with this current report, together with the above mentioned summary report, previous reports on DELLINGER need not be furnished.

- 2 - Bureau
(1 - 100-384411) (DAVID T. DELLINGER)
2 - New York
(1 - 100-121672) (DAVID T. DELLINGER)
(1 - 176-133) (DAVID T. DELLINGER)
2 - Chicago
(1 - 100-43767) (DAVID T. DELLINGER)

HFB:kdj
(6)

RECEIVED CHICAGO
AUG 22 1969

100-384411-176-1410-2
AUG 22 1969

100-384411-
NOT RECORDED
100 AUG 26 1969

176-1410-2
AUG 22 1969

4 SEP 2 1969
Approved:
Special Agent in Charge

Sent _____ M Per _____

ORIGINAL FILED IN 176-1410-734

F B I

Date: 8/14/69

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

Via AIRTEL

(Priority)

To: SAC, Div. 1

Date Forw. 8/18/69

How Forw. 694-B

TO : DIRECTOR, FBI (176-1410)

By BJO/lew

1 - Bombing - CRA of 1964 Unit

FROM : SAC, NEW YORK (176-133)

SUBJECT: DAVID T. DELLINGER aka;
ET AL
ARL-CONSPIRACY

Enclosed for the Bureau are nine copies of an LHM concerning subject, DAVID T. DELLINGER and five copies of the LHM enclosed for Chicago, suitable for dissemination to USA, Chicago, Ill.

The source in the LHM is

b2

b7D

The LHM is classified "Confidential" because data reported by the source, if disclosed, could result in the identification of a confidential informant of continuing value; compromise his future effectiveness. Such compromise could be detrimental to the defense interests of the nation.

The NYO will follow and furnish public material of the subjects.

- 2 - Bureau (Enc. 9) (RM) (1-100-384411) (DAVID T. DELLINGER)
2 - Chicago (176-5) (Enc. 5) (RM)
1 - New York (100-121672) (DAVID T. DELLINGER)
1 - New York

RAC:ats
(7)

AGENCY: G-2, SEC. SER., STATE

C-FA

RAO (ISD, CRD, CD) IDIU

DATE FORW. 8/29/69

HOW FORW. RIS

BY: ms R. dlh

1cc. encl 918-D.

ENCLOSURE

AUG 15 1969

NOT RECORDED

192 SEP 3 1969

59 SEP 11 1969

Approved: *[Signature]*

Special Agent in Charge

Sent *[Signature]*

ALL APPROPRIATE OFFICES AND AGENCIES NOTIFIED OF
DECLASSIFICATION VIA R/S 7/28/76. DJF:mp

ORIGINAL FILED IN 176-1410-772



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
August 14, 1969

Bu 176-
NY 176-133

David T. Dellinger

On August 8, 1969, a source who has furnished reliable information in the past furnished a pamphlet entitled "New Urgency on Vietnam", which indicates it is an editorial reprinted from the July issue of "Liberation", written by Dave Dellinger.

A characterization of "Liberation" Magazine is attached.

The editorial is set forth as follows:

DECLASSIFIED BY



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b7C

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

ENCLOSURE

100-384411-

dave dellinger:

10¢

New Urgency

On Vietnam

I.

There are some signs that the United States, like a wounded beast, may be gradually moving to extricate itself from Vietnam, killing and clobbering as it goes. If so, this is a tentative policy which would be reversed any time there was a let-up in military pressures in Vietnam or in political pressures at home. It is accompanied by unprecedented military escalation (bombing and shelling beyond the limits of human comprehension plus active implementation of the Phoenix Plan for assassinating 80,000 village cadres of the N.L.F.) and is aimed at extorting in Paris the political concessions which will keep a U.S. foothold in Vietnam. As the *New York Times* admits, "[both inside and outside the Nixon administration] the argument is over how many Americans can be withdrawn, how quickly, without defeating the purpose for which they went to Vietnam in the first place" (Sunday, June 22, *The Week in Review*). In other words, the tentative new policy reflects not the slightest lessening of U.S. determination to control Vietnam (and the rest of the world) in the interests of American capitalism and anti-communism. Instead, it reflects a long delayed but ultimately unavoidable response to the fact that the United States is losing the war on the terrain and in the arena of world and domestic politics. There are at least three basic reasons why it requires more rather than less anti-war action, both in the form of massive national protest and in grass-roots resistance activities.

1. Faced with the prospect of "going under" in the same crush of public opposition which made it impossible for Lyndon Johnson to run for re-election, Nixon is trying desperately to prevent active, catalytic expression of the country's underlying discontent. His strategy has been, first to ask for time to study the situation and formulate new policy; then to create a mood of false optimism by leaking dishonest reports of "secret talks," "progress in Paris," declining morale in the N.L.F. and the D.R.V., "improvement" in the morale and efficiency of the puppet troops (a truly ridiculous claim), and impending American military victory. Now he offers phony concessions, such as the

withdrawal of 25,000 U.S. troops.

Phony for the sheer tokenism of it, as when a university admits 30 students from the ghetto or a union takes ten black apprentices. But phony also for a less obvious reason: American troops spend most of their time holed up in tiny enclaves, vulnerable to repeated mortar and rocket attacks. They venture out only in periodic savage actions which provide psychological reassurance for the generals and lifers (feeding their *machismo* and careerist ambitions) but are carried out at great cost in GI lives, thus adding to the discontent both in the armed forces and at home. Increasingly, the major U.S. aggression is being carried out by genocidal bombing and strafing of the liberated zones, the activity which so far has the least political repercussions at home because of the resulting low American but high "communist" death tolls. The U.S. has given up on conquering territory or pacifying the Vietnamese but hopes to terrorize the liberation forces into yielding major concessions at Paris. So this highly publicized "proof" of peaceful intent and military improvement is a bummer. It is Nixon's equivalent of Johnson's April Fools' Eve bombing halt north of the 19th parallel, where it was most costly and least effective, a move that Hermann Kahn had recommended as a step toward greater military efficiency which could be presented to the public as a step toward peace.

As Richard Ward has pointed out in the *Guardian*, "The number of troops to have taken out is in the low range of what has been widely reported in the press as 'excess' or 'fat' within the U.S. command. Robert G. Kaiser of the Washington Post, for example, in a May 11 dispatch from Saigon stated that there was a widespread belief among American officers of all ranks in Vietnam 'that at least 50,000 U.S. troops could now be withdrawn without significantly affecting the allied war effort.' ... During a Senate Foreign Relations Committee hearing on March 27, Senator Albert Gore (D-Tenn.) reported that according to an assistant to Secretary of State Rogers, a system of gradual withdrawal could prolong the war by two or three years. The official had asserted that 'the American people will be bought off with phased withdrawals'." (*Guardian*, June 21)

2. Inaction, apathy, allowing ourselves to be bought off, leaving it up to the government to phase out the war at its own pace could lead at the very least to an unnecessary extension of the war by months or even years. Yet every week that the war continues, thousands of Vietnamese and Americans are killed or wounded; others are tortured in prison or confined under inhuman conditions in military stockades. It may be boring to march down the streets in yet another anti-war

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parade; it may be frightening to face the mace, clubs and handcuffs of the police; it may be irritating to take part in coalition activities at which some of the marchers or speakers portray life styles or political viewpoints contrary to one's own. But these are minor problems compared to the sufferings, sacrifices or deaths of those who are carrying out the struggle in Vietnam.

3. The establishment is on the run and it is necessary to keep it there. So far it has only taken steps which are intended to cool off the public while it continues to pursue its original war aims. The *Sunday Times* cynically sums up the establishment's objective: "Will the American public, offered for the first time a discernible, measurable reduction in the cost of the war in lives and dollars, relax its anti-war pressure and support a continued effort to win an 'honorable' peace?" (June 22)

But the U.S. can continue its dishonorable efforts to win a dishonorable peace only if the public does indeed relax its anti-war pressure. Caught in a desperate situation, the establishment has been forced to employ a strategy which will work, if the anti-war movement allows it to work, but will turn into an establishment disaster if an aroused and intelligent anti-war movement takes advantage of the openings created.

This strategy, which began under Johnson and continues under Nixon, attempts to convince the public of the administration's good faith in working for peace by offering a series of palliatives and promises which are not intended to interfere with prosecution of the war. In the short run, several of these gestures have been quite successful in de-energizing the anti-war movement, but as the war has continued and the movement has become more sophisticated and realistic about what is going on, the government has been forced to raise the ante in order to have any effect at all. First the opening of talks in Paris, then the end to bombing in the North, now the open troop withdrawal—all have aroused serious expectations of peace. In the first two instances the immediate result was a temporary diminution in public anger and protest, followed, however, by increased impatience. The Vietnamese were quick to see that by calling the U.S. bluff and appearing in Paris they had the opportunity to set up an irreversible dynamic which imposed on the United States a much-reduced time span in which it must either win the war or be forced to end it *—with or without having achieved its objectives*. Because they appear to have known more about the morale of U.S. troops than General Westmoreland and the Pentagon, they realized that the peace hopes generated

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by the Paris talks would immensely increase the army's problems with its own troops, and that this would compensate for and ultimately overcome any temporary defections in civilian anti-war protest. It is worth noting that with characteristic ideological rigidity and practical stupidity, the Progressive Labor Party derided the Vietnamese as revisionists who, by going to Paris, had sold out the Vietnamese people, America's revolutionary working class and (worst of all) Progressive Labor. They failed to notice that the Vietnamese arrived with an unyielding line on fundamentals, a seductive flexibility on secondary matters, and a realistic appraisal of the political dynamics that were being created.

For the first several years of the war, the anti-war movement had the crucial but unrewarding task of preventing the building of a national consensus in support of the government. Those who complain that teach-ins, massive demonstrations and nonviolent resistance had no effect because they did not lead to a negotiated peace or the withdrawal of troops fail to realize the tremendous significance of what was accomplished, particularly against a background of political naivete and non-involvement, a tradition of righteous patriotism, and the Cold War legacy of anti-communist brainwashing.

Now the government is in serious trouble. It can't win in Vietnam, either with its ground troops or in its attempts to establish a South Vietnamese government that is both pro-American and politically respectable. For all practical purposes Ky has disappeared, Thieu is hated by all and trusted by no one, and the little clique of generals and landlords who have sold themselves in turn to the Japanese, the French and the Americans are checking their escape routes and filling their foreign bank accounts with American aid money. The United States is having difficulty bombing the patriots into submission. American money and technology are not all-powerful after all.

At home the war is immensely unpopular but lingers on, cushioned by the traditional passivity of the population, the lack of a tradition of direct action, the reluctance of most people to involve themselves in political matters (except in the treadmill of electoral politics). But there is a tremendous reservoir of disillusionment and discontent waiting to be tapped. The movement's job is to subordinate its tactical disagreements and doctrinal disputes to the need for highly visible and energizing public action. There are many possible formulas under which this can happen without causing any group or viewpoint to lose its separate identity or abandon its own program. For about two and a half years, from April of 1965 through

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October of 1967, groups which hated and distrusted one another's politics managed to work together to plan and carry out actions that transformed the political climate and forced the Johnson administration onto the defensive. In that case we were all pushed not only by our sense of outrage but by the rising minority tide of anti-war sentiment, as shown first by the thousands, then by the tens of thousands, ultimately by the hundreds of thousands who belonged to no organization but responded to coalition calls for action. Now there is an overwhelming majority out there, millions as a matter of fact, not pushing us and even reluctant to get involved, but fed up with the war, fed up with promises and delays, distrustful of Nixon and the Pentagon, anxious for the troops to come home and the war to be over. Our job is to find a way to build a sense of public outrage and urgency that will give Nixon this year no alternative but to end the war, just as Johnson last year had no alternative but to withdraw from the Presidential race, turn down the military's request for 206,000 troops, and send his negotiators to Paris.

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Obviously the anti-war movement should organize public actions for Hiroshima and Nagasaki week, and should continue the diverse organizing and resistance activities that express the nature and emphases of the various organizations—everything from GI organizing and aid to deserters to dramatic public readings of the names of the dead. As a counter to American chauvinism and as a proper indication of equal concern for the Vietnamese victims of American aggression, reading of the war dead should include the Vietnamese—for example, "John Jones and 30 Vietnamese . . . etc."

Hiroshima-Nagasaki Week is important in order to build on the tradition of anti-war protest and national self-discovery stimulated by America's use of the atom bomb. The bombings of Hiroshima and Nagasaki gave the lie to America's disinterested self-righteousness in World War II, exposed its underlying racism and power drives, previewed the Cold War, and indicated the need for total renunciation of war. This year the anniversary is important for two additional reasons: 1) The plans for development of the ABM which are based on the monstrous illusion that somehow nuclear war can be fought with safeguards that allow human survival; and 2) The importance of a combined American-Japanese campaign against the U.S.-Japan Security Treaty, which comes up for renewal in 1970.

But August is not a time when the largest turnouts are possible; and in any event if Hiroshima-Nagasaki week is successful, the momentum will carry on to the fall. By autumn, if events in Vietnam, Paris and the United States (including

continued Federal and local repression) follow their most likely course, the time will be ripe for public disillusionment with Nixon and insistence on ending the war. Preliminary discussions have been under way for some time, and a keen sense of expectancy is developing. On June 22nd, the New Left section of SDS adopted a 2-part outline for fall action which reflects the mood of the movement. A broad conference of anti-war forces is meeting in Cleveland on the July 4th weekend with the opportunity to work out such a program.

The plan calls for:

- 1) Massive anti-war demonstrations in Chicago, September 26 through 28. The date was chosen because of the urgency of demonstrations as soon as possible after Labor Day as practical, and because the trial of The Conspiracy begins in Chicago on September 24th.

- 2) Setting a deadline date for ending the war and observing that date with massive regional protests, as a signal that there can be no business as usual in the United States until there is peace in Vietnam, SDS selected November 8th as the deadline, a date which gives the movement a six week interlude between the major events—long enough to organize but not so long as to let the government off the hook.

An alternative deadline of October 15th has been proposed by Mass Pax, and adopted by a group of 90 college editors and student body leaders across the country. The idea of a public deadline for ending the war is timely. It expresses and builds on the public mood of impatience. Since the people who have adopted October 15th see it as a date on which students will strike for one day and use the time to organize local communities, in preparation for 2 days of strikes and anti-war organizing the next month (3 days the next month, etc.), I see no irreconcilable conflict between the two proposals. By the middle of November the entire anti-war movement will have said to the country: No further delays can be tolerated. The war must be ended—Now!

The Chicago demonstrations are important for several reasons. The government's increased reliance on police brutality and political indictments to try to divide and intimidate the movement must be met head-on. Chicago has become the symbol of governmental refusal to tolerate anti-war protest whenever it threatens to influence national events. The Conspiracy (the organization of the eight indicted men) decided not to ask for a change of venue for their trial, believing that the issue should be joined at the scene of the government's crime. For a broad coalition of the movement to choose that time and place to mount a massive protest

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against war and racism is the clearest possible public statement that the movement will not allow itself either to be intimidated or to be divided into "good" and "bad" children. Neither The Conspiracy nor other groups heading for Chicago wants the major issue to be governmental repression. The demonstrations should represent continued attacks on the problems that caused the Convention protests in the first place—the war, racism, and the corporate society.

Within the proposed framework of actions in Chicago on September 26-28th and in Washington or elsewhere on November 8th, there are many questions of tactics and detail to be worked out. Should there be five or six regional centers where actions also take place on either or both of these dates? What actions should there be in addition to the ones which bring together the greatest numbers for few hours? Some of these matters naturally will depend on the initiative of particular organizations, which decide to organize and take responsibility for non-coalition events, but both in September and in November it is important that there be mutual respect and forbearance among the different sections of the movement.

2. 3.

One final observation: the way the war ends will have important repercussions in the coming years. Politically the U.S. is an underdeveloped country. One manifestation of this is the superstitious belief in the underlying decency of American institutions and the responsiveness of the government to the public will, as expressed in the normal electoral process and supplemented by lobbying and petitioning in Washington. This attitude underestimates the importance of the government behind the visible government—the power structure of American capitalism. There is indeed a huge reservoir of decency in the American people but normally that decency is frustrated and prostituted by corporate capitalism, which makes the drive for profits and power, at home and abroad, the dominating force in American policy.

As a concrete way of accelerating the transition already under way from narrowly anti-war activity to the broader struggle against the lethal structure of the military-industrial complex, it may be time for the anti-war movement to project mass actions against corporate as well as political targets. To date, the transition has been mostly in terms of platform rhetoric with here and there a misguided emphasis on creating Leninist vanguards which concentrate on ideological purity, sectarian infighting and a romantic idealization of the working class.

This is not the time to sketch out the details of possible efforts to impede the functioning of in-

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dustries which are murdering people in Vietnam and simultaneously exploiting American consumers and workers, pandering to male chauvinism, and corrupting American education and politics. But a possible inside-outside strategy could combine careful organizing of workers within the corporate insulation with the outside pressure of demonstrators nonviolently interfering with the smooth operation of warfare capitalism. Firms which rely on precision technology and tight production schedules are highly vulnerable to such actions. The fact that telephone company employees in California openly joined consumer representatives in an attempt to defeat the company's bid for a rate increase indicates the possibility for worker-citizen action. Similarly, there is growing evidence that white-collar technicians are prepared to scrutinize the moral implications of their work as evidenced by the March 4 scientists' action.

The energy released and political structures created by regional anti-war, anti-corporate actions might help propel the movement into the post Vietnam War period when it will have to focus on causes as well as symptoms—for the sake of preventing future Vietnams and in order to struggle for self-determination and economic brotherhood at home.

This editorial is reprinted from the
July issue of LIBERATION.

David T. Dellinger

APPENDIX

1.

LIBERATION MAGAZINE

"Liberation" Magazine (LM) is self-described as an independent monthly with offices at 5 Beekman Street, New York, New York. A "Statement of Ownership, Management, and Circulation" was published in the November, 1967 issue. It listed the Publisher and Editor of the magazine as DAVE DELLINGER. The circulation was given as 10,000.

The following comments appeared in a leaflet distributed by LM in May, 1968:

"Since its inception in 1956, LIBERATION has played an active and creative role in the growth of the new radicalism in the United States. From civil rights to black liberation, from 'ban the bomb' to the movement to end the war in Vietnam, LIBERATION has been vital. Its radical critique of American society and its emphasis on democratic and direct action against the inequalities and injustices of our present social structure have inspired radicals, young and old".

"In addition, LIBERATION will continue to carry articles and discussions written by and to community organizers, student and non-student activists, educators, economists, and social scientists - of interest to anybody concerned with building a radical and nonviolent Movement that will bring a fundamental change to the existing order".

On May 14, 1963, a source advised that during a speech in New York, New York, on May 10, 1963, DAVE DELLINGER identified himself as a pacifist. He stated it was necessary to abolish the cause of war, which was capitalism. He advocated a Communist society and said, "I am a Communist", but further stated he was not a Soviet type Communist.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

F B I

Date: 8/14/69

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (176-1410)
FROM: SAC, NEW YORK (176-133)
SUBJECT: DAVID T. DELLINGER aka
ET AL, ARL-CONSPIRACY

b6
b7C

Re Chicago airtel to the Director 7/29/69 and Chicago airtel to New York (interoffice) dated 7/31/69 captioned "DAVID TYRE DELLINGER, SM-C (KEY ACTIVIST)."

Concerning the request from USA, THOMAS FORAN regarding the past organizational activities, meetings attended and the like which the subject has attended since he became of interest to the Bureau; all such data is contained in New York summary report of SA dated 5/12/69 captioned "DAVID TYRE DELLINGER aka SM-C (Key Activist)." An additional copy of this report was furnished to Chicago per their request dated 7/31/69.

A current report bringing the subject's activities up to date is being expeditiously prepared and will be immediately furnished to Chicago for proper dissemination.

- 2 - Bureau (RM)
(1-100-384411) (DAVID T. DELLINGER)
2 - Chicago (176-5 Sub C) (RM)
2 - New York (176-133)
(1-100-121672) (DAVID T. DELLINGER)

RAC:jra
(7)

176-1410-
X X X
AUG 15 1969

100-384411-
NOT RECORDED
178 AUG 20 1969

176-133-121672
b6
b7C

Approved: *[Signature]*

Sent _____ M Per _____

57 SEP 5 1969 Special Agent in Charge

ORIGINAL FILED IN 176-1410-711

NY 176-133

The Chicago Division is requested to advise if the NYO should furnish the previous reports re DELLINGER on whether the summary report aforementioned will suffice.

F B I

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

Date: 8/13/69

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

b6
b7C

FROM: SAC, NEW YORK (176-401) (RUC)

SUBJECT: [redacted]
SM - ANA

ReCGairtel to Director, dated 7/29/69, and
entitled "DAVID T. DELLINGER, aka; ET AL, ANTI-RIOT LAWS -
CONSPIRACY".

A review of the NY files reflects no information
available as requested in re airtel.

In Newark letter to Director, dated 6/25/69,
entitled, "SHAKEDOWN; IS - MISC"; the attached LHM mentions
the fact that the subject is closely connected with the
production of "Shakedown" which is an underground newspaper
published out of New York.

At this time it is unknown whether subject resides
in the Newark or New York Office area. New York is conducting
a security investigation, NYfile 100-166859, in an effort to
identify and locate subject, and Newark is requested to do
same. All pertinent information will be sent to the Bureau
by appropriate communication under the 100 case caption.

3-Bureau (RM)
(1-100-) (DAVID T. DELLINGER)
3-Chicago (176-5) (RM)
(1-176-8)
2-Newark (100-) (RM)
1-New York (100-166859)
1-New York

XEROX COPY

100-384911-

NOT RECORDED
172 AUG 20 1969

MMR:jgm
(11)

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

56 AUG 26 1969

ORIGINAL FILED IN

UNITED STATES GOVERNMENT

Memorandum

b6
b7C

TO : Director, FBI (100-384411)) DATE: 8-12-69

FROM : SAC, New York (100-121672)

SUBJECT: David Tyre Dellinger aka
SM - C (Key Activist)SOG ACTION:
(Records Branch)☒ Post and destroy
☐ File

This case will be delinquent.

Date of Bureau deadline: 8-12-69

Reason for the delinquency: Agent handling other expedite
work.Date the report or necessary communication will reach the Bureau: on or before
8-26-69.AEC zone designation; e. g., OR, CH, etc.:
(This applies only to 116 cases.)☒ No administrative action necessary.

INT. SEC.



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

August 11, 1969

In Reply, Please Refer to

File No.

BUfile 100-384411

NYfile 100-121672

SUBJECT: DAVID DELLINGER

CHARACTER: SM-C

REFERENCE: REPORT 5/12/69

Referenced communication contained subject's residence and/or employment address. A recent change has been determined and is being set forth below (change only specified):

Residence:

Employment: Editor, Liberation Magazine
339 Lafayette Street
New York, New York

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

Copy to Sec. Service
by routing slip for

☒ Info ☐ action

Date 8/20/69
by SSA'dll

100-384411-

NOT RECORDED

AUG 12 1969

FD-122 DETACHED

RECEIVED
AUG 12 1969

INT. SEC.

AUG 22 1969

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

UNITED STATES GOVERNMENT

Memorandum

b6
b7C

TO: Director, FBI (Bufile- 100-384411)

DATE: 8/11/69

SAC, NEW YORK (100-121672)

Card UTD
Card sent 00

SUBJECT: DAVID DELLINGER, aka
SM-C (KEY ACTIVIST)
(OO: NEW YORK)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

RABBLE ROUSER INDEX

☐ New Subject ☒ Change ☐ Delete

Name		FBI Number	
Aliases			
Citizenship ☐ Native Born ☐ Naturalized ☐ Alien			
Subject also on ☐ SI ☐ RI		Race	
		Sex ☐ Male ☐ Female	
Organizational Affiliation			
☐ 01 ANP	☐ 07 KLAN	☐ 12 PLP	☐ 17 SNCC
☐ 02 AVN	☐ 08 LA	☐ 13 PRN	☐ 18 SWP
☐ 03 BNAT	☐ 09 MIN	☐ 14 RAM	☐ 19 WWP
☐ 04 BPP	☐ 10 NOI	☐ 15 SCLC	☐ 99 MISC
☐ 05 COM	☐ 11 NSRP	☐ 16 SDS	(Specify)
☐ 06 CORE			
Date of Birth		Place of Birth	
Position in Organization		Occupation, Business Address (Show Name of Employing Concern)	
		Editor, Liberation Magazine 339 Lafayette Street New York, New York	
Residence Address			

REGISTERED MAIL
(2) Bureau
1-New York
RAC:ecf
(3)

100-384411-

NOT RECORDED

12 AUG 12 1969

57 AUG 28 1969

RACIAL INT. SEC.
INT. SEC.
S.M. [REDACTED]

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

TO : Director, FBI (Bufile-100-384411)

DATE: 8/11/69

FROM : SAC, NEW YORK (100-121672)

SUBJECT: DAVID DELLINGER, aka
SM-G (KEY ACTIVIST)
(OO: NEW YORK)Cards UTD
Cards Sent 00
8/18/69b6
b7C

Re:

☐ It is recommended that a Security Index Card be prepared on the above-captioned individual.☒ The Security Index Card on the captioned individual should be changed as follows (*specify change only*):

Name																					
Aliases		☐ Native Born ☐ Naturalized ☐ Alien																			
<table style="width: 100%;"> <tr> <td>☐ Communist</td> <td>☐ SWP</td> <td>☐ JFC</td> <td>☐ SPL</td> <td>☐ AWC</td> <td>☒ PPA</td> </tr> <tr> <td>☐ WWP</td> <td>☐ SDS</td> <td>☐ PLP</td> <td>☐ ANA</td> <td>☐ PRN</td> <td>☒ BNT</td> </tr> <tr> <td>☐ NOI</td> <td>☐ RAM</td> <td>☐ SNC</td> <td colspan="3">☐ Miscellaneous (<i>specify</i>)</td> </tr> </table>				☐ Communist	☐ SWP	☐ JFC	☐ SPL	☐ AWC	☒ PPA	☐ WWP	☐ SDS	☐ PLP	☐ ANA	☐ PRN	☒ BNT	☐ NOI	☐ RAM	☐ SNC	☐ Miscellaneous (<i>specify</i>)		
☐ Communist	☐ SWP	☐ JFC	☐ SPL	☐ AWC	☒ PPA																
☐ WWP	☐ SDS	☐ PLP	☐ ANA	☐ PRN	☒ BNT																
☐ NOI	☐ RAM	☐ SNC	☐ Miscellaneous (<i>specify</i>)																		
Date of Birth	Place of Birth	Race	Sex ☐ Male ☐ Female																		
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any. Editor, Liberation Magazine 339 Lafayette Street New York, New York		Residence Address																			
Key Facility Data																					
Geographical Reference Number		Responsibility																			

REGISTERED MAIL

2-Bureau

1-New York

RAC:ecf

(3)

EXCLUDED FROM AUTOMATIC
AND HANDLED SEPARATELY

100-384411-

NOT RECORDED

12 AUG 12 1969

Re: [Signature]
 INT. SEC.
 [Signature]

1969

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

8/25/69

Airtel

To: SAC, New York (100-121672)

From: Director, FBI (100-384411)

DAVID TYRE ^DDELLINGER
SM - C (KEY ACTIVIST)

file
ReBuairtel 4/3/69 which instructed your office to submit daily airtels setting forth information developed concerning subject's activities and results of your efforts to develop additional coverage.

spk
You are requested to submit an airtel setting forth identities of additional informants and sources developed since referenced Bureau airtel. Also set forth an analysis of your present coverage of the subject and indicate your plans for developing additional coverage.

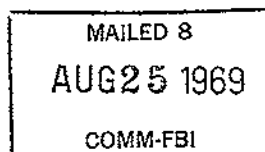
MSR:djb *dy*
(4)

NOTE:

Since 4/3/69 New York has been submitting daily airtels on captioned subject. New York being instructed to submit communication^s delineating results of efforts to develop additional necessary coverage, status of current coverage, and future plans. This is necessary to evaluate need for continuing daily airtel requirement.

msr

EX-114



REC-42

100-384411-325

10 AUG 26 1969

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

51 SEP 2 1969

MAIL ROOM ☐ TELETYPE UNIT ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2003 BY [REDACTED]

FBI

Date: 8/6/69

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

Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (176-39)
FROM: SAC, BOSTON (176-60)
SUBJECT: DAVID TYRE DELLINGER, aka
ET AL
(TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY
(OO: CHICAGO)

b6
b7C

CARBON COPY

Recontact with sources previously alerted reflected no flights on or off Cape Cod, Mass., by DELLINGER. Daily visits of home of [REDACTED] Wellfleet, Mass., reflected her home is still unoccupied. She will be in Montreal, Canada, until 9/1/69, according to the postmaster in Wellfleet. Since [REDACTED] is affiliated with "Liberation" magazine and an associate of DELLINGER, her unoccupied home would be a logical place for DELLINGER to be if he was in Wellfleet.

Chicago and New York advise Boston of any new information re DELLINGER's whereabouts.

5-Bureau
(1-100-161445)
(1-176-1418)
(1-100-384411)
2-Chicago (176-5(SubC))
2-New York (176-133)
(1-100-121672)
3-Boston
(1-100-37416)
WHC:car
(12)

100-384411-
NOT RECORDED
100 AUG 11 1969

ORIGINAL FILED IN 176-39-97

Approved: 247
Special Agent in Charge
61 AUG 10 1969

Sent _____ M Per _____

SECRET

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN NEW YORK	DATE AUG 21 1969	INVESTIGATIVE PERIOD 5/10-8/15/69	b6 b7C
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TITLE OF CASE

DAVID TYRE DELLINGER, aka

REPORT MADE BY

TYPED BY

ls

CHARACTER OF CASE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 07-21-2008

~~CONFIDENTIAL~~

SM-C (KEY ACTIVIST)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

REFERENCES:

Summary report of SA [redacted] at NY
dated 5/12/69.

CS airtel to Bureau dated 7/29/69, captioned
"DAVID T. DELLINGER, aka ET AL, ARL-CONSPIRACY".

NY airtel to Bureau dated 8/14/69, captioned as
above.

ENCLOSURES:TO BUREAU (2)

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF 8/26/69
DATE 11/3/80 DP

Two copies of FD 376, one of which is for
transmittal to Secret Service, Washington D.C.

ACCOMPLISHMENTS CLAIMED ☐ NONE

CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	ACQUIT- TALS	CASE HAS BEEN:
							PENDING OVER ONE YEAR ☐ YES ☐ NO
							PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED

SPECIAL AGENT
IN CHARGE

COPIES MADE:

DO NOT WRITE IN SPACES BELOW

8-Bureau (100-384411) (Encls. 2)
1-Secret Service, NYC, (RM)
1-Chicago (176-41) (RM)
3-New York (100-121672)

100-384411-326

8 AUG 25 1969

REC-71

Dissemination Record of Attached Report

Agency	ACST, CIA, S.S., [redacted]
Request Recd.	
Date Fwd.	8/26/69
How Fwd.	R/S

Classified by 3042 PWT/ep
Declassify on: A.C. [redacted]

CLASS. & EXT. BY SP-8 BTJ/dcg
REASON - FCIM 11, 1-2.4.2
DATE OF REVIEW 8/24/89

9 SEP 18 1969

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~~SECRET~~

NY 100-121672

ADMINISTRATIVE CONT'D

~~CONFIDENTIAL~~

The radio station speech by DELLINGER on April 5, 1969 was monitored in the NYO by SE [redacted] and SA [redacted] and is maintained in 100-165563-1B(1).

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It is to be noted that the report furnished by [redacted] (NY T-15) was originally recorded by him in Hungarian and the day after the speech, [redacted] translated his notes into English. Although parts of the speech recorded by [redacted] appear to be incoherent in English, after due consideration it was decided to insert that portion of DELLINGER's speech into the report rather than paraphrase it and run the risk of being inaccurate. It is further noted that a copy of [redacted] notes have been furnished to Chicago and the original copy is filed in Buffalo file 134-1543, should this be utilized in DELLINGER's prosecution regarding Bufile 176-1410.

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~~CONFIDENTIAL~~

~~SECRET~~

NY 100-121672

ADMINISTRATIVE:

~~CONFIDENTIAL~~

Individuals mentioned in this report are characterized where suitable information was available.

Organizations mentioned in the report were characterized where Bureau approved characterizations were available.

This report contains information bringing the subject's activities up to date, which is suitable for dissemination to the USA, CG for assistance in the Anti-Riot Law investigation (Bufile 176-1410). In this regard, no information obtained from a technical source is contained in the report.

The SA who pretexted "Liberation" magazine on 5/19/69, was [redacted]

The SAS who observed the subject on 6/2/69, were [redacted]

The SA who taped the subject's speech on 7/15/69 was [redacted]

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The subject is presently a Key Activist and on the Agitator Index of the NYO.

DELLINGER is presently the subject of Bureau investigation captioned "DAVID T. DELLINGER, aka ET AL, ARL-CONSPIRACY", CG Office of Origin, their file being 176-5 SUB C.

The report is classified "Confidential" because data reported by NY T-1 through NY T-22, if disclosed, could result in the identification of confidential informants and sources of continuing value, and compromise their future effectiveness; such compromise could be detrimental to the defense interests of the nation.

-B-

(COVER PAGE)

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~~SECRET~~

~~SECRET~~

NY 100-121672

~~CONFIDENTIAL~~

INFORMANTS:

b2
b7D

Identity of Source

File Where Located

NY T-1

[REDACTED]

[REDACTED]

100-121672-927
-870

NY

NY T-2

Instant report

b6
b7C
b7D

[REDACTED]

(By request)

NY T-3

[REDACTED]

3024

[REDACTED]

100-121672-935
-925
-964 p. 1,2,3

b2
b7D

NY T-4

100-121672-1017

[REDACTED]

(Protect)

NY T-5

100-121672-1016

[REDACTED]

(Protect)

b6
b7C
b7D

-C-

(COVER PAGE)

~~CONFIDENTIAL~~

~~SECRET~~

~~SECRET~~

NY 100-121672

~~CONFIDENTIAL~~

INFORMANTS (CONT'D):

Identity of Source

File Where Located

NY T-6

100-121672-836 p. 8

[REDACTED]

(Protect)

NY T-7

100-128968-296

[REDACTED]

-305

100-121672-903

(By request)

NY T-8

[REDACTED]

[REDACTED]

NY T-9

[REDACTED]

[REDACTED]

NY T-10

[REDACTED]

[REDACTED]

NY T-11

[REDACTED]

[REDACTED]

NY T-12

[REDACTED]

[REDACTED]

NY T-13

[REDACTED]

[REDACTED]

NY T-14

[REDACTED]

100-121672-809

(By request)

-D-

(COVER PAGE)

~~CONFIDENTIAL~~

~~SECRET~~

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NY 100-121672

INFORMANTS (CONT'D):

Identity of Source

~~CONFIDENTIAL~~
File Where Located

NY T-15

[REDACTED]

100-121672-857
pp. 6, 7, 8, 9, 10, 11

~~CONFIDENTIAL~~

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b7C
b7D

NY T-16

[REDACTED]

100-121672-836 pp. 7, 8

NY T-17

[REDACTED]

[REDACTED]

NY T-18

[REDACTED]

Used to Characterize
RENNIE DAVIS

b2
b7D

NY T-19

[REDACTED]

[REDACTED]

NY T-20

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NY T-22

[REDACTED]

[REDACTED]

b1

LEAD:

NEW YORK

AT NEW YORK, NEW YORK Will follow and report
activities of the subject.

- E* -
(COVER PAGE)

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~SECRET~~

~~CONFIDENTIAL~~UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONDECLASSIFIED BY

Copy to:

1. - Secret Service, NYC (RM)

Report of:

Date:

8/21/69

Field Office File #:

100-121672

Bureau File #: 100-384411

Title:

DAVID TYRE DELLINGER ^{ELVD}
^{NO (S) JITS}
 ADVISORY AGENCY
 SEC. 100-121672
 ADVISORY AGENCY

Character:

SECURITY MATTER - C

APPROPRIATE AGENCIES
 AND FIELD OFFICES
 ADVISED BY ROUTING
 SLIP(S) OF
 DATE 11/18/81

Office: New York, New York

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE

Synopsis:

DELLINGER presently resides at 1177 E. 98th St., Apt. 5G, Brooklyn, NY and is the Editor of "Liberation" magazine. DELLINGER spoke in Baltimore, Md., Los Angeles, Calif., Buffalo, NY and NYC during April through July 1969 and leveled severe criticism against the U.S. and the U.S. policies in Vietnam. When speaking publically at universities, he requests \$500.00 per appearance when the university contributes to the fee. Ten checks were made payable to DELLINGER drawn against the account of "Liberation" in NYC for \$50.00 each during April and May 1969. DELLINGER and seven others were indicted by a Federal Grand Jury in 3/69 for violation of the Anti-Riot Laws arising from the Democratic Nat'l Convention demonstrations held in Chicago, 8/68. DELLINGER publically commented concerning his upcoming conspiracy trial that "they will not go peacefully to their trial; they will show the world that it is the United States that is on trial and not the eight persons that were indicted". DELLINGER at a forum held in NYC said he would take on a more violent attitude towards the "peace movement". The forum dealt with the "Pros and Cons of Draft File Destruction" and he said that overt acts such as burning of draft files are more beneficial to the "movement" because it produces more publicity. He said that if 1000 or 10,000 draft boards were destroyed, it would paralyze the entire draft system. In July 1969, DELLINGER conferred with representatives of North Vietnam to arrange for the release of American POWs held in North Vietnam. He continues to control the

CLASS. & EXT. BY SP-8 BTJ/dcg
 REASON - FCIM 11, 1-2.4.2
 DATE OF REVIEW 8/21/81

Classified by 3044 PWT
 Declassify on: OADR

CONFIDENTIAL
 GROUP I
 Excluded from automatic
 Downgrading and
 Declassification

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

~~CONFIDENTIAL~~In Reply, Please Refer to
File No. Bufile 100-384411
NYfile 100-121672

August 21, 1969

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

Re: DAVID TYRE DELLINGER

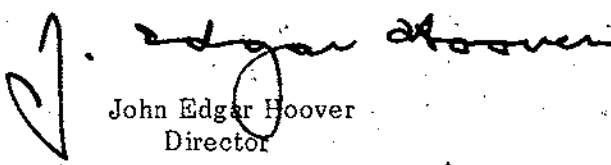
Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☒ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☒ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,


John Edgar Hoover
Director1 - Special Agent in Charge (Enclosure(s) (1)
U. S. Secret Service, NYC (RM)~~CONFIDENTIAL~~

Enclosure(s) (1)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)

SYNOPSIS (CONT'D)

~~CONFIDENTIAL~~

National Mobilization Committee to End the War in Vietnam (NMC) which maintains contacts with the governments of Cuba, N. Vietnam, and the NLF of S. Vietnam, for propaganda purposes. DELLINGER successfully retained his leadership position of NMC when his ability was questioned at the National Anti-War Conference held in Cleveland, Ohio in July 1969. At the conference he agreed with proposals put forth by SDS to hold a demonstration in Chicago, Illinois on 9/24/69. He said the "movement" has to go "further left" and be "more militant and revolutionary". (C)

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- 1A -

~~CONFIDENTIAL~~

NY 100-121672

DETAILS:

I. BACKGROUND DATA

~~CONFIDENTIAL~~

A. Residence

MRS. David Grey Dellinger

DELLINGER presently resides with his wife, [redacted] at 1177 East 98th Street, Apartment 5G, Brooklyn, New York. DELLINGER is supposedly looking for an apartment in Connecticut, but no specific details are known at this time. DELLINGER is presently vacationing at Cape Cod, Massachusetts and reportedly will be there until September 1, 1969.

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[redacted]
July 23, 1969 and
August 11, 1969

B. Employment

DELLINGER, as of August, 1969, was considered to be the Editor of "Liberation" magazine and maintains an office at 339 Lafayette, Street, New York City.

NY T-1
August 12, 1969

A characterization of "Liberation" magazine is contained in the Appendix attached hereto.

"Liberation" magazine, the "National Mobilization Committee to End the War in Vietnam", and the office of DAVID DELLINGER were all formerly located at 5 Beekman Street, New York City, and as of June 6, 1969, moved to 339 Lafayette Street, New York City.

NY T-2
June 6, 1969

~~CONFIDENTIAL~~

NY 100-121672

C. Finances

~~CONFIDENTIAL~~

In April, 1969, it was learned that DELLINGER's wife, [redacted] recently returned to work because of her husband's financial situation. DELLINGER receives his personal monies from that earned through the publication of "Liberation" magazine. His travel is usually connected with a speech commitment and the group requesting his presence is required to furnish travel expenses plus a fee for giving the speech before he is to appear for the engagement. (C)

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NY T-3
April 14, 1969

DELLINGER was issued a check by Wright State University, Fairborn, Ohio, for \$200 on March 26, 1969. The amount of the check was agreed upon between the Artist and Lecturer Series Committee of Wright State University and DELLINGER or his agent. The payment was for the speech which was delivered at a meeting held at Oleson Auditorium on April 7, 1969, by DELLINGER at the Wright State University.

NY T-4
July 28, 1969

By the use of a suitable pretext by a Special Agent (SA) of the Federal Bureau of Investigation (FBI) on May 19, 1969, it was learned that DELLINGER charges \$500 to speak at universities when the university contributes to the fee. The call was made to "Liberation" magazine office.

On February 27, 1969, DELLINGER spoke at De Pauw University, Green Castle, Indiana, and the Student Senate of De Pauw Activities paid DELLINGER \$1,000 to speak on the campus.

NY T-5
July 18, 1969

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NY 100-121672

~~CONFIDENTIAL~~

DELLINGER spoke at a "Teach In" on political repression at the University of California at Los Angeles (UCLA) on May 12, 1969. The Associated Students of UCLA paid from the Associated Students Fund a \$250 honorarium to DELLINGER along with \$290 for his travel expenses from New York.

NY T-6
May 15, 1969

A bank account is maintained by "Liberation", 339 Lafayette, Street, New York City, at the Chemical New York Trust Company, 265 Broadway, New York City. Activity within the account for April, 1969 revealed checks dated April 11, 1969, April 10, 1969, April 14, 1969, April 18, 1969, and April 23, 1969, payable to DAVE DELLINGER, all in the amount of \$50. Additional activity for April reveals a check dated April 1, 1969, payable to [redacted] and deposited in the Central State Bank. Balance in the account as of April 28, 1969, was \$4,739.44.

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A review of the account for May of 1969 reveals checks dated May 2, 1969, May 7, 1969, May 12, 1969, May 20, 1969, and May 26, 1969, payable to DAVE DELLINGER, each for \$50. Additional activity reveals that checks dated May 5, 1969, May 13, 1969, and May 19, 1969, were made payable to [redacted] each for \$100. Balance in the account as of May 28, 1969, was \$1,028.06.

NY T-7
April 28, 1969 and
May 28, 1969

This information is not to be made public except through a usual proceeding followed by a subpoena duces tecum directed to Mr. HENRY LENZ, Assistant Treasurer, Chemical Bank New York Trust Company, 265 Broadway, New York City.

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NY 100-121672

~~CONFIDENTIAL~~

A bank account was opened on May 19, 1969, at the Amalgamated Bank of New York, 1115 Union Square, New York City. It was a regular checking account in the name of "The Conspiracy", 339 Lafayette Street, New York City. The account lists as its business, "Anti-War Organization" and had an initial deposit of \$500, which was in the form of a check drawn on the Amalgamated Trust and Savings, Chicago, Illinois. The officers of the organization are listed as follows:

n-4
DAVID DELLINGER, President
BARBARA WEBSTER, Treasurer
LESLIE EAGAN, Secretary

Any two of the above may sign on the account.

NY T-8
May 26, 1969

The above information is not to be made public except through the usual proceedings following the issuance of a subpoena duces tecum directed to Miss SARA T. MALLOY, Senior Vice-President, Amalgamated Bank of New York, 1115 Union Square, New York City.

DELLINGER formerly maintained a checking account at the Chemical New York Trust Company, 265 Broadway, New York City. The balance of this account as of June 19, 1969, was \$16, and the account was closed on June 20, 1969.

NY T-7
June 23, 1969

This information is not to be made public except through the usual proceedings following the issuance of a subpoena duces tecum directed to Mr. EDWARD MAHALICK, Assistant Manager, Chemical Trust Company, 265 Broadway, New York City.

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D. Arrest

DAVID T. DELLINGER, along with seven other individuals, was indicted by the Federal Grand Jury at Chicago, Illinois, on March 20, 1969, for violation of the Anti-Riot Laws and Conspiracy in conjunction with his activities at the Democratic National Convention in Chicago, Illinois in August, 1968. All defendants have pled not guilty. DELLINGER and the other seven defendants' travel has been restricted by the United States District Court, to the continental United States and the Island of Puerto Rico.

E. Travel, Speeches, and Public Appearances

On March 31, 1969, a meeting of the "April Action" was held at the First Unitarian Church in Baltimore, Maryland. DELLINGER spoke at the meeting about his indictment in Chicago, Illinois, stating that more Actions such as that of the "Catonsville 9" and others should be committed. (It is noted the "Catonsville 9" were recently arrested for publicly destroying draft records in Catonsville, Maryland.)

DELLINGER cautioned against any activities that might tend to make martyrs out of him or others because this was a mistake the "Old Left" had made and the same mistake should not be repeated. DELLINGER asserted that everyone in the movement should be prepared to go to jail, because it offered so many advantages for making the movement larger and stronger. He stated that every trial was an opportunity to educate the people of the United States politically and when it came to going to jail, he said that time should be spent organizing prisoners. DELLINGER remarked that he had spent three years in jail and found the prisoners receptive to political education and organization.

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NY 100-121672

~~CONFIDENTIAL~~

DELLINGER also stated the knowledge he had gained by visiting Vietnam convinced him the United States could not win the war and that the United States should withdraw all United States troops and indemnify the Vietnamese for the losses the United States had caused in Vietnam. DELLINGER remarked the present strategy in Vietnam is two-fold. First, the Central Intelligence Agency (CIA) is using the pacification program as a tool to exterminate 80,000 Vietnamese leaders, and secondly, the military has stopped its "search and destroy" missions in favor of locating the Vietcong and then destroying them by heavy bombings.

DELLINGER spoke highly derogatory of the capitalistic system in the United States and the present and past leaders of the United States Government, both elected and appointed. He called for more militancy in the anti-war movement and explained the importance of broadening the aims of the anti-war movement to include civil rights, racism, and poverty, which he said are other problems arising from the type of governmental system that exists in the United States.

NY T-9 |
April 1, 1969

NY T-10
April 2, 1969

NY T-11
April 3, 1969

On April 5, 1969, during an anti-war demonstration in New York City, DELLINGER delivered a speech which was broadcast over radio station WBAI, FM, in New York City. In part, DELLINGER stated:

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NY 100-121672

~~CONFIDENTIAL~~

✓ "All right now. The United States, which started that little stuff in Vietnam and then wanted to have it glorified and pacified, and approved in Chicago, has indicted eight demonstrators for crossing state lines and using interstate facilities to start a riot. We have decided to call ourselves 'The Conspiracy' because that is one of the charges, that we conspired to start a riot".

On April 5, 1969, a massive demonstration against the United States involvement in the Vietnam War was held in New York City. After a march up Broadway, a rally was held in Central Park in New York City. DELLINGER addressed the gathering in the park and spoke against the War in Vietnam and against the Government in general.

NY T-12
May 9, 1969

On May 4, 1969, DELLINGER spoke at a fund raising benefit for "The Conspiracy" in New York City. DELLINGER spoke at the affair and stated that the defense during the upcoming trial in Chicago, Illinois will be political rather than legal. He added that RICHARD DALEY, (Mayor of Chicago) should be on trial instead of the eight policemen. DELLINGER remarked that if "they had set out to be incendiary, they would have done a much better job of it". DELLINGER denied the charge of conspiracy and said the movement was too broad for that.

NY T-13
May 5, 1969

On May 12, 1969, DELLINGER had a reservation booked to travel via American Airlines, Flight 474, to Buffalo, New York. The reservations also reflect that he was to depart Buffalo, New York, on May 13, 1969, via American Airlines Flight 73 and arrive in Los Angeles, California, on the same day.

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NY 100-121672

NY T-14
May 12, 1969

~~CONFIDENTIAL~~

A meeting was held at Norton Union Hall at the State University of New York at Buffalo (SUNYBU), Buffalo, New York. DELLINGER spoke at the affair.

The speech given by DELLINGER is set forth as follows:

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~~CONFIDENTIAL~~

The next speaker was David Dellinger.. He speaks about a conspiracy which took place in Chicago. He said they were accused because they went over State borders and started a conspiracy with eight people. They were all indicted, and the indictment was looked over by a committee of the President, President Nixon, and to these eight people a ninth one was added. At the same time, 21 colored people were arrested with the charges that they wanted to destroy buildings in New York City. Here, David Dellinger read from a book which was from the second world war where Hitler's people were saying after their Reichstag was burned, those who destroyed it wanted to build theaters and museums also. This was to sway public opinion, and now the United States Government is doing the very same thing against these 21 people. They say we want to protect public buildings, and for this reason, they were arrested. He was citing two laws, one against rioting under which they were indicted. According to him, under this law anybody can be arrested because they invited people on the telephone to the Chicago Convention. He gave as a demonstration a child steals a candy, it is a felony, and if you speak about stealing candy, it is a misdemeanor. Under this, they were indicted.

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Eight policemen were also indicted, to balance out the case. They feel these are victims of society who are serving the written law.

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Our purpose in the future is to have young Ted Kennedy elected, who is very liberal-minded and he is going to help our cause. He said they should have indicted four generals instead of the eight of us; General Westmoreland, General Electric, General Motors and General Dynamics. He said they decided that they are not going to defend themselves once there will be eight of them, but they are going to go into an offense instead of defense. They will say yes, there was a conspiracy against the military and imperialist powers. We want to offend instead of defend ourselves.

All eight of us agreed about five major points. One is that this system in the United States is the one which creates all the sins and the brutality. We would be guilty if we would have not come here into this town. We only regret we did not do more. We are going to accuse those who charge us, including the jury, saying that you are the ones who are guilty serving the power structure. We would also tell them that it was impossible to have a conspiracy because the whole United States has a revolution, and eight men could not have created such a widespread reward. Our goal is to tell as

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many people as possible to go into different states, to step over the state lines so that we would not be the only ones, the eight of us, who could be charged with this conspiracy. We want to have 20 movement centers established from which we can direct the movements of the revolution for the whole country. We realized that if we just protest peacefully, nobody is listening to us. These are suppressed so we have to use violence.

Finally, he said about the conspiracy that we have to bring out the true identity of the courts and show to the people that they are helping the rich and those who are the shrewd ones. These judges look like kings from the Middle Ages. They even have their fools in their courtrooms. The whole country was surprised that even white ones were beat up in Chicago. If this would be the case on TV, it would be a great surprise to the whole country. This could really bring out the true identity of the United States courts, and this would be one of the goals to have this whole case on TV.

He calls himself a conspirator and feels that the indictment did him and the others a favor. They were able to agree on the fundamental goals and these fundamental goals and purposes should be used in other conspiracies. We should get together with other organizations, analyze the situation

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NY 100-121672

and work against the suppressing powers. It is not enough to go with good desire, but we have to figure out everything beforehand. For example, there are three organizations represented here. These agree on the fundamental principles. So let us analyze the situations with other organizations and let us show who is the true enemy.

He mentions that he was in North Viet Nam several times and he was trying to prove the point that the Declaration of Independence is not including the colored people and the natives, the Indians.

NY T-15
May 13, 1969

NY 100-121672

On May 13, 1969, a "Teach-In" on Political Repression was held on the campus of the UCLA. The "Daily Bruin", of May 14, 1969, a daily campus newspaper of UCLA, reported that DELLINGER spoke at the affair. DELLINGER was quoted as saying "There is a parallel in the development of repression here and that in Germany, when HITLER was consolidating Nazi power: First the indictment of liberals like SPOCK, the indictments in Chicago and other such indictments." The article also reported that DELLINGER outlined the points on which political repression can be fought in the courts and said that "If violence is the concern of society, then the wrong people were indicted because the institutions perpetuating the war precipitated the events in Chicago." The paper quoted DELLINGER as commenting that the challenge of the validity of the courts by HUEY NEWTON and the indictments stemming from the 1968 Democratic National Convention in Chicago are symptomatic of a society where a radical organization becoming effective meets repression.

DELLINGER also leveled criticism at Chicago Mayor RICHARD DALEY for the use of police at the 1968 Democratic Convention. He also criticized American colleges and universities for allowing Reserve Officers Training Corps (ROTC) to exist on campus and he labeled American colleges and universities as generally repressive because many of them accept Government grants and were then forced to meet certain requirements and standards imposed by the Government. DELLINGER, in his criticism of Mayor DALEY, claimed DALEY had caused a juggling the Chicago votes in 1960 to enable JOHN KENNEDY to win the presidency.

NY T-16
May 13, 1969

SPOCK, mentioned above, is Doctor BENJAMIN SPOCK, a noted Pediatrician, who was charged with conspiracy to violate the Selective Service Laws, of the United States, which charges have recently been dropped by the United States.

NY 100-121672

HUEY NEWTON is characterized in the characterization of the Black Panther Party (BPP), which is attached hereto.

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A rally was held at the Manhattan Center, 34th Street and Eighth Avenue in New York City on June 2, 1969. The rally was held for the benefit of "The Conspiracy", and at the rally, DELLINGER gave a short speech to the gathering. At one point in his speech, DELLINGER mentioned a phrase from CLARENCE DARROW's autobiography that said if a youth steals candy from a candy store, he is charged with a misdemeanor, but if two youths conspired to steal candy from the same store and do not steal candy, they are prosecuted for conspiracy, which is a felony, for this is the law of the land. DELLINGER also said that at the trial in the fall, the defendants will have the chance to challenge the conspiracy law which was written in 1803.

DELLINGER went on to speak of the many phases of the Chicago disturbances, and riots, and so stated that in the fall, "They will not go peacefully to their trials, they will show the world that it is the United States that is on trial and not the eight persons that were indicted".

NY T-1
June 4, 1969

It was also reported at the affair held on June 2, 1969, that DELLINGER stated the "establishment" should have been indicted for the disturbances during the 1968 Democratic National Convention and not the eight individuals, including himself who were "selected by the Government". DELLINGER said there was a police riot at the convention since the police were well-trained; disciplined; in formation and were only carrying out orders. He said the reaction of the anti-war

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NY 100-121672

movement to Government repression is to turn against capitalism and further, that the repression of the anti-war movement results in the strength of this movement.

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Observations of Special
Agents of the FBI
June 2, 1969

Also at the rally, DELLINGER spoke of all the present "movements" getting together instead of fighting each other and sort of advocate the present need for limited violence.

NY T-17
June 16, 1969

DELLINGER was to depart NYC on June 26, 1969, via United Airlines Flight 909, from La Guardia Airport to arrive in Chicago, Illinois the same day. DELLINGER had returned reservations to New York City via American Airlines Flight 152, leaving Chicago, Illinois on June 26, 1969, and arriving at New York City that day.

NY T-14
June 25, 1969

A forum was held on June 29, 1969, at Washington Square Methodist Church, 135 West Fourth Street, New York City. The topic of the forum was the "Pros and Cons of Draft File Destruction". DELLINGER was among the panel of speakers at the forum and in response to numerous questions concerning the draft. He advocated continuation of that resistance by the "movement", by relating that this resistance can no longer be in a pacifist nature, but must continue in a more violent way. DELLINGER did not elaborate as to the method of violence or what specific type of violence was to be taken. He did say, however, that as a result of the analysis of the non-violent method to date concerning the draft, he felt that this method had not been effective and stated that such overt acts of violence

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NY 100-121672

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such as the burning of draft files and other acts of this type did produce far more publicity and, as a result, would be more beneficial to the movement.

In reply to a query as to whether or not DELLINGER would remain a pacifist, he retorted that he would now take on a more violent approach regarding his attitude towards the peace movement. He stated that if anyone ever wanted to get a revolution in this country started, they would have to take a violent rather than a non-violent approach.

DELLINGER said that action against one draft board is insignificant, but if there were a hundred draft boards destroyed, on one given date, this would have a tremendous impact on a nation, but if a thousand or 10,000 draft boards were destroyed simultaneously, this would paralyze the entire draft system. DELLINGER stated that to insure total destruction of the draft system, secrecy would be the prime requisite so that this type of action could be carried out and become effective.

NY T-1
July 1, 1969

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NY 100-121672

On July 15, 1969, a press conference was held in the lobby of the Federal Building at Chicago, Illinois. The press conference consisted of statements by DAVID DELLINGER and RENNIE DAVIS regarding DAVIS' forthcoming visit to Hanoi, North Vietnam.

member of RENNIE DAVIS was one of the founders of the Students for a Democratic Society (SDS), and in the fall of 1967, visited North Vietnam.

~~CONFIDENTIAL~~

NY T-18
August 8, 1968

A characterization of SDS is contained in the Appendix attached hereto.

The recording of the press conference was made by an SA of the FBI. It is as follows:

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DAVE DELLINGER:

As you may know, I just returned from Paris, where I succeeded in working out the arrangements with the North Vietnamese, who gave the release of three American war pilots. While I was in Paris, I conferred with Ambassador HENRY CABOT LODGE, who assured us that the government would do everything possible to make sure there was no interference with this release. We worked out a team of four representatives of the American anti-war movement who were scheduled to leave New York City at 9:00 o'clock tonight in order to make a very close connection with the one weekly plane into Hanoi on Friday. This would have expedited the release of the prisoners and brought them home to their families in the most rapid way possible. All this was explained to the Government Justice Department and State Department and we went into court a few minutes ago with Judge HOFFMAN with an agreement between the United States Attorneys and the attorneys for ourselves that RENNARD DAVIS, Rennie Davis, one of the defendants in this case, would be permitted to leave the jurisdiction of the court to travel to Hanoi and speed the return of these prisoners to the United States. In a fanciful reaction, Judge HOFFMAN spoke angrily of the enemy countries and denied permission for DAVIS to leave the court. This means that under the most favorable circumstances and with the best efforts on his part to work out a replacement for DAVIS with somebody who will be familiar with the delicate negotiations, will be trusted and will have the confidence of the Vietnamese, at the very least the release of the prisoners will be delayed for one week, which we consider to be tragic at this time with the anticipation of the families,

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DAVE DELLINGER:
(Continued)

the anticipation of the prisoners themselves; and we are trying very hard to get around this. We have immediately made an appeal and we ought to be heard by Justice KERNER of the Appeals Court in a few minutes. It is just a very slight chance that if he overrules Judge HOFFMAN and grants permission that Mr. DAVIS will be able through use of helicopters, in making the connection and actually get on the ICC plane on Friday.

Question:

Mr. DELLINGER, I would like you to tell us one thing before you are through. Why was DAVIS selected when you knew he was under indictment here and there would undoubtedly be trouble in getting him to a country with which we have no diplomatic relations?

DAVE DELLINGER:

Well, perhaps we foolishly believe the old American saw about being innocent until proven guilty. He has been indicted, but he has not been found guilty of any crime. Secondly, the indictment stems from Mr. DAVIS' determination to end the war in Vietnam. Demonstrations demanding such things as an end to the bombing, which have now taken place but was not granted by the Government at that time, and now a total withdrawal of American troops. Mr. DAVIS' position on these matters plus the fact that he has had contact with the Vietnamese in the past over the question of prisoner release makes him peculiarly capable of carrying out this trip. We're not saying that under no circumstances could nobody else do it, but we are saying that this is an unfortunate set back which will take given the fact that there is only one plane a week to Hanoi, will take at least a week to repair.

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Question:

He would be the best propaganda man as far as the North Vietnamese were concerned wouldn't he?

DAVE DELLINGER:

Well, I don't know what you mean by propaganda. I was asked the other day at a similar conference if I felt I was being used by the Vietnamese, and I said well, since I support the Vietnamese position that American troops should be completely and unequivocally withdrawn from Vietnam. I think it is impossible for me being used by them. In addition, I'm happy to play any part I can to get three prisoners home to their families.

Question:

(A few unintelligible words) using them as pawns for the enemy, for North Vietnamese propaganda?

DAVE DELLINGER:

Well, I think it is clear that what we're interested in is Vietnam having the same self-determination that the United States got for itself in 1776, self-determination as a people and that nobody is using any pawns, any prisoners as pawns. This is a simple humanitarian act in which three people are being released to come home to their families. Now it does not mean, of course, that there are not other prisoners there. It is clear too that the problem of the prisoners and the problem of the GIs that are being killed everyday in Vietnam cannot be resolved until the United States makes the firm decision that Vietnam is entitled to the same independence and the same freedom from foreign aggression that it covets for itself. Now, I would like to introduce Mr. DAVIS. Would you let me (pause)

Question:

(unintelligible)

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DAVIS:

Roughly a year ago on July 4, the North Vietnamese released three prisoners as a humanitarian gesture to the American people to commemorate July 4, our own Independence Day. I think this gesture was made more than anything else to remind us that this country was founded on a revolution, and founded on a fight for our own freedom and our own independence day, a fight that goes on today in Vietnam. Now, again to commemorate July 4 of 1969, the North Vietnamese have announced that they are prepared to release three pilots to a representative delegation of the anti-war movement in the United States. I am privileged to have been selected to be one of those people to play a small part in bringing back these three men to their families. I think that it is clear that for myself and for millions of other Americans who have worked against this war that we have been engaged in, an unrelentless search is out to bring home our troops from Vietnam and if we can play this small part in bringing these three men back promptly and speedily, we certainly want to do it. I am absolutely incensed and outraged that a judge who was the judge demonstrator at the Democratic Convention who came to Chicago to protest four more years of JOHNSON's war policy and are now under indictment that that judge now views - that he has the right to say that this delegation has to be slowed down and that those men in North Vietnam have to spend another week or longer in a prisoner-of-war camp in that country. I think that it is a tragedy that this judge has made this decision. I think it is an indication that this judge is not fit to judge demonstrators against the war,

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DAVIS:
(Continued)

people who have in every conceivable way made it clear that they will continue to fight in this country to bring home every American soldier and not just these three pilots.

Question:

Mr. DAVIS, if you are denied the appeal, will you go anyway?

DAVIS:

Well, I think that we'll have to consult very carefully with our attorneys and with the other representatives on the delegation. There's no question that very complicated negotiations are involved here with the Vietnamese and with our own groups. There's no question that this delegation is going to be delayed because of this decision, if it is not overturned at the appeal level, and I'll have to make a personal judgment as to whether or not these men's liberty is so in jeopardy that I would have to consider violating the order that was made today by Judge HOFFMAN.

Question:

Will you tell me Mr. DAVIS how it was that you were selected and who selected you to lead this delegation?

DAVIS:

Well, the committee who organized the delegation was a committee of the National Mobilization to End the War in Vietnam which is the largest coalition of anti-war draft resisters, students and women and black liberation groups in the United States. The delegation was represented by its chairman by the Mobilization Chairman DAVE DELLINGER in Paris and a number of problems were made in Paris and it was finally agreed upon in Paris that this four-man delegation of the North Vietnamese....the North Vietnamese are granting the visa for the four people and for one of the people not to participate now or to be thrown out by a decision of this court jeopardizing the whole delegation and connections will now have to be resumed

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DAVIS:
(Continued)

both here in the United States and probably in Paris before a delegation could be put forward. It is not possible for this delegation to move without the (pause) it would be a violation of the agreement that was reached in Paris, a a a to have a delegation that did not include the four people that were worked out in that country.

Question:

Wasn't this an understanding with our own State Department too that this....

DAVIS:

This has the support of the State Department. It was recommended by the State Department to the court that I be permitted to travel to Hanoi to bring back these three prisoners. The Justice Department in Washington concurred with that decision. The Government United States Attorney representing the Justice Department in the court today recommended to the judge that I be permitted to travel. It is our judge that made the decision unilaterally, apparently that these men should.....stay confined in Vietnam until this delegation can be constituted and the trip can get underway.

Question:

Well then how do you....how do you evaluate this decision? Rather obviously Judge HOFFMAN knew he was going against all these recommendations, a a no matter what his attitude, he certainly is not stupid from the stand point he knows that he is going against the State Department and everyone.

DAVIS:

Well, Judge HOFFMAN today made a statement that said to the effect that he regarded the North Vietnamese as the enemy and that a person such as myself could not travel to North Vietnam even when it was

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DAVIS:
(Continued)

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a question of the liberty of the three American pilots. Of course, speaking for myself I don't regard the North Vietnamese people as my enemy but the enemy of American people. I think the enemy is the pentagon that continues to place those GIs in that situation fighting a war that is senseless and brutal, illegal and unjust and that simply what has happened today, Judge HOFFMAN has lined up against the real enemy of the American people, namely the pentagon.

Question:

Mr. DAVIS, will you tell us why you said that this was July 4 release in honor of independence and revolution? Why then is it taking this long in waiting until your trial is coming up in public light?

DAVIS:

It has nothing to do with our trial. It has to do with the announcement made on July 4 in North Vietnam. It was then a matter of making arrangements for the delegation to go to Hanoi to secure the release of these three men. That first required one trip to Paris which Mr. DELLINGER made. Then a trip back to the United States to make the arrangements for the delegation and all this takes a matter of weeks. By withdrawing my name from the delegation would mean that much more time is wasted, whereas these men's liberty is at stake and I think it is an absolute outrage.

Question:

You wouldn't think that this is also a god send for your publicity campaign in this case?

DAVIS:

I don't think this.....that is a question here. I think that that's a very arrogant question for you to even ask, where these three men are involved.

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NY 100-121672

DELLINGER had reservations booked on American Airlines flight 363, departing New York City at La Guardia Airport on July 3, 1969, for Cleveland, Ohio. DELLINGER had a return reservation on American Airlines flight 36, leaving Cleveland, Ohio, on July 6, 1969.

NY T-14
July 1, 1969

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DELLINGER travelled to Cleveland, Ohio, to take part in a national anti-war conference held in Cleveland, Ohio, in July, 1969, which is mentioned in this report.

DELLINGER had passage booked to Paris, France, via Air France Airlines, which indicated he was to depart on flight 044 from John F. Kennedy International Airport on July 7, 1969, and had a return reservation to New York City via Air France flight 017, departing Paris, France, on July 11, 1969.

NY T-14
July 7, 1969

DELLINGER was to travel to Paris, France, to confer with the North Vietnamese delegation to the Paris peace talks to finalize plans for the release of an unknown number of American prisoners of war held by the North Vietnamese. DELLINGER, at the meeting, would attempt to "sell" the North Vietnamese on an all black American delegation receiving the release of the prisoners of war, probably in Cambodia, at a date yet to be established. This black delegation was tentatively made up of Reverend JESSIE JACKSON, Chicago, Illinois, JOHN WILSON, New York City, and an unnamed representative of the BPP from San Francisco, California.

NY T-3
July 7, 1969

(U) The July 19, 1969 issue of the "New York Times", a daily New York City newspaper, carried an article entitled, "Opponent of War Flies To Paris for POW Talks." The article reflects that DAVE DELLINGER left New York City on July 7, 1969, for Paris at the invitation of the North Vietnamese delegation to the peace talks to arrange the release of three United States prisoners being held by Hanoi. The article reflects that RENNIE DAVIS, a co-defendant with DELLINGER, among eight under Federal indictment stemming from demonstrations

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NY 100-121672

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at the Democratic National Convention, said DELLINGER received a telegram from the North Vietnamese delgation on July 5, 1969.

The July 10, 1969 issue of the "New York Times" carried an article entitled, "Dellinger in Paris Sees Hanoi Aides on Prisoners." This article described DELLINGER as an "American pacifist" and states that he met with a high North Vietnamese official on arranging for the release of three United States prisoners whom Hanoi has promised to release.

DELLINGER had passage booked on July 30, 1969, for air travel from Provincetown, Massachusetts, on Provincetown Airways, departing that day to Boston, Massachusetts. DELLINGER had a connecting flight in Boston, Massachusetts, that day via American Airlines flight 227 for Chicago, Illinois. DELLINGER was to return by air, leaving Chicago, Illinois, on July 31, 1969, on American Airlines flight 104 to Boston, Massachusetts, and subsequently a shuttle flight from Boston back to Provincetown, Massachusetts, on July 31, 1969.

NY T-14
July 23, 1969

II. CONNECTIONS WITH THE NATIONAL MOBILIZATION COMMITTEE TO END THE WAR IN VIETNAM (NMC)

As of April, 1969, there had been no changes in the original aims and purposes of the NMC since its inception. The principal reason for its functioning is to foster opposition to the war in Vietnam, and the organizational policies are still controlled by DAVE DELLINGER.

The NMC and DELLINGER maintain contacts with the governments of Cuba and North Vietnam, as well as representatives from the National Liberation Front of South Vietnam for propaganda purposes. Such contacts, DELLINGER feels, gives both the organization and himself notoriety in the anti-war movement and bullds their image in the movement. (X)

The NMC and particularly DELLINGER wants to foster closer ties with black militants opposed to the Vietnam war solely for the purpose of building his image by showing the organization as being an intergrated anti-war group. (X)

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NY 100-121672

(U) ~~CONFIDENTIAL~~
DELLINGER, since the Democratic National Convention, is reluctant to get involved with the BPP but feels it is something that has to be done to enhance his leadership position and image. DELLINGER regards all black extremists as people not to be involved with; however, he feels it a necessity to solidify the anti-war movement and not jeopardize his position of leadership. (C)

(U) DELLINGER presently functions as the dominating figure within the anti-war movement, and as a result, militants need him for whatever financial possibilities he may have in the future, and the moderates respect his judgment. (C)

NY T-3
April 14, 1969

(U) Plans put forth by the NMC at a meeting held in New York City in April, 1969, indicate DELLINGER called for a demonstration in support of the people indicted in connection with the National Democratic Convention demonstrations in August, 1968. Supposedly, DELLINGER has enlisted the support of the SDS and particularly that segment of SDS that supports MARK RUDD's leadership of the organization. He enlisted their support to carry off the proposed Chicago demonstration to take place the date the eight individuals will go to trial in Chicago. The "Trotskyite" element within the NMC has voiced disapproval over planned demonstrations in Chicago, and as a result, DELLINGER's leadership ability has been questioned. (C)

NY T-3
June 23, 1969

(U) On April 12, 1969, the NMC, as well as other "movement groups" then headquartered at 5 Beekman Street, New York City, held a party at 339 Lafayette Street in New York City. The purpose of the party was to help raise funds to underwrite the moving of the offices of these groups to the new Lafayette Street address. DELLINGER attended the party. (C)

NY T-3
April 21, 1969

(U) A Steering Committee meeting of the NMC was held on April 22, 1969, at Academy Hall in New York City. DELLINGER chaired the meeting. The basic purpose of this meeting was to announce a proposed demonstration on September 24, 1969, (C)

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NY 100-121672

at Chicago, Illinois. DELLINGER proposed to invite all anti-war and anti-draft groups to future meetings to get their views on joining in the demonstration.

NY T-3

April 28, 1969

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The NMC, as of May 22, 1969, had no longer any executive power over all anti-war organizations. The power now in New York City lies with the Fifth Avenue Peace Parade Committee (FAPPC). Due to this change in the power structure, DELLINGER has been sitting in on as many meetings held by the FAPPC as possible. At the time of the inauguration in Washington, D.C., there was a bitter argument and fight and a split within the NMC. The NMC still holds meetings, but these meetings have little significance over local organizations and committees in New York.

NY T-1

May 22, 1969

members of
III. ATTENDANCE AT THE NATIONAL ANTI-WAR
CONFERENCE, CLEVELAND, OHIO,
JULY 4-5, 1969

On June 13, 1969, a meeting of the NMC was held in New York City for the purpose of discussing possible participation in the forthcoming National Anti-War Conference to be held in Cleveland, Ohio, in July, 1969. Reportedly, this conference was organized by SIDNEY PECK, NMC Co-Chairman from Cleveland, Ohio, with the help of the "Trotsky faction" of NMC to formulate plans for an anti-war demonstration in Washington, D.C. on November 1, 1969. PECK reportedly is attempting to generate support to eliminate DELLINGER as NMC leader inasmuch as PECK is of the opinion DELLINGER is not doing enough and questions his leadership ability. *ce*

DELLINGER is reportedly giving support to the MARK RUDD faction of SDS who were planning a demonstration to take place in Chicago, Illinois, in September, 1969, at the time the trial commences for those arrested in connection with the National Democratic Convention demonstrations. *ce*

NY T-3

June 19, 1969

June 24, 1969

~~CONFIDENTIAL~~

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(U) Prior to the National Anti-War Conference, there was a movement to "dump" DELLINGER as the Chairman of NMC. One of the main claims of this movement was that DELLINGER was becoming too radical. Certain individuals felt that the NMC was no longer a variable organization under DELLINGER and that he had not been offering any leadership to the anti-war movement. At the conference, DELLINGER offered no defense to the allegations made aforementioned, but moved around from group to group getting his support organized. Individuals opposed to DELLINGER's leadership attempted to dissolve the existing Steering Committee of NMC and establish a new one. A proposal to replace DELLINGER went before the existing Steering Committee of NMC, where it was defeated. DELLINGER, therefore, prevailed as the national leader of NMC. (C)

(U) At the conference, DELLINGER appeared to be using JOHN WILSON, a Negro, as a sounding board on whether to bring BPP leadership into the NMC activities. WILSON advocated BPP representation on the Steering Committee of NMC, and it was anticipated that this move would give NMC more control of BPP if BPP agrees to involve itself with the NMC. (C)

NY T-3
July 7, 1969

✓ On July 4 and 5, 1969, the National Anti-War Conference was held in Cleveland, Ohio. The conference was called by the Cleveland Area Peace Action Council in order to unite the anti-war movement in the United States. The conference was used to form a new national coalition to lead the anti-war movement. This conference replaced the old leadership of the NMC and adopted a new name, the New Mobilization Committee.

(U) During the conference, DELLINGER supported a proposal for a march to be held in Chicago on September 24, 1969. In the march, SDS will unite with the BPP to form a march based on the conspiracy trials which commence in Chicago on that date. This proposal by DELLINGER was highly opposed by the socialist groups as they felt this will turn into a confrontation march. (C)

(U) Another suggestion was that a march would consist of all states sending one person for each that had died in that state in the war. Each person would wear a large tag identifying the dead soldier that he would represent. (C)

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NY 100-121672

(U) This line would then march single file to a destination to be determined at a later date. (C)

DELLINGER was very critical of this idea as being billed as "peaceful". DELLINGER said that "you cannot help numbers grow by being peaceful because nobody will notice it". He stressed the importance of setting up defense committees all over the United States for all "political prisoners" so as to show the power of the movement and not give them a weak appearance. (C)

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NY T-19
July 10, 1969

(U) At the conference, DELLINGER agreed with the proposal set forth by the SDS. This proposal was a massive anti-war action to be held in Chicago, Illinois, on July 24, 1969. DELLINGER also agreed with the proposal of a massive action to be held in Chicago, Illinois during the week of September 24 through September 29, 1969, to be followed by a march and demonstration in Washington, D.C. on November 15, 1969.

NY T-20
July 7, 1969

IV. WRITINGS

On August 8, 1969, a pamphlet entitled, "New Urgency on Vietnam," which indicates it is an editorial reprint from the July issue of "Liberation" written by DAVE DELLINGER.

NY T-1
August 8, 1969

The article is set forth as follows:

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dave dellinger:

New Urgency

On Vietnam

~~CONFIDENTIAL~~

I.

There are some signs that the United States, like a wounded beast, may be gradually moving to extricate itself from Vietnam, killing and clobbering as it goes. If so, this is a tentative policy which would be reversed any time there was a let-up in military pressures in Vietnam or in political pressures at home. It is accompanied by unprecedented military escalation (bombing and shelling beyond the limits of human comprehension plus active implementation of the Phoenix Plan for assassinating 80,000 village cadres of the N.L.F.) and is aimed at extorting in Paris the political concessions which will keep a U.S. foothold in Vietnam. As the *New York Times* admits, "[both inside and outside the Nixon administration] the argument is over how many Americans can be withdrawn, how quickly, without defeating the purpose for which they went to Vietnam in the first place" (Sunday, June 22, *The Week in Review*). In other words, the tentative new policy reflects not the slightest lessening of U.S. determination to control Vietnam (and the rest of the world) in the interests of American capitalism and anti-communism. Instead, it reflects a long delayed but ultimately unavoidable response to the fact that the United States is losing the war on the terrain and in the arena of world and domestic politics. There are at least three basic reasons why it requires more rather than less anti-war action, both in the form of massive national protest and in grass-roots resistance activities.

1. Faced with the prospect of "going under" in the same crush of public opposition which made it impossible for Lyndon Johnson to run for re-election, Nixon is trying desperately to prevent active, catalytic expression of the country's underlying discontent. His strategy has been, first to ask for time to study the situation and formulate new policy; then to create a mood of false optimism by leaking dishonest reports of "secret talks," "progress in Paris," declining morale in the N.L.F. and the D.R.V., "improvement" in the morale and efficiency of the puppet troops (a truly ridiculous claim), and impending American military victory. Now he offers phony concessions, such as the

withdrawal of 25,000 U.S. troops.

Phony for the sheer tokenism of it, as when a university admits 30 students from the ghetto or a union takes ten black apprentices. But phony also for a less obvious reason: American troops spend most of their time holed up in tiny enclaves, vulnerable to repeated mortar and rocket attacks. They venture out only in periodic savage actions which provide psychological reassurance for the generals and lifers (feeding their *machismo* and careerist ambitions) but are carried out at great cost in GI lives, thus adding to the discontent both in the armed forces and at home. Increasingly the major U.S. aggression is being carried out by genocidal bombing and strafing of the liberated zones, the activity which so far has the least political repercussions at home because of the resulting low American but high "communist" death tolls. The U.S. has given up on conquering territory or pacifying the Vietnamese but hopes to terrorize the liberation forces into yielding major concessions at Paris. So this highly publicized "proof" of peaceful intent and military improvement is a bummer. It is Nixon's equivalent of Johnson's April Fools' Eve bombing halt north of the 19th parallel, where it was most costly and least effective, a move that Hermann Kahn had recommended as a step toward greater military efficiency which could be presented to the public as a step toward peace.

As Richard Ward has pointed out in the *Guardian*, "The number of troops to have taken out is in the low range of what has been widely reported in the press as 'excess' or 'fat' within the U.S. command. Robert G. Kaiser of the Washington Post, for example, in a May 11 dispatch from Saigon stated that there was a widespread belief among American officers of all ranks in Vietnam 'that at least 50,000 U.S. troops could now be withdrawn without significantly affecting the allied war effort.' ... During a Senate Foreign Relations Committee hearing on March 27, Senator Albert Gore (D-Tenn.) reported that according to an assistant to Secretary of State Rogers, a system of gradual withdrawal could prolong the war by two or three years. The official had asserted that 'the American people will be bought off with phased withdrawals'." (*Guardian*, June 21)

2. Inaction, apathy, allowing ourselves to be bought off, leaving it up to the government to phase out the war at its own pace could lead at the very least to an unnecessary extension of the war by months or even years. Yet every week that the war continues, thousands of Vietnamese and Americans are killed or wounded; others are tortured in prison or confined under inhuman conditions in military stockades. It may be boring to march down the streets in yet another anti-war

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parade; it may be frightening to face the mace, clubs and handcuffs of the police; it may be irritating to take part in coalition activities at which some of the marchers or speakers portray life styles or political viewpoints contrary to one's own. But these are minor problems compared to the sufferings, sacrifices or deaths of those who are carrying out the struggle in Vietnam.

3. The establishment is on the run and it is necessary to keep it there. So far it has only taken steps which are intended to cool off the public while it continues to pursue its original war aims. The *Sunday Times* cynically sums up the establishment's objective: "Will the American public, offered for the first time a discernible, measureable reduction in the cost of the war in lives and dollars, relax its anti-war pressure and support a continued effort to win an 'honorable' peace?" (June 22)

But the U.S. can continue its dishonorable efforts to win a dishonorable peace only if the public does, indeed relax its anti-war pressure. Caught in a desperate situation, the establishment has been forced to employ a strategy which will work, if the anti-war movement allows it to work, but will turn into an establishment disaster if an aroused and intelligent anti-war movement takes advantage of the openings created.

This strategy, which began under Johnson and continues under Nixon, attempts to convince the public of the administration's good faith in working for peace by offering a series of palliatives and promises which are not intended to interfere with prosecution of the war. In the short run, several of these gestures have been quite successful in de-energizing the anti-war movement, but as the war has continued and the movement has become more sophisticated and realistic about what is going on, the government has been forced to raise the ante in order to have any effect at all. First the opening of talks in Paris, then the end to bombing in the North, now the open troop withdrawal—all have aroused serious expectations of peace. In the first two instances the immediate result was a temporary diminution in public anger and protest, followed, however, by increased impatience. The Vietnamese were quick to see that by calling the U.S. bluff and appearing in Paris they had the opportunity to set up an irreversible dynamic which imposed on the United States a much-reduced time span in which it must either win the war or be forced to end it *—with or without having achieved its objectives*. Because they appear to have known more about the morale of U.S. troops than General Westmoreland and the Pentagon, they realized that the peace hopes generated

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by the Paris talks would immensely increase the army's problems with its own troops, and that this would compensate for and ultimately overcome any temporary defections in civilian anti-war protest. It is worth noting that with characteristic ideological rigidity and practical stupidity, the Progressive Labor Party derided the Vietnamese as revisionists who, by going to Paris, had sold out the Vietnamese people, America's revolutionary working class and (worst of all) Progressive Labor. They failed to notice that the Vietnamese arrived with an unyielding line on fundamentals, a seductive flexibility on secondary matters, and a realistic appraisal of the political dynamics that were being created.

For the first several years of the war, the anti-war movement had the crucial but unrewarding task of preventing the building of a national consensus in support of the government. Those who complain that teach-ins, massive demonstrations and nonviolent resistance had no effect because they did not lead to a negotiated peace or the withdrawal of troops fail to realize the tremendous significance of what was accomplished, particularly against a background of political naivete and non-involvement, a tradition of righteous patriotism, and the Cold War legacy of anti-communist brain-washing.

Now the government is in serious trouble. It can't win in Vietnam, either with its ground troops or in its attempts to establish a South Vietnamese government that is both pro-American and politically respectable. For all practical purposes Ky has disappeared, Thieu is hated by all and trusted by no one, and the little clique of generals and landlords who have sold themselves in turn to the Japanese, the French and the Americans are checking their escape routes and filling their foreign bank accounts with American aid money. The United States is having difficulty bombing the patriots into submission. American money and technology are not all-powerful after all.

At home the war is immensely unpopular but lingers on, cushioned by the traditional passivity of the population, the lack of a tradition of direct action, the reluctance of most people to involve themselves in political matters (except in the treadmill of electoral politics). But there is a tremendous reservoir of disillusionment and discontent waiting to be tapped. The movement's job is to subordinate its tactical disagreements and doctrinal disputes to the need for highly visible and energizing public action. There are many possible formulas under which this can happen without causing any group or viewpoint to lose its separate identity or abandon its own program. For about two and a half years, from April of 1965 through

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October of 1967, groups which hated and distrusted one another's politics managed to work together to plan and carry out actions that transformed the political climate and forced the Johnson administration onto the defensive. In that case we were all pushed not only by our sense of outrage but by the rising minority tide of anti-war sentiment, as shown first by the thousands, then by the tens of thousands, ultimately by the hundreds of thousands who belonged to no organization but responded to coalition calls for action. Now there is an overwhelming majority out there, millions as a matter of fact, not pushing us and even reluctant to get involved, but fed up with the war, fed up with promises and delays, distrustful of Nixon and the Pentagon, anxious for the troops to come home and the war to be over. Our job is to find a way to build a sense of public outrage and urgency that will give Nixon this year no alternative but to end the war, just as Johnson last year had no alternative but to withdraw from the Presidential race, turn down the military's request for 203,000 troops, and send his negotiators to Paris.

Obviously the anti-war movement should organize public actions for Hiroshima and Nagasaki week, and should continue the diverse organizing and resistance activities that express the nature and emphases of the various organizations—everything from GI organizing and aid to deserters to dramatic public readings of the names of the dead. As a counter to American chauvinism and as a proper indication of equal concern for the Vietnamese victims of American aggression, reading of the war dead should include the Vietnamese—for example, "John Jones and 30 Vietnamese . . . etc."

Hiroshima-Nagasaki Week is important in order to build on the tradition of anti-war protest and national self-discovery stimulated by America's use of the atom bomb. The bombings of Hiroshima and Nagasaki gave the lie to America's disinterested self-righteousness in World War II, exposed its underlying racism and power drives, previewed the Cold War, and indicated the need for total renunciation of war. This year the anniversary is important for two additional reasons: 1) The plans for development of the ABM which are based on the monstrous illusion that somehow nuclear war can be fought with safeguards that allow human survival; and 2) The importance of a combined American-Japanese campaign against the U.S.-Japan Security Treaty, which comes up for renewal in 1970.

But August is not a time when the largest turnouts are possible, and in any event if Hiroshima-Nagasaki week is successful, the momentum will carry on to the fall. By autumn, if events in Vietnam, Paris and the United States (including

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continued Federal and local repression) follow their most likely course, the time will be ripe for public disillusionment with Nixon and insistence on ending the war. Preliminary discussions have been under way for some time, and a keen sense of expectancy is developing. On June 22nd, the New Left section of SDS adopted a 2-part outline for fall action which reflects the mood of the movement. A broad conference of anti-war forces is meeting in Cleveland on the July 4th weekend with the opportunity to work out such a program.

The plan calls for:

1) Massive anti-war demonstrations in Chicago, September 26 through 28. The date was chosen because of the urgency of demonstrations as soon as possible after Labor Day as practical, and because the trial of The Conspiracy begins in Chicago on September 24th.

2) Setting a deadline date for ending the war and observing that date with massive regional protests, as a signal that there can be no business as usual in the United States until there is peace in Vietnam, SDS selected November 8th as the deadline, a date which gives the movement a six week interlude between the major events—long enough to organize but not so long as to let the government off the hook.

An alternative deadline of October 15th has been proposed by Mass Pax, and adopted by a group of 90 college editors and student body leaders across the country. The idea of a public deadline for ending the war is timely. It expresses and builds on the public mood of impatience. Since the people who have adopted October 15th see it as a date on which students will strike for one day and use the time to organize local communities, in preparation for 2 days of strikes and anti-war organizing the next month (3 days the next month, etc.), I see no irreconcilable conflict between the two proposals. By the middle of November the entire anti-war movement will have said to the country: No further delays can be tolerated. The war must be ended—Now!

The Chicago demonstrations are important for several reasons. The government's increased reliance on police brutality and political indictments to try to divide and intimidate the movement must be met head-on. Chicago has become the symbol of governmental refusal to tolerate anti-war protest whenever it threatens to influence national events. The Conspiracy (the organization of the eight indicted men) decided not to ask for a change of venue for their trial, believing that the issue should be joined at the scene of the government's crime. For a broad coalition of the movement to choose that time and place to mount a massive protest

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Against war and racism is the clearest public statement that the movement will not allow itself either to be intimidated or to be divided into "good" and "bad" children. Neither The Conspiracy nor other groups heading for Chicago wants the major issue to be governmental repression. The demonstrations should represent continued attacks on the problems that caused the Convention protests in the first place—the war, racism, and the corporate society.

Within the proposed framework of actions in Chicago on September 26-28th and in Washington or elsewhere on November 8th, there are many questions of tactics and detail to be worked out. Should there be five or six regional centers where actions also take place on either or both of these dates? What actions should there be in addition to the ones which bring together the greatest numbers for few hours? Some of these matters naturally will depend on the initiative of particular organizations, which decide to organize and take responsibility for non-coalition events, but both in September and in November it is important that there be mutual respect and forbearance among the different sections of the movement.

One final observation: the way the war ends will have important repercussions in the coming years. Politically the U.S. is an underdeveloped country. One manifestation of this is the superstitious belief in the underlying decency of American institutions and the responsiveness of the government to the public will, as expressed in the normal electoral process and supplemented by lobbying and petitioning in Washington. This attitude underestimates the importance of the government behind the visible government—the power structure of American capitalism. There is indeed a huge reservoir of decency in the American people but normally that decency is frustrated and prostituted by corporate capitalism, which makes the drive for profits and power, at home and abroad, the dominating force in American policy.

As a concrete way of accelerating the transition already under way from narrowly anti-war activity to the broader struggle against the lethal structure of the military-industrial complex, it may be time for the anti-war movement to project mass actions against corporate as well as political targets. To date, the transition has been mostly in terms of platform rhetoric with here and there a misguided emphasis on creating Leninist vanguards which concentrate on ideological purity, sectarian infighting and a romantic idealization of the working class.

This is not the time to sketch out the details of possible efforts to impede the functioning of in-

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industries which are murdering people in Vietnam and simultaneously exploiting American consumers and workers, pandering to male chauvinism, and corrupting American education and politics. But a possible inside-outside strategy could combine careful organizing of workers within the corporate insulation with the outside pressure of demonstrators nonviolently interfering with the smooth operation of warfare capitalism. Firms which rely on precision technology and tight production schedules are highly vulnerable to such actions. The fact that telephone company employees in California openly joined consumer representatives in an attempt to defeat the company's bid for a rate increase indicates the possibility for worker-citizen action. Similarly, there is growing evidence that white-collar technicians are prepared to scrutinize the moral implications of their work as evidenced by the March 4 scientists' action.

The energy released and political structures created by regional anti-war, anti-corporate actions might help propel the movement into the post Vietnam War period when it will have to focus on causes as well as symptoms—for the sake of preventing future Vietnams and in order to struggle for self-determination and economic brotherhood at home.

This editorial is reprinted from the July issue of LIBERATION.

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V. MISCELLANEOUS ACTIVITIES AND MEETINGS

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An FAPPC meeting was held at 17 East 17th Street, New York City. At the meeting, DELLINGER stated that the committee should be willing to take a more militant position such as that being offered by the youth so as to have a much broader base. The meeting was held on April 16, 1969.

NY T-21
April 21, 1969

A meeting of the FAPPC was held at 17 East 17th Street, New York City, on April 17, 1969. The meeting dealt with the evaluation of the massive anti-war demonstration held at New York City on April 5, 1969. DELLINGER stated the movement has to go further to the "left" and be "more militant and revolutionary." DELLINGER also stated that on May 16 through May 18, 1969, there will be a conference on the "left" in Stockholm, Sweden.

An individual at the meeting from the Communist Party (CP) said that on August 6, 1969, "Hiroshima Day," there will be mass action in Japan to prepare a mandate for the United States to give up Okinawa and their military bases there. This individual asked for an action in the United States to coincide with the August 6 rally in Japan. DELLINGER agreed with this wholeheartedly and added to that statement that all efforts should be made to get an active demonstration going in the United States.

NY T-1
April 25, 1969

DELLINGER made arrangements for representatives of the "New Left" in the United States who were in Cuba as of July 14, 1969, to attend a conference in Cuba and meet with representatives of the National Liberation Front of South Vietnam while there. (S)

NY T-22
July 22, 1969

The "Yale Daily News," a daily campus newspaper at Yale University, carried an article entitled, "War Critic Dellinger Speaks." The article reflects that according to DELLINGER, a demonstration may take place in September, 1969, in Chicago, Illinois. DELLINGER stated demonstrations are necessary and said that previous national demonstrations

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have sent the participants back to their communities with a greater sense of solidarity and with the morale to do more on a local level.

The article further stated that DELLINGER commented, "This country is too sick to solve its problems through democracy." DELLINGER advocated a people's liberation front which would not be an "armed force" but rather a "grass roots movement." DELLINGER, in the article, said he sees resistance and coercion as needed factors in order to form a new society. He said, "I don't have faith in the American people to make the kind of revolution that is needed unless there are elements of confrontation." Some of DELLINGER's reformlike proposals, which he terms as an organized approach to revolution, are:

"An adequate income flow underneath everyone and a getting away from the idea of being paid according to your work.

"A ceiling of incomes of all types.

"Increasing the amount of free goods available such as telephone service and housing."

DELLINGER said that although this synthesis has been delayed, he pointed out that the destruction of the Dow Chemical files in Washington, D.C. and the seizure of university buildings by students are tangible signs of its beginning. The article also reflected that DELLINGER said, "Often it takes a confrontation to make a discussion rational".

DAVE DELLINGER, who was in his office at the NMC, 339 Lafayette Street, New York City, on July 2, 1969, remarked that he had been in attendance at a recent meeting where the initial plans were made to seize and destroy draft records, which plans had been carried out on July 1, 1969, in New York City. DELLINGER also stated that the destruction of the draft records was carried out by all women, and he implied he knew the identities of these women.

NY T-21
July 2, 1969

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APPENDIX

1.

BLACK PANTHER PARTY

According to its official newspaper, the Black Panther Party (BPP) was started during December, 1966, in Oakland, California, to organize black people so they can take control of the life, politics, and the destiny of the black community. It was organized by BOBBY GEORGE SEALE, BPP Chairman, and HUEY P. NEWTON, BPP Minister of Defense. NEWTON is presently serving a sentence of 2 to 15 years on a conviction of manslaughter in connection with the killing of an Oakland police officer.

The official newspaper, "The Black Panther", which further describes itself as the "Black Community News Service", states that the BPP advocates the use of guns and guerrilla tactics in its revolutionary program to end oppression of the black people. Residents of the black community are urged to arm themselves against the police who are consistently referred to in the publication as "pigs" who should be killed.

"The Black Panther" issue of September 7, 1968, contains an editorial by BPP Minister of Education, GEORGE MASON MURRAY, which ends with the following:

"Black men. Black people, colored persons of America, revolt everywhere! Arm yourselves. The only culture worth keeping is a revolutionary culture. Change. Freedom everywhere. Dynamite! Black Power. Use the gun. Kill the pigs everywhere."

Included in the introduction to an article appearing in the October 5, 1968, edition of "The Black Panther" is the statement, "... we will not dissent from American Government. We will overthrow it."

Issues of "The Black Panther" regularly contain quotations from the writings of Chairman MAO Tse-tung of the People's Republic of China and feature MAO's statement that "political power grows out of the barrel of a gun."

The national headquarters of the BPP is located at 3106 Shattuck Avenue, Berkeley, California. Branches have been established at various locations throughout the United States.

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APPENDIX

1.

LIBERATION MAGAZINE

"Liberation" Magazine (LM) is self-described as an independent monthly with offices at 5 Beekman Street, New York, New York. A "Statement of Ownership, Management, and Circulation" was published in the November, 1967 issue. It listed the Publisher and Editor of the magazine as DAVE DELLINGER. The circulation was given as 10,000.

The following comments appeared in a leaflet distributed by LM in May, 1968:

"Since its inception in 1956, LIBERATION has played an active and creative role in the growth of the new radicalism in the United States. From civil rights to black liberation, from 'ban the bomb' to the movement to end the war in Vietnam, LIBERATION has been vital. Its radical critique of American society and its emphasis on democratic and direct action against the inequalities and injustices of our present social structure have inspired radicals, young and old".

"In addition, LIBERATION will continue to carry articles and discussions written by and to community organizers, student and non-student activists, educators, economists, and social scientists - of interest to anybody concerned with building a radical and nonviolent Movement that will bring a fundamental change to the existing order".

On May 14, 1963, a source advised that during a speech in New York, New York, on May 10, 1963, DAVE DELLINGER identified himself as a pacifist. He stated it was necessary to abolish the cause of war, which was capitalism. He advocated a Communist society and said, "I am a Communist", but further stated he was not a Soviet type Communist.

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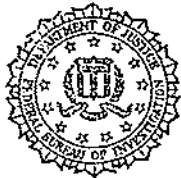
~~CONFIDENTIAL~~APPENDIX1.STUDENTS FOR A DEMOCRATIC SOCIETY

A source has advised that the Students for a Democratic Society (SDS), as it is known today, came into being at a founding convention held at Port Huron, Michigan, in June, 1962. From an initial ideological posture of "participatory democracy," the current line of the national leadership reveals an adherence to Marxism-Leninism. Michael Klonsky, National Secretary, in March, 1969, called for the building of a revolutionary Marxist-Leninist movement. The program of SDS has moved from involvement in civil rights struggles to an anti-Vietnam war position and finally to its present advocacy of an anti-imperialist line, linking up the oppressed peoples of Asia, Africa and Latin America with the black liberation movement in the United States. China, Vietnam and Cuba are regarded as countries which are leading the world-wide struggles against United States imperialism. On the other hand, SDS regards the Soviet Union as an imperialist power and does not support the policies of that country.

SDS maintains a National Office in Room 206, 1608 West Madison Street, Chicago, Illinois. Its official paper "New Left Notes" reflects the line of the national leadership and program adopted at meetings of the National Council and National Interim Committee (NIC). Three national officers and a NIC of eleven members are elected each year during a June National Convention.

SDS Regional Offices and university and college chapters elect delegates to National Council meetings wherein program and ideology are debated, but each Region and chapter is autonomous in nature and is free to carry out independent policy and programs reflective of local conditions.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
New York, New York

In Reply, Please Refer to

File No. Bufile 100-38441
NYfile 100-121672

August 21, 1969

~~CONFIDENTIAL~~

b6
b7C

Title David Dellinger

Character Security Matter-C (Key Activist)

Reference is made to report of Special
Agent [redacted] dated and captioned as above, at
New York.

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

DECLASSIFIED BY [redacted]

~~CONFIDENTIAL~~

F B I

Date: 9/2/69

Transmit the following in PLAINTEXT
(Type in plaintext or code)b6
b7CVia AIRTEL
(Priority)

TO: DIRECTOR, FBI (100-384411)

FROM: SAC, NEW YORK (100-121672)

SUBJECT: DAVID TYRE DELLINGER
SM-C
KEY ACTIVIST

On 9/2/69, [redacted]

[redacted], Brooklyn, NY, advised that subject was in NYC, on 8/30/69, and moved from his apartment at 1177 E. 98th St., DELLINGER left a note in which he stated he was moving on that date, but left no forwarding address. [redacted] stated that DELLINGER moved all of his possessions on that date.

There have been previous indications during investigation of subject that he intended to move in the near future and would continue to reside somewhere in Brooklyn, NY.

NY will ascertain subject's current address.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

EX-102

REC 70

100-384411-327

3 SEP 3 1969

- 2- Bureau (RM)
1- Boston (INFO) (RM)
1- New York

HPB:abg
(6)

INT. SEC.

SEP 10 1969

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

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 07-21-2008

F B I

Date: 8/28/69

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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

AIRTEL

Via _____
(Priority)

TO: DIRECTOR, FBI (100-384411)
FROM: SAC, NEW YORK (100-121672)
SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

ReBuairtel, 8/25/69.

For the information of the Bureau, [redacted] is presently the closest informant to the subject and can furnish almost daily activities of the subject. The source who is a Negro is on the steering committee of the National Mobilization Committee to End the War in Vietnam (NMC) and DELLINGER attempts to use this source as a link between himself and militant Negro organization. As such, the source is in a particularly advantageous position. The Bureau will note that this source furnished valuable information concerning the release of American POWs in July, 1969, and confined in the source concerning his idea for an all black delegation to go and effect the release of the POWs aforementioned. It is further noted this source attended the National Anti-War Conference in Cleveland, Ohio, in July, 1969, and reported on the subject's activities at the conference. The source is aware that DELLINGER is "using" him but it results in extremely favorable coverage of the subject.

2-Bureau (RM)
1-New York

RAC:jab
(5)

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EX-1122 AUG 29 1969
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53 SEP 15 1969

Approved: _____
Special Agent in Charge

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NY 100-121672

[redacted] who operates the "New York Press Service," has over the months, been building up a rapport with DELLINGER and his secretary, [redacted]. Through these many contacts the subject has furnished to the source a letter of endorsement which has been submitted to the Bureau. This source is able, without suspicion, to contact almost daily DELLINGER's office and has obtained future travel plans of the subject. This avenue of coverage which has been rather successful to date is merely the beginning which in time should result in a closer and more intimate relationship.

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In regard to the subject's travel out of the NYO, observations of the "Liberation" magazine bank account in the past has revealed checks payable to Sara Marquis Travel Service in NYC. Contacts have been made since reairtel with the Sara Marquis Travel Service, 257 Park Ave., South, NYC, and particularly with [redacted] and [redacted]. It was learned that DELLINGER's travel is booked by "Liberation" at SARA MARQUIS and [redacted] has subsequently furnished all passage booked for DELLINGER. In this regard the Bureau is requested to note the airtels submitted under caption, "DAVID T. DELLINGER, aka ET AL, ARL - CONSPIRACY (TRAVEL OF DEFENDANTS)," Bufile 176-1410. Although the information does not contain the purpose of travel, it is usually obtained days in advance and sources in that particular area in which DELLINGER will be travelling are alert and can determine the reason for such travel.

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[redacted] is personally acquainted with DELLINGER, ABBIE HOFFMAN and JERRY RUBIN through "the movement." This source can visit the subject from time to time and when the situation presents itself calls on DELLINGER regarding "movement" activities. It is pointed out that DELLINGER on 7/2/69, confided in the source by saying that the destruction of draft files that occurred in NYC on 7/1/69, was carried out by all women and DELLINGER implied

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NY 100-121672

to the source that he knew the identities of these women. Again this source is building a rapport with the subject that in time will be solidified.

[redacted] 1177 E. 98th St., furnishes information regarding whether or not the subject is at any one time at his apartment at that address. [redacted] who resides immediately above the subject at that address also furnishes movements of the subject while in the neighborhood.

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Consideration was given to develop [redacted] DELLINGER's secretary, through [redacted] and [redacted] and at an opportune time request Bureau authority to interview her. This idea was discontinued due to her arrest stemming from draft file destruction in July, 1969 (NYfile 25-133123). It is believed any attempt to develop her at this point may jeopardize the outstanding prosecution against her although the sources have been encouraged to continue their relationship.

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The NYO is of the opinion that any coverage obtained on the subject will be insufficient until such time as an informant can be placed directly in the office of "Liberation." [redacted] is as close to the subject as anyone except [redacted] and still may not obtain all future plans of the subject regarding to travel, etc. In August, the NYO surveyed the telephone logs for toll calls made from telephone #674-0050, "Liberation" magazine, 339 Lafayette St., NYC. In June, 1968, over 160 toll calls were charged to this telephone and from various states across the country including Canada.

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Technical coverage on the subject is absolutely necessary if complete coverage is to be had on subject's activities. The NYO realizes that this is impossible at

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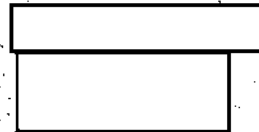
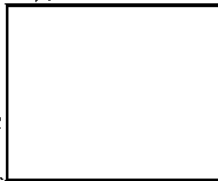
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NY 100-121672

this time due to the subject's upcoming trial in Chicago but the Bureau is requested to consider such coverage at the appropriate time.

In addition to the aforementioned coverage, when the subject speaks at various meetings both public and private, the following sources have reported on the subject:

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In regard to obtaining additional coverage on the subject, the NYO is constantly alert to direct sources to establish a position which will ultimately bring them into close contact with the subject. Such is the case with [redacted] who on 5/23 and 5/24/69 assisted several others proofreading the June issue of "Liberation." This source has been encouraged to pursue this type of endeavor which should result in closer coverage of the subject.

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DELLINGER's leadership has been questioned in the "movement" and as such it has been reported that DELLINGER has sided with SDS for activities planned in the fall. As this relationship between SDS and DELLINGER develops, the NYO will then be in a more advantageous position to develop further coverage through SDS informants.

In closing the NYO realizes the urgency in obtaining daily, accurate and top level coverage on the subject and the NYO is diligently pursuing this investigation to negate the subject in the "movement."

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NY 100-121672

In conclusion, the NYO believes that the daily airtel is not needed at this time and will be discontinued UACB.

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY UC602331P/BJ/bes

F B I

Date: 9/3/69

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

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (100-38441)
FROM: SAC, NEW YORK (100-121672)
SUBJECT: DAVID TYRE DELLINGER aka
SM-C (KEY ACTIVIST)

ReNY airtel 9/2/69.

On this date, [redacted] protect),
[redacted] Canarsie Post Office Station, Brooklyn, New York
advised DELLINGER placed with his office a removal notice
effective 8/30/69. The removal notice changed his address from
Apartment 5D, 1177 East 98th Street, Brooklyn, New York to
Apartment 3I, 263 Eastern Parkway, Brooklyn, New York.

On 9/3/69, [redacted] 263 Eastern
Parkway, Brooklyn, New York, advised SA [redacted] that the
building had in the last month over a dozen apartments to
rent including Apartment 3I. He stated, however, he would not
necessarily know every new tenant in the building until such
time that his services are needed. [redacted] said the apartments
are rented by a [redacted] at [redacted] Manhattan,
New York; the rental agreement would be filed in that office.
He further stated that the owner of the building, [redacted]
resides in New Jersey at Telephone Number [redacted] and is
generally aware of new tenants in the building. [redacted]
advised he would personally make a check of Apartment # 3I to
determine who is residing in the apartment and immediately advise
the New York Office.

Observations at 3I carried the name [redacted] as did the
mailbox in the lobby. No mail was in the box. [redacted]

Observations in the neighborhood revealed a blue four
door Renault bearing New York License Number 8307KV parked in
front of 263 Eastern Parkway, Brooklyn, New York.

Records of DMV for the State of New York reveals that New
York License 8307KV is assigned to [redacted] 1177 E.
98th Street, Brooklyn, New York.

1 - New York, RAC:jra (5)
Approved: [redacted]

Special Agent in Charge

Sent _____ M Per _____

INT. SEC.

b6
b7Cb6
b7Cb6
b7Cb6
b7C

NY 100-121672

An attempt was made to contact this date with negative results.

b6
b7C

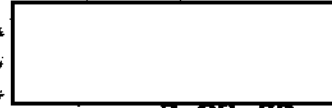
NYO will verify subject's presence at 263 Eastern Parkway and ^{Subject} subject FD-122; FD 397, and FD-366 and a change for the Key Activist Album reflecting the new address and deleting the old.

~~SECRET~~

ROUTE IN ENVELOPE

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 07-21-2008

1 -
1 -
1 -



b6
b7C

SAC, Philadelphia

8-28-69

(OGA's information classified per letter dated 7/29/08)

Director, FBI (109-666)

PERSONAL ATTENTION

LATIN AMERICAN FEDERATION OF
CHRISTIAN TRADE UNIONS (CLASC)
IS - LATIN AMERICA

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

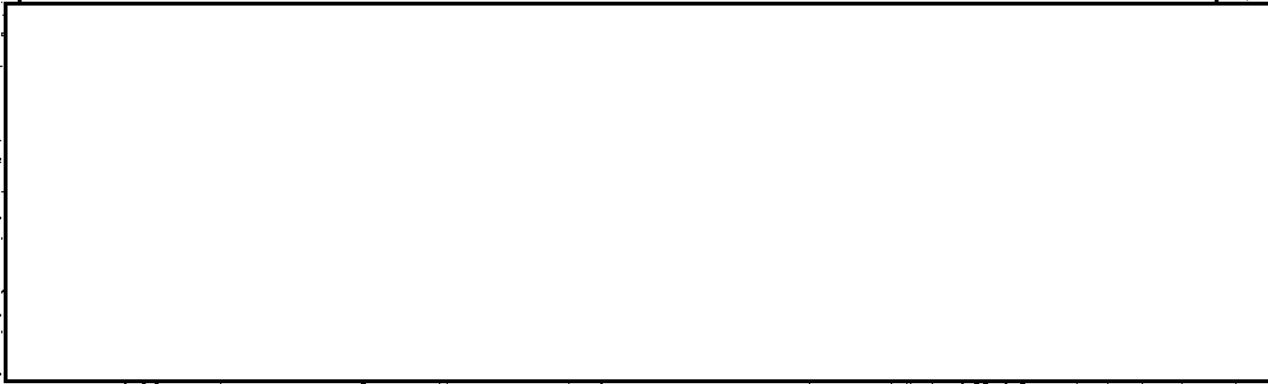


b1



b1

ORIGINAL FILED IN 109-666



b1

1 - New York PERSONAL ATTENTION

1 - 100-384411 (Dellinger)
1 - 97-3 (War Resisters League)
JEG:drl/jan (9)

56 SEP 8 1969

~~SECRET~~

100-384411-
NOT RECORDED

126 AUG 28 1969

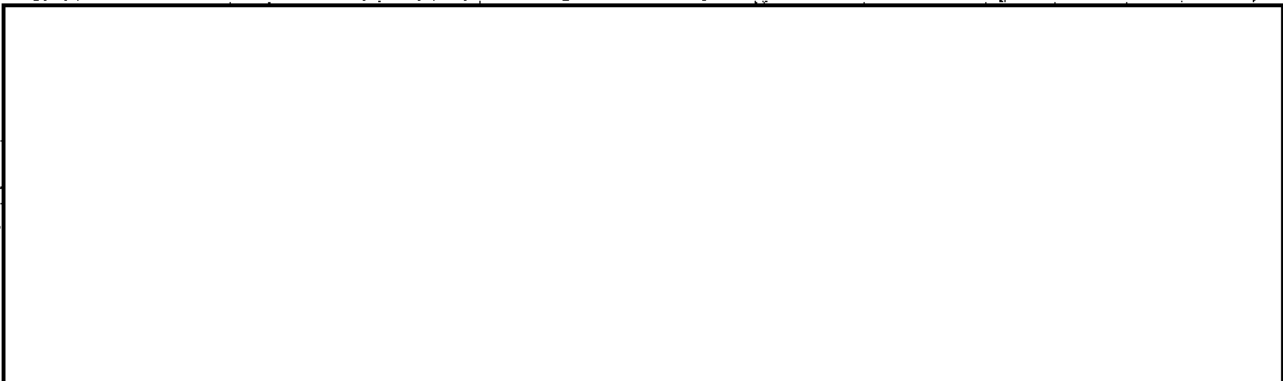
~~SECRET~~

Letter to SAC, Philadelphia
RE: LATIN AMERICAN FEDERATION OF
CHRISTIAN TRADE UNIONS (CLASC)
109-666

Philadelphia should endeavor to ascertain whether or not any representatives of CLASC attended the WRIC at Haverford College, Haverford, Pennsylvania, scheduled for August 25 - 30, 1969. Be guided by current instructions regarding investigations on campuses.

(S) You are advised that the information [redacted] above must not be included in any communication prepared for dissemination. It is to be used for lead purposes only and the fact that the Bureau is in possession of such data must not be revealed to outside agencies or individuals. In addition, its utilization in the covering of leads must be handled with the utmost discretion in order to insure that the identity of the Source is not jeopardized. b1

NOTE:



~~SECRET~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-22-2008 BY [redacted]

FBI

b6
b7C

Date: 9/4/69

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

Via AIRTEL _____
(Priority)

TO DIRECTOR, FBI (100-384411)
FROM SAC, NEW YORK (100-121672)
SUBJECT DAVID TYRE DELLINGER aka
SM - C (KEY ACTIVIST)
(OO: New York)

Re New York airtel, 9/3/69.

On this date, [redacted] Crosstown Building Maintenance Service, Inc., 265 W. 40th St., Manhattan, advised SA [redacted] that his office merely handles the maintenance of 263 Eastern Parkway, Brooklyn, NY and is not the rental office for the building. [redacted] stated that [redacted] is not completely familiar with operation of the building.

[redacted] stated the rental office for the Eastern Parkway address is located at 451 Beach 128th Street, Bell Harbor, Queens, New York and the individuals to contact are [redacted] or his wife, [redacted] at telephone number [redacted]

On this date, SA [redacted] telephonically contacted the rental office aforementioned with negative results. The individual who answered the telephone is the son of [redacted] and has no knowledge of any rentals. He stated that no one was available to secure the desired information at this time and suggested a call to the office on 9/5/69.

On this date, the information operator for the borough of Brooklyn, New York advised SA [redacted] that a phone listing was recently secured under the name DAVID DELLINGER at apartment 3I, 263 Eastern Parkway, Brooklyn, New York. The operator advised the subscriber did not wish the telephone number made public.

NY will submit FD-122, FD-397, FD-366 and a change in the Key Activist Album. NY will also contact the above mentioned rental office to obtain details of the rental agreement.

(2) Bureau (RM)

1 New York (100-121672)

59 SEP 15 1969

(3) RAC:re Special Agent in Charge

22 SEP 5 1969

Sent

M Per

100-384411-330
EX 106 REC-64
INDEXED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-22-2008 BY [redacted]

FBI

b6
b7C

Date: 9/5/69

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

Via AIRTEL

(Priority)

TO: DIRECTOR, FBI (100-388411)
FROM: SAC, NEW YORK (100-121672)
SUBJECT: DAVID TYRE DELLINGER aka
SM-C (KEY ACTIVIST)

ReNYairtel, 9/4/69.

On this date, [redacted] 263 Eastern
Parkway, Brooklyn, NY, advised SA [redacted] that DAVID DELLINGER
and [redacted] rented apartment 3I at that address
effective 9/1/69. [redacted] said the apartment was rented for the
DELLINGER's by a (FNU) [redacted] (PH) and it involved the signing
of a two-year lease at \$151.05 per month with one month security
deposit. She said the deposit and first month's rent was paid
by [redacted] and no arrangements were made for future payments.

[redacted] was very cooperative and responded by
assuring that she would advise the NYO of any change in DELLINGER's
residence status.

The NYO will attempt to develop [redacted]
[redacted] as a neighborhood source
in regard to the subject.

Appropriate forms changing subject's address have
been submitted.

2- Bureau (RM)
1- New York

RAC:abg
(5)

EX-111

REC-64 100-384411-331

25 SEP 6 1969

Approved: [redacted]
Special Agent in Charge

Sent [redacted] M Per [redacted]

1 - C. D. Brennan (Field Supervision)
1 -
1 -

SAC, New York (100-121672)

September 8, 1969

Director, FBI (100-384411)

gm
ST
DAVID TYRE DELLINGER
NEW LEFT MOVEMENT
IS - MISCELLANEOUS
(KEY ACTIVIST ALBUM)

Reur routing slip, 9/5/69, enclosing copies of a revised biographic sketch on Dellinger.

New York FD-366 and FD-122 dated 8/11/69 deleted Dellinger's employment as Chairman of the National Mobilization Committee to End the War in Vietnam; however, the sketch submitted with referenced routing slip still carries this as part of his employment. *pd*

You are instructed to advise the Bureau by return routing slip whether or not this information should be deleted from the sketch. Dissemination of the sketch to Legal Attaches will be held until this information is received. In the event this portion of the employment should be deleted, it will be acceptable for you to advise the field by routing slip that this action should be taken, rather than submit another amended sketch.

LM/1m
(6)

*R/d from NY
rec'd 9/12/69
delete "Chairman, NMC"
JH*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

REC-82 100-384411-332

EX-103

SEP 11 1969

MAILED 24
SEP 8 - 1969

COMM-FBI

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

MAIL ROOM ☐ TELETYPE UNIT ☐

58 SEP 10 1969



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

New York, New York
September 5, 1969

b6
b7C

In Reply, Please Refer to

File No. BUfile 100-384411
NYfile 100-121672

SUBJECT: DAVID DELLINGER

CHARACTER: SM-C

REFERENCE: NY REPORT DATED 8-21-69

Referenced communication contained subject's residence and/or employment address. A recent change has been determined and is being set forth below (change only specified):

Residence: Apartment 3I
263 Eastern Parkway
Brooklyn, New York

Employment:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

FD-122 DETACHED

Copy to Sec. Service
by routing slip for

☒ Info ☐ action

BY 9/11/69
msk:dlb

100-384411-
NOT RECORDED

3 SEP 8 1969

INT. SEC.

54 SEP 12 1969

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

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (100-384411)

DATE: 9/10/69

FROM : SAC, NEW YORK (100-121672)

SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

b6
b7C

Enclosed for each office receiving this letter is one copy of toll calls received on August 8, 1969 concerning telephone number 674-0050 listed to "Liberation" magazine, 339 Lafayette Street, New York City.

LEADS:

Each office receiving this communication is requested to identify subscribers within that respective territories and furnish the NYO with the results including indices check.

- ENCLOSURE*
- 2-Bureau (RM)(Enc.1)
 - 2-Albany (RM)(Enc.1)
 - 2-Atlanta (RM)(Enc.1)
 - 2-Baltimore (RM)(Enc.1)
 - 2-Boston (RM)(Enc.1)
 - 2-Buffalo (RM)(Enc.1)
 - 2-Chicago (RM)(Enc.1)
 - 2-Cleveland (RM)(Enc.1)
 - 2-Kansas City (RM)(Enc.1)
 - 2-Los Angeles (RM)(Enc.1)
 - 2-Memphis (RM)(Enc.1)
 - 2-Miami (RM)(Enc.1)
 - 2-Minneapolis (RM)(Enc.1)
 - 2-Newark (RM)(Enc.1)
 - 2-New Haven (RM)(Enc.1)
 - 2-Omaha (RM)(Enc.1)
 - 2-Philadelphia (RM)(Enc.1)
 - 2-Pittsburgh (RM)(Enc.1)
 - 2-San Francisco (RM)(Enc.1)
 - 2-San Antonio (RM)(Enc.1)
 - 2-WFO (RM)(Enc.1)
 - 1-New York (100-121672)

(42)
RAC:rc

EX-111

REC-54

100-384411-333

SEP 12 1969

INT. SEC.

100 9180



291969

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

PAGE 4 00		NUMBER 674 0050		OF 10	
DATE	DE	OF CALLS	AMOUNT	MIN	TIME
519 NEWARK NJ			15	11714	21J*****B
519 LANCASTER PA			125	61657	11J*****B
519 NEWARK NJ			15	21717	21J*****B
519 NEWARK NJ			15	21724	21J*****B
520 CHICAGO ILL			130	11143	11J*****B
520 CHICAGO ILL			130	11243	11J*****B
520 NEWARK NJ			15	11310	11J*****B
520 NEW HAVEN CONN			45	11601	11J*****B
520 NEW HAVEN CONN			65	11809	46JRS640252938
520 SANBARBARA CAL			100	11937	51J*****B
520 PHILA PA			40	11940	51J*****B
520 BEACON NY			40	11945	218*****A
520 NEWARK NJ			20	51000	11J*****B
520 NICHOLS NY			75	31046	118*****A
520 NEW HAVEN CONN			90	61116	11J*****B

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT 7 (TYPE) 0-ONI 2-MS 4-RECHARGE 6-TSP ANI 8-TSP ALT #
 2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CH

INFORMATION ON CUSTOMER STATEMENT									
PAGE 2	BILLING NUMBER 674 0050	CALLING NUMBER 674 0050	6-69						
DATE	DETAILS OF CALLS	AMOUNT	MIN	CONV. TIME	C	T	S	IDENTIFICATION NUMBER	M
520 CHICAGO ILL		130	31	144	11J			*****B	B
520 WASHINGTON DC		120	31	150	32JRS67023513B				B
520 NEWARK NJ		15	21	218	11J			*****B	B
520 BERKELEY CAL		485	101	447	11J			*****B	B
520 LANCASTER PA		185	91	603	11J			*****B	B
520 NEW HAVEN CONN		400	391	809	21J			*****B	B
520 CHICAGO ILL		270	132	237	51J			*****B	B
521 OXFORD PA		60	11	207	11J				B
521 CAMBRIDGE MASS		75	11	536	11J				B
521 CAMBRIDGE MASS		490	321	902	51J				B
522 WASHINGTON DC		80	11	159	11J				B
522 PHILA PA		50	11	319	11J				B
522 NEWTON MASS		275	111	314	36J				B
523 CHICAGO ILL		130	11	605	11J				B
523 BEACON NY		45	11	710	118				A

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT 7 (TYPE) 0-ONI 2-MS 4-RECHARGE 6-TSP ANI 8-TSP ALT #
 2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CH

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-22-2008 BY

INFORMATION ON CUSTOMER STATEMENT									
PAGE 3	BILLING NUMBER 674 0050	CALLING NUMBER 674 0050	6-69						
DATE	DETAILS OF CALLS	AMOUNT	MIN	CONV. TIME	C	T	S	IDENTIFICATION NUMBER	M
523 LANCASTER PA		85	41	228	11J				B
523 SANANTONIO TEX		835	201	259	11J				B
523 PHILA PA		50	31	508	11J				B
523 NEW HAVEN CONN		45	21	653	11J				B
523 ATLANTA GA		240	51	701	48J				B
524 LINDENHST NY		35	31	940	218				A
527 LANCASTER PA		50	11	803	21J				B
528 WELFLEET MASS		60	11	956	51J				B
528 OXFORD PA		225	141	208	11J				B
528 CHICAGO ILL		130	21	636	11J				B
528 LANCASTER PA		145	71	834	46J				B
528 ITHACA NY		45	22	013	518				A
529 LANCASTER PA		465	231	304	11J				B
529 NEW HAVEN CONN		50	41	710	21J				B
530 MILLBURN NJ		25	31	209	11J				B

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT 7 (TYPE) 0-ONI 2-MS 4-RECHARGE 6-TSP ANI 8-TSP ALT #
 2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CH

ENCLOSURE 100-384411-333

DATE	DETAILS OF CALLS	AMOUNT	MIN.	CONV. TIME	C.T.S.	IDENTIFICATION NUMBER	M.C.
530	BERKELEY CAL	170	31	552	11J		B
602	NEWARK NJ	15	11	252	11J		B
602	ITHACA NY	80	21	527	128	RS55018440A	A
602	CHICAGO ILL	615	20	1810	46J		B
602	ELIZABETH NJ	20	41	826	21J		B
603	NEWARK NJ	15	11	431	11J		B
603	NEWARK NJ	15	11	432	11J		B
603	NEW HAVEN CONN	45	11	439	11J		B
603	ELIZABETH NJ	20	11	735	21J		B
603	NEWARK NJ	25	71	216	11J		B
603	LANCASTER PA	125	61	548	11J		B
604	NEWARK NJ	15	11	148	11J		B
604	CAMBRIDGE MASS	75	11	609	11J		B
604	CLEVELAND OHIO	1785	58	1149	11J		B
604	PHILA PA	215	14	1418	11J		B

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT

0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI

6-TSP ANI 7-TSP MS 8-TSP ALT 9-TSP CN

INFORMATION ON CUSTOMER STATEMENT

PAGE 5 BILLING NUMBER 674 0050 CALLING NUMBER 674 0050 6-69

DATE	DETAILS OF CALLS	AMOUNT	MIN.	CONV. TIME	C.T.S.	IDENTIFICATION NUMBER	M.C.
604	ORANGE NJ	30	61	546	11J		B
604	CLEVELAND OHIO	955	31	1550	11J		B
604	CAMBRIDGE MASS	145	91	712	21J		B
605	NEWARK NJ	15	11	504	11J		B
605	NEWARK NJ	15	11	550	11J		B
605	OXFORD PA	105	61	230	11J		B
605	NEWARK NJ	25	71	928	51J		B
606	PHILA PA	50	11	203	11J		B
606	NEW HAVEN CONN	45	11	249	11J		B
606	NEWARK NJ	15	11	356	11J		B
606	CHICAGO ILL	130	21	132	11J		B
606	WASHINGTON DC	280	13	1217	11J		B
606	MEDIA PA	280	18	1309	11J		B
606	NEWARK NJ	35	12	1426	11J		B
606	CLEVELAND OHIO	115	21	443	11J		B

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT

0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI

6-TSP ANI 7-TSP MS 8-TSP ALT 9-TSP CN

INFORMATION ON CUSTOMER STATEMENT

PAGE 6 BILLING NUMBER 674 0050 CALLING NUMBER 674 0050 6-69

DATE	DETAILS OF CALLS	AMOUNT	MIN.	CONV. TIME	C.T.S.	IDENTIFICATION NUMBER	M.C.
606	CLEVELAND OHIO	170	21	452	36J		B
606	CHICAGO ILL	90	31	749	21J		B
609	CHICAGO ILL	90	21	725	21J		B
609	NEWARK NJ	15	31	836	21J		B
610	NEW HAVEN CONN	45	11	157	11J		B
610	ITHACA NY	80	11	639	118		A
610	NEWARK NJ	15	11	718	21J		B
610	CHICAGO ILL	70	11	928	51J		B
610	WASHINGTON DC	100	41	054	11J		B
610	PITTSBURGH PA	105	21	308	11J		B
610	NEW HAVEN CONN	135	91	442	11J		B
610	ITHACA NY	270	91	709	368		A
610	CHICAGO ILL	1065	38	1723	46J		B
610	CHICAGO ILL	240	51	933	46J		B
611	WLOSANGELS CAL	170	11	230	11J		B

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT

0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI

6-TSP ANI 7-TSP MS 8-TSP ALT 9-TSP CN

0050 NUMBER 674 0050				6-69					
DETAILS OF CALLS				AMOUNT	MIN.	CONV. TIME	C/T/S	IDENTIFICATION	M
DATE						MIN.		NUMBER	C
611	NEWARK	NJ		15	21	057	11J		B
611	PHILA	PA		65	41	131	11J		B
611	PHILA	PA		50	31	138	11J		B
611	WLOSANGELS	CAL		465	61	236	38J		B
611	ARDMORE	PA		40	31	734	21J		B
611	PHILA	PA		40	21	940	51J		B
611	MEDIA	PA		40	22	030	51J		B
612	PHILA	PA		40	11	701	21J		B
612	NEW HAVEN	CONN		75	51	243	11J		B
612	PHILA	PA		50	31	352	11J		B
612	PHILA	PA		50	21	649	11J		B
612	CLEVELAND	OHIO		135	51	706	21J		B
521	CHICAGO	ILL		2510	71		12JH6432123018		
523	OXFORD	PA		225	15		22JA847065477B		
602	LANCSTR	PA		225	11		12JA755009874B		
C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT				T (TYPE) 0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP CH					

INFORMATION ON CUSTOMER STATEMENT									
PAGE	BILLING	CALLING	6-69						
NUMBER	NUMBER	NUMBER							
DATE									
DETAILS OF CALLS				AMOUNT	MIN.	CONV. TIME	C/T/S	IDENTIFICATION	M
DATE						MIN.		NUMBER	C
603	LANCSTR	PA		260	17		22JA756030380B		
604	LANCSTR	PA		50	3		22JA760077303B		
605	LANCSTR	PA		110	7		22JA760040349B		
609	MIAMI	FLA		420	10		12JUK63052146B		
609	MAYWD	ILL		270	7		12JRS67800918B		
611	OXFORD	PA		195	12		12JA864007832B		
518	NEW HAVEN	CONN							
	FROM	NEWYORK NY		40	2		55JRM41101050B		
519	NEW HAVEN	CONN							
	FROM	NEWYORK NY		120	11		52JRM42074863B		
523	CHICAGO	ILL							
	FROM	NEWYORK NY		190	9		55JRM47121778B		
523	CAMBRIDGE	MASS							
	FROM	NEWYORK NY		70	4		55JRM48082541B		
C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT				T (TYPE) 0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP CH					

INFORMATION ON CUSTOMER STATEMENT									
PAGE	BILLING	CALLING	6-69						
NUMBER	NUMBER	NUMBER							
DATE									
DETAILS OF CALLS				AMOUNT	MIN.	CONV. TIME	C/T/S	IDENTIFICATION	M
DATE						MIN.		NUMBER	C
524	CHICAGO	ILL		310	15		55JRM48085745B		
	FROM	NEWYORK NY							
525	NEW YORK	NY		60	4		52JA848065279B		
	FROM	OXFORD PA		45	2		52JA848065280B		
525	NEW YORK	NY							
	FROM	OXFORD PA		75	4		15JRM48115322B		
526	OXFORD	PA							
	FROM	NEWYORK NY		40	4		128A849089998C		
526	LANCASTER			03					
	FROM	OXFORD PA							
	LOCAL TAX	PREVIOUS MESSAGE							
602	NEW YORK	NY		65	1		12JA755125342B		
	FROM	LANCSTR PA							
603	CHICAGO	ILL		170	8		52JRM57060424B		
	FROM	NEWYORK NY							
C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT				T (TYPE) 0-ONI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP CH					

0030 0030 0030 0030 0030 0030 0030 0030 0030 0030

DETAILS OF CALLS		AMOUNT	MIN.	COM. LINE	CIT	S	IDENTIFICATION NUMBER	AS
				CHRG	MIN			C
607	SAN FRAN CAL [REDACTED]							
	FROM NEWYORK NY	100	3				55JRM62070823B	
608	CAMBRIDGE MASS [REDACTED]							
	FROM NEWYORK NY	55	1				55JRM62069863B	
609	CAMBRIDGE MASS [REDACTED]							
	FROM ELIZ NJ	100	6				52JP328291650B	
610	CAMBRIDGE MASS [REDACTED]							
	FROM NEWYORK NY	55	2				55JRM63090702B	
610	LANCASTER [REDACTED]							
	FROM OXFORD PA	30	2				128A864057442C	
	LOCAL TAX PREVIOUS MESSAGE	02						
611	NEW YORK NY [REDACTED]							
	FROM OXFORD PA	60	1				12JA864080769B	
TOTAL		21250						
C (CLASS)		1-STA DAY	3-PER DAY	5-STA NIGHT	T (TYPE)		0-ONI	2-MS
		2-STA EVE.	4-PER NIGHT	6-STA 1 NIGHT			1-ANI	3-PAPER
							4-RECHARGE	6-TSP ANI
							5-TSP ONI	7-TSP MS
								8-TSP ALT #
								9-TSP CN
							670	

b7D

DATE	DETAILS OF CALLS	AMOUNT	MIN	CON. TIME	C T S	IDENTIFICATION NUMBER	M C
613	BALTIMORE MD	55	11840	21J			B
613	LANCASTER PA	65	21121	11J			B
613	CAMBRIDGE MASS	135	71345	11J			B
613	TORONTO ONT	815	231402	11K			B
613	CAMBRIDGE MASS	105	91721	46J			B
616	LINCOLN NEBR	140	11258	11J			B
616	COLUMBIA MO	100	11720	21J			B
616	CHICAGO ILL	305	81211	11J			B
616	LINCOLN NEBR	140	21350	11J			B
616	CAMBRIDGE MASS	115	51609	11J			B
616	UNION NJ	20	41746	21J			B
617	NO STRATFD NH	100	11435	11J			B
617	CHICAGO ILL	160	11654	11J			B
617	CRANGE NJ	20	11708	21J			B
617	NEWARK NJ	35	111634	11J			B

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT T (TYPE) 0-ONI 7-MS 4-RECHARGE 6-TSP AMI 8-TSP ALT #
2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CN

INFORMATION ON CUSTOMER STATEMENT

PAGE 2 BILLING NUMBER 674 0050 CALLING NUMBER 674 0050 7-69

DATE	DETAILS OF CALLS	AMOUNT	MIN	CON. TIME	C T S	IDENTIFICATION NUMBER	M C
617	NEW HAVEN CONN	110	101817	21J			B
618	MAYWOOD ILL	130	11158	11J			B
618	CHICAGO ILL	130	11158	11J			B
618	NEWARK NJ	15	11331	11J			B
618	BUFFALO NY	105	11524	118			A
618	NEWARK NJ	15	21126	11J			B
618	NEWARK NJ	20	51152	11J			B
618	MADISON MINN	260	61248	21J			B
618	WASHINGTON DC	380	181315	11J			B
618	BUFFALO NY	105	21519	118			A
618	BUFFALO NY	140	41525	118			A
618	NEWARK NJ	15	21905	51J			B
619	IOWA CITY IOWA	130	11238	11J			B
619	NEW HAVEN CONN	45	11527	11J			B
619	LANCASTER PA	205	101141	12JRS750121028			B

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT T (TYPE) 0-ONI 7-MS 4-RECHARGE 6-TSP AMI 8-TSP ALT #
2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CN

INFORMATION ON CUSTOMER STATEMENT

PAGE 3 BILLING NUMBER 674 0050 CALLING NUMBER 674 0050 7-69

DATE	DETAILS OF CALLS	AMOUNT	MIN	CON. TIME	C T S	IDENTIFICATION NUMBER	M C
619	PHILA PA	50	21211	11J			B
619	CAMBRIDGE MASS	115	51224	11J			B
619	NO STRATFD NH	125	41304	11J			B
619	CHICAGO ILL	70	32011	51J			B
619	CHICAGO ILL	70	22130	51J			B
620	DANIELSON CONN	65	11026	11J			B
620	ELIZABETH NJ	20	11216	11J			B
620	ELIZABETH NJ	20	11217	11J			B
620	ELIZABETH NJ	20	11219	11J			B
620	NEWARK NJ	15	11912	51J			B
620	LANCASTER PA	35	21556	11J			B
620	NEWARK NJ	15	32041	51J			B
620	NEWARK NJ	15	32112	51J			B
620	NEWARK NJ	15	22138	51J			B
621	NEWARK NJ	15	11623	51J			B

C (CLASS) 1-STA DAY 3-PER DAY 5-STA NIGHT T (TYPE) 0-ONI 7-MS 4-RECHARGE 6-TSP AMI 8-TSP ALT #
2-STA EVE 4-PER NIGHT 6-STA L NIGHT 1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CN

DATE		NUMBER		DETAILS OF CALLS		AMOUNT	MIN.	CONV. TIME	C T S	IDENTIFICATION
624	SPRNGFD MS	COL				45	2		22JN9792530698	
624	CHCAGO ILL	COL				360	7		32JH6772167738	
624	SNFRAN CAL	COL				670	14	1810	46J	B
626	CHCAGO ILL	COL				480	13		12JRS838003818	
701	LANCSTR PA	COL				155	8		12JA7880211368	
702	WASH DC	COL				140	6		12JB2880327738	
703	WASH DC	COL				200	9		12JB2880343588	
707	MALTON ONT	COL				145	3		12KRS978010278	
611	CHICAGO ILL	312								
	FROM NEWYORK NY					130	3		15JRM670460458	
613	NEW YORK NY									
	FROM IA CY IA					465	10		32JS6680920828	
614	BERKELEY CAL									
	FROM CED R IA					135	5		52US6690714048	

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT T (TYPE) 0-DNI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP ON

INFORMATION ON CUSTOMER STATEMENT

PAGE	8	BILLING NUMBER	674 0050	CALLING NUMBER	674 0050	7-69			
DATE	DETAILS OF CALLS			AMOUNT	MIN.	CONV. TIME HOUR MIN	C T S	IDENTIFICATION NUMBER	IN
614	CHICAGO	ILL							
	FROM	CED R	IA	60	2			52JS6690714078	
616	CAMBRIDGE	MASS							
	FROM	NEWYORK	NY	55	1			55JRM700972718	
624	BERKELEY	CAL				0121			
	FROM	NEWARK	NJ	375	14			56J	B
625	CHICAGO	ILL							
	FROM	NEWYORK	NY	970	27			15JRM810897628	
626	CHICAGO	ILL							
	FROM	NEWYORK	NY	375	10			15JRM820774588	
626	LANCASTER	PA							
	FROM	NEWYORK	NY	245	12			15JRM820782858	
627	SAN FRAN	CAL							
	FROM	NEWYORK	NY	300	8			25JRM831351838	
C (CLASS)	1-STA DAY 2-STA EVE.	3-PER DAY 4-PER NIGHT	5-STA NIGHT 6-STA L NIGHT	T (TYPE)	0-DNI 1-ANI	2-MS 3-PAPER	4-RECHARGE 5-TSP DNI	6-TSP ANI 7-TSP MS	8-TSP ALT 74 9-TSP RM

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT T (TYPE) 0-DNI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP ON

INFORMATION ON CUSTOMER STATEMENT

PAGE	9	BILLING NUMBER	674 0050	CALLING NUMBER	674 0050	7-69			
DATE	DETAILS OF CALLS			AMOUNT	MIN.	CONV. TIME	C T S	IDENTIFICATION	
627	BOSTON	MASS							
	FROM NEWYORK NY			160	10			55JRM831316128	
701	PHILA								
	FROM LANCASTER PA			45	1			1284788147645C	
	LOCAL TAX PREVIOUS MESSAGE			03				C	
702	CHICAGO	ILL							
	FROM NEWYORK NY			210	10			55JRM900598578	
703	SYRACUSE	NY							
	FROM NEWYORK NY			85	1			128RM90237121A	
709	SAN FRAN	CAL							
	FROM NEWYORK NY			100	1			55JRM960882618	
709	SULLIVAN	NH							
	FROM NEWYORK NY			55	2			55JRM960881708	
709	LEXINGTON	MASS							
	FROM NEWYORK NY			115	5			15JRM960634398	
C (CLASS)	1-STA DAY 2-STA EVE.	3-PER DAY 4-PER NIGHT	5-STA NIGHT 6-STA L NIGHT	Y (TYPE)	0-DNI 1-ANI	2-MS 3-PAPER	4-RECHARGE 5-TSP ANI	6-TSP ANI 7-TSP MS	8-TSP ALT # 9-TSP CH

C (CLASS) 1-STA DAY 2-STA EVE. 3-PER DAY 4-PER NIGHT 5-STA NIGHT 6-STA L NIGHT T (TYPE) 0-DNI 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ONI 6-TSP ANI 7-TSP MS 8-TSP ALT # 9-TSP ON

PAID	NUMBER	DATE	TIME	CITY	IDENTIFICATION NUMBER	MIC
SAIL	DETAILS OF CALLS	AMOUNT	MIN.	SEC.	TOT.	
623	NEWARK NJ	15	17	12	21J	B
623	CHICAGO ILL	710	17	09	45 36J	R
623	ARDMORE PA	55	21	32	11J	B
623	CHICAGO ILL	675	16	14	15 36J	B
623	COLUMBIA MD	140	21	63	9 11J	B
623	SAN FRAN CAL	170	31	64	5 11J	B
623	SAN FRAN CAL	300	81	72	4 21J	B
623	NEWARK NJ	15	41	81	3 21J	R
623	CHICAGO ILL	70	31	90	5 51J	B
624	CHICAGO ILL	130	11	20	8 11J	B
624	PHILA PA	50	11	30	3 11J	B
624	LANCASTER PA	65	11	34	0 11J	B
624	CHICAGO ILL	130	11	34	8 11J	B
624	PHILA PA	50	11	53	2 11J	B
624	ORANGE NJ	20	12	14	3 51J	B

C (CLASS) 1-STA DAY
 2-STA EVE 3-PER DAY
 4-PER NIGHT 5-STA NIGHT
 6-STA L NIGHT T (TYPE)

0-ONI 2-MS 4-RECHARGE 6-TSP AMI 8-TSP ALT #
1-ANI 3-PAPER 5-TSP ONI 7-TSP MS 9-TSP CN

INFORMATION ON CUSTOMER STATEMENT

BILLING NUMBER 574 0050		CALLING NUMBER 674 0050		7-69															
DATE	DETAILS OF CALLS	AMOUNT	MIN.	CORRECTION	C T S	IDENTIFICATION													
624	PUTNEY VT	95	41422	11J		B													
624	LANCASTER PA	85	41452	11J		B													
624	CHICAGO ILL	250	121936	51J		B													
624	WASHINGTON DC	195	122154	52J	RS78016695R	B													
625	CHICAGO ILL	200	51449	11J		B													
626	PHILA PA	95	61143	11J		B													
627	CHICAGO ILL	130	11401	11J		B													
627	MAYWOOD ILL	220	11405	36J		B													
627	WASHINGTON DC	60	11836	21J		B													
630	LANCASTER PA	65	11137	11J		B													
630	WASHINGTON DC	80	11506	11J		B													
630	CAMBRIDGE MAS	75	11625	11J		B													
630	ELIZABETH NJ	60	121715	21J		B													
630	WASHINGTON DC	150	91946	51J		B													
701	PHILA PA	125	61504	36J		B													
C (CLASS)		1-STA DAY 2-STA EVF		3-PER DAY 4-PER NIGHT		5-STA NIGHT 6-SEA & NIGHT		T (TYPE)		0-0NH 1-ANI		2-MS 3-PAPER		4-RECHARGE 5-TSP OH		6-TSP ANI 7-TSP MS		8-TSP ALT 9-TSP CN	

INFORMATION ON CUSTOMER STATEMENT

PAGE 6		BILLING NUMBER 674 0050		CALLING NUMBER 674 0050		7-69			
DATE	DETAILS OF CALLS			AMOUNT	MIN. HOUR	CONTR. MIN.	C.T's	IDENTIFICATION NUMBER	
707	ELIZABETH	NJ		20	11	745	21J	B	
707	LTHRVLTMM	MD		230	11	1437	11J	B	
707	LANCASTER	PA		80	5	1732	21J	B	
707	LANCASTER	PA		95	6	1737	21J	B	
707	CHICAGO	ILL		190	7	1805	21J	B	
709	CLEVELAND	OHIO		410	11	1136	36J	B	
710	NEWARK	NJ		25	8	1724	21J	B	
711	PUTNEY	VT		175	8	1517	11J	B	
711	LANCASTER	PA		105	5	1630	11J	B	
711	ELIZABETH	NJ		25	5	1807	21J	B	
613	IA CY	IA		270	7			12JS668090443R	
617	STUART	IA		340	8			12JS670136094R	
618	CHCAGO	ILL		220	2			32JRS76800759R	
619	LANG-4RN	PA	75	5			12JA874036480R		
623	PUTNEY	VT	280	18			52JN204842310R		
C (CLASS)			1-STA DAY 2-STA EVE	3-PER DAY 4-PER NIGHT	5-STA NIGHT 6-STA L NIGHT	T (TYPE)			0-ONY 1-ANI 2-MS 3-PAPER 4-RECHARGE 5-TSP ON 6-TSP AM 7-TSP MS 8-TSP ALT # 9-TSP ON

014 UNCL

b7D

PAGE 14		BILLING NUMBER 674 0050	CALLING NUMBER		7-69				
DATE	DETAILS OF CALLS			AMOUNT	MIN.	CON. TIME HOUR MIN.	CITY	STATE	IDENTIFICATION NUMBER
TOTAL				22483.					815

C (CLASS)

1-STA DAY
2-STA EVE.

3-PER DAY
4-PER NIGHT

5-STA NIGHT
6-STA L NIGHT

T (TYPE)

0-DNI
1-ANI

2-MS
3-PAPER

4-RECHARGE
5-TSP ONI

6-TSP ANI
7-TSP MS

8-TSP ALT #
9-TSP CN

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

b6
b7C

Director, FBI (Bufile- (100-384411))

DATE: 9/5/69

SAC, NEW YORK (100-121672)

Card UTD
Card sent 00
dls
9/18/69

SUBJECT: DAVID DELLINGER
SM-C (KEY ACTIVIST)
(OO: NEW YORK)

RABBLE ROUSER INDEX

☐ New Subject ☒ Change ☐ Delete

Name: [redacted]		FBI Number																									
Aliases:																											
Citizenship ☐ Native Born ☐ Naturalized ☐ Alien																											
Subject also on: ☐ SI ☐ RI		Race																									
		Sex ☐ Male ☐ Female																									
Organizational Affiliation <table border="0"><tr><td>☐ 01 ANP</td><td>☐ 07 KLAN</td><td>☐ 12 PLP</td><td>☐ 17 SNCC</td></tr><tr><td>☐ 02 AVN</td><td>☐ 08 LA</td><td>☐ 13 PRN</td><td>☐ 18 SWP</td></tr><tr><td>☐ 03 BNAT</td><td>☐ 09 MIN</td><td>☐ 14 RAM</td><td>☐ 19 WWP</td></tr><tr><td>☐ 04 BPP</td><td>☐ 10 NOI</td><td>☐ 15 SCLC</td><td>☐ 99 MISC</td></tr><tr><td>☐ 05 COM</td><td>☐ 11 NSRP</td><td>☐ 16 SDS</td><td>(Specify)</td></tr><tr><td>☐ 06 CORE</td><td></td><td></td><td></td></tr></table>				☐ 01 ANP	☐ 07 KLAN	☐ 12 PLP	☐ 17 SNCC	☐ 02 AVN	☐ 08 LA	☐ 13 PRN	☐ 18 SWP	☐ 03 BNAT	☐ 09 MIN	☐ 14 RAM	☐ 19 WWP	☐ 04 BPP	☐ 10 NOI	☐ 15 SCLC	☐ 99 MISC	☐ 05 COM	☐ 11 NSRP	☐ 16 SDS	(Specify)	☐ 06 CORE			
☐ 01 ANP	☐ 07 KLAN	☐ 12 PLP	☐ 17 SNCC																								
☐ 02 AVN	☐ 08 LA	☐ 13 PRN	☐ 18 SWP																								
☐ 03 BNAT	☐ 09 MIN	☐ 14 RAM	☐ 19 WWP																								
☐ 04 BPP	☐ 10 NOI	☐ 15 SCLC	☐ 99 MISC																								
☐ 05 COM	☐ 11 NSRP	☐ 16 SDS	(Specify)																								
☐ 06 CORE																											
Date of Birth:		Place of Birth																									
Position in Organization		Occupation, Business Address (Show Name of Employing Concern) 100-384411-																									
Residence Address		NOT RECORDED SEP 18 1969																									
Apartment 31 263 Eastern Parkway Brooklyn, New York																											

REGISTERED MAIL

2-Bureau
1-New York
RAC:cr
(3)

53 SEP 22 1969

Facial Index
Stamps

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

TO : Director, FBI (Bufile- (100-384411)

) DATE: 9/5/69

FROM : SAC, NEW YORK (100-121672)

b6

b7C

SUBJECT: DAVID DELLINGER
SM-C (KEY ACTIVIST)
(OO: NEW YORK)Cards UTD
Cards Sent 00
9/12/69

Re: _____

☐ It is recommended that a Security Index Card be prepared on the above-captioned individual.☒ The Security Index Card on the captioned individual should be changed as follows (specify change only):

Name			
Aliases		☐ Native Born ☐ Naturalized ☐ Alien	Tab ☐ Priority I ☐ Priority II ☐ Priority III
☐ Communist	☐ SWP	☐ JFG	☐ SPL
☐ WWP	☐ SDS	☐ PLP	☐ ANA
☐ NOI	☐ RAM	☐ SNC	☐ Miscellaneous (specify) _____
Date of Birth	Place of Birth	Race	Sex ☐ Male ☐ Female
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any.		Residence Address Apartment 3I. 263 Eastern Parkway Brooklyn, New York	
Key Facility Data			
Geographical Reference Number _____		Responsibility _____	

 REGISTERED MAIL
 2-Bureau
 1-New York
 RAC:cr
 (3)
100-384411-
NOT RECORDED

3 SEP 8 1969

70 SEP 16 1969

 RAC:cr
 INT: [signature]
 [signature]

 2-ENCLOSURE DETACHED AND
 HANDLED SEPARATELY

F B I

Date: 9/11/69

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

TO: DIRECTOR, FBI (100-384411)
 FROM: SAC, NEW YORK (100-121672)
 SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 5-16-96 BY 1220

REBUairtel to NY, dated 5/6/69; NY airtel to Bu, 7/8/69.

Enclosed for the Bureau are ten copies of an LHM concerning the subject's financial arena. Enclosed for Chicago are five copies of the LHM for dissemination to the USA, NDI for information which may be of use in the case captioned "DAVID T. b6
 DELLINGER, aka ETAL, ARL-CONSPIRACY", CG file 176-5. b7C

For additional information of the Bureau prior financial data on DELLINGER is contained in Summary report of SA [redacted] dated 5/12/69 at New York.

The Buffalo Office could furnish no information concerning monies paid to DELLINGER for his appearance at the State University of NY at Buffalo on 5/12/69.

The Baltimore Office advised on 8/8/69, that no information was developed as to whether or not DELLINGER received any payment for his speech delivered on 3/31/69 at the First Unitarian Church, Baltimore, Md.

[redacted] who attended the speech given by DELLINGER on 6/2/69, at the Manhattan Center in NYC, stated he believes DELLINGER was not paid for this appearance. The source said that this was a fund raising affair at which no participants would have received any personal monies.

- 1-LHM destroyed
 ②-Bureau (Encls. 10) (RM)
 2-Chicago (Encls. 5) (RM)
 1-New York (176-133) (DAVID T. DELLINGER,
 aka, ETAL)
 1-New York (100-121672)

RAC:asg
 (8)

AGENCY: G-2, ~~SEC. SER.~~

2 IRS BY LIAISON
 RAO (SD, ~~SEC~~, CD) HHO

5 SEP 12 1969

b2
 b7D

Approved: 53 SEP 25 1969

Special Agent in Charge

DATE FORW: 9/15/69
 MOY FORW: RIS

BY M. S. L. Sent

M

Per

1cc + encl 918-R

b2
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The first source is [redacted]

The second source is [redacted]

(Protect).

b6
b7C
b7D

The third source is [redacted]

(Protect).

The fourth source is [redacted]

(Protect).

b6
b7C
b7D

The fifth source is [redacted]

(Protect).

The sixth source is [redacted]

(Protect).

b2
b7D

The seventh source is [redacted]

The LHM is classified "Confidential" because data reported by the sources mentioned in the LHM, if disclosed, could result in the identification of confidential sources of continuing value and compromise their future effectiveness. Such compromise could be detrimental to the defense interests of the nation.

It appears that the information concerning DELLINGER's financial sources does not lend itself to any special counter-intelligence measures at this time. However, it does appear to be appropriate to disseminate this information to the Internal Revenue Service for whatever action they deem necessary.



~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York
September 11, 1969

In Reply, Please Refer to
File No.

Bufile 100-384411
NY file 100-121672

~~Mr. S~~ David Tyre ~~Dellinger~~

~~Dellinger~~

In April, 1969, a source stated that Dellinger's wife, [redacted] recently returned to work because of her husband's financial situation. Dellinger receives his personal monies from that earned through the publication of "Liberation" magazine. His travel is usually connected with a speech commitment and the group requesting his presence is required to furnish travel expenses plus a fee for giving the speech before he is to appear for the engagement.

A second source advised on April 14, 1969, that Dellinger was issued a check by Wright State University, Fairborn, Ohio for \$200.00, on March 26, 1969. The amount of the check was agreed upon between the Artist and Lecturer Series Committee of Wright State University and Dellinger or his agent. The payment was for the speech which was delivered by Dellinger at a meeting held at Oleman Auditorium on April 7, 1969, at the Wright State University.

By the use of a suitable pretext by a Special Agent of the Federal Bureau of Investigation (FBI) on May 19, 1969, it was learned that Dellinger charges \$500.00 to speak at universities when the university contributes to the fee. The call was made to "Liberation" magazine office, 339 Lafayette Street, New York, New York.

A characterization of "Liberation" magazine is contained in the appendix attached hereto.

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

DECLASSIFIED BY 12751UN
ON 5-16-96

~~CONFIDENTIAL~~

GROUP
Excluded from automatic
downgrading and
declassification

ENCLOSURE

100-384411-334

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~~CONFIDENTIAL~~

b6
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David Tyre Dellinger

A third source advised on February 27, 1969, that Dellinger spoke at De Pauw University, Greencastle, Indiana, and the Student Senate of De Pauw activities paid Dellinger \$1,000.00 to speak on the campus.

A fourth source stated on May 15, 1969, that Dellinger spoke at a "teach-in" on political regression at the University of California at Los Angeles (UCLA) on May 12, 1969. The Associated Students of UCLA paid from the Associated Students Fund a \$250.00 honorarium to Dellinger along with \$290.00 for his travel expenses from New York.

A fifth source advised on April 28, 1969, that a bank account was maintained by "Liberation", 339 Lafayette Street, NYC, at the Chemical Bank New York Trust Company, 265 Broadway, New York City (NYC). Activity within the account for April, 1969, revealed checks dated April 11, 1969, April 10, 1969, April 14, 1969, April 18, 1969 and April 23, 1969, payable to Dave Dellinger all in the amount of \$50.00. Additional activity for April reveals a check dated April 1, 1969, payable to [redacted] for \$200.00 and deposited in the Central State Bank. Balance in the account as of April 28, 1969, was \$4,739.44.

The fifth source advised on May 28, 1969, that a review of the bank account for the month of May, 1969, revealed checks dated May 2, 1969, May 7, 1969, May 12, 1969, May 20, 1969, and May 26, 1969. These checks were payable to Dave Dellinger, each for \$50.00. Additional activity revealed checks dated May 5, 1969, May 13, 1969, and May 19, 1969, were made payable to Elizabeth Dellinger, each for \$100.00. Balance in the account as of May 28, 1969 was \$1,028.06.

The fifth source also advised a bank account was maintained at the Chemical Bank New York Trust Company, 265 Broadway, NYC, in the names David Dellinger and/or [redacted]. A balance in the account as of April 17, 1969, was \$248.58.

Balance in the account as of May 15, 1969 was \$161.36.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

David Tyre Dellinger

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The fifth source advised that activity within the account revealed a deposit to the account of Dellinger on January 17, 1969, a check in the amount of \$1500.00. A notation on the reverse of this check states "Loan from [redacted] Repayable on Demand". The check was certified January 17, 1969.

The fifth source also advised on June 23, 1969, that Dellinger closed out the account on June 20, 1969, and as of June 19, 1969, balance in the account was \$.16.

The above information is not to be made public except through a usual proceeding following the issuance of a subpoena duces tecum directed to [redacted]
[redacted]

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On June 27, 1969, the fifth source advised that the account of "Liberation" magazine was transferred in June, 1969 from the Chemical New York Trust Co., to Bankers Trust Company, 682 Broadway, NYC.

On August 7, 1969, a sixth source advised that the account of "Liberation" magazine maintained at Bankers Trust Company NYC contained the following partial activity for the month of July, 1969. A check dated July 14, 1969, payable to Dave Dellinger, in the amount of \$60.00. Checks dated July 18, 24 and 25, 1969, payable to Dave Dellinger each in the amount of \$50.00. Further activity within the account revealed a check dated July 11, 1969 payable to [redacted] for \$100.00. Also two checks were made payable to [redacted] dated July 17, 1969, in the amounts of \$30.00 and \$70.00. A check was made payable to [redacted] dated July 25, 1969, in the amount of \$200.00. All of the checks payable to [redacted] were deposited in the Central State Bank, no further address available.

This information is not to be made public except through the usual proceedings following the issuance of a subpoena duces tecum directed to [redacted]
[redacted]

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b7C
b7D

A seventh source advised on May 26, 1969, a bank account was opened in the name of "The Conspiracy", 339 Lafayette Street, NYC, on May 19, 1969, at the Amalgamated Bank of New York, 11-15 Union Square, NYC. The business listed its function as "anti-war organization", with an initial deposit of \$500.00. This check

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

David Tyre Dellinger

was drawn against the Amalgamated Trust and Savings, Chicago, Illinois, their account number 08-309-9. The officers of the account are David Dellinger, President; Barbara Webster, Treasurer; Leslie Cagan, Secretary. Any two of the aforementioned individuals may sign on the account.

This information is not to be made public except through the usual proceedings following the issuance of a subpoena duces tecum directed to [REDACTED]

b6
b7C
b7D

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

APPENDIX

1.

LIBERATION MAGAZINE

"Liberation" Magazine (LM) is self-described as an independent monthly with offices at 5 Beekman Street, New York, New York. A "Statement of Ownership, Management, and Circulation" was published in the November, 1967 issue. It listed the Publisher and Editor of the magazine as DAVE DELLINGER. The circulation was given as 10,000.

The following comments appeared in a leaflet distributed by LM in May, 1968:

"Since its inception in 1956, LIBERATION has played an active and creative role in the growth of the new radicalism in the United States. From civil rights to black liberation, from 'ban the bomb' to the movement to end the war in Vietnam, LIBERATION has been vital. Its radical critique of American society and its emphasis on democratic and direct action against the inequalities and injustices of our present social structure have inspired radicals, young and old".

"In addition, LIBERATION will continue to carry articles and discussions written by and to community organizers, student and non-student activists, educators, economists, and social scientists - of interest to anybody concerned with building a radical and nonviolent Movement that will bring a fundamental change to the existing order".

On May 14, 1963, a source advised that during a speech in New York, New York, on May 10, 1963, DAVE DELLINGER identified himself as a pacifist. He stated it was necessary to abolish the cause of war, which was capitalism. He advocated a Communist society and said, "I am a Communist", but further stated he was not a Soviet type Communist.

~~CONFIDENTIAL~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

New York, New York

In Reply, Please Refer to

File No.

NYfile 100-121672

BUfile 100-384411

September 11, 1969

Title David Tyre Dellinger

Character Security Matter - C

Reference New York memorandum dated and
captioned as above.

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 07-21-2008 BY

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (100-384411)

FROM : SAC, PITTSBURGH (100-16429) (RUC)

SUBJECT: DAVID TYRE DELLINGER
SM-C (KEY ACTIVIST)
(OO: NEW YORK)

DATE: 9/18/69

Re New York letter to Bureau dated 9/10/69.

On 9/15/69, [REDACTED]

[REDACTED], who has provided reliable information in the past and who requested his identity be protected in view of his official position, advised SA [REDACTED] that telephone number 683-1620 is assigned to the Health Center of the University of Pittsburgh, Pittsburgh, Pa.

- 2 - Bureau (RM)
- 2 - New York (100-121672) (RM)
- 1 - Pittsburgh

HLW/jsk
(5)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

EX-111

REC-65

100-384411-335

SEP 22 1969

VIA TELETYPE
SEP 18 1969
ENCIPHERED

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 _____

WA..... 4

11:50 PM 9-18-69 URGENT RDS

TO DIRECTOR 100-384411 AND CHICAGO CODE

CHICAGO VIA WASHINGTON

FROM NEW YORK 100-121672 1P

b6
b7C

DAVID TYRE DELLINGER. SM- C (KEY ACTIVIST)

A SOURCE WHO HAS FURNISHED RELIABLE INFORMATION IN THE PAST ADVISED THIS DATE THAT SUBJECT'S SECRETARY TELEPHONICALLY CONTACTED THE SARA MARQUIS TRAVEL SERVICE IN NYC AND INQUIRED AS TO THE POSSIBLE RESERVATIONS FOR NINE NINETEEN NEXT FOR DETROIT, MICHIGAN. THE SOURCE SAID NO RESERVATION WAS BOOKED ON ANY FLIGHT AT THAT TIME BUT SUBJECT'S SECRETARY ADVISED SHE WOULD CALL LATER TO CONFIRM A RESERVATION WHEN THE SUBJECT DECIDES WHAT TIME HE WISHES TO DEPART NYC.

SOURCE WILL IMMEDIATELY ADVISE THE NYO IF SUCH RESERVATION IS CONFIRMED.

ADM. DATA

SOURCE IS [REDACTED]

(PROTECT), [REDACTED]

b6
b7C
b7D

REC-19

RE CHICAGO TEL NINE SEVENTEEN LAST.

EX - 113

END

SEP 22 1969 WASH DC

TELETYPED TO:

CG

SEP 22 1969

9/12/69

PLAINTEXT

AIRTEL

TO: DIRECTOR, FBI (176-1410)
FROM: SAC, NEW YORK (176-133)
SUBJECT: DAVID T. DELLINGER aka
ET AL
ARL-CONSPIRACY
(TRAVEL OF DEFENDANTS)

Enclosed for the Bureau are ten copies of an LHM concerning subject DELLINGER. Enclosed for Chicago are five copies of the LHM.

b2
b7D

The source in the LHM is

The information was set forth in an LHM and airtel dated 9/10/69, captioned "DEMNOV". The information is again set forth to comply with prior instructions regarding the travel of the defendants.

The LHM is classified "Confidential" because data reported by the source, if disclosed, could result in the identification of a confidential source of continuing value and compromise his future effectiveness. Such compromise could be detrimental to the defense interest of the nation.

- ③- Bureau (176-1410) (ENCLS.10) (RM)
(1- 100-384411) (DAVID DELLINGER)
- 2- Chicago (176-5) (ENCLS.5) (RM)
- 1- New York (100-121672) (DAVID DELLINGER)
- 1- New York

RAC:abg
(8)

DECLASSIFIED
BY 4417, 7/19/76
GTT:mp

100-384411-
NOT RECORDED
102 SEP 16 1969

ENCLOSURE.

58 SEP 26 1969

ALL APPROPRIATE OFFICES AND AGENCIES ADVISED
OF DECLASSIFICATION VIA R/S 7/28/76. DJF:mp

ORIGINAL FILED IN 176-1410-980



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York

September 12, 1969

In Reply, Please Refer to

File No. Bufile 176-1410
NY file 176-133

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

David Tyre Dellinger

b6
b7C

On September 5, 1969, a source, who has furnished reliable information in the past, advised he received information that a meeting between representatives of the Washington, D.C. Black United Front (BUF) and representatives of the New Mobilization Committee to End the War in Vietnam (NMC), led by Stewart Meacham, would be held in Washington, D.C., on September 5, 1969.

On September 8, 1969, the source advised information has been developed from NMC functionary from Washington, D.C. that David Dellinger, National Chairman of NMC from New York and Stewart Meacham met with Douglas Moore of the BUF on September 5, 1969, regarding BUF's \$1.00 per demonstrator demand. Reportedly, BUF refused to relent on its demand stating "If they did not get it, someone would get hurt".

The source further learned that a split now exists within BUF between Moore and Jan Bailey, with Bailey claiming Moore is not keeping other BUF affiliates fully apprised of current developments. According to the source, BUF in itself is not capable of mustering sufficient manpower to carry out the demand it is making; however, if they can enlist the support of Marion Barry of P.R.I.D.E. in Washington, D.C., their position will be greatly strengthened. Barry, with the financial backing from the Office of Economic Opportunity (OEO) funds operates an employment recruiting operation in Washington, D.C. and through this operation has a substantial following.

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

~~CONFIDENTIAL~~



-1*-

ENCLOSURE

100-384411-

UNITED STATES GOVERNMENT

Memorandum

b6
b7C

TO : Director, FBI (100-384411)

FROM : SAC, Philadelphia (100-50615)

SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

DATE: 9/22/69

Re New York letter 9/10/69.

Philadelphia telephone LO 3-9372 is the AMERICAN FRIENDS SERVICE COMMITTEE in Philadelphia, an organization with which the New York Office is familiar.

11 Oxford, Pa. [] is that of []

By letter 6/19/69 this information was previously transmitted to New York.

Additional investigation is being conducted to identify subscribers at Lancaster, Philadelphia, Media and Ardmore, Pa.

- 2 - Bureau
- 2 - New York (100-121672)
- 1 - Philadelphia

WBA:VFH
(5)

EX-111

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY []

REC- 58

100-384411-337

SEP 23 1969

INT. SEC.



6 OCT 2 1969

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

VIA TELETYPE

SEP 17 1969

ENCIPHERED

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 _____

WA 07 137PM BCK

URGENT 9-17-69 MMC

TO DIRECTOR (100-384411) (100-443916) , DETROIT AND NEW YORK

CODE

NEW YORK VIA WASHINGTON

FROM CHICAGO (100-43767) (100-41932)

b6

b7C

DAVID TYRE DELLINGER. SM - C. (KEY ACTIVIST).

OO NEW YORK; RENNARD CORDON DAVIS. SM - SDS. (KEY ACTIVIST).

OO CHICAGO.

RELIABLE SOURCE ADVISED TODAY, CAPTIONED INDIVIDUALS
TO BE IN ANN ARBOR, MICHIGAN, SEPTEMBER NINETEEN, NEXT,
FOR SPEECH AT UNIVERSITY OF MICHIGAN, AND ON SEPTEMBER
TWENTY , NEXT, WILL PARTICIPATE IN PEACE MARCH, ANN ARBOR.

ADMINISTRATIVE

SOURCE IS [REDACTED] ONE ONE THREE MI GROUP,

EVANSTON, ILLINOIS.

DETROIT HANDLE PER BUREAU INSTRUCTIONS FOR KEY ACTIVISTS.

DETROIT ADVISED SEPARATELY.

END

JTJ R RELAY FBI WASH DC

TELETYPED TO:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-29-96 BY 1112110

51 SEP 30 1969

SEP 24 1969

UNRECORDED COPY FILED IN 100-443916

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: 9/21/69

FROM : C. D. Brennan

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

SUBJECT: DAVID DELLINGER
STAG

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

On 9/20/69, at 6:10 p.m., SA [redacted] Detroit, telephonically contacted the Bureau on the instructions of ASAC Thomas J. Nally, to request Bureau authority to equip an experienced Agent with tape recording equipment to record a speech to be made by captioned subject on 9/20/69 at 8:00 p.m. on the campus of the University of Michigan, Ann Arbor, Michigan. Dellinger is Co-chairman of the National Mobilization Committee to End the War in Vietnam.

C. D. Brennan advised that if Detroit could guarantee the full security of the operation and if it could be accomplished without incident, that in view of the need for prompt action, Detroit should be advised that Bureau authority was granted.

The Detroit office was telephonically contacted and they advised that the recording could be accomplished without incident and with full security, and therefore, Bureau authority was granted.

ACTION:

For information.

- 1 - Mr. W. C. Sullivan
- 1 - Mr. C. D. Brennan
- 1 - [redacted]
- 1 - [redacted]

JEN:laa
(5)

EX-102

REC-63

100-384411-339

SEP 24 1969

133
54 OCT 2 1969

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-22-2008 BY

TO : DIRECTOR, FBI (100-384411)

DATE: 10-1-69

FROM : SAC, CLEVELAND (100-29041) (RUC)

b6
b7C

SUBJECT: *c.g. 2/27*
DAVID TYRE DELLINGER
SM - C
(KEY ACTIVIST)

OO: New York

Re New York letter to Bureau, 9-10-69.

Referenced New York letter furnished a copy of toll calls received on August 8, 1969, concerning telephone number 674-0050 listed to "Liberation" Magazine, 339 Lafayette Street, New York City.

The New York Office requested each office to identify subscribers within their respective territories and furnish the New York Office with the results including an indices check. This list of toll calls showed the following:

1. On June 4, 6, 12 and July 9, 1969, calls were made to Cleveland, Ohio, telephone no. 216-368-2624.
 2. On June 4, 1969, a call was made to Cleveland, Ohio, telephone no. 216-781-2137.
 3. On June 6, 1969, a call was made to Cleveland, Ohio, telephone no. 216-761-5574
- Ma*

Regarding Telephone
No. 216-368-2624

A review of the Cleveland Cross Reference Telephone Directory indicated no listing for 368-2624, however, all the numbers bracketing this number were listed for Case Western Reserve University (CWRU), Cleveland, Ohio.

The 1968 - 1969 CWRU Faculty - Staff Directory, shows that SIDNEY M. PECK, a professor in the CWRU Sociology Department is on CWRU extension 2624.

Bureau (RM)
2 - New York (100-121672) (RM)
1 - Cleveland

OCT 9 1969

EAS:amk

(5)

REC-60

22 OCT 6 1969

INT. SEC.

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

On September 12, 1969, SA [] made a pretext telephone call to 368-2624 and the girl answering the telephone indicated it was the CWRU Sociology Department; SA [] merely indicated he had the wrong number.

It is noted that SIDNEY M. PECK is a key activist of the Cleveland Office and a characterization of PECK is set forth below:

CG 5824-S*, who has furnished reliable information in the past, advised on April 16, 1956, that SIDNEY PECK attended a State Committee meeting of the Communist Party (CP) of Wisconsin held on April 15, 1956, and was at that time a member of that committee.

CV 694-S, who has furnished reliable information in the past, indicated on September 16, 1969, that SIDNEY PECK, a professor of Sociology at CWRU, is a co-chairman of the New National Mobilization Committee to End the War in Vietnam.

Regarding Telephone
No. []

The 1969 Cross Reference Telephone Directory for Cleveland, Ohio, indicated that telephone number [] was listed to [] Cleveland, Ohio. [] was a former Security Index subject of the Cleveland Office and is now active in anti-Vietnam war groups. A characterization of [] is set forth below:

[] who has furnished information to the United States Government, is a self-admitted former member of the CP whose cooperation with the Government was publicly disclosed on June 5, 1962. [] advised on May 2, 1958, that at a meeting of the Organizational Secretaries of the Cedar - Glenville Section of the CP on April 29, 1958, at Cleveland, Ohio, [] resigned from the CP.

[] indicated on September 16, 1969, that [] was then the Chairman of the Cleveland Area Peace Action Council (CAPAC), a coalition of Cleveland peace and anti-Vietnam war groups.

CV 100-29041

Regarding Telephone
No. 216-761-5574

The Business Office Representative, Ohio Bell Telephone Company, Cleveland, Ohio, advised SA [redacted] on September 12, 1969, that telephone number 761-5574 is listed to the Cleveland Area Peace Action Council, Cleveland Artists Against the War and the Student Mobilization Committee, Cleveland, Ohio.

b6
b7C

FBI

Date: 9/22/69

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

TO: DIRECTOR, FBI (176-1410)
 FROM: SAC, NEW YORK (176-133)
 SUBJECT: DAVID T. DELLINGER aka
 ET AL
 ARL - CONSPIRACY
 (OO:CHICAGO)

Re New York teletype 9/18/69.

Enclosed for the Bureau are 10 copies of an LHM relevant to subject DELLINGER. Enclosed for Chicago and Detroit are 5 copies each of the LHM.

The source mentioned in the LHM is [redacted]
 (protect), [redacted]
 [redacted] New York City.

b6
 b7C
 b7D

The LHM is classified "Confidential" because data reported by the source, if disclosed, could result in the identification of a confidential source of continuing value and compromise his future effectiveness. Such compromise could be detrimental to the defense interests of the nation.

DECLASSIFIED BY
 4417, 7/20/76
 GTT:mp

- ③ - Bureau (Encl. 10) (RM) ①
 (1-100-384411) (DAVID DELLINGER)
 2 - Detroit (Encl. 5) (RM)
 2 - Chicago (Encl. 5) (RM)
 2 - New York (176-133)
 (1-100-121672) (DAVID DELLINGER)

RAC:jra
 (10)

ENCLOSURE

100 - 384411 -
 NOT RECORDED
 140 OCT 2 1969

50 OCT 8 1969

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

ORIGINAL FILED IN 176-1410-832

ALL APPROPRIATE OFFICES AND AGENCIES NOTIFIED OF
 DECLASSIFICATION VIA RS 7/27/76. DTK:mp



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New York, New York
September 22, 1969

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-22-2008 BY [REDACTED]

In Reply, Please Refer to
File No.

NYfile 176-133
Bufile 176-1410

David Tyre Dellinger

b6
b7C

A source, who has furnished reliable information in the past, advised on September 18, 1969 that Dellinger had a reservation booked on United Airlines Flight 241 leaving La Guardia Airport in New York City on September 20, 1969 at 2:30 PM for arrival at 3:04 PM the same day at Detroit, Michigan.

Dellinger, according to the source, had a subsequent booking on American Airlines Flight 25 leaving Detroit on September 21, 1969 at 10:30 AM and due to arrive in Chicago, Illinois at 11:28 AM, the same day. The source advised that Dellinger has an open booking on American Airlines for his return trip to New York.

A characterization of Dellinger is contained in the characterization of "Liberation" magazine which is attached hereto.

This document contains neither recommendations nor conclusions of the Federal Bureau of Investigation (FBI). It is the property of the FBI and is loaned to your agency. It and its contents are not to be distributed outside your agency.

~~Group 1~~
~~Excluded from Automatic~~
~~Downgrading and~~
~~Declassification~~

~~CONFIDENTIAL~~

100-384411-

ENCLOSURE

APPENDIX

1.

LIBERATION MAGAZINE

"Liberation" Magazine (LM) is self-described as an independent monthly with offices at 5 Beekman Street, New York, New York. A "Statement of Ownership, Management, and Circulation" was published in the November, 1967 issue. It listed the Publisher and Editor of the magazine as DAVE DELLINGER. The circulation was given as 10,000.

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"In addition, LIBERATION will continue to carry articles and discussions written by and to community organizers, student and non-student activists, educators, economists, and social scientists - of interest to anybody concerned with building a radical and nonviolent Movement that will bring a fundamental change to the existing order".

On May 14, 1963, a source advised that during a speech in New York, New York, on May 10, 1963, DAVE DELLINGER identified himself as a pacifist. He stated it was necessary to abolish the cause of war, which was capitalism. He advocated a Communist society and said, "I am a Communist", but further stated he was not a Soviet type Communist.

FBI WASH DC

FBI DETROIT

9:45 PM URGENT 9-21-69 JRK

TO DIRECTOR, NEW YORK, CHICAGO AND CLEVELAND
FROM DETROIT (105-NEW)

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	_____
Mr. Holmes	_____
Miss Gandy	_____

TEACH -IN ON VIET-NAM, UNIVERSITY OF MICHIGAN, ANN ARBOR, MICHIGAN

NINE NINETEEN-TWENTY SIXTYNINE, IC-IS: VIDEM
DAVID DELLINGER, IS-C:

RENNIE DAVIS, IS-C

b6
b7C

RE DE TELETYPE TO BUREAU NINE TWENTY LAST.

DECLASSIFIED BY SP7-CF/TN
ON 4-29-96

SOURCE WHO HAS FURNISHED RELIABLE INFO IN THE PAST, FURNISHED THE
FOLLOWING INFORMATION RE: ANTI-WAR ACTIVITIES UNIVERSITY OF MICHIGAN
(U OF M), ANN ARBOR, [REDACTED]

b2
b7D

To White House, AG, Secret Service,
CIA, State, ACSI, OSI, DIA, Vice
President by tel. CC's of White
House tel to DAG; AAG's: IS, CRD,
CRIM, IDIU; NIS 9-22-69

100-38441

NOT RECORDED

136 OCT 2 1969

SEP 29 1969

57 OCT 10 1969

ORIGINAL FILED IN 105-138315-15-1

MARCH

-CHANTING CROWD MARCHED FROM U OF M STADIUM ONE TWENTY FOLLOWING FOOTBALL GAME TO A PEACE RALLY ON DIAGMAL OF U OF M. MARCH SPONSORED BY NEW MOBILIZATION COMMITTEE (NMC) ACCORDING TO ITS ANN ARBOR SPOKESMAN EUGENE GLADSTONE. MARCHERS BORE A SYMBOLIC CASKET HOLDING CORPSE OF ~~222222~~ "UNCLE SAM". DAVID DELLINGER AND SIDNEY PECK OF NMC, PARTICIPANTS, CLAIMED MARCH NUMBERED TWENTY THOUSAND. MARCHERS CARRIED ANTI-WAR SIGNS AND CHANTED SLOGANS.

LOCAL AUTHORITIES STATE IMPOSSIBLE TO SUBSTANTIATE OR DENY CLAIMS AS DEMONSTRATORS USED WALKING CROWDS DEPARTING STADIUM FOR RETURN TO CAMPUS AREA AS BACK DROP FOR DEMONSTRATION. SOME SEVENTY THOUSAND INDIVIDUALS DEPARTING STADIUM AT THAT TIME. GLADSTONE KNOWN TO HAVE EXPRESS STRATEGY OF MIXING PLACED CARRYING AND SHOUTING DEMONSTRATORS AMONG CROWD TO CREATE MAJOR PHOTOGRAPHIC EFFECT. MARCH PARTICIPANTS BELIEVED TO HAVE NUMBER FROM THREE TO FIVE THOUSAND.

RALLY

MARCH FOLLOWED BY A RALLY ATTENDED BY SOME TWO THOUSAND FIVE HUNDRED PERSONS ON DIAGMAL OF U OF M CENTRAL CAMPUS. PRINCIPAL SPEAKERS INCLUDED , DAVID DELLINGER, NEW YORK, DR. SIDNEY PECK, CLEVELAND BOTH OF NMC, AND ANDREW PULLEY, ORGANIZER, "GI'S UNITED AGAINST THE WAR IN VIET-NAM."

END PAGE ONE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-22-2008 BY

b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (100-384411)

FROM : *[Signature]* SAC, MIAMI (100-15816) (RUC)

SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)
(OO: NEW YORK)

DATE: 9/30/69

Re New York letter to Bureau, 9/10/69.

Referenced communication set forth a list of telephone calls charged to New York City telephone [redacted] among which was a ten-minute call to telephone [redacted] Miami, Florida, on June 9, 1969.

Records of Southern Bell Telephone and Telegraph Company, Miami, made available on September 25, 1969 to SA [redacted] show Miami telephone [redacted] is listed to [redacted] This telephone was installed on May 31, 1968 and at time of installation [redacted] had been employed for three years in [redacted]

Miami Office indices are negative regarding [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [redacted]

EX-102

- ② - Bureau (RM)
2 - New York (100-121672) (RM)
1 - Miami

JCB:cmr
(5)

REC-57/100-384411-341

OCT 3 1969



[Handwritten signature]
10 1969

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

INT. SEC.

b6
b7C

b6
b7C

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	_____

...16

50 PM 10-7-69 URGENT RDS
TO DIRECTOR 100-384411 CODE
FROM NEW YORK 100-121672 1P

VIA TELETYPE
OCT 7 1969
ENCIPHERED

DAVID T. DELLINGER AKA SM-C (KEY ACTIVIST)

RE NY TELEPHONE CALL TO BUREAU THIS DATE.

ON THIS DATE A SOURCE ADVISED A BOX OF FILMS SHIPPED VIA PAN AMERICAN AIRLINES FROM HANOI ARRIVED RECENTLY AT JF KENNEDY INTERNATIONAL AIRPORT, ADDRESSED TO DELLINGER CARE COMMITTEE FOR NON VIOLENT ACTION, FIVE BEEKMAN ST., NEW YORK CITY. BOX CONTAINED TEN ROLLS OF FILM ENTITLED QUOTE FIRE UNQUOTE, NOT ON REELS, SIXTEEN MM, BLACK AND WHITE, APPROXIMATELY TWO HUNDRED AND FIFTY FEET OF FILM ON EACH ROLL. BOX ALSO CONTAINED TWENTY SIX PAGE TRANSCRIPT IN ENGLISH WHICH IS APPARENTLY TO BE READ WITH THE FILM. FILM APPEARS TO BE NORTH VIETNAM PROPAGANDA FILM.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY [REDACTED]

~~FILM WILL BE NORTH VIETNAM PROPAGANDA FILM.~~

FILM WILL BE TURNED OVER TO US CUSTOMS, JF KENNEDY INTERNATIONAL AIRPORT ON TEN EIGHT NEXT.

BUREAU REQUESTED TO FURNISH ABOVE INFORMATION TO DEPARTMENT OF DEFENSE. IF BUREAU DETERMINES IT IS NECESSARY TO OBTAIN A COPY OF THIS FILM, IT IS SUGGESTED ARRANGEMENTS BE MADE THROUGH DOD. NO ATTEMPT SHOULD BE MADE TO CONTACT CUSTOMS BY EITHER DOD OR BUREAU UNTIL TEN NINE NEXT AND NO MENTION BE MADE OF HOW IT WAS KNOWN CUSTOMS HAD FILMS. THIS REQUEST MADE TO INSURE PROTECTION OF SOURCE.

END

17 OCT 13 1969

b6
b7C

5 OCT 17 1969
FBI WASH DC

100-384411-342
EX-103
OCT 10 1969
ADMIN 10/10/69

TE NMENT

FOR [redacted] am

CTOR, FBI (100-384411)

DATE: 10/15/69

FROM: SAC, MINNEAPOLIS (100-14756) (RUC)

SUBJECT: DAVID TYRE DELLINGER
SM - C (KEY ACTIVIST)

Re New York letter to Bureau dated 9/10/69 captioned as above which set forth a list of toll calls charged to telephone number listed to "Liberation" Magazine, 339 Lafayette Street, New York City.

Included on the referenced letter was a list of telephone calls showing a call dated June 18, 1969, to Madison, Minnesota, telephone [redacted]

[redacted]
[redacted]
whose identity should be protected at his request, advised as follows on October 8, 1969:

Inquiry by [redacted]

[redacted] on October 8, 1969, revealed that Madison, Minnesota, is provided with telephone service by a private telephone company located in that community. Further, telephone number [redacted] has been listed in the name of [redacted] Madison, Minnesota, for many years and was in fact, listed in that name on June 18, 1969.

The Bureau is referred to Minneapolis letter and LHM dated March 6, 1968, captioned [redacted] SECURITY MATTER - X," a copy of which was furnished to New York.

The New York Office is referred to New York file 100-162721 captioned [redacted] SECURITY MATTER - MISCELLANEOUS," which sets forth background information concerning [redacted]

- 2 - Bureau (RM)
- 2 - New York (RM) (100-121672)
- 2 - Minneapolis
(1 - 100-13936)

DEW:mew
(6)

REC 27

100-384411 343

OCT 17 1969

INT. SEC.

OCT 21 1969

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

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

10-7-69 684 BKG

[Handwritten signature]

J. Edgar Hoover
Director.

The following FBI record, NUMBER 2 151 639, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USM, N.Y., N.Y.	David Dellinger #	11-4-40	draft evasion	3-1-2-3 <i>[Handwritten mark]</i>
Fed. Det. Hdqts., N.Y., N.Y.	David Dellinger #31102	11-14-40	vio. selective act	1 yr. and 1 day trans to FCI, Danbury
Fed. Corr. Inst. Danbury, Conn.	David Dellinger #297	11-21-40	Sel. Train. and Serv. Act of 1940	1 yr. 1 day 9-3-41 con. rel exp.
SO, Jersey City, N.J.	David Dellinger #25772	7-7-43	vio. S.S.A.	
USM, Newark, N.J.	David Dellinger #7085	7-7-43	fail to report for a physical examination	committed to Hudson Co. Jail Jersey City, N.J., by U.S. Comm. in default of \$1,000 bail
USM, Newark, N. J.	David Dellinger #7287	8-30-43	failure to appear for physical exam.	sentenced 2 yrs. to start 8-31-43
USP, Lewisburg, Pa.	David Dellinger #12911	8-31-43	Selective Service Act, failed to report for Physical Exam.	2 yrs. 4-5-45 disch- cond rel with camp GT
PD Wash DC	David Dellinger #118386	10-4-49	picketing French Embassy	100-384411- NOT RECORDED 4 OCT 10 1969 <i>[Handwritten signature]</i>

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-21-2008 BY

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

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

10-7-69 684 BKG

J. Edgar Hoover
Director.

The following FBI record, NUMBER 2 151 639 , is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Jail Wash DC	David Dillings #131492	5-3-61	dis/cond	\$10 or 10 das
DC Jail Wash DC	David Dellinger #131492	8-10-65	T 40 Sec 93	45 days
USM NY NY	David Dellinger	3-22-69	T18 S2101 & 371 Travel interstate with intent to promote riot & conspiracy	
	Residence: 1177 E. 98th St. Apt 5D Bklyn, NY			
USM Chgo Ill	David Dellinger #69270	4-9-69	Federal Anti- Riot Act	
	Residence: 1177 E. 98th St Brooklyn NY			

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

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

10-7-69 684 BKG

J. Edgar Hoover
Director.

1-BU

The following FBI record, NUMBER **2 151 639**, is furnished FOR OFFICIAL USE ONLY.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
	SECURITY FLASH: David Dellinger, aka, David Tyre ^o Dellinger, <u>Dane</u> , <u>Delly</u> , <u>Dell</u> , <u>Joe</u> Any information or inquiry received refer one copy of record to Subversive Control Section Domestic Intell Div and two copies to BFD Newark their file #100-41323 per inf rec 5-14-64. Bu file #100-384411			
	OO: New York their file #100-121672 per inf rec 9-26-68			
THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI				
3				

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

10-7-69 684 BKG

2-BU

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Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE
FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE
WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Internal Sec Section Dom Intell Div CC-FBI NY NY				
Copy of record was furnished FBI Chicago Ill as identical with subject of their inquiry dated 9-26-69.				
THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI				

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

John Edgar Hoover
Director



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to
File No.

September 5, 1969

DAVID TYRE DELLINGER

RECEIVED

INTERNAL SECURITY DIV.

~~CONFIDENTIAL~~

The following information was received from a confidential source abroad on September 3, 1969.

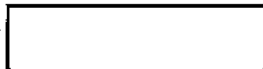
DAVID DELLINGER arrived in Paris on July 10, 1969, to contact representatives of the North Vietnamese Delegation to the Vietnam Peace Conference.

President of the National Committee against the War in Vietnam, and Director of the publication "Liberation", he has been dedicated to Pacificism since the civil war in Spain, and in keeping with his ideology he has taken part in many manifestations against all conflicts, national and international.

His contact with members of the North Vietnamese Delegation concerned the release of American prisoners of war.

The source advised that there is no more specific information available regarding his most recent visit to Paris except that he stayed at the Hotel Select Raspail, 259 Boulevard Raspail, Paris.

DECLASSIFIED BY



~~CONFIDENTIAL~~

~~GROUP 1
Excluded from automatic
downgrading and
declassification~~

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

146-1-48-780
DEPT. OF JUSTICE
14 SEP 16 1969
INTERNAL SECURITY DIV.
Criminal Section

b6
b7C

NR357 CG CODE

702 PM NITEL 7-22-71 B C K

TO DIRECTOR (176-1410)

NEW YORK (176-133)

WFO (176-84)

FROM CHICAGO (176-5 SUB C)

DAVID TYRE DELLINGER, AKA, ET AL. (TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY; COC (OO: CHICAGO).

RE CHICAGO TEL JULY NINETEEN LAST, THIS CAPTION, ADVISING OF
REQUEST BY JERRY CLYDE RUBIN OF UNITED STATES COURT OF APPEALS (USCA),
CHICAGO FOR PERMISSION TO TRAVEL TO CHILE IN PERIOD JULY TWENTY
THREE NEXT TO SEPTEMBER FIFTEEN NEXT.

AS OF LATE AFTERNOON INSTANT, OFFICE OF CLERK, USCA, CHICAGO,
ADVISES NO RECORD OF RESPONSE BY COURT TO RUBIN'S TRAVEL REQUEST.

ON JULY TWENTYTWO INSTANT, AUSA [REDACTED] NORTHERN DISTRICT
ILLINOIS, ADVISED THAT ON JULY TWENTY ONE LAST, [REDACTED] LOCAL
CHICAGO COUNSEL FOR DAVID DELLINGER AND [REDACTED] FILED MOTION
WITH USCA, CHICAGO REQUESTING COURT PERMISSION FOR BOTH TO TRAVEL
TO PARIS, FRANCE, FROM ON OR ABOUT AUGUST ONE NEXT THROUGH ON OR ABOUT
AUGUST TWENTY TWO NEXT.

END PAGE ONE

~~176-84~~
SEARCHED *RF* INDEXED *RF*

SERIALIZED *RF* FILED *RF*

JUL 22 8 04 PM '71

[REDACTED] *Em*

176-76-910

b6
b7c

b6
b7c

*20
8/1/71
Senn*

PAGE TWO

MOTION REFLECTED PURPOSE THIS TRAVEL TO ENGAGE IN DISCUSSIONS
WITH FRENCH AND OTHER INTERNATIONAL EXPERTS IN PARIS WITH REGARD TO
ISSUES RELATING TO WAR IN VIETNAM AND OTHER INTERNATIONAL ISSUES.
WHILE IN FRANCE, BOTH WILL RESIDE AT HOTEL PARC IN CHOISY-LE-ROI,
FRANCE; WILL DEPART FRANCE FOR RETURN U.S. ON OR ABOUT AUGUST
TWENTYTWO NEXT.

b5 per EOUSA
b7C per EOUSA

CHICAGO WILL FOLLOW TRAVEL REQUESTS ALL ABOVE SUBJECTS AND
ADVISE. LHM FOLLOWS. ABOVE RE [REDACTED] AND DELLINGER FOR DISSEMINATION
LEGAT, PARIS AND [REDACTED]

b6
b7C
b7E

E N D

BYE

ALM FBI WFO CLR

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1339526-001

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, WFO (176-76)

DATE: 8/31/73

FROM : CHIEF CLERK

b6
b7C

SUBJECT: DAVID TYRE DELLINGER

This is to advise that a correlation memo on David Tyre Dellinger subject of instant case has been prepared and filed in 40-176-serial 177.

TBD:kab

MAINTAIN AS TOP SERIAL
DO NOT SERIALIZE

176-76

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 31 1973	
FBI-WASHINGTON FIELD OFFICE	



NR013, CG PLAIN

717 PM 4-19-71 B K

TO DIRECTOR	(176-1413)	-NITEL-
ALBANY	(176-14)	-URGENT-
WFO	(176-84)	-URGENT-
CLEVELAND	(176-109)	-NITEL-
KANSAS CITY	(100-12475)	-NITEL-
MINNEAPOLIS	(176-25)	-NITEL-
NEW YORK	(176-133)	-NITEL-
SAN FRANCISCO	(176-2)	-NITEL-
FROM CHICAGO	(176-5 SUB C)	

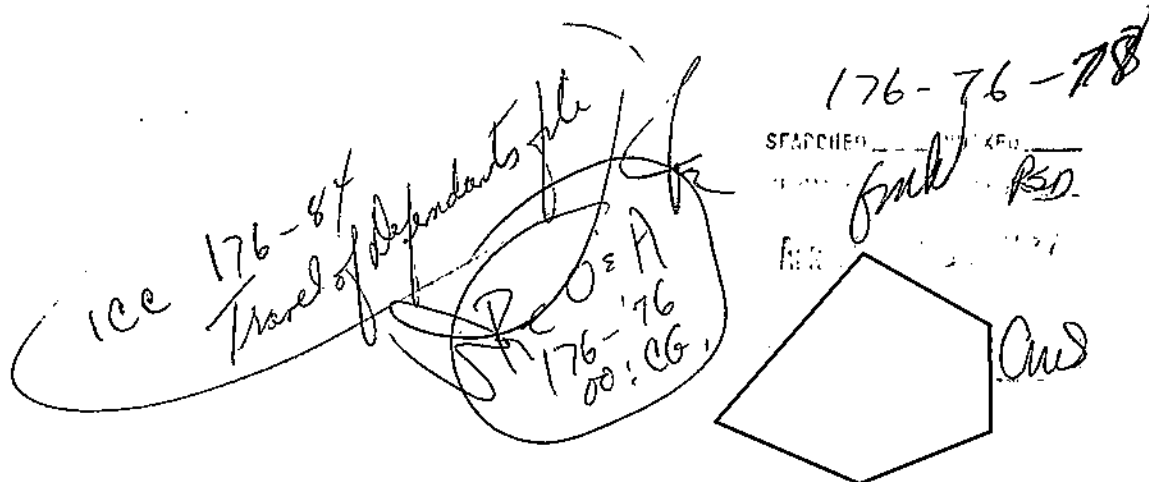
DAVID TYRE DELLINGER, AKA ET AL (TRAVEL OF DEFENDANTS).

ARL - CONSPIRACY; COC. OO: CHICAGO.

RE KC TEL APRIL NINE, LAST, REFLECTING APRIL TWENTY, NEXT, APPEARANCE DAVID DELLINGER IN COLUMBIA, MO.; BUREAU AIRTEL AUGUST TWENTY SIX, SEVENTY, ALL OFFICES, BOTH THIS CAPTION.

DEPUTY USM [REDACTED] CHICAGO, ADVISED LATE AFTERNOON, INSTANT, OF RECEIPT TWO TELEGRAMS, ONE GIVING TRAVEL ITINERARY DELLINGER, SECOND TELEGRAM GIVING ITINERARY JERRY RUBINJM
END PAGE ONE

b6
b7c



b6
b7c

PAGE TWO

DELLINGER TELEGRAM SENT P.M. INSTANT FROM NYC, REFLECTS TRAVEL AFTERNOON INSTANT TO WASHINGTON, D.C., WITH RETURN NYC P.M. THIS DATE. WHILE IN WDC DELLINGER'S CONTACT IS TELEPHONE NUMBER ^{7 3 7 8 6 0 0} SEVEN THREE SEVEN - EIGHT SIX ZERO ZERO.

APRIL TWENTY, NEXT, DELLINGER WILL SPEAK AT STEPHENS COLLEGE, COLUMBIA, MO., CONTACT THERE CARE OF [REDACTED]

b6
b7C

[REDACTED] APRIL TWENTY ONE, NEXT DELLINGER WILL APPEAR AT NORTHERN ILLINOIS UNIVERSITY (DE KALB, ILLINOIS), CONTACT THERE CARE OF [REDACTED] TELEPHONE NUMBER [REDACTED]

b6
b7C

[REDACTED] LATE EVENING APRIL TWENTY ONE, NEXT, DELLINGER WILL RETURN VIA AIR TO NYC.

APRIL TWENTY TWO, NEXT, DELLINGER TRAVELLING TO CLEVELAND, CONTACT CARE OF [REDACTED] TELEPHONE NUMBER [REDACTED]

[REDACTED] ^{4/23/71 - 4/25/71} (APRIL TWENTY THREE, NEXT, THROUGH APRIL TWENTY FIVE NEXT, DELLINGER WILL BE IN WDC, CONTACT THROUGH TELEPHONE NUMBER ^{7 3 7 8 6 0 0} SEVEN THREE SEVEN - EIGHT SIX ZERO ZERO.

b6
b7C

ON MONDAY, APRIL TWENTY SIX, NEXT, DELLINGER TRAVELLING TO NORTHFIELD, MINNESOTA, CONTACT THROUGH [REDACTED]
END PAGE TWO

PAGE THREE

DIRECTOR, STUDENT ACTIVITIES, ST. OLAF COLLEGE. APRIL TWENTY SEVEN, NEXT, DELLINGER WILL BE IN ALBANY, NEW YORK, NO CONTACT OR REASON FOR VISIT ALBANY GIVEN.

4/28 - 5/3

DURING PERIOD APRIL TWENTY EIGHT, NEXT, THROUGH MAY THREE, NEXT, DELLINGER WILL BE IN WDC, CARE OF TELEPHONE NUMBER SEVEN THREE SEVEN - EIGHT SIX HUNDRED.

RUBIN TELEGRAM SENT AFTERNOON INSTANT FROM WDC. WDC

CONTACT IS [REDACTED] TELEPHONE NUMBER [REDACTED]

[REDACTED] TELEGRAM REFLECTED RUBIN TRAVELLING MORNING OF APRIL NINETEEN, INSTANT, TO UTICA, NEW YORK, VIA WDC.

NO POINT OF ORIGIN FOR RUBIN'S TRAVEL OR PURPOSE INDICATED.

AFTERNOON OF APRIL TWENTY, NEXT, RUBIN WILL BE IN HAMILTON, NEW YORK, CONTACT CARE OF [REDACTED], TELEPHONE NUMBER [REDACTED]

MORNING OF APRIL

TWENTY ONE, NEXT, RUBIN TRAVELLING VIA AIR TO NYC, CONTACT CARE OF [REDACTED] TELEPHONE NUMBER [REDACTED]

END PAGE THREE

b6
b7c

PAGE FOUR

AFTERNOON OF APRIL TWENTY ONE, NEXT, RUBIN TRAVELLING
VIA AIR TO SYRACUSE, NEW YORK, CONTACT AGAIN CARE OF [REDACTED]

b6
b7c

[REDACTED] SAME NUMBER AS ABOVE. ITINERARY CONCLUDES AT THIS
POINT WITH NO INDICATION OF RUBIN'S TRAVEL FROM SYRACUSE.

CHICAGO FOLLOWING AND ANY SUBSEQUENT PERTINENT INFO WILL
BE PROVIDED INTERESTED OFFICES. RECEIVING OFFICES HANDLE
IN ACCORDANCE RE BU AIRTEL.

E N D

NR001 MP PLAIN

925 AM URGENT 4/27/71 RRM

TO: DIRECTOR (176-1410)

ALBANY (176-14)

CHICAGO (176-5 SUB C)

WFO (176-84)

FROM: MINNEAPOLIS (176-25) 2P

DAVID TYRE DELLINGER, AKA; ET AL (TRAVEL OF DEFENDANTS).

ARL - CONSPIRACY; COC. OO: CHICAGO.

RE CHICAGO TELETYPE APRIL NINETEEN, LAST, REFLECTING
APPEARANCE OF DAVID DELLINGER AT ST. OLAF COLLEGE, NORTHFIELD,
MINN., ON APRIL TWENTYSIX, LAST.

DELLINGER FAILED TO APPEAR AT ST. OLAF COLLEGE, NORTHFIELD,
ON APRIL TWENTYSIX LAST. NOTICE POSTED IN ST. OLAF STUDENT
UNION INDICATING DELLINGER'S VISIT CANCELED AND THAT HE WAS
BEING RESCHEDULED FOR FUTURE DATE. NO REASON FOR POSTPONEMENT
GIVEN, BUT POSSIBLE SUBJECT'S PARTICIPATION IN CURRENT
WASHINGTON, D.C., DEMONSTRATION IN REASON.

END PAGE ONE

176-76-79
SEARCHED _____ INDEXED _____

SERIAL 27 FILED 150

APR 27 1971

b6
b7C

MP 176-25

PAGE TWO

IN VIEW OF DELLINGER'S CANCELLED VISIT TO MINNEAPOLIS
DIVISION, POSSIBLE HE MAY NOT APPEAR IN ALBANY ON APRIL
TWENTYSEVEN, INSTANT, AS NOTED IN RETEL.

NO LHM BEING SUBMITTED.

RUC.

END

FBI WFO MMM

4/27/71

AIRTEL

TO: DIRECTOR, FBI (176-1410)

FROM: SAC, WFO (176-76) (P)

DAVID TYRE DELLINGER, aka et al
(TRAVEL OF DEFENDENTS)
ARL - CONSPIRACY; COC
(CO:CG)

Re Chicago teletype to Bureau dated 4/19/71 and captioned as above.

The above referenced teletype listed DELLINGER's contact point while in Washington, D. C. (WDC) to be telephone number 737-8600.

This number is the public listing for the People's Coalition for Peace and Justice, 1029 Vermont Avenue, N.W., Washington, D. C.

The People's Coalition for Peace and Justice (PCPJ) was characterized in a press release dated March 1, 1971, as Washington based, and consisting of over one hundred organizations whose purpose is to combat the issues of racism, poverty, repression and war.

3 - Bureau
2 - Chicago (176-5 Sub C) (RM)
2 - WFO
(176-84)

QMS:vrh
(7)

176-76-20
SEARCHED _____
SERIALIZED _____
INDEXED _____
FILED _____

WFO 176-76

DELLINGER was also introduced as being one of the speakers at the anti-war demonstration held at WDC Saturday, 4/24/71 on the steps of the U.S. Capitol. This demonstration was sponsored by the National Peace Action Coalition (NPAC) and the above characterized People's Coalition for Peace and Justice.

The National Peace Action Coalition (NPAC) is an umbrella antiwar organization formed at Cleveland, Ohio, in June, 1970. The stated basic objective of NPAC is to involve masses of people, including labor unions, G.I.'s, and the Black Community in the struggle to effect the immediate withdrawal of all U.S. forces from Southeast Asia and the abolition of the draft through orderly and peaceful tactics.

4/30/71

AIRTEL

TO: DIRECTOR, FBI (176-1410)

FROM: SAC, WFO (176-84) (P)

DAVID TYRE DELLINGER, aka;
Et Al (TRAVEL OF DEFENDENTS).
ARL-CONSPIRACY; COC
(OO:CHICAGO)

ReMinneapolis teletype to the Bureau, dated
4/27/71.

[redacted] advised on 4/28/71, that DAVE
DELLINGER has been admitted to Georgetown Hospital with
eye trouble. He is apparently not responding to treatment
and it is believed he has lost his vision.

b7D

2-Bureau
2-Chicago (176-5Sub C)
2-Albany (176-14) (RM)
2-Minneapolis (176-25) (RM)
2-WFO (1-176-76)
CMS:dls
(10) *26*

176-76-81
SEARCHED PSD
SERIALIZED PSD
INDEXED PSD
FILED PSD

DAVE DELLINGER

HILL HALL
MONDAY, APRIL 12
9:30 PM

CHICAGO EIGHT
CO-CONSPIRATOR

WORLD WAR II DRAFT
RESISTER

EDITOR OF LIBERATION

SPONSORED BY
PEOPLE'S PEACE COALITION

~~CONFIDENTIAL~~

On April 12, 1971, CE T-3 advised he had made a tape recording of DELLINGER's speech delivered on April 12, 1971, in Hill Hall on the campus of UNC, Chapel Hill, North Carolina. On April 31, 1971, CE T-3 furnished the tape recording, a transcription of which is as follows:

~~CONFIDENTIAL~~

"It's kind of hard to talk after that, I think. JAMES AGEE (phonetic) once said that this was the best of times and the worst of times. And I think the, one of the ways in which it's the worst of times was shown by what they were talking about, what they'd done, and it is commonplace in Indo-China. Maybe the best of times is not here but prefigured by the fact that, that they're talking about it. I know in, that four years ago in the BERTRAND RUSSELL War Crimes Tribunal we had testimony by Americans, by Japanese, French, Yugoslav, Belgian, Swedish investigators and by Vietnamese. The interesting thing was that the people didn't want to talk about it. All it wanted to do was to say that the War Crimes Tribunal was biased because it was conducted by people who opposed the war. It didn't occur to them that you could be anti-war and by the very values that made you anti-war, you could be honest and tell the truth rather than by trying to exaggerate.

"I remember one of the GI's who testified at the BERTRAND RUSSELL War Crimes Tribunal and was scared to death; he decided that when he testified that he would not be able to return to the United States because of what he thought would happen to him because he was the forerunner of 2,000 GI's who backed and supported and took part in the winter soldier investigation that we just saw.

"But his job was an interrogator, he was a professional interrogator and he told stories like those that we just heard now and then at one point he said the terrible thing was that first you tortured them to get information and then you tortured them out of anger and then after a while I tortured them for pleasure. And you realize, you know, how close the different sides of human beings are. You realize at least that that was of his testimony. He told many atrocities but that was the high point when I saw the honesty with which he was unloading himself of that and the message that it could have had for the country except that the country wasn't ready to listen to it.

"Another interesting thing about the GI's who testified at the war crimes investigation four years ago was that they were anti-Communist and they all indicated that they were happy to go to Vietnam and kill Communists. But that what turned them off and first began to question, make them question what they were doing was when they learned that the entire Vietnamese people were the enemy, that they were not just killing and

"committing atrocities against Communists. Back to this interrogator I referred to, when he arrived at the airport, he was met by GEZELLE ALAMIQUE (phonetic) who is JEAN PAUL SARTE's lawyer and had become radicalized by France's war in Algeria and was relating through; she was not a member of the Tribunal but she helped it, and she met him at the airport. And he was very nervous and ambivalent about testifying in the first place and then he blurted out to her, 'There aren't any Viet Cong here, are there? Because if there are, I hate them and I may kill them right there.' That's, you know, sort of the psychology, what he'd been trained in and yet he had reached the point where what he had to do had begun to turn him in another direction.

"Well, four years later too many GI's coming back and talking the way people don't generally talk about wars that they haven't been in; there got to be a scandal and the Government felt that it had to do something about it. And so it took the one incident of My Lai and it played it up and it decided to indict some people to show that the Army really isn't in favor of killing civilians or torturing people or to show that the Army really believes in the dignity of human beings and human rights.

"At the time I remember feeling that Lieutenant CALLEY was being made a scapegoat and saying that I hoped he wouldn't be convicted. But I've changed my mind on that now. I think it's good that he was convicted because the only way in which you can begin to face up to things and we're hardly more than beginning but, is to investigate, perhaps to indict, there might be better ways of doing it, to have established for the record exactly what happened. Then, after that, I wouldn't want to see Lieutenant CALLEY or anyone else punished. But I think we do want to say to people that human beings have a right and a responsibility and an urgency not to be American ADOLPH EICHMANN's or German WILLIAM CALLEY's. The people have a responsibility whatever the situation is to assert their own values, their own decency, and to stand up even if society has organized use of all the pressures and hysteria of the unrried lynch mob, and nonetheless have to take that step for decency.

"I think there's a great difference. I don't know how they've been that down here, but I know The New York Post had a superficial and I think misleading article to the effect that the country was coming together over Lieutenant CALLEY

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"because both the left and right sympathized with him. But I hope we're intelligent enough to make better distinctions than that and that's the kind of superficial treatment of the Vietnam War which people are getting into now, now that the war criminals are endorsing the anti-war movement.

"I have to expect HUBERT HUMPHREY to ask to speak at the April 24th rally. But the thing is AGNEW is sympathetic with CALLEY because he thinks what CALLEY did was right and some of the rest of us are sympathetic with CALLEY because we don't think that you ever turn around or change society by making scapegoats of individuals, by punishing them, and particularly if he has been singled out for that purpose, to give a false sense of security as if America really is a decent society, instead of a sick society.

"The fact is I'm glad that they convicted him but I'd like to have him pardoned. I think the knowledge of what he did is enough for him and I would like to have further trials. I think that one should indict WALT ROTHSTOW who is one of my old friends and classmates, ROBERT MC NAMARA, LYNDON JOHNSON, RICHARD NIXON, MELVIN LAIRD. One can run down the line, and I don't really know enough about it to say it, but I'd like to ask you a question whether the University of North Carolina should be indicted for the work it does for the Defense Committee, for the Defense Department. I mean, you know, the Germans, the Nazis, who were turned into war criminals, I mean they turned themselves into war criminals but were tried, in some cases were executed or had long prison sentences, they did things like supplying gas for the crematory. What are we going to say about the American society with its open bidding on napalm and anti-personnel fragmentation bombs which are useless against everything except human beings and they're used primarily against civilians? And what are we going to say about universities that are up to their ears in war work, in strategic planning and other services, counter-insurgency training, etc., for that society?

"Now I was particularly struck by the Indians because I attended part of the winter soldier investigator, investigation, and when I was there, I talked to another Indian, American Indian, not the one who testified there but another one. And we had just gotten out a copy of The Liberation magazine in which we had printed on the cover an order that went to the American troops in the Philippines in 1902. The order was quote 'I want no prisoners. I wish to kill and burn. The more you kill and burn, the better you will please me.' General JAKE SMITH (phonetic) to the troops in the Philippines in 1902.

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"And when I show this to my friend DENNY who was his name, the American Indian, he pointed out to me what this fellow pointed out to them, is that is just what the Americans had done to the Indians. And I recall how, the fact the United States had used the same methods in transferring a lot of old Indian fighters from the Indian wars to the Philippines.

"You know people get tired now when people say well isn't it a great society? EDWARD MUSKIE is now against the war and AVARILL HARRIMAN is against the war and people, you know, and all these Senators, etc., and I'm glad they are. You know, I hope it will mean a real turning although when a man has his eye on the White House, I think one thing we've learned is that you can't trust him. But anyway people say what a good society it is because at last we can face up to it.

"But there is a kind of unreality which our young are developing at the War Crimes Tribunal where because we allow films like this to be shown; we kind of get the impression that they're not real. In other words we're a democratic society because we have enough freedom to show this kind of thing and because the atrocities go to the homes and television and because they have things like 'The Selling of the Pentagon' and one thinks well, after all, it's a free and open society and somehow it becomes a kind of inoculation almost, whereby our lack of democracy, our lack of human rights, becomes asserted as democracy and human rights and the freedom to know what to certain point kind of sets up barriers whereby we deny ourselves the fullness of knowing.

"I think I mentioned the Indians. I don't know if you've heard this but I imagine you have. But I think to me one of the most moving moments of our trial in Chicago was when BOBBY SEALE who had been bound and gagged and was temporarily able to speak started explaining to the Judge why he had said it was a racist court. And after he ran down some of the things that had happened there, then he turned and said, 'Why you've got pictures of GEORGE WASHINGTON and BENJAMIN FRANKLIN on the wall and they were slaveowners.' And the Judge leaned forward with complete self-confidence and said 'But GEORGE WASHINGTON was the father of our country.' Well, he was and I felt sorry for the Judge because I was brought up that way, too, and the terrible ambivalence that one has, but one has to realize that GEORGE WASHINGTON was not the father of BOBBY SEALE's country.

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"And that the glorious Declaration of Independence was written by slaveowners and so we have this one side at least of the dynamics of American society that has been with us from the beginning, with the blacks, and the Indians, and the indentured servants and the non-property owners and all the rest. And they reached out westward and southward and gobbled up as much as it did and got to Vietnam in 1945, or a little more openly in 1954.

"And so Americans in the anti-war movement now, you know, they're tired and we feel frustrated. It doesn't do any good, we've marched and we've rallied and we've petitioned and we've voted for peace candidates and we've organized draft resistance and peace fairs and all of these things and the war goes on. And people get tired and frustrated because somehow they think there can be almost an instant solution, like instant coffee in the morning or instant revolution, but a country whose sickness goes as deep as that, despite the other side of it that I'm not talking about, the healthier aspirations and hopes, is not going to be turned around by having a million people march in the streets on a November 15th, take a bus down and march, take a bus back and wait for the Government to change its policy. It goes too deep for that. And if we feel tired, there're a lot of other people who are tired, the Indians, the blacks, the welfare people. And what about the Vietnamese and the Cambodians and the Laotians?

"I spoke about CALLEY and NIXON and AGNEW a little bit. The fact is that not only what Lieutenant CALLEY has been indicted and found guilty of not only was done regularly on the ground and this is, I forget how many commissions that testified and I remind you that testimony that keeps coming out as it started coming out back in 1965. But what any of them did on the ground was far less than what the American Air Force is doing today, does everyday, every hour, with, under the orders of RICHARD NIXON and with the blessings of RICHARD NIXON.

"Now, in order to understand what's going on, I'd like, I think you have to know what's happening in Laos and to some extent, I guess the truth is getting out. But Laos, the aggression against Laos did not begin with the invasion by the South Vietnamese a few weeks ago. In 1965 the Pentagon, which is not very intelligent but does conduct a number of experiments and try out different courses of action. In 1965 the Pentagon started an experiment in a new kind of warfare in Laos. It was an experiment to see whether it was possible to bomb a country into submission without using American ground troops.

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"When I in 1966 to 7 visited both Saigon and Hanoi, I took the ICC plane, the ICC plane used to go, I'm not sure anymore, it used to go from Saigon to Phnom Penh, Cambodia, to Bien Tien, Laos, to Hanoi. I remember waiting for three or four hours in the airport in Laos and talking with pleasant Americans, sipping beer with them, when all of them over there is occupiers of a foreign country, isolated and cut off from the people, lacking in any understanding of its culture, and they said to me 'The plane may be late today because the bombing run is late.' I said 'What do you mean?' They said 'Every afternoon the bombing planes take off from that strip and go and bomb northeastern Laos before the ICC plane takes off.' And sure enough 24 American bombing planes took off from the Bien Tien airport to bomb the territory and then we got into the ICC plane and went on.

"Laos is the most heavily bombarded country in human history and it was the most heavily bombarded country in human history before more than one percent of the American people knew that the United States was at war with Laos. It was an experiment in seeing that if you kept down the American casualties and lied about those that took place, whether you could invade and conquer a country by air power and the use of native troops, the Hessians of Indochina's struggle during independence, whether you could do that without the public being aware of what was going on and, therefore, without the development of an anti-war movement. And it very nearly succeeded. It succeeded, it was a more successful plan than the course they followed in South Vietnam.

"And so although it wasn't totally, or one thing I should add, in 1968, in October of 1968, when the bombing of the North ceased some of the planes came South and many of them went into Laos. There was no end to the bombing, it was simply a shifting of the territory. And that program had been originally proposed by HERMAN KAHN (phonetic) who once did scenarios on the losses from atomic war and had some optimistic scenarios where there would only be 100 million Americans killed and 200 million Russians and in six years the Gross National Product would be back to normal.

HERMAN KAHN (phonetic) in January, 1968, developed a plan for shifting the bombing from the North first to the narrow panhandle of southern North Vietnam and then into the South and proposed that this could be presented to world and American public opinion as a peace initiative. And that is what

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"has happened, that is what happened, and so Laos as I say was the heaviest bombed country in human history, inch by inch, person by person.

"Well, it didn't succeed completely, but combined with the rising opposition to the war at home and the increasing military defeat of the American troops on the ground, RICHARD NIXON adopted a program of Vietnamization which was a partial application of the Laos experiment to Vietnam. Transfer the war as much as possible to the air where the United States is relatively unchallenged and change the color of the corpses by transferring the ground combat to Asians. That's what the Vietnamization program is. Then if you have two or three hundred American deaths on the casualty lists every week, the American people will be quiet and will figure that you're winding down the war.

"And it was a smart program from the short-run point of view. To some extent it has succeeded. By the way, if you think that phrase 'Changing the color of the corpses' is an invention, that was first started by ELLSWORTH BUNKER, America's ambassador to Saigon.

"And on the other side of the family quarrel over the war, by which I don't mean to be attacking individuals but simply showing how sick and racist our society is, the other side of the family quarrel over what to do in Indochina, a dove Senator, Senator STUART SYMINGTON, says quote 'I would rather see us use other people's troops if it's necessary to carry out, implement, policies of the United States.' So that's what Vietnamization program is. Not to bring self-determination to Vietnam or democracy or any of the noble words from the American rhetoric, but to use Vietnam's victims to carry out, implement, the policies of the United States.

"And if you read even what is conceded by Saigon and the Pentagon, you'll get a figure of somewhere between ten and fifteen thousand South Vietnamese casualties in the invasion of Laos. And stop and think what a turmoil this country would be in, what kind of a meeting we would be having tonight if between ten and fifteen thousand American GI's were casualties of that brief calamitous invasion.

"And again because we don't go deep enough, it's hard to, because we're the most politically, one of the most politically underdeveloped countries in the world, we take solace and we strike out for half measures and so you get probably quite sincere and honorable people like Senators COOPER and CHURCH

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"coming up with the Cooper-Church Amendment which is considered an attempt to implement the anti-war sentiment of the country. But probably self, unconsciously, probably without a realization of what was happening, the Cooper-Church Amendment is the kind of racist amendment which says don't use American ground troops but supplies the money to go on hiring the South Vietnamese and go on with the airplanes and bombing.

"Now if you take RICHARD NIXON at his word, he's bringing home the American troops but he is maintaining the goal of "American honor" including, as if there could be any American honor in the war, including the maintenance of the kind of a regime in Vietnam which will be favorable to American interests. And I used to use a holy example but this from my experience, not my experience exactly but my neighborhood, let me put it that way, till I saw this film, but because I live in a high crime area of Brooklyn where according to the newspapers there's a mugging every 2½ minutes. When I heard about NIXON's program for gradual withdrawal, I guess I fantasized one night. It's as if I or one of my neighbors went out into that area every night and mugged, raped, or murdered 10 to 12 people. And there were complaints, the neighbors began to get uneasy and the scandal began to arise and I was scared of being exposed or losing my honorable position in the neighborhood. And so after a while I would go out and I'd only kill 8 to 10 every night and when my neighbors were still unsatisfied and complained, I would say 'Don't worry, I was killing 12 last week, this week it's 8. In two more years I'll have it down to 2 or 3 every night. I'm cutting it down.' Well, I think that's NIXON's program for winding down the war in Vietnam, except that it's more horrible than that, if you think of the four nurses who had the rockets stuck up their vaginas and the tops of their heads blown off. And this is the kind of testimony that we heard at the BERTRAND RUSSELL War Crimes Tribunal four years ago and that the country still isn't aware of.

"And what's happened to the press. That investigation was virtually ignored by the United States press, including speaking from my own area, the liberal anti-war New York Times. They gave it the most minor of coverage and after a week, on the Sunday after it had concluded, they gave a rundown story on it, so technically they were covered, but there was none of the impact and none of the horror. And again I think that tells us something about our society.

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"I started to say I don't want to frighten you but I guess I do because I think we all have to be frightened if we're going to come to grips with the reality.

"But I think SPIRO AGNEW is correct. I think a lot of the press and the national media represent the liberal Eastern elite. It's true and I think that most of them don't like AGNEW and don't like NIXON and I think they consciously snipe at them. I think that they consciously print stories, they print a speech by RICHARD NIXON and they'll put a story next to it that shows that NIXON was lying. They won't say so but they'll show the contrary events of such as in the defeat in Laos. You can run down a whole series of stories.

"But that doesn't mean that the press is doing honest, objective reporting on the war or on anything else because it still remains a kind of a family quarrel, a very bitter family quarrel at times. But it's not a quarrel which includes a dialogue with the poor people, with the victims of society or with the revolutionary or radical forces of society. And the fact is The New York Times is, if anything, more afraid of the American people than it is mad at SPIRO AGNEW.

"And there's a kind of a settle-it-all from the top down as against the development of any kind of a people's movement from the bottom up whereby the people assert their strength and their determination. Right now for example, the anti-war press that writes editorials condemning the NIXON war policy or asks questions at the briefings to try to embarrass him, has made a gentleman's agreement to try not to help build the anti-war movement because, as I say, they're more afraid of the people than they are of the war.

"And so in Laos, there was no sense of urgency. There was a great sense of relief when it was found out that the American ground forces were not being used and that the casualties would be South Vietnamese instead of Americans. And I know I made a study of The New York Times and day after day it had such stories as that in the Soviet Union they had adopted more efficient methods of business management; that story was rated more important than the invasion of Laos in the very first week of the invasion. You can run down a whole series of stories of that kind.

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"You know, HAYWOOD BROOM was once asked why the press was biased in favor of big business and he answered 'The press isn't biased in favor of big business, the press is big business.'

"And I don't know, I, just how to put it, but I guess what I'm trying to say in almost everything so far is that we have begun a national awakening in which people are asking themselves questions that they never would have asked themselves before, in which people are questioning aspects of the American society that they never would have questioned before. And yet all of the pressures, especially from the press and the Government, but also internally, in ourselves even, the pressures are the result of the problems at far too superficial a level not to face up to the nature of a society which is capable of producing year after year after year the kind of atrocities that were shown in that film. The nature of a society which can claim to be democratic and when three-fourths of the American people want an end to the war, when for several years now a majority of the people have been against the war, the war grinds on and continues.

"As a matter of fact, I said if we took RICHARD NIXON at his word that he's cutting down the atrocities but that should be no consolation. But I think it's more likely that what he's doing is trying to prolong the war while probing on ways of enlarging it and reversing the trend of public opinion. And if under the program of Vietnamization, one can widen the scope of the war and increase the weekly casualties but change the color and calm the American people and convince them that you're ending the war, he may find an opening whereby he will not have to do what he has sworn not to do and that is to allow a peace in Indochina which frustrates America's "honor" and America's "war aims."

"Now that may seem pretty cynical but I think history is cynical at this point and I'd like to give you an example from an area where I think the drama can be seen and that is the area of the prisoners of war. When RICHARD NIXON discovered that he was getting caught and was in danger of getting caught in the same crunch as LYNDON JOHNSON, but was determined to continue the war, I think he and his public relations firms searched around for some ... (end of side one, break in tape)

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"... that the Viet Cong and the North Vietnamese and the Laotians and the Cambodians will gradually get tired and the level of combat will be gradually reduced and over a period, depending whether you're an optimist or a pessimist, of years or decades the war will fade away but there is no termination of hostilities, there's no time when the prisoners are released.

"Now a second fact about the Geneva Accord and the International Law on the treatment of prisoners is that if a country attacks a prisoner of war camp, the prisoners can be reclassified as combatants. Now that makes sense. If this is a prison here and our friends or our country are trying to release us from the outside, we'll do what we can from the inside to help them, one way or another. So by normal standards, the prisoners are reclassified as combatants and if they are shot, that's not a violation of international law.

"Now let us look at the Sanh Tay (phonetic) raid. One possibility is that they didn't even attack a prisoner of war camp. I mean, you know, you can't believe anything that they say, they say what will have a good public effect. That they were using this as a cover-up for some other attack on North Vietnam that they didn't want to discover its nature or purpose.

"But I think more likely, there are two more likely possibilities. And again if I sound cynical, it's not I who am cynical, it's American foreign policy and RICHARD NIXON and MELVIN LAIRD and the rest of them who are cynical. The first possibility is that they knew there were no prisoners in that camp, they hoped there were no prisoners in that camp. This is the less cynical of the alternatives. Because you see they could go in there, having decided that the prisoners were to be sacrificed, that they were expendable, that there would be termination of hostilities under which they would be released and knowing that they were going to continue to attack the country and create new prisoners. Having decided all this, they had to make a gesture to public opinion and so they would go in there with this JOHN WAYNE daring-do commando raid to show how much they loved the prisoners whom they were sacrificing. This is the least cynical of the hypotheses.

"The more cynical, and I don't know, I won't choose, you know there are probably different people in departments or the same RICHARD NIXON on different days of whom I've different hypotheses. But the other is that they hoped there were prisoners

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"there and that some North Vietnamese guard or commander would execute some of the prisoners. Can you imagine then how they could come to the American people about this massacre and about the necessity of all Americans sticking together and about the low attitude toward human life of Orientals? Can you imagine how that kind of appeal could have been made? Well, I'm not saying that that was it. I don't know and I don't know if even they know, so mixed up I think they can get.

"But I can tell you that at the time of the Bay of Pigs Invasion of Cuba, which was a very limited type thing, that one of the, it was revealed later that one of the alternative plans was for some planes hired by the CIA to bomb Miami camouflaged as Cuban planes in order to create the indignation and the uproar that would have allowed, you know, would have tolerated a heavier invasion. Well, I don't want to get off into this too much but I think that one has to realize, one has to realize one cannot allow RICHARD NIXON to continue the war for two years without running the danger that, I think, by this kind of diabolical plot or by something else and some think that he might be sincerely self-righteous about, in terms of his standards and his sense of patriotism, something would be done to create for that great sports buff a quite 'completely new ballgame.' Something with which he could go to the American people and say now it's the Red Chinese, now it's the 'yellow peril!' Well, we know we've had division and dissent and we've wanted to end the war but now that they're in, Americans must rally to their country, the crisis is too great. That's the kind of risk I think that we're running if we do not stop the war, if we do not develop the kind of people's movement from the bottom up which can assert its strength and its indignation. We don't develop the kind of a population that will not be taken in by that kind of propaganda.

"Well, you know President EISENHOWER in 1956, I think it was, said words something like this, 'that the time might come when the governments of the world might have to get out of the way and let the people of the world make peace.' And you can speculate, you know, whether he could say that just because of his good, honest upbringing as a Midwestern farmboy where he still had that kind of aspiration as Americans who get involved in the worst war crimes do carry that kind of tone to them also, side by side. Whether that was it or whether he could see it because he was confident that it wouldn't happen during his tenure as President or during his lifetime.

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"But anyway what the people's peace treaty now is saying is that that time has come. And it's not good enough for three-fourths of the people to be against the war, that unless they do something about it, unless they do, I'd like to state it more positively than ISENHOUR, unless they push the Government aside and make peace, that there will be no peace and there will be no liberation.

"Because we have that strange dilemma whereas I see a majority of the population is against the war, even the war criminals are now endorsing the anti-war activities but I think if ADOLF HITLER were alive and lived in the United States and wanted to run for the Presidency in the next election, he would join the anti-war movement now. And I say, I welcome them all but we shouldn't get our initiative or our leadership or our standards from them or be fooled into thinking that the society is any more democratic or human than unfortunately it is.

"But as I said before, people are tired, they sort of look for instant solutions and other people, it's one of the most politically underdeveloped countries in the world.

"You know at the beginning there was a lot of democracy despite the exclusion of the blacks and the Indians. That's a pretty big despite but within certain areas, you know, town meetings and people were closer to the people they voted for even. but now in a technically-advanced society that's been through the industrial and technological and electronic revolution and the financial revolution that this society is, we've developed representative government where the people are not used to being democratic, not used to asserting their democratic powers. Representative government has really replaced democracy in this country. And so the people still continue to hope that through elections and lobbying that somehow peace will come from the top down or rectification of the kind of attitudes that I refer to in terms of the war crimes.

"But I think that patiently, little by little, we have to go through really the dark night of the soul and you know, I feel like I've been kind of harsh tonight in a way and yet I think one has to be harsh. Harsh with one's, harsh with one's society if one's going to get out of that kind of a goorash (phonetic).

"We have to begin to develop a democratic movement in this country, a people's movement, whereby the people do not look to any saviours, not even saviours in their own movement,

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"whereby we get rid of all the eliteism which is so endemic in our society. There's a whole area here that I won't develop but it seems to me that the great American experiment, and in many ways it was a great American experiment and people were sincere about the aspirations and the idealism of it, but that the great American experiment foundered and has failed because it was an attempt to create political democracy without economic democracy. If you do not have economic democracy, you cannot have political democracy and that's why our elections are frauds because of the power of money. As I say, I won't develop that but I think that that's one of the problems.

"Well now in this situation, I don't mean suddenly to become full of optimism and hope, because I think the problems are that deep and I think we're all stumbling and faltering and just beginning to comprehend what's involved. And sometimes the people who are most shocked and struck by the depth of the problem go off in frustration and bitterness as into a course that I at least think of as counter-productive - they start talking about picking up the gun or trashing windows or armed civil war, using methods which I think are counter-productive and do not build the kind of national, well, national, countrywide consciousness and do not establish, promote, and develop alternative methods of human relationships and alternative economic and political systems. But there are some signs of hope. And if I could just briefly now refer to a few of them in terms of the spring offensive which is already underway.

"The first one is that people are increasingly realizing that the war against the Indochinese people is a war against the American people as well. That you cannot separate the struggle against oppression and repression at home from the struggle against oppression and repression and genocide abroad. And it's the same system of human values, the same attitudes that put profit and property and prestige and power and rising to the top ahead of human dignity and human equality and human love. It's that same system, that same attitude toward human beings which allows the B-52's to bomb Laos and Cambodia and Thailand and North and South Vietnam and also allows a welfare system whereby the states that pay the highest rates, where the people on welfare normally received at the most about one quarter of what the Labor Department says is required for minimum decency standard of living. In New York State the same day on the front page of the paper they were quote 'Saving Money By Cutting Welfare Costs Ten Percent Across The Board' and next to it was a story

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"about the planes shot down in Laos and next to it was a story about unemployment had hit a new high. The fact is that if you took the costs of the planes shot down in that invasion of Laos, I think you'd find that that cost more than all the welfare payments in the country during that period if not during an entire year.

"And if I could give kind of an example, well, in New York again, I'll speak from my own experience, families are being cooped up, families of eight and ten, cooped up in one room under unhealthy conditions with rats and peeling paint and lead poisoning and the life expectancy of a black person is seven years less than that of a white person living in the suburbs. And that's violence, that's murder just as clearly as if you took and shot him with a gun seven years before their time to die, if you can speak that way.

"But in the middle of that kind of situation, there appeared to be a brewing national scandal about ex-Governor CONNALLY who was, had been nominated to be Secretary of the Treasury. It developed that he had received \$250,000 in payments from an oil combine while he was Governor. Later investigation showed that he received half a million in all from it, but only half of that, one quarter of a million, while he was Governor. And there was a kind of a sense of scandal and this was going to be something like some of the nominations to the Supreme Court and then they found out that these were deferred legal fees for services he had rendered the oil combine and then the whole thing subsided and what was it, one negative vote or was it unanimously confirmed? Anyway, overwhelmingly confirmed.

"And nobody thought that it was a scandal that you'd have a society where a lawyer who fixed up some papers for some oil combines so they wouldn't have to pay so many taxes into the Government, that he would get paid half a million dollars for the services while children were being bitten by rats and getting lead poisoning and while schools and hospitals were decaying.

"So if they want to cut the costs of welfare by the way they could take Senator EASTLAND off welfare. He received \$146,000 in 1968 for not growing cotton and The Boswell Company in California which is connected with The Safeway Food Corporation received \$4,370,000 in the same year for taking land that could have been used to grow food for hungry children and for letting it lie idle. That's what I mean when I talk about an attitude

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"toward human life which is not conscious. Nobody says oh, let the little Mexican-Americans, the Chicanos, starve but they do starve, they are undernourished; people are working for \$40 a week as migrant laborers while The Boswell Company is getting \$4,370,000 in welfare payments and the people are cutting welfare ten percent across the board in New York and like that elsewhere.

"Take KEY (phonetic) off welfare if you want to save on welfare costs.

"Now I remember a few years ago when some of us were talking with MARTIN LUTHER KING about joining in the spring offensive of the anti-war movement for that year. We were talking to him in the summer and fall of 1966. And KING was very uneasy and restless because he had not taken a strong stand against the war. He hadn't supported it but for various reasons, he had not taken a strong stand against it. And when he first tentatively indicated that he was going to join the spring mobilization, he was suddenly deluged with advisors, well-meaning civil rights people, clergymen, politicians, educators, editorial writers, who said that he would confuse the people and lose support if he added the issue of the war in Vietnam to the issue of civil rights. And you can see again in the kind of society that we've grown up in and been conditioned by and the lack of imagination and understanding that results for it how that was pretty logical, actually. It was pretty logical. But if KING had gone to his grave without coming out against the war, it would have been even more tragic than his assassination was anyway. And I think that's where the movement against the war is today. It can no longer separate the war against the Indochinese people from the war against the American people. It must move unitedly on those.

"And I, there's a statement from the Bible which always was one of my favorites which is 'How can you love God whom you have not seen if you do not love your brother whom you have seen?' And I think in terms of the anti-war movement or in terms of Americans who are beginning to ask questions about their society, beginning to be disillusioned about what's going on and have had their eyes opened first in many cases in terms of Vietnam. One can ask how can we love the Vietnamese peasant whom you have not seen if you do not love the welfare mother or the working poor in your own country whom you have seen.

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"Now the second thing that I want to say about the anti-war movement is that for the first time in keeping with the growing depth, I mean the movement in a deeper direction, understanding I think the inter-relatedness of things, the people are talking about an organizing and planning something which is called, a little rhetorically perhaps, a protracted struggle. That is they know that you can't take a bus into Washington, and march, and listen to some speeches, and take a bus back and wait for the Government to fold. They know that you've got to bring more pressure than that, you've got to take stronger action. They know that it's got to continue.

"And so I, I'm not of the school which condemns marches and rallies. I think they're very important for people in an underdeveloped country of this kind. Very important as a first timid step of public participation, public identification with what used to be an unpopular cause, now, of course, which is a majority. But still Americans are used to doing nothing except voting for their representative or lobbying as I said. And I think it's very important and I think you also get a sense of strength and solidarity, a sense of what the strengths of the people, strengths of the movement could be if we got it all together and used it properly or used it well.

"But this time the march and rally on April 24th is going to come in the context of events that precede it and follow it and I think that makes all the difference. Marches and rallies are good I think, if they are seen as a beginning rather than as an end. And if they are seen as part of a process, part of a tactic, one of many tactics, not the only one. This year the Vietnam veterans who put on that film are going to have a week's activities in Washington beginning on April 19th, probably culminating in their carrying or many of them carrying their medals and body bags which normally carry corpses, carry medals to Congress and deposit them in Congress. And so when the rally takes place on April 24th, it will be after that and in that context.

"And the rally is leading into other actions. The SCLC Muletrain - the mules that carried MARTIN LUTHER KING's body to his grave is in New York now preparing to head for Washington. It will get to Baltimore the night of the 23rd. The mules will rest, the people will instead of walking take transportation to Washington and then they'll come back hopefully with swollen numbers from those who have been at the march and rally on the 24th to walk from Baltimore into Washington, coming there on the

~~CONFIDENTIAL~~

"23rd for a new upsurge, a new message to the country that this time we're not marching or rallying for a day and then getting bogged down in a debate over the body count, how many people were there who marched and rallied, and what does it mean and is NIXON going to respond or what, but it's a continuing struggle. And when the Muletrain comes in, there will be protests, there'll be militant non-violence, civil disobedience, at selected targets, the Pentagon, the Justice Department, Health, Education and Welfare. People will be non-violently but militantly saying that they can no longer simply petition and wait but that they have to begin to exert force.

"You see in the confusion again, in our background, we use the phrase force and violence. That's what the Government says, that's what editorial writers say, and so people, if you take that literally, force and violence they are compelled either to be relatively passive and ineffective or to move into violence which as I pointed out is generally unproductive in this country. But there is a distinction that can be made and is being made. It's possible to use force, it's necessary to use force if you're going to have an impact. But there's a difference between force and violence, they can and must be separated.

"And if I could give one example, from a year ago, the invasion of Cambodia and I don't know if it's true or not but I heard it first at the winter soldier investigation when I talked to some GI's who had been in Cambodia. You know the President made a promise to have the American troops out by the 30th of June and the week before, a rumor ran through the GI's who didn't like the invasion, who were doing everything they could to minimize their activity. The rumor went through that NIXON was not going to live up to his promise and there was an order that they should be, that they would have to stay there. And according to my GI informants, what happened was the GI's began to leave on their own. They began to head for the border. They turned the jeeps around, they hitchhiked rides, they walked.

"Now that's a kind of force without violence, I would say. There are other forms of force without violence but if you deprive, in this case the Government, of your manpower by draft resistance, of your money by tax resistance, and if you deprive it of your cooperation in the sense that you will not go through business as usual like good Germans in the middle of genocide or good Americans in the middle of genocide, you bring a kind of force

~~CONFIDENTIAL~~

"to the situation which does not have to, in fact better not, become violent. You see there's something midway between voting for electoral candidates and trashing windows. The trashing of windows which can apparently be emotionally satisfying to people who feel weak and betrayed but doesn't do very much to change the policy of the country or to effect a change in power relationships. And that is what is envisioned after April 24th in Washington. Militant non-violent civil disobedience, militant-focused non-violent disruption of institutions which are carrying on, promoting, conducting the two wars, the war against the American people and the Indochinese people.

"And I quoted ISENHOUR before about the time may come when the governments of the world have to get out of the way and let the people make peace and again this can be a little too rhetorical. But the slogan really, or the message, that must go out from Washington in terms of force without violence is that if the Government does not stop the war, then the people will stop the Government.

"Right on." (end of tape)

~~CONFIDENTIAL~~

On April 12, 1971, CE T-2 advised the above speech by DELLINGER at UNC was given before an audience of about 300 persons, most of whom appeared to be supporters of DELLINGER. There were no arrests or incidents of any kind.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Charlotte, North Carolina
May 7, 1971

In Reply, Please Refer to
File No.

Title DAVID TYRE DELLINGER

Character

Reference memorandum prepared at
 Charlotte, North Carolina,
 dated and captioned as
 above

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

Date

TO: CHIEF CLERK

Subject

Aliases

Address

Birth Date

Birthplace

Race

Sex

☐ Male

☐ Female

☐ Exact Spelling

☐ All References

☐ Main Subversive Case Files Only

☐ Subversive References Only

☐ Main Criminal Case Files Only

☐ Criminal References Only

☐ Main Subversive (If no Main, list all Subversive References)

☐ Main Criminal (If no Main, list all Criminal References)

☐ Restrict to Locality of

File & Serial Number	Remarks	File & Serial Number	Remarks
David Kellinger			
40-176*			
62-10000*			
62-0-10266			
num ref			

Requested by

Squad

Extension

File No.

Searched by

(date)

Consolidated by

(date)

Reviewed by

(date)

File Review Symbols

I - Identical

? - Not identifiable

NI - Not identical

U - Unavailable reference

GPO 875-388

It was learned that on April 5, 1971, [redacted]

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New Orleans, Louisiana, visited the headquarters of the National Peace Action Coalition (NPAC), 1029 Vermont Avenue, Washington, D.C. (8th floor). During the day between 25 and 50 individuals were observed to enter the office and conduct business there. It was noted that at all times at least 20 individuals were actively working in the office in preparation for the April 24, 1971 national demonstration to be held in Washington, D.C., co-sponsored by the NPAC and the People's Coalition for Peace and Justice.

Individuals identified working in the office included the following:

[redacted] member of the Young Socialist Alliance from Houston, Texas. [redacted] is believed to be a national coordinator of NPAC.

[redacted] the Socialist Workers Party.

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[redacted] and coordinator of the NPAC.

It was learned that [redacted] volunteered his services to NPAC leaders. He was assigned to call 20 individuals who reside in the Washington, D. C. area and ask them whether or not they could provide housing for individuals coming to Washington for the April 24 demonstration.

He then contacted the headquarters of approximately 20 organizations in the Washington, D. C. area.

On the afternoon of April 5, 1971, it was learned that [] departed the NPAC office and moved to the headquarters of the Peoples Coalition for Peace and Justice on the 9th floor of the building located at 1029 Vermont Avenue, Washington, D. C. Approximately 30 individuals were observed at the headquarters of the PCPJ.

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The following individuals were identified in the PCPJ office:

[], believed to be from Virginia.
[] believed to be [] for the Viet Nam Veterans Against the War (VVAW).

[] believed to be a staff member or coordinator of the VVAW and believed to be from Ohio. He attended Kent State University.

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[] worker in the PCPJ office. His residence is unknown. He wore a Marine Corps Lance Corporal's jacket.

[] in the United States Army and a member of the Green Berets. He served in Panama and Viet Nam.

Note: The PCPJ and the VVAW share the same office space at 1029 Vermont Avenue, Washington, D. C.

[redacted] resides at [redacted]
[redacted] activist in the PCPJ. She is a friend of [redacted]
[redacted] who resides in New Orleans, Louisiana, and who was
a former member of the National Steering Committee for the
Revolutionary Youth Movement II.

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[redacted] National Coordinator of the PCPJ.
[redacted] National Coordinator for the PCPJ.
He is believed to be a resident of Washington D. C.,

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[redacted] of the VVAW.
[redacted] formerly a coordinator of the PCPJ.
She is presently a leader of the May Day Tribe, a militant
faction of the PCPJ. Officially, this organization calls for
non-violent civil disobedience relative to the May 1971 PCPJ
actions planned in Washington, D. C. Unofficially, however,
they have indicated that they desire to create an atmosphere
where individuals will commit violent acts such as throwing
rocks and bottles at windows and police.

[redacted] a staff member of the PCPJ.
[redacted] (LNU), a white female, age approximately [redacted]
height approximately 5'2", build slender, hair brown,
complexion fair, weight approximately 110 pounds, staff
member of the PCPJ.

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[redacted] (LNU), white female, age approximately [redacted]
height approximately 5'5", build heavy, hair blond,
complexion fair, miscellaneous wears glasses, lives at

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[redacted] believed to be
a coordinator or staff member of the PCPJ.

[redacted] (LNU), white female, age [redacted] height
5'1", build slender, hair blond, complexion fair, believed
to be a coordinator of PCPJ. [redacted] appear
to be close associates.

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[redacted] (LNU), white female, age approximately [redacted]
height approximately 5'6", build medium-heavy, hair light
brown, complexion fair. She has been staying at [redacted]

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[redacted] She has been working
in the PCPJ office, but is not known to hold an official
position in the organization.

[redacted] (LNU), white female, age approximately [redacted]
height [redacted] build medium, hair brown and long, eyes blue,
complexion fair, she is from Indianapolis, Indiana, and
was temporarily in Washington to live with [redacted]
She departed Washington, D. C. for Indianapolis on April
12, 1971 and indicated that she was not "with it" politically
relative to PCPJ or the other anti-war groups in Washington.
She holds a degree in Mathematics and Education. Both she
and [redacted] it was learned, [redacted]

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On 4/5/71 [] was overheard to comment that the NPAC, as an organization, was interested only in the war in the Southeast Asia. She pointed out that PCPJ was much broader in scope and was interested in the many issues which were responsible for the war. Specifically, PCPJ was interested in Racism, Imperialism, Male Chauvanism, Capitalism, and was a much more radically oriented organization.

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[] was overheard to indicate to several individuals in the PCPJ office that he had flown to Washington D. C. in a private aircraft and that he was working on a commercial pilot's license. [] was overheard to offer the use of his services relative to the plane to individuals in PCPJ who had to travel. He indicated to them that he would split the cost for the plane.

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Numerous individuals indicated that they were interested in possibly utilizing the airplane for travel. On the afternoon of 4/5/71 it was learned that [] was asked to contact the ^{national} coordinators of the PCPJ to invite them to a coordinators' meeting to be held on Wednesday, 4/14/71 in Washington, D. C. The meeting was to be held at 10 A.M. 515 East Capitol Street, Washington, D. C. There were approximately 50 individuals on the list and they included such people as Father GROPP, []

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DAVID DELLINGER and



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Report of May 4 Memorial Service Committee--Sub-committee of May 1-4
Recognition Committee

Subject: May 4 Memorial Service--Proposed format and speakers and related recommendations and remarks.

Time and Place: The Commons, 11:00 A.M.--@12:30 P.M.

Purpose: To commemorate the victims, contemplate the significance, and dedicate ourselves to peaceful change.

Responsibility to: the victims: dead, wounded, and legal; the whole university; the peace movement; the Recognition Committee; the Administration.

Theme: "A Call to Reconciliation and Peaceful Change."

Program:

Ring of the Victory Bell

Music: Group singing led by (Pete Seeger)

Remembrance of the victims--Speakers:

Student representing the four slain. Dedication of the four oak trees.

Student representing the nine wounded.

A faculty witness: (Prof. Glenn Frank)

Reading of the poem, "Flowers are Better than Bullets", which Yevgeny Yevtushenko dedicated to the memory of Allison Krause.

Music and words from (Miss Judy Collins)

Significance of the event--Speakers:

Representatives from Jackson State

Student representing the "Kent 25".

(Hon. Eugene McCarthy)

Rabbi Dan Silver, the Temple, Cleveland.

Music

Dedication to peaceful change--Speakers:

Director of the Center for Peaceful Change introduced by a member of the Administration.

President Kingman Brewster of Yale

(Rev. Dr. Jesse Jackson, Director of "Operation Breadbasket," Chicago.)

Ring of the Victory Bell--four measured rings, followed by quiet dispersal.

Rationale for speakers invited by the May 4 Memorial Service:

The Rev. Dr. Jesse Jackson was invited because his influence bridges the two cultures: the militants and the non-violent element, the academic and the non-academic, the sacred and the secular, and, of course, the races. Moreover, he is an intelligent and charismatic speaker. He is also a Black.

The Hon. Eugene McCarthy was selected because in his commitments, activities, and life-style, he has identified with the peace movement. He has challenged the system from within the system and experienced partial success. He is a symbol of political courage, a man of profound faith, a poet, a wit, and a scholar. His influence, too, bridges several worlds. He is also a Roman Catholic.

Miss Judy Collins is young, attractive, talented, and committed to the peace movement. She recently returned from Paris where, with a coalition of leaders, she conferred with the negotiating parties. She has donated to the Kent Legal Defense Fund. Her music and personality are marvelous combinations of gentleness and militancy, love and will, peace and stubborn resolve. She is also a woman.

Mr. Pete Seeger, among our invitees, has been committed to and identified with the peace movement and the masses longer. He has served time in jail, on grounds of conscience, and has continually had his career threatened by hostile power groups. He was black-balled by militant Anti-Communists in the entertainment industry for many years. Moreover, he is an important figure in folk music, expert at involving the audience in singing, and his popularity bridges two generations.

Rabbi Dan Silver was invited to represent the religious community. Three of the four slain students were Jewish. Rabbi Silver is popular with students, has been involved in the peace movement, and is a good speaker.

The invitation to representatives from Jackson State is self-explanatory. Mrs. Aurelia Young is Professor of Music at Jackson and quite perceptive and articulate. She has been deeply involved in the non-violent movement and was a member of the participating audience on the NET presentation. She is quoted extensively in the N.Y. Times and elsewhere as a knowledgeable member of the Jackson State community.

Related recommendations and/or remarks:

1. On the understood authority granted our sub-committee by the May 4 Recognition Committee, invitations have been extended to the following persons: Rev. Dr. Jesse Jackson, Hon. Eugene McCarthy, Rabbi Dan Silver, Miss Judy Collins, Mr. Pete Seeger, and representatives from Jackson State. As also understood, expenses were offered to each of these.

As of this date, April 8, 1971, the following have accepted invitations: Rabbi Dan Silver. We have been assured that Mrs. Aurelia Young of the Jackson State faculty, and a student would accept an invitation if expenses were assured. Please advise us very soon in regard to the matter of expenses.

The others have not yet responded, affirmatively or negatively. When they do, we will notify you. In the event that Mr. Seeger should decline the invitation, we recommend as his replacement in the program, Mr. Phil Ochs or Mr. Gordon Lightfoot. Should Miss Collins decline, we recommend an invitation be extended to Miss Joan Baez and her husband, Mr. David Harris, or Miss Aretha Franklin, or Miss Joni Mitchell. Should either Mr. McCarthy or Rev. Jackson be unable to participate, we recommend that Mr. David Dellinger be invited. These alternate invitees would be justified on grounds similar to those whom they would replace, viz., they are "bridge" persons, i.e., acceptable to more than one group of our fragmented society.

President Kingman Brewster and Mr. Rod McKuen were invited by the Recognition Committee. Since Mr. McKuen seems not to be a popular choice, we are reluctant to recommend his participation in this Service. If he is to participate, we recommend that he read Yevtushenko's poem.

2. Other speakers in the recommended program, e.g., Prof. Glenn Frank, have not been approached. If you desire us to select the student speakers and invite them to participate, we will be pleased to do so.
3. We strongly recommend that this Memorial Service on the Commons be kept open to all who wish to attend, and that the Faculty-Student Peace Marshals be utilized. We believe that a show of force, security checks, and other restrictions would seriously impair the spirit of this occasion.
4. We recommend that, during the 11:00-A.M.-3:00 P.M. period, the American and Ohio flags on campus be lowered to half-mast.
5. We recommend that, between 10:45 and 11:00 A.M., as the crowd gathers, appropriate music be played on the university chimes.
6. We recommend that the nine wounded students be extended a special invitation from the Administration to the Service. Our proposed program calls for one of them to speak briefly.
7. We recommend that the families of the four slain students be extended an official invitation by the Administration. While it is unlikely that they would accept, we believe an invitation would be a matter of courtesy and respect.

8. We have sought to cooperate with the religious community. The bulk of our committee consists of representatives from the KSU Inter-Religious Council. Rev. Wm. Jacobs and Rev. Stan Sneeringer, representing the campus ministers, have also served on our committee. We have communicated with Mr. Dick Hoskin, President of the Kent Area Council of Christian Churches, encouraging their attendance and cooperation. Rabbi Dan Silver would represent the religious community on the proposed program. (Three of the four slain students were Jewish.)
9. We recommend that the Order of Service with speaker's names and titles be printed and distributed on the Commons, thus obviating the need for time-consuming introductions and eliminating the role of an M.C. The many memorials should be listed on the program, and attention called to them by the student speaker representing the four slain. The program can be regulated, if needed, by someone on the platform. Obviously, a platform with sound equipment and awning (in case of rain) will be required. We recommend this be situated near the Victory Bell.
10. We recommend that Kent State University grant posthumous degrees to the four slain students. They were enrolled here and pursuing a degree until they were shot down on their own campus. It should be noted that several universities, including Boston University, granted posthumous degrees to the four last June. The correct procedures should be followed, of course, but it would be appropriate if this could be announced at the May 4 Memorial Service.
11. We recommend that the abstract metal sculpture standing in front of Taylor Hall be dedicated to the May 4 victims. This sculpture is on the scene, has an M-1 bullet-hole in it, is already standing and would cost the University only the price of a plaque, and is already considered by many students as symbolic of that fateful day. Moreover, Mr. Don Drumm, the distinguished sculptor and KSU alumnus, has already assured us of his willingness to dedicate the sculpture to the victims. It has never been named or dedicated. The Memorial Service would be the appropriate occasion for this dedication.
12. Although the May 1-4 Recognition Committee, chaired by Mr. Dennis Carey, has been dissolved, we are curious as to our status as a sub-committee of that committee. Regardless, we wish to remain in existence in order to implement this program. We are willing to entertain suggestions from you.

Respectfully submitted, April 8, 1971
by the May 4 Memorial Service Committee:

Steve Edelstein	} Undergraduates, Representatives of KSU Inter- Religion Council
Edroe Dunlavy	
Paul Hageman	
Sid Markovitz	
Karl Watkins	

Fred Hodkins, Graduate Student	} Campus Ministers Chairman
Rev. William Jacobs	
Rev. Stan Sneeringer	
Prof. Robert A. Dyal,	

NR033 UA PLAIN

610 PM URGENT 5-28-71 EDR

TO ALL SACS

FROM DIRECTOR 1P

DAVID TYRE DELLINGER, AKA, ET AL, ARL - CONSPIRACY (TRAVEL OF DEFENDANTS), OO: CHICAGO.

REBUAIRTEL TO ALL SACS DATED AUGUST TWENTYSIX NINETEEN SEVENTY.

[REDACTED] DEFENDANT IN CAPTIONED MATTER

BEING GRANTED BOND BY U.S. COURT OF APPEALS TODAY. U.S. ATTORNEY AT CHICAGO AND DEPARTMENT HAVE REQUESTED REINSTITUTION OF COVERAGE OF PUBLIC STATEMENTS BY [REDACTED] AS PREVIOUSLY FURNISHED REGARDING HIM PRIOR TO HIS CONFINEMENT AND AS PRESENTLY BEING AFFORDED PUBLIC STATEMENTS OTHER SEVEN DEFENDANTS IN THE CAPTIONED MATTER.

COMPLY WITH THE DEPARTMENT'S REQUEST.

END

FBI WFO NYM

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CLP

Copy S-5 handled

6/3/71

176-76-880

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SERIALIZED <i>chr</i>	FILED <i>chr</i>	SERIALIZED <i>chr</i>	FILED <i>chr</i>
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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Washington, D.C. 20535

June 28, 1971

In Reply, Please Refer to
File No.

~~SECRET~~

DAVID TYRE DELLINGER

On April 30, 1971, WF T-1 advised that David Tyre Dellinger was then undergoing emergency treatment for his eyes in a hospital in Washington, D.C.

On May 1, 1971, WF T-1 advised that Dellinger was 100 per cent worse than he had been the preceding week, and that he was registered in Room 4501 at Georgetown University Hospital, Washington, D.C.

On May 4, 1971, WF T-2 advised that Dellinger had been in an unidentified hospital since April 24, 1971. Source advised that Dellinger has a chronic eye problem which was very serious and painful, necessitating the injection of morphine into his eye.

On May 8, 1971, WF T-1 advised that Dellinger had received friends in the hospital the preceding evening. On the same date, source further advised that Sidney Peck stated he was returning to Boston, Massachusetts, and if any questions arose to telephone Dellinger in the hospital.

On June 4, 1971, WF T-3 advised that Dellinger had been in Washington, D.C. on May 25 and June 2, 1971, and that he had met with Rennie Davis on May 25, 1971. Source could not furnish any further information regarding

8- Bureau
3- Chicago
2- New York
3- WFO

(1-176-76) (DELLINGER)

~~SECRET~~
~~GROUP 1~~

Excluded from automatic
downgrading and declassification

RAW:WV
(16)

176-76-88

Searched _____
Serialized RD
Indexed _____
Filed RD

DAVID TYRE DELLINGER

~~SECRET~~

Dellinger's presence in Washington, D.C. on those dates.

Numerous sources knowledgeable in New Left activities in the Washington, D.C. area were unable to furnish additional information regarding any travel by Dellinger to Washington, D.C. subsequent to June 2, 1971.

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

~~SECRET~~



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Washington, D.C. 20535

In Reply, Please Refer to
File No.

June 28, 1971

Title : DAVID TYRE DELLINGER

Character:

Reference: Memorandum prepared at Washington,
D.C., dated and captioned as above.

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

1*

DIRECTOR, FBI

6/28/71

SAC, WFO

DAVID TYRE DELLINGER, aka
ET AL (TRAVEL OF DEFENDANTS)
ARL - CONSPIRACY
(OO:CG)
(Bufile 176-1410)
(CGfile 176-5 Sub C)
(WFOfile 176-84) (P)

DAVID TYRE DELLINGER
SM - PCPJ
(OO:NY)
(Bufile 100-38441)
(NYfile 100-121672)
(WFOfile 40-176)

Reference Chicago teletype to Bureau dated
4/19/71, and WFO airtels to Bureau dated 4/27/71 and
4/30/71; all captioned as first caption above.

Enclosed for the Bureau are eight copies, for
Chicago three copies, for New York two copies of an LHM and
FD 323 captioned "DAVID TYRE DELLINGER" and dated as
above. LHM classified "~~Secret~~" to protect identity of
highly sensitive sources, disclosure of which would be
detrimental to national security.

No inquiry was made at Georgetown University
Hospital as in past experience of WFO such inquiry would
be unproductive and would possibly result in embarrassment
to the Bureau.

8- Bureau (Enc. 8)
2- Chicago (Enc. 3) (RM)
2- New York (Enc. 2) (RM)
3- WFO
①-176-76) (DELLINGER)

EAW:ww
(15)

[Handwritten signature/initials]

176-76 - 89

Searched	_____
Serialized	_____ <i>PS</i>
Indexed	_____
Filed	_____ <i>PS</i>

WFO 176-84

SOURCES

LOCATION

WF T-1

100-51888 Sub 1 30, p.620

100-51888 Sub 1 31, p.626

100-51888 Sub 1 38, p.823

WF T-2

100-48801-64, p.2

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WF T-3

Instant file

WF T-1 and T-2 developed information from conversation of various individuals; in no case was captioned individual a party to these conversations.

Additional sources contacted by WFO are as follows:

SOURCE

DATE

AGENT

6/16/71

6/18/71

6/22/71

6/22/71

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AUNR 514 CG PLAIN

6:21PM G M N 12 571

TO DIRECTOR (176-1415) NITEL

BOSTON (176-63) NITEL

NEW YORK (176-133) NITEL

WFO (176-54) URGENT

FROM CHICAGO (176-5 SUB C)

DAVID TYRE DELLINGER, AKA, ET AL (TRAVEL OF DEFENDANTS)

ARL-CONSPIRACY; COC. OO: CHICAGO.

RE CHICAGO TEL INSTANT, THIS CAPTION, IN PART SETTING
OUT TRAVEL INFO RE [REDACTED]

[REDACTED] CHICAGO, ADVISED INSTANT

THAT LATE AFTERNOON TODAY HE RECEIVED TELEPHONE CALL FROM
WASHINGTON, D.C., CALLER IDENTIFIED SELF AS "MRS. RICHARDS (PH)",
AND ADVISING THAT [REDACTED] AND DAVID DELLINGER ARE CURRENTLY IN
WDC. BOTH WILL REMAIN UNTIL OCTOBER TWENTY SEVEN NEXT, ON WHICH
DATE THEY WILL RETURN TO RESPECTIVE HOMES. IN WDC BOTH CAN BE
CONTACTED THROUGH TELEPHONE NUMBER SEVEN THREE SEVEN DASH EIGHTY
SIX HUNDRED.

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ABOVE FOR INFO. NOTE RETEL ADVISED [REDACTED] RETURNING
TO BOSTON PM INSTANT. WFO HANDLE ANY PUBLIC APPEARANCES AS IN
BUAIRTEL ALL OFFICES AUGUST TWENTY SIX SEVENTY, THIS CAPTION.
CHICAGO FOLLOWING.

END

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SEARCHED ☒ INDEXED ☒
SERIAL ☒ FILED ☒

OCT 26 3 33 PM '71

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cc
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[REDACTED]

176-76-92

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cm

Washington, D. C. 20535
November 15, 1971

~~CONFIDENTIAL~~

DAVID TYRE DELLINGER

On October 22, 1971, WF T-1, T-2 and T-3 advised that the first session of a "Peoples Panel" was convened at First Congregational Church, 10th and G Streets, N.W., Washington, D.C. (WDC) at 3:30 p.m. that date. The "Peoples Panel" was publicly described as a grand jury type investigation convened by Peoples Coalition for Peace and Justice (PCPJ) October 22-24, 1971, to investigate alleged crimes of the Nixon administration, including the war in Southeast Asia, racism and sexism.

PCPJ in a press release dated March 1, 1971, described itself as being headquartered in WDC and consisting of over 100 organizations to combat the issues of war, racism, poverty and repression.

Sources advised the subject of the first session was "The Struggle to be Free" and that the second of four witnesses to testify was Dellinger, whose topic was "America Today." Dellinger stated that the state of America today is very shallow; that the Government uses Madison Avenue techniques in that the Government sells the product, but the public still does not know what the product is. Dellinger said that oppression of the poor, blacks, Indians, etc., justifies the holding of this panel. When asked how the capitalistic system could be changed, Dellinger replied that he prefers a technique like a general strike, but does not believe labor unions would cooperate.

On October 23, 1971, WF T-1 advised that Dellinger was not in attendance at the morning session that date of the "Peoples Panel" due to recurrent eye problems. According to representatives

- 8- Bureau (176-1410)
- 3- Chicago (176-5 Sub B)
- 2- New York (100-121672)
- 3- WFO (176-84)
- (1-176-76) (DELLINGER)

~~CONFIDENTIAL~~

~~GROUP 1~~

~~Excluded from automatic
downgrading and declassification~~

176-76-94
SPC

DAVID TYRE DELLINGER

~~CONFIDENTIAL~~

of the Federal Bureau of Investigation (FBI) who were present at the afternoon session that date, Dellinger was in attendance, but did not speak.

At the concluding session of the "Peoples Panel" in the evening of October 24, 1971, according to representatives of the FBI who were present, a true bill of indictment was returned by the Panel against the Government based on the testimony of the preceding three days. Dellinger compared the "Peoples Panel" to the Bertrand Russell War Tribunal and added that anyone who had seen the Vietnam War could not be unbiased.

Original plans by PCPJ had called for a demonstration on the Washington Monument grounds followed by a march to the White House on October 25, 1971. Because of rain, all activities were transferred that date to the All Souls Unitarian Church, 16th and Harvard Streets, N.W., WDC. According to FBI representatives who were present, a meeting was convened there at 9:30 p.m. that date, with approximately 300 persons in attendance. Dellinger, the second speaker, decried the objectivity of the so-called "overground" press. He said that in the future because the press cannot be relied upon, some alternate media will have to be utilized to rally more people to the cause of peace. Dellinger suggested that the peace movement henceforth should not depend only upon nationwide demonstrations, but should consider a series of national strikes which will cause a non-violent revolution in America and the ultimate diffusion of government power. He noted that seventy-three percent of the American people are against this country's involvement in the Vietnam War.

On October 26, 1971, representatives of the FBI were present at the gathering at Sylvan Theatre on the Washington Monument grounds, originally scheduled for October 25, 1971. The program commenced shortly after 2:00 p.m. with 800-1,000 persons in attendance. Dellinger, the second speaker, made a few welcoming remarks and then introduced comedian Dick Gregory.

DAVID TYRE DELLINGER

~~CONFIDENTIAL~~

After a telephone call to the gathering from a representative of the Provisional Revolutionary Government (PRG) of South Vietnam to the Paris Peace Talks in Paris, France, the march to the White House began. At 5:05 p.m., the leaders reached 15th Street at Pennsylvania Avenue, N.W., WDC, where representatives of the FBI observed Dellinger and [redacted] convicted Chicago Seven conspiracy trial defendant, lead the group in sitting down on the west side of the intersection. According to police records, Dellinger was arrested at 5:25 p.m. and charged with obstructing the road. b6
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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~CONFIDENTIAL~~



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535
November 5, 1971

Title **DAVID TYRE DELLINGER**

Character

Reference **Memorandum dated and captioned
as above.**

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

1*

176-76-94
Searched
Serialized
Indexed

DIRECTOR, FBI

11/5/71

SAC, WFO

DAVID TYRE DELLINGER, aka
-RE AL (TRAVEL OF DEFENDANTS)
(OO:CC)
(Bufile 176-1410)
(CGfile 176-3 Sub C)
(WFOfile 176-84) (P)

DAVID TYRE DELLINGER
SM-PCPJ
(OO:NY)
(Bu file 100-35481)
(NYfile 100-121672)
(WFOfile 40-176) (P)

Enclosed for the Bureau are eight copies, for Chicago three copies and for New York two copies of an LHM dated and captioned "DAVID TYRE DELLINGER." LHM classified "~~Confidential~~" to protect information unauthorized disclosure of which could be prejudicial to the defense interest of the United States.

Recordings of the "Peoples Panel" proceedings are in possession of WFO which is presently attempting to transcribe them. Initial attempts at transcription have met with difficulty due to the poor audio quality of the recording. WFO will continue processing of the tapes and should the final result produce any statements of value not included in the enclosed LHM, Bureau and interested offices will be appropriately advised.

<u>SOURCE</u>	<u>Location</u>
WF E-1 is	100-54882-68
	100-54882-82
WF T-2 is	100-54882-68
WF T-3 is	100-54882-68

b7D

Agents attending the sessions were: SAs [redacted]
and [redacted] SAs observing the arrest of DELLINGER
were: [redacted]

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- 5- Bureau (Enc. 8)
- 2- Chicago (Enc. 3)
- 2- New York (Enc. 2)
- ①- WFO
- (1-176-76) (DELLINGER)

ZAV:ch (12)

176-76-95

Searched _____
Serialized _____
Indexed _____
Filed _____

WFO 176-84

WFO will follow prosecution in WDC of DELLINGER on the charge stemming from his arrest on 10/26/71, and will report results in form suitable for dissemination.

9/21/71

Date prepared

8/24/71

Date received

8/9/71

Received from (name or symbol number)

Received by

IC

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b7C
b7D

Method of delivery (check appropriate blocks)

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

If orally furnished and reduced to writing by Agent:

Date

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Date of Report

7/15/71

Date(s) of activity

6/25 - 27/71

Brief description of activity or material

National Conference of the People's

Coalition for Peace and Justice

File where original is located if not attached

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

☐ Information recorded on a card index by _____ on date _____

Remarks:

1 - CHICAGO REGISTERED

(1 - 100- _____)

1 - CLEVELAND REGISTERED

(1 - 100- _____)

1 - MILWAUKEE REGISTERED

(1 - 100- _____) (PCPJ)

4 - NEW YORK REGISTERED

(1 - 100- _____)

(1 - 100- _____)

(1 - 100-12172)

(1 - 100-159963)

2 - SAN FRANCISCO REGISTERED

(1 - 157-1203)

(1 - 100-53950)

1 - WASHINGTON FIELD OFFICE REGISTERED

(1 - 100-121672) (DAVE DELLINGER)

CHANNELIZED

DATE 8/25/71

SEARCHED

DATE 8/26/71

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MTA/cmm

(54) cmm

Read by

RHC

File here
176-76-96
176-76-92
25 320
num
[Signature]

LA 100-75632

CC: 100-75632 (PEOPLES COALITION FOR PEACE AND JUSTICE)

100-77939
105-15256
100-78005
100-49092
100-64492
100-70894
100-46589
100-77765
100-74869
100-72197
100-22612
100-77459
100-28093
100-70734
100-68204
100-63949
100-77317
100-77939
100-4486
100-64359
100-27931
100-43626
100-78403
157-6172
100-70073 (PFP)
100-54556
157-6248
157-2325
157-1618 (BPP)
100-65141 (SCLC)
157-2776
100-73696 (WOMENS LIBERATION MOVEMENT)
100-17375 (SWP)
100-4486
157-2079 (NATION WELFARE RIGHTS ORGANIZATION)
100-77634 (PEOPLES PEACE TREATY COMM.)
100-75803
100-65625

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LA/0075632

100-63077 (PLP)

157-5089 [REDACTED]

100-75482 (AMERICAN FRIENDS SERVICE COMMITTEE)

100-31957 [REDACTED]

100-23556 [REDACTED]

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INDEX:

[REDACTED]

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COMPTON UNITED CIVIC LEAGUE

[REDACTED]

ADLAI STEVENSON INSTITUTE OF INTERNATIONAL AFFAIRS
JAMES GROPP

[REDACTED]

MILWAUKEES PEOPLE COALITION
MAY DAY COALITION

[REDACTED]

INTERNATIONAL SOCIALIST LABOR ORGANIZATION

[REDACTED]

MEAT CUTTERS UNION

[REDACTED]

LOCAL 99 DRUG AND HOSPITAL UNION

DISTRICT #65 NATIONAL COUNCIL OF DISTRIBUTIVE WORKERS

[REDACTED]

LA 100-75632

INDEX:

[REDACTED]

COORDINATION COMMITTEE

[REDACTED]

WORLD COUNCIL FOR PEACE

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SOURCE: [REDACTED]

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DATE/TIME:

June 25 to June 27, 1971

LOCATION:

St. Michaels Church
24th & Cherry Street, Milwaukee
(The priest of this church is
Father James GROPP)

ACTIVITY:

PEOPLE'S COALITION FOR PEACE AND JUSTICE
National Conference

There were approximately 1800 to 2000 individuals present at this conference. Those identified:

Sam SCHORR
Beulah SANDERS
Lucille BERRIEN
David LIVINGSTON
Al HUBBARD
Sidney PECK
Abe FEINGLASS (Milwaukee home ph# [REDACTED]
related to [REDACTED])

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~~CONFIDENTIAL~~
Dick GREGORY
Pauline ROSEN
Sylvia KUSHNER
Ruth GAGE COLBY
Hal KITCHENS
John GILMAN
Jack SPIEGAL
William DOUTHARD
Bill GREEN
Virginia COLLINS
Dave DELLINGER
Sidney LENS
David LEE
Bill STONE
Rodney MALLIN
John MATUSZAK (Grand Rapids, Mich.)
Sally DAVIS (mother of Angela DAVIS)
Chuck FAGIN
James LAFFERTY
EQBAL AHMED
Chip MARSHALL
C.T. WEBER
Mike LEARNER [REDACTED]

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Dick GREGORY arrived in the company of a female negro folksinger, Odeta (last name not known) and EQBAL AHMED.

June 25 to June 27
Page 2

There were 28 delegates from the Los Angeles area and two delegates from Isla Vista. Those identified:

Elsie MONJAR
Nathan SARNOFF
Irving SARNOFF
Evelynne PERRY
Patty PARMALEE
Bob DUGGAN
Marilyn KATZ
Sam SCHORR
Pam LAGLY
Dorothy HEALEY
Donald KALISH
Sophie SILVER
Blanche SPINDEL
Ken JACKSON
Chuck ADAMS
John YOUNG (rep EIPJ)
Sharon SIMPSON (Peace & Freedom Party, Long Beach)
John DAY (prior connection with the COMPTON
UNITED CIVIC LEAGUE and active in
the Vietnam Initiative Campaign. Now
living in the South Gate area.)
Millie CHILLNICK (Milwaukee area - ph#

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EQBAL AHMED, who spoke later in the conference on Pakistan, gave his address as [redacted] telephone [redacted]. On his business card he has listed as his place of employment the Adlai Stevenson Institute of International Affairs.

June 25: The conference this date started approximately 1430 hrs with the distribution of the information packet (Exhibit #4) and registration of delegates. The open plenary session of this conference started at approximately 1630 hrs. The first speaker was Father James GROPP. He read a letter addressed to him from the Rev. William E. COUSINS, archbishop of Milwaukee (This in Exhibit #2). GROPP then read a letter to this body which he had directed back to the archbishop (Exhibit #3). The back page of this letter appeared somehow not to have been picked up, but on his last page Father GROPP quite strongly demanded the resignation of archbishop William COUSINS (Exhibit #3).

June 25 to June 27
Page 3

The next speaker was Mrs. Virginia COLLINS (mother of Walter COLLINS) (Exhibit #4). She stressed heavily on the young blacks who were in jail for refusing to be inducted into the Army. She asked, "Should they fight in foreign lands for freedom; freedom which they do not have at home." She went into a lengthy, detailed speech on her son (a journal text can also be found in Exhibit #4). She asked for support from the Coalition and the conference to be given to her son in his fight for freedom.

The next speaker was Abe FEINGLASS. He told this body that only nine of their constitutional amendments out of ten were left to them. Documentation in cold type (Pentagon Papers) was now in circulation to the American people and to the conspiracy which had been against the American people. He urged that actions be taken on the Pentagon Papers. He stated that there was no more time, this indeed must be done now. He stated that his position was Vice President of AFLCIO. He stated that organizing must be done with Rank-and-File to organize for mass actions around the Pentagon Papers.

The next speaker was Dave DELLINGER from the Liberation Magazine. He stressed the war, racism and repression in the United States and called for a plan of action for this body for more mobilization for the summer and fall offensives.

The next speaker was Lucille BERRIEN from the MILWAUKEE'S PEOPLE COALITION. She stressed heavily on racism and stated that first the Capitalist society within the United States had stolen the land from the Indians; then they had stolen the labor from the blacks; then they had fooled the whites and told them they were better than everybody. She asked for support from this body in her struggle and for the struggles for all black people.

The next spokesman was David LIVINGSTON, President of the DISTRIBUTIVE WORKERS UNION and ALA district #65. He stated that the U.S. government had been conspiring, cheating and lying to the American people. He urged that an immediate call be put out from this conference to all organizations for an impeachment against President Nixon. He stated that the conspiracy by the American government had not just started in Vietnam. This conspiracy had started way back with Japan. He asked that the PCPJ nationally implement a program for actions in coordination with the MAY DAY COALITION; this being a reference to the actions which MAY DAY had called in Washington and that we should organize with the cooperation of the MAY DAY COALITION. These actions heavily stressed against war, racism and unemployment. These speakers were supposed to speak at a mass rally outside of the church this p.m., but due to the weather conditions this rally was held in the basement of St. Michaels Church (Exhibit #5).

June 25 to 27
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[] stated this date that she had to attend a coordinating Council meeting as soon as this first session ended. She stated on June 26 that this coordinating council session did not end until 0200 hrs.

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[] this date announced to just a few individuals that there would be a national conference in one of the upstairs rooms at 2300 hrs this date. It is not known at this time how many representatives from the Los Angeles area were invited to this meeting.

St. Michaels Church. June 26, 1971 0930 hrs:

The first speaker was Sidney PECK. He stated that when Cambodia was invaded, the antiwar movement was able to checkmate the actions in Cambodia through massive demonstrations in the street. He stated that this action was not sustained. He stressed heavily on the problem in Indochina and the policies of Vietnamization. He said that right now there was an internal crisis in the United States. He emphasized the welfare struggles by NWRO. He referred to one of Nixon's recent political statements where Nixon used the quote, "Power to the People" and then offered \$1600 for a guaranteed income. He stated that NWRO referred to this as a family genocide program and this genocide was no different than the genocide that was being committed in Indochina. He stated that the Spring Offensive from the anti-war movement had lost and then had gained in strength. This body should support NWRO, Angela DAVIS, and the SOLEDAD BROTHERS in coordination with SCLC and the BLACK PANTHER PARTY. He asked for mass mobilization and stated tactics were extremely important. During this mass mobilization and actions to follow, we should bring into play new tactics of non-violent civil disobedience. Individuals should risk arrest and jail; we should join together in the resistance. The tactics of multi-issues were joined in Washington on April 24 through until MAY DAY actions in the United States. He said that May 1 - 5 culminated in non-violent resistance in multi-purpose issues. Mass street actions had been recognized throughout the world. Our goals were short term, but we did definitely prevent an escalation of the war into North Vietnam. The political forces in the United States could no longer ignore the anti-war movement. He asked that this coalition this date declare our solidarity with the victimized. He stressed heavy support for the BLACK PANTHERS and that through support for the PANTHERS in the past, we had freed Huey NEWTON, Erica HUGGINS and Bobby SEALE. He stated that the anti-war movement had accomplished a great deal. He stated that the anti-war movement should be politically realistic as to what the political crisis really was. Right now the U.S. government was having a hell of a time in trying to hold their forces together and that they underestimated the

June 25 - 27

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anti-war movement's willingness to die. He stated the government and the people (particularly the executives and legislative body of the U.S. government) was now divided on Vietnam. He stated the urban crisis in the United States was extremely serious to the U.S. government. He spoke on the value of the American dollar and the economy. He said that internationally, regionally, and locally we must bring together organizations and work with them: The VIETNAM VETERANS, the WOMEN'S LIBERATION MOVEMENT, and full range of labor should be used. The movement should organize and reorganize. He stated the exposure of the Pentagon Papers had proved that the peace movement was correct in their statements and their accusations. He then went back to the May Day actions across the country in the U.S. and emphasized that these actions could not be permitted to die. There must be mass mobilization to seek and create unity with the GI's, Vets, and the labor movement. He emphasized very heavily the anti-war movement could not afford any lulls. He then stressed the following three actions: #1. "Set the Date." #2. A \$6500 guaranteed income. #3. Free all political prisoners. He stated the anti-war movement must employ youth for the summer and fall activities. He asked for actions on August 6th around Hiroshima and Nagasaki. He asked for actions dramatizing the urban crisis, actions around Angela DAVIS, the SOLEDAD BROTHERS, and the HARRISBURG 12 (BERRIGAN BROTHERS). Sid PECK stressed heavily that on Labor Day we should relate to the labor union. We should end this action on Labor Day in October. The anti-war movement must surface again in November with mass mobilization and actions; return to Washington and to escalate our activities in Washington. This would again surface in December with a boycott of businesses. This should be on a long range program. We should build our local bases. He urged membership of individuals, as well as membership of groups who affiliate through memberships with the Peace Coalition. He asked to develop a national newspaper. He stressed heavily on electoral tactics and a move from the coalition of organizing to a real movement nationally on regional and local problems. He asked for support of education on sexism and racism. He stated that the anti-war movement should have many recruits during the summer. This to organize and build up for the Fall actions.

The next speaker was Sidney LENS. He stated that the U.S. government in Washington was an illegal government and that this coalition must go back to their organizations and impress upon them that we must not cooperate with the U.S. illegal government. He asked for support on non-cooperation and non-violent civil disobedience. He put forth the following proposals: #1. Non-cooperation with an illegal government. #2. An organization of workers within the government and within the welfare and ask these workers to declare a moratorium.

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#3. This body work with trade unionists and strikers against the war. #4. To work with the "friendly" members of Congress to organize filibusters. #5. To organize for a grand moratorium. #6. Organization within schools against the grading in schools. #7. To organize heavily on boycotts here in the U.S.

Another spokesman was Bradley LITTLE from the WAR TAX RESISTANCE. He asked that this body support mounted demonstrations for civil disobedience involving the masses. He asked for labor involvement. He asked that pressure be placed upon the American government for the handling of the Calley trial. He stated there was a film entitled "The Selling of the Pentagon." He asked for support in the showing of this film across the country. He asked for support over the struggle of Lockheed and stated that the government's reaction to the Lockheed situation was hollow. The MAY DAY COALITION developed the strength of the movement and the U.S. government violated individuals civil liberties during those actions in May. He stated since the disclosure of the Pentagon Papers the President of the U.S. would not be able to go on television or to any of the news media to defend the government's position against demonstrations which would be happening across the United States and internationally. Paper on tax resistance in Exhibit #6.

The next spokesman was David LEE from the INTERNATIONAL SOCIALIST LABOR ORGANIZATION (Exhibit #7). He asked for a free America simulated election.

The next spokesman was Bill STONE from the WORKER'S LEAGUE. He stressed heavily on the issues of local, regional, and national demonstrations, and support of workers' strikes. He also asked for demonstrations against war, racism and repression.

The next spokesman was Rodney MALLIN. He asked for a national call from this conference to go out to free Angela DAVIS. He stated the issue of racism should be dealt with by itself from this coalition.

The next speaker was Pauline ROSEN. She stated that representatives from the NATIONAL PEACE ACTION COALITION and the PEOPLE'S COALITION FOR PEACE AND JUSTICE had met in a series of meetings with Abe FEINGLASS of the MEAT CUTTER'S UNION, Moe FOMER of Local 99 DRUG AND HOSPITAL UNION, and David LIVINGSTON of District #65 NATIONAL COUNCIL OF DISTRIBUTIVE WORKERS. Representatives from the NATIONAL PEACE ACTION COALITION were: Jerry GORDON, Syd STAPLETON. Representatives from the PEOPLE'S COALITION FOR PEACE AND JUSTICE were: Sid FECK, Pauline ROSEN, Robert GREENBLATT, William DOUTHARD, and Ron YOUNG. ROSEN stated that the two groups mentioned had promised to unite in

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in action for the Summer and Fall Offensive; not to bait each other; and to try and operate a working union (this to be found in Exhibit #1). In this Exhibit #1 individuals representing the three groups had pushed for a united build toward massive actions for the Summer and the Fall and a series of peaceful, non-confrontation actions. Also, that each of these groups could act independently. The August 6-9 action (regional, local, and national) would be supported. There would be a convention held during these dates. It was not at this time stated where this convention would be. This to discuss the Vietnamese students who had been arrested in South Vietnam for signing the People's Peace Treaty and also protest the nuclear weapons being used by the U.S. in Vietnam. A call for a national moratorium to stop business; this national, regional, and local by all peace organizations. Saturday, November 6, would be anti-war action in the streets. A division between these groups at this time would play into the warmakers hands, and so these groups had decided to unite.

The next spokesman was James LAFFERTY from the NATIONAL PEACE ACTION COALITION. He stated the internal security within the U.S. appeared to know the anti-war movement's strength very well. Due to the national economy in the United States, individuals would be ready and willing to protest. The draft bill recently in the legislation would effect the students in the campuses and they should be organized for joint actions in the streets against the war, racism and repression.

The next speaker was EQBAL AHMED who is one of the Harrisburg defendants. He stated that he came from Pakistan. He spoke on the revelations which had come to light in the Pentagon study. These documents were horrendous in their deception on the American people. Three shiploads of guns and ammunition had secretly been taken into Pakistan. If military intervention continued in the city of Bengal, India, the possible loss of life would be immense: Between 15-20 million would die in East Pakistan. He asked for support from this coalition to assist the Pakistan Liberation Front and to free his people.

Prior to the group convening for lunch,

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This body broke for lunch to reconvene in workshops.

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SARNOFF spoke with members of the L.A. delegation and indicated to those who had not decided which workshop to be in the workshops he wanted them to be in. He stated he wanted representation from Los Angeles to cover each and every workshop.

The Draft Caucus workshop met in an upstairs room; there were approximately 8 individuals there. Those identified: [redacted] (Grand Rapids, Mich.) [redacted] from the NATIONAL UNITED AN- GELA DAVIS DEFENSE COMMITTEE (Milwaukee), [redacted] Milwaukee: [redacted] who is affiliated with Draft Resistance), [redacted] (Chicago). [redacted] stated he was from the West Suburban Peace Coalition. This was an extremely loose group with no guidance and no chairman. [redacted] suggested a chairman be appointed in order to keep this group together with some guidelines. [redacted] was chosen. This being on the draft (Exhibit #11). These workshops broke at approximately 1500 hrs to go into regional caucuses.

In the regional caucus including the L.A. area those identified: All the delegates from the L.A. area. The chair was first held by [redacted]. He proposed the following items should come up for discussion: #1. MAY DAY TRIBE in connection with the SOCIALIST WORKER'S PARTY and this coalition at this conference this date. #2. GI's. #3. The fact that there were no representatives here from the CHICANO MORATORIUM COMMITTEE to be discussed. #4. Standard Oil. #5. Eugene, Oregon Conference.

[redacted] then spoke on organizing the Summer and Fall Offensive to end the war. All organizations should be consolidated for mass actions. The GI proposals can be found in Exhibit #12. The regional workshops, Exhibit #13. It was brought under discussion, voted on, and passed that a liaison with the GI movement and PAC would be implemented. [redacted] made two motions: One, that in addition to the liaison with the GI's, a similar proposal be made at the next itinerary session and that the adoption of the resolution presented and prepared by the GI's be passed. [redacted] stated there were proposals going to be made at the itinerary session in relation to Cairo, Illinois demonstrations and actions that would be taking place regionally and locally. She asked for proposals from this group around the August 6th demonstrations to be held around Hiroshima-Nagasaki Day. She also asked for education around the yellow genocide which was being committed at home and abroad. [redacted] pushed very strongly for support of the CHICANO MORATORIUM and Cinco de Mayo (the march that had started out from Calexico on May 5th). He stated the march would end August 7th in Sacramento, and asked that from this body greetings would be sent to the marchers. Support would be given to the CHICANO MORATORIUM on August

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7th; to join with that Moratorium in Sacramento. He stated that the representatives from the CHICANO MORATORIUM who had been unable to attend this conference had requested that he send out this call to the conference and to this regional body. [redacted] proposed that a demonstration be held in Los Angeles, August 6th for solidarity with the CHICANO MORATORIUM and prior to their demonstrations and actions in Sacramento August 7th.

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A discussion was then held on the NPAC proposal and Exhibit #1. The feeling from this body is very strong that unity with NPAC would jeopardize PAC's political positions. One individual stated that the MAY DAY TRIBE did not want anything to do with NPAC. NPAC's position on civil disobedience was that they would refuse to cross picket lines if the cops told them not to cross the street. Dorothy HEALEY stated that NPAC's document doesn't mean that we are only tied to a certain date to mobilize and she felt that we should go along with NPAC's position. We should infiltrate them and try to turn them to our way of thinking.

[redacted] then asked for proposals for actions to be taken on the following three: #1. Set the date. #2. Unemployment. #3. Racism. For the Fall actions there should be mass programs. October 15 there would be teach-ins around inflation, the war and set the date. In November in Los Angeles there would be citywide moratoriums, work stoppages, and no school. If these things all failed and fell by the wayside, then there would be a mass exit to seize state power on January 1, 1972. This body should work with trade unions, labor, and rank-and-file. She stated that the Trotskyites' main focus was for November 30 or October 15, and at this time she was already quite sure the the Trotskyites had already ordered their buttons. She stated the North Vietnamese had demanded "Set the Date" actions, and if this were done it would effect the South Vietnamese elections. This matter should not be treated lightly.

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Proposals were then put forth from this body that we take a vote on the NPAC document, set the date, and the economic crisis. None of these were done. A call to support mass actions and civil disobedience was passed upon. [redacted] stated that PAC should immediately start organizing for local actions. [redacted] then supported Dorothy HEALEY's motion to yield to the NPAC document, and to fight even though there were only a single purpose issue. We could still work on multi-purpose-issues, push into their constituencies and educate the Trotskyites. This regional conference then broke to reconvene with the main body in the plenary sessions.

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The first speaker was Sally DAVIS, mother of Angela DAVIS. She said she had recently seen Angela in jail, and described the conditions under which Angela was being held in a 7X7 cell with no windows and

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only permitted to exercise in an area 10X10. She said that right now she was in the process of a tour across the stated to speak at colleges, universities, and churches, etc. She emphasized that pressure must be brought for the release of Angela; much the same that had been brought to free Erica HUGGINS and Huey NEWTON. She stated Angela's bail had been refused and asked for a national campaign, regional and local to demand Angela's freedom.

The next spokesman was from the NATIONAL WELFARE RIGHTS ORGANIZATION. (Exhibit #13). Beulah SANDERS then spoke on this issue. She stated racism and genocide could not be ended in Vietnam, until it was ended here in the U.S. She told this body that they weren't going to get any peace in Vietnam and they weren't going to get any peace in the U.S. until they took some action on this. She appeared to be extremely angry and asked for a vote on the September 1st action by NWRO in Sacramento, regional and local, in the offices of Congressmen and Senators. The vote was taken from this body and was 100% unanimous. SANDERS then told this body that it was very easy to raise your hand and make an unanimous vote, but if these individuals did not keep their word, she certainly did not intend to leave them alone.

The first spokesman on the NWRO issue then stated that mass actions to kill fact must be taken; her organization intended to kill fact or kill somebody.

The next spokesman was from the New York caucus. They put forth four proposals: #1. PCPJ support mass action relative to the Pentagon Papers. #2. Recommend the pamphlet on the Grand Jury Hearings be distributed by all organizations immediately. #3. The New York campaign be reinstituted to form a council to organize to end the war. #4. To reconvene in this New York body in the New York area for local action. #5. To support the request for solidarity from the representatives who spoke on Pakistan.

The next spokesman was Chuck FAGIN who represented New England. He put forth items to be found in Exhibit #14. This individual also questioned the NPAC support document (Exhibit #1). He also urged support for the September 1st mass demonstrations in support of NWRO. Also, the massive non-violent civil disobedience call which had been put out for Washington.

The next spokesman was Irving SARNOFF. The proposals and speech from SARNOFF on Exhibit #15.

The next spokesman was from the Mid-Midwest. This spokesman urged that this body adopt NPAC's proposals.

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The next spokesman was from Washington. This on Exhibit #16.

Another speaker, unidentified female, then spoke on Washington and stated when mass demonstrations and actions were held in Washington, Washington people should at least be notified and discussions on this be held with them prior to the demonstrations and actions. A Washington D.C. Coalition was now in the process of being set up while this body was in session. Exhibit #17 then came from this proposal.

The next speaker was from the Women's Caucuses, unidentified; this Exhibit #18.

Another spokesman, unidentified, then put the following proposals forth: October 11; national, regional, and local massive non-violent civil disobedience. October 23; Civil disobedience in Washington D.C. November 13; declared national moratorium, the main focus being Washington with massive civil disobedience. This to start on November 8th. August 6; Hiroshima-Nagasaki Day with national, regional, and local demonstrations and actions with non-violent civil disobedience. October 14-15; massive non-violent civil disobedience. November 8; national non-violent civil disobedience in Washington D.C., regional and local.

The next spokesman was from MAY DAY COALITION, unidentified. They put forth the following proposals which they stated were independent from the Boston proposals: #1. To reaffirm the tactics of non-violent civil disobedience which was committed during the Washington demonstrations. #2. Acknowledgement from this body of MAY DAY's contribution to the anti-war movement. #3. A move to build and organize for the actions to take place in October; actions around the Pentagon Papers and the People's Peace Treaty, to culminate with October actions in Washington and San Francisco. #4. Set the Date. #5. A guaranteed income of \$6500. #6. Actions around racism and sexism. A vote was then taken for the proposals for August actions to be voted on by this body. Also, actions to support the NWRO, once again to fight the Federal Assistance program. This was voted on and passed. A vote was taken for the September 1st actions in Boston to support the NWRO; this was passed. A vote for October 13 Moratorium Boston actions on the 9th; regional and local on the 11th and 12th of November; mass culmination of actions in Washington D.C. on the 23rd of November. These were passed.

There followed then some hot and heavy debates between individuals and organizations on the NPAC document (Exhibit #1). It seemed to be the consensus of the main part of this group that NPAC could not be worked with. NPAC was not to be trusted. NPAC had their own ax to grind. At this point Sidney FECK intervened and stated he didn't

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see where there was really any deep political line between NPAC and this body at the conference. He felt certain that these dates could be organized and worked around. NPAC had been in a position of organizing and bringing mass people to Washington. A vote was taken on the NPAC proposal for October 13. This was almost unanimously defeated. The rest of the proposals were passed.

A vote was then taken on a labor memorandum for October 13th. This was passed. A vote was taken for all the November actions. This was passed. The proposals presented by Boston and New York for October 14th and 15th for regional and local actions with non-violent civil disobedience. #1. After the rally in Washington on November 6th in the p.m. a march for life would take place with names of individuals who had signed the People's Peace Treaty dropped into a box of the same type the march of death had used in Washington. On November 17th the actions end in Washington with a "soul" rally. November 8th there would be national non-violent civil disobedience in Washington; this was passed. A question was asked of this body, or if they wished to place this in the hands of the coordinating council. Unanimously the group decided no, that they wished to vote on the civil disobedience. This was almost unanimously passed.

August actions and protests of Asian genocide at home and abroad was then voted upon. Also, that all organizations contact and work with all Asian groups. In addition, the CHICANO MORATORIUM on August 7, 1971 be supported. This was voted upon and passed.

A proposal was made that Asia be included on August 6th around Hiroshima and Nagasaki. A vote was taken upon this, and this too, was passed. A vote to support the steel worker's union with some individuals heavily opposing this. They stated the Nixon Administration would never permit a steel worker's strike. A vote was taken and this was defeated.

A vote was taken to support the CHICANO MORATORIUM was then taken. This to culminate in Sacramento; this too was passed. A vote was taken to support Angela DAVIS, Rachel MAGEE, and Walter COLLINS in the same action. This was passed. A vote was then taken on Birmingham, Alabama actions on August 7th, and that there should be a people's coalition workshop to be held in the South also on August 7th. This was passed.

A motion was then made that the next peace coalition conference be held in the South. A vote was taken and this was passed. A motion was then made that all effort should be put forth to get full representation from the South. This too was passed. A motion was made that PCPJ send cables internationally to oppose all aid to the right wing government in Bangla Desh. To enforce the New England-Boston proposals. To enforce the New York demonstrations, San Francisco, and Washington. A vote was taken and this was passed. A motion was made that the proposals put forth by the women's groups: #1. Actions to coincide with the phone workers local. One of the representatives

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from the women's groups stated phone workers were almost 100% women. #2. Regions should coordinate actions locally and regionally on Army Bases with GI movements. #3. Split in the executive and legislative branch of government on war which was caused by the recent exposure of the Pentagon Papers. Actions should be taken on this. The pressure should immediately be brought to bear in homes and national offices. This was passed.

The next proposals were taken up from the group from unemployment. These proposals made by the Boston caucus and endorsed by the Boston PCPJ. The proposals were for actions and demonstrations against the war, bombing, and unemployment. The proposals were that pressure should be placed upon the government that employment be expanded and employment benefits be paid to farm workers, part-time workers, and veterans. Workers not be denied unemployment benefits because of strike. Unemployment benefits be increased, as also job opportunities be increased. 30 hour week should be brought in with 40 hours pay. Demonstrations against Standard Oil and General Motors should be called for and that the taxes by these two corporations should be raised and taxes for working people should be decreased. These proposals were voted upon and accepted (c-Exhibit #18):

The Washington D.C. caucus then put forth the following proposals: Training techniques immediately be put into process for massive non-violent civil disobedience for Washington and local regions. Individuals should be sent to Washington for this type of training. In early September a conference be called within the Washington area with heavy emphasis on "jail, no bail." Early September a teach-in training session should be held and the 2nd week of September there should be heavy leafleting by all groups from the MAY DAY COLLECTIVE. October 13th would be a moratorium with regional and local actions. November 6th the Washington moratorium with non-violent civil disobedience to be continued on through. Also, support for the August 6-9 Hiroshima-Nagasaki demonstrations. This proposal was passed.

June 27, 1971 0930 hrs - St Michaels Church, Milwaukee.

The regional workshops were held at above time. In the regional workshop encompassing the L.A. area, all delegates from the L.A. area were present. Things under discussion and presented by Donald KALISH were: A coordinating committee be set up. Actions to be discussed; both regional and local. The setting up of a newsletter. Actions both regional and local in addition to those with dates already decided upon. A regional meeting within the L.A. area to be held and discussion on the NWRO and the Federal Assistance Program. Organization and working with Local #535.

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The main push from delegates in regional meeting from the L.A. area came from Irving SARNOFF, Patty PARMALIE, Marilyn KATZ, Dorothy HEALEY, Chuck ADAMS, and Donald KALISH.

A discussion was held around conferences to be held nationally. It was not decided by this body if these conferences should be called monthly or every three months. Don KALISH suggested the setting up of a newsletter, which he felt was of primary importance, and that meetings could be held as often as members on the Coordinating Committee felt was necessary. These could possibly be extended every three months. Another proposal was put forth from this body that instead of the Coordinating Council meeting in one location that representatives from a certain geographical area meet within that area. Some short discussion was held on this and it was decided that at this time that individuals present at this regional workshop from the San Diego area should go to the L.A. area for any type of conference. Irving SARNOFF stated that the PAC in L.A. was far better set up and equipped to deal with a regional conference. The date for this undecided at this time. In a later discussion with Elsie MCNJAR, Irving SARNOFF told her to try and obtain the Immaculate Heart Church for a regional conference to be held on July 17th. It was decided that local actions to support the NWRO to defeat the Federal Assistance Program would be supported and acted upon. Also, actions local and regional. These in addition to the dates proposed. A newsletter would also be set up.

Marilyn KATZ stated that this body had not gotten around to discussing the "set the date" action which had been asked by the North Vietnamese. There was much arguing and bullshitting from this group with nothing constructive coming out of it. KATZ appeared to be extremely disturbed. It was decided by the L.A. delegates that at the Coordinating Council to be held this p.m. when the conference ended that KATZ and PARMALIE would be the two representatives from the L.A. area who would stay and attend this meeting.

[redacted] stated he would not be returning to the L.A. area until one week later than the rest of the delegates. He was traveling on [redacted] were driving back [redacted]

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There was also some discussion on the NPAC document. Irving SARNOFF stated that he did not trust the Trotskyites, but they were a means of mobilizing mass actions and getting people out onto the streets. He felt that if it had to be done it had to be done. His personal differences with them could be softened at this time. This group then broke to go back to the main body.

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The session of June 26 was chaired by Patty PARMALEE. Irving SARNOFF stated Patty PARMALEE had handled it extremely well, although she was quite nervous and quite frightened about the whole deal.

When the main body reconvened for the plenary session the first speaker was Dick GREGORY. He was accompanied by the folksinger, Odeta. GREGORY went into an amusing account of the Pentagon Papers, the American government, and even discussed should certain individuals wish to go crazy they should go crazy all the way and elect Calley for President. GREGORY stated the U.S. was heading for one of it's most severe depressions, and that he had lived through a depression and was still here. It was only the rich that were jumping out of the windows. He also asked for a national boycott around Christmas time against turkeys and against buying. He stated if this was done and accepted by this body this would be the first time that poor people would have a good Christmas. He also asked for a general strike and general action against General Motors. He told the young people at this conference that they were the deciding factor as to whether he would continue his 60 day fast. He stated that he had fasted and made the commitment that he would not eat any more food until the Vietnam War was over, and so it was up to this body of young people that the actions in Washington which had culminated in the arrest of approximately 11,000 people was rather fantastic. Particularly when you took into consideration that during these arrests the cops had not busted one single individual for possession of pills or drugs. He hit heavily at the Vietnam Veterans coming back to the U.S. who had become addicted to drugs while in Vietnam. He stated that families of GIs who were killed in Vietnam were paid \$10,000 and he felt they should at least receive \$50,000. This should be made retroactive to the Korean War, not just for the Vietnam War.

The next speaker was Beulah SANDERS from NWRO. Just a few seconds after she started to speak, approximately 1/3 of the individuals attending this conference started to walk out of the room. SANDERS became extremely uptight and stated that she would not speak unless they all sat down and they were not going to do this to her. Approximately 1/2 of those leaving then sat down. By this time SANDERS appeared to be extremely angry and walked away from the podium.

The next speaker stated that next on discussion was the structure of the coordinating committee. From national organizations there should be two representatives on the Coordinating Committee. From large cities there should be four representatives. From smaller cities there should be one representative, and from regional cities there also should be one representative. When the steering committee

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had first been set up, the four people who had been selected to serve on this had been William DOUTHARD, Rennie DAVIS, Sidney PECK, and Ron YOUNG. Jack SPIEGEL then recommended increasing members to the steering committee from trade unionists and from the labor movement. It was voted upon and passed that the steering committee be empowered to invite non-white groups to participate on the Coordinating Committee and to also pay their expenses to wherever the Coordinating Committee was meeting. There were organizations of non-whites who were not represented at this conference. This included the BLACK PANTHER PARTY.

A proposal came from New York to pay expenses of poor whites who wished to attend the Coordinating Council. This was passed. A proposal was put forth that the participation on the Coordinating Committee by the New York regions should be limited to 20% of their elected at large. This was passed. A proposal that the steering committee to consist of only 40 members was also passed. Sidney LENS then put forth a proposal that the coordinating committee also make the decisions on who and how many were on the steering committee. This was passed. New England proposed one additional coordinator from the national staff should be on the coordinating council. This also tied into the fact that there should also be a woman on the coordinating council. This was passed. A proposal was put forth to support Father GROPPi in his political fight against the Archbishop. This was passed unanimously. The amendment to this was whereas a call was issued for a Christmas boycott of Christmas and against General Motors with PCPJ support, that this be sent to the Coordinating Council. This was passed.

Next under discussion came the leadership guidelines. A proposal was put forth that a newspaper of organization for the productions of a newspaper of organization for the productions of a newspaper be worked out by the Coordinating Council. This was passed. The question was then raised on memberships of organizations. The speaker stated that from the Los Angeles area had come a request for individuals to be able to become members of the PEACE ACTION COALITION and that this would expand and strengthen the movement. There was some debate on this and Irving SARNOFF then asked Marilyn KATZ to go and to speak on this. KATZ stated from the podium that the membership would not necessarily have to be of a large fee for membership. It could be approximately \$5.00 per year and this would bring other people into the movement. The question was raised that this would be discriminating against the poor who wouldn't have the membership fee and a suggestion was made that these individuals would only be asked to make a donation to the PEACE ACTION COALITION as to how much they could afford. The recommendation was then made that these proposals be referred to the committee with recommendations that it be implemented. This was passed. It was then proposed that due to the lateness of the hour and due to the proposals that had not been voted upon for actions that these be passed over to the Coordinating Committee to be acted upon. This was passed and this conference was then adjourned.

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During one of the Caucus meetings, one unidentified individual stated that from the workshops and the discussions that would take place in there, these had already been laid out by Sidney PECK. Irving SARNOFF told Evelynne PERRY that the WORLD COUNCIL FOR PEACE had accepted the financial responsibility for the International mailing and that until information was received from James FOREST no international mailing could be sent out. The WORLD COUNCIL FOR PEACE had already promised a budget which Evelynne PERRY must operate within. Dorothy HEALEY stated prior to this conference stating that Jim DANN from the PROGRESSIVE LABOR PARTY had been sent to China and was working in the San Francisco area. HEALEY also told several members of the L.A. delegation that Jane FONDA had a package of documents which explained from the very beginning her involvement with the movement. It detailed every meeting she had attended, even the meeting she had attended with Dorothy HEALEY. HEALEY stated that this was just an FBI man's dream. Blanche SPINDEL asked her if Jane FONDA was stupid or naive and HEALEY replied, "She's naive, although the documents now had supposedly been destroyed."

One proposal was made to the plenary session that strong protest be sent to China and to Russia for their support of the right wing government in Pakistan. PARMALEE suggested that this be sent to the Coordinating Council for further discussion or action. This was passed.

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Those individuals who appeared to be in the leadership at this conference were as follows: Sidney PECK, Abe FEINGLASS, Pauline ROSEN, William DOUTHARD.

The West-Southwest regional proposals were presented by Irving SARNOFF (Exhibit #20). Exhibit #21 which deals with the new American movement was mentioned very briefly during one of the caucuses. SARNOFF exhibited great interest in this

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During the plenary sessions and political speeches, [redacted] did not always attend.

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[redacted]
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According to SARNOFF, he had first been directed into one meeting and then into another. PARMALEE complained bitterly of the same thing happening to her.

[redacted] gave her address as [redacted]
telephone number [redacted]

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In a conversation with [redacted] when the L.A. delegation arrived back in L.A. [redacted] stated that he knew [redacted]

[redacted] He stated that he knew [redacted] and there was some connection between [redacted]
From a previous conversation with [redacted] indicated that during the conference in Milwaukee [redacted]

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[redacted] was a friend of the people [redacted]

There were also two delegates, not identified, from Isla Vista at the Milwaukee Conference. One male and one female.

End of report.

7-15-71:Jas

cc:FBI

Name:
Date:

DIRECTOR, FBI

12/14/71

SAC, WFO

DAVID TYRE DELLINGER, aka
ET AL (TRAVEL OF DEFENDANTS)
(OO:CG)
(Bufile 176-1410)
(CGfile 176-5 Sub C)
(WFOfile 176-84) (P)

DAVID TYRE DELLINGER
SM - PCPJ
(OO:NY)
(Bufile 100-38441)
(NYfile 100-121672)
(WFOfile 40-176) (RUC)

Re WFOlet and LHM, 11/5/71, captioned as above.

Enclosed for the Bureau are eight copies, for Chicago
three copies and for New York one copy of an LHM dated and
captioned as above.

SAs observing the arrest of DELLINGER were

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5-Bureau (Enc. 8)
2-Chicago (Enc. 3)
1-New York (Enc. 1) (Info)
3-WFO
(1- 176-76) (DELLINGER)

EAW:llh

(11)

176-76-97

Searched _____
Serialized _____
Indexed _____
Filed _____

Washington, D. C. 20535
December 14, 1971

DAVID TYRE DELLINGER

Representatives of the Federal Bureau of Investigation (FBI) observed Dellinger in attendance at a rally sponsored by the Peoples Coalition for Peace and Justice (PCPJ) on October 26, 1971, at the Sylvan Theater on the Washington Monument grounds.

PCPJ describes itself as being headquartered in Washington, D. C., and consisting of over 100 organizations to combat the issues of war, racism, poverty and repression.

At the conclusion of the program, Dellinger and [redacted] convicted Chicago Seven Conspiracy trial defendant, were observed to lead a group of 800 - 1000 persons in a march toward the White House. At 5:05 p.m., Dellinger, Davis, and others were observed to seat themselves in the intersection of 15th Street at Pennsylvania Avenue, Northwest, where they were arrested by the Metropolitan Police Department.

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A review of records of the United States Superior Court, Washington, D. C., on December 8, 1971, revealed that Dellinger was arrested October 26, 1971, for obstructing the road. Records further revealed that on November 17, 1971, Dellinger, case number 61400-A71, forfeited \$25 collateral in the United States Superior Court for the District of Columbia on the above charge.

8-Bureau (176-1410)
3-Chicago (176-5 Sub C)
1-New York (100-121672) (Info)
3-WFO (176-84)

(1- 176-76) (DELLINGER)

(1- 10-176) (DELLINGER)

This document contains neither
recommendations nor conclusions of
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EAW:11h
(15)