

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

SUBJECT: WATERGATE

Bufile:139-4089

Section 50 Serials 3070 to....



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WATERGATE

BURGLARY OF THE DEMOCRATIC NATIONAL COMMITTEE HEADQUARTERS

6/17/72

Bufile 134-4089

Section 50

Serials 3070 to Open

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PAGES REVIEWED - 258

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

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Dep. A.D. Adm. ☒
Dep. A.D. Inv. ☒
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October 16, 1975

ROUTE TO D.O. FOR SIGNATURE, please
adm

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

Dear Clarence:

James Walter H. Ford

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

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

Best wishes.

Sincerely,

Henry S. Ruth

HENRY S. RUTH, JR.
Special Prosecutor

REC-65

139-4009-3070

5 NOV 8 1975

ENCLOSURE

Ack
10-23-75
J. F. Ford

EXP. PROC.

10-16-1975

SUMMARY OF OCTOBER, 1975 REPORT OF

WATERGATE SPECIAL PROSECUTION FORCE

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

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

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

ENCLOSURE

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

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

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

WSPF Recommendations (Chapter 5)

1. Protecting the Integrity and Effectiveness of the Prosecution Function

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

- Neither the campaign manager nor any other top officials of the President's campaign should become Attorney General.
- The Hatch Act should apply to all Justice Department employees.
- A written record should be maintained of all outside contacts with Justice Department officials concerning pending matters.
- A new unit with adequate resources should be established within the Justice Department to investigate and prosecute corruption cases.
- An Office of Permanent Special Prosecutor should not be established.
- The organized bar and the courts should clarify and more actively inquire into possible conflicting interests in one attorney's representation of both higher-level and lower-level employees during a federal investigation of the leadership's conduct in hierarchical organizations, such as corporations, labor unions and government agencies.
- In order to ensure a continuous flow of information from cooperating witnesses, the Freedom of Information Act should be clarified to protect absolutely information obtained confidentially by law enforcement agencies.

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

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

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

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

3. Control of Intelligence and National Security Functions

- All intelligence agencies should issue written policies setting forth types of domestic intelligence to be gathered and methods to be used. These policies should be reviewed by a domestic intelligence policy review board.
- The Administration should clarify its present policy on warrantless searches and seizures in connection with foreign intelligence investigations.

4. Political Financing and Campaign Tactics

- The Department of Justice should take the initiative in undertaking investigations and prosecutions for campaign financing violations without waiting for referral of complaints from other agencies or individuals.
- Individual responsibility for the various reporting requirements of a campaign committee under the Federal Election Campaign Act (FECA) should be extended to include committee chairmen, rather than just the treasurers of such committees.
- The statute of limitations on election law violations, amended retroactively in the middle of WSPF's work to a three-year period, should be restored to the five-year period applicable to almost all other federal crimes.
- Several amendments are needed to the FECA provisions barring corporate contributions and contributions by a government contractor in order to clarify the extent and nature of the criminal prohibitions and make them more consistent in approach to the problems of campaign financing. (See pp 149-152 of Report)

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

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

A. Beginning Investigations

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

B. The Investigative Process

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

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

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

C. Charging and Disposing of Cases

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

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

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

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

Plea Bargaining

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

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

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

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

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

Major Investigations and Other Actions (Chapter 3)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

October 23, 1975

REC-65

139-4089-3070

EX 101

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

Dear Henry *X* Ruth

Thank you for the copy of the Report of the Water-*gate* Special Prosecution Force which you so thoughtfully sent on October 16th.

Your kind comments concerning the assistance pro-*vided* by my colleagues are indeed generous, and the cooperative attitude you mention was certainly reciprocated by your office. We deeply appreciate the professionalism and cordiality exhib-*ited* by your staff.

Sincerely yours, ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4Jem/6

C. Kelley

Clarence M. Kelley
Director

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

Assoc. Dir. — NOTE: Bufiles contain no information to preclude this letter.
Dep. AD Adm. — Mr. Ruth enclosed the Watergate Special Prosecution Force
Dep. AD Inv. — Report dated October, 1975. First-name salutation used based
Asst. Dir.: On incoming letter.
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UNITED STATES GOVERNMENT

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TO : Mr. Gallagher

DATE: 11/6/75

FROM : W. M. Moody

SUBJECT: WATERGATE SPECIAL
PROSECUTION FORCE REPORT

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

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

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

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EX 103

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UNITED STATES GOVERNMENT

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Director Sec'y _____

DATE: 10/24/75

TO : Mr. Jenkins
Mr. Jenkins

FROM : J. J. McDermott

SUBJECT: WATERGATE SPECIAL
PROSECUTION FORCE REPORT

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

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

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

RECOMMENDATION:

For information.

- 1 - FOIA Section
- 1 - Mr. Rhyne

OTB:nlm (6)

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DEC 9 1975

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

UNITED STATES GOVERNMENT

Memorandum

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Dep. AD Inv. _____
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Director Sec'y _____

TO :

MR. HOKIE

DATE: 11/7/75

FROM :

R. W. CARTER

SUBJECT:

WATERGATE SPECIAL PROSECUTION FORCE REPORT

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

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

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

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

RWC:ah
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6 DEC 16 1975 Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

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

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

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

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

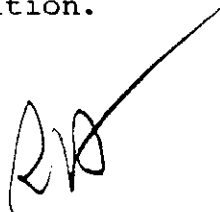
According to the report, one of the special prosecutor's most difficult early decisions was whether to use the FBI as the principal investigative arm or to hire his own investigative staff. Beginning on page 218, the report explains how the special prosecutor examined the FBI's role in the Watergate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

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

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

RECOMMENDATION

For information.



UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *Wannall*

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

DATE: 11/26/75

FROM : F. J. Cassidy *FJC*

1 - Mr. A. F. Watters *Watters*

SUBJECT: WATERGATE SPECIAL
PROSECUTION FORCE REPORT

John A. Watters m. Pond

Cassidy

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

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

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

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

AFW:dedded
(5)

EX-115

REC-57

137-4009-3074-*(initials)*

CONTINUED - OVER

30 DEC 3 1975

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

84 DEC 18 1975

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

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

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

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

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

CONTINUED - OVER

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

ACTION:

None. For information of the General Investigative
Division.

all

Wannall *h*
JP

RJR
h

F B I

Date: 12/3/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI (139-4089)
FROM: SAC, NEW YORK (139-301) (RUC)
SUBJECT: JAMES WALTER MC CORD aka;
ET AL
BURGLARY OF DEMOCRATIC
NATIONAL COMMITTEE HEADQUARTERS
6/17/72
IOC
(00:WFO)

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4Jen/oms

REC-60

EX 104

DEC 5 1975

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

SIX

Approved: L/L
Special Agent in Charge

Sent _____ M Per _____

DEC 10 1975

SAC, BUFFALO

12/4/75

SAC, PHILADELPHIA (139-115) (RUC)

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

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

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

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

LEAD

BUFFALO

AT LOCKPORT, N.Y.:

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

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

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

139-4089-

file 139-4089

NOT RECORDED

15 DEC 9 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/21/82 BY SP6/10/10/82

SIX

PH 139-115)

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

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 1 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

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

1/17/76 JLF

1/17/76 (139-4089)

1/17/76 (139-4089)

1/17/76 (139-4089) (PUC)

JAMES WALTER MC GORD, JR., AKA, ET AL, ENSLAVY OF DEMOCRATIC
REPUBLIC OF CONGO, WASHINGTON, D.C., JUNE 17, 1970, 100, 00120.
SUBJECT: TAMPA FILE 100-5300.

REPORT OF SA ROBERT A. WHITEL, JUNE 22, 1970, 15 PAGES.

ON JANUARY 15, 1976, WALLACE L. STONEY, ATTORNEY FOR JACK
RAHMAN, 300 LAKE MARINA DR. N.E., NINTH FLOOR, FLA., TEL-
PHONICALLY CONTACTED SA STONEY. STONEY, LAKEVIEW, FLA., SA,
ADVISED "CONVICTED CRIMINAL" IS OFFICIALLY ON "HIDE
OUT" (HIDEOUT) HAS REQUESTED INTERVIEW OF RAHMAN. HE ADVISED
RAHMAN IS A HEAVY DRUG USER AND UNABLE TO TRAVEL. STONEY
ADVISED STONEY TO TRAVEL TO NINTH FLOOR TO INTERVIEW RAHMAN
ON JANUARY 17, 1976. STONEY TO REPORT ON THE
RESULTS OF THE INTERVIEW.

REC-51

139-4089-309

ST. 115

JAN 22 1976

STONEY REQUESTED SA ROBERTS BE PRESENT AT INTERVIEW OF
RAHMAN. HE ADVISED STONEY HAD INDICATED A DESIRE TO CONDUCT
THE INTERVIEW ON JANUARY 17, 18 OR 19, 1976.

STONEY WAS ADVISED SA ROBERTS WOULD NOT BE AVAILABLE TO SIT

7/15/80
CLASS. & EXT. BY SP4 JRM/ams
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 11/15/96

cc in 100-4089

~~CONFIDENTIAL~~

139-4089

84 JAN 26 1976

PAGE TWO TP 182-182

DO NOT ACT WITHOUT SPECIFIC BUREAU AUTHORITY.

JOSEPH THEN STATED HE RECALLED THE LETTER IN QUESTION WAS
RECEIVED AT HIS OFFICE IN MIAMI, FLA., BY THEN
SAC, ALBERT, NOW USA, MIAMI, D.C., AND JACK
WAS THE INTERVIEWER DURING INVESTIGATIVE TRIALS.

JOSEPH ADVISED INASMUCH AS HE IS OF OPINION SUBJECT WAS
NOT A MEMBER OF MATTHE, HE WILL RECONTACT MADIGAN AND
ADVISE HIM TO REPORT AT WASHINGTON, D.C., IN LIEU OF INTERVIEW
BY HIMSELF.

IF ADDITIONAL INFORMATION DEVELOPED IN THIS MATTER, BUREAU
WILL BE ADVISED.

WILLIAM J. JOSEPH

SA, MIAMI

CONFIDENTIAL

MAILED

NAME CHECK

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

January 19, 1976

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

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

Original and 1 - CSC-Nonsensitive, Center for Disease Control
Request Received 1/9/76

MFD:jle (5)

NOTE: Matter coordinated with Special Agent J. L. Theisen, White Collar Crime-Accounting Matters Unit, General Investigative Division.

139-4089-
NOT RECORDED
191 JAN 21 1976

5 JAN 20 1976

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

ENCLOSURE

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

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI, and is loaned to your agency; it and its contents are not to be distributed outside your agency. This reply is result of check of FBI investigative files. To check arrest records, request must be submitted to FBI (See Bureau Circular 100-10). Fingerprints are necessary for positive check.

MAIL ROOM [] TELETYPE UNIT []

IMPORTANT Particular care must be used in completing the items numbered 1 through 9. READ THE INSTRUCTIONS ON THE BACK OF THIS FORM BEFORE ANSWERING ANY OF THESE ITEMS.		1. A. FULL NAME (LAST, FIRST, MIDDLE) McCard, Carol Anne B. NAMES USED None		CH 041799																																									
7. DATES & PLACES OF RESIDENCE From (Mo./Yr.) To (Mo./Yr.) 8/67 to present		2. ARMED SERVICES SERIAL NO. AND DATES AND BRANCH OF SERVICE 220-58-6606	3. SOCIAL SECURITY NO. 220-58-6606	4. DATE AND PLACE (CITY, STATE) OF BIRTH Washington, D.C., Dec. 7, 1953																																									
		5. POSITION Clerk-Typist		6. AGENCY NAME AND ADDRESS CDC, NIOCH, 5600 Fishers Lane, Rockville, Md., 20852																																									
No. and Street Address 6861 Elder Ave. 7 Winder Court		City and State Springville, Md. Rockville, Md.		ZIP Code 20850																																									
8. DATE OF THIS REQUEST 11-05-75		9. (CHECK ONE) <input checked="" type="checkbox"/> NONSENSITIVE <input type="checkbox"/> NO CRITICAL-SENSITIVE																																											
10. (CHECK ONE) <input checked="" type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWER <input type="checkbox"/> DIVORCED		11. IF MARRIED, WIDOWED, OR DIVORCED, GIVE FULL NAME AND DATE AND PLACE OF BIRTH OF SPOUSE OR FORMER SPOUSE. INCLUDE WIFE'S MAID NAME, GIVE DATE AND PLACE OF MARRIAGE OR DIVORCE. (GIVE SAME INFORMATION REGARDING ALL PREVIOUS MARRIAGES AND DIVORCE) NA																																											
12. IDENTIFYING NUMBERS (OTHER THAN SOCIAL SECURITY OR ARMED SERVICES SERIAL, SUCH AS PASSPORT NO., ALIEN REGISTRATION NO., SEAMAN'S CERTIFICATE OR IDENTIFICATION, ETC. GIVE ALL, SPECIFYING WHICH.) None																																													
13. ORGANIZATIONS WITH WHICH AFFILIATED (PAST AND PRESENT) OTHER THAN RELIGIOUS OR POLITICAL ORGANIZATIONS OR THOSE WHICH SHOW RELIGIOUS OR POLITICAL AFFILIATIONS (IF "NONE," SO STATE). None																																													
14. DATES, NAMES AND ADDRESSES OF EMPLOYERS (BEGIN WITH PRESENT AND GO BACK TO JANUARY 1, 1937. CONTINUE UNDER ITEM 21 ON OTHER SIDE IF NECESSARY) <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">From (Mo./Yr.)</th> <th style="width:20%;">To (Mo./Yr.)</th> <th style="width:30%;">Employer</th> <th style="width:20%;">No., Street, City, State</th> <th style="width:10%;">ZIP Code</th> </tr> </thead> <tbody> <tr> <td>8/75 to 8/75</td> <td></td> <td>First Nat. Church</td> <td>Rockville, Md.</td> <td>20852</td> </tr> <tr> <td>8/74 to 8/75</td> <td></td> <td>Univ. of Md. Food Services</td> <td>College Park, Md.</td> <td>20742</td> </tr> <tr> <td>8/74 to 8/74</td> <td></td> <td>McBrow Home</td> <td>Rockville, Md.</td> <td>20852</td> </tr> <tr> <td>1/74 to 8/74</td> <td></td> <td>Univ. of Md. Food Services</td> <td>College Park, Md.</td> <td>20742</td> </tr> <tr> <td>8/73 to 7/73</td> <td></td> <td>McBrow Home</td> <td>Rockville, Md.</td> <td>20742</td> </tr> <tr> <td>6/72 to 6/72</td> <td></td> <td>Church of Christ Nursery School</td> <td>Rockville, Md.</td> <td>20850</td> </tr> <tr> <td>6/71 to 8/71</td> <td></td> <td>Security International</td> <td>414 Pungertord, Rockville, Md.</td> <td>20850</td> </tr> </tbody> </table>						From (Mo./Yr.)	To (Mo./Yr.)	Employer	No., Street, City, State	ZIP Code	8/75 to 8/75		First Nat. Church	Rockville, Md.	20852	8/74 to 8/75		Univ. of Md. Food Services	College Park, Md.	20742	8/74 to 8/74		McBrow Home	Rockville, Md.	20852	1/74 to 8/74		Univ. of Md. Food Services	College Park, Md.	20742	8/73 to 7/73		McBrow Home	Rockville, Md.	20742	6/72 to 6/72		Church of Christ Nursery School	Rockville, Md.	20850	6/71 to 8/71		Security International	414 Pungertord, Rockville, Md.	20850
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6/71 to 8/71		Security International	414 Pungertord, Rockville, Md.	20850																																									
CERTIFICATION I CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND ARE MADE IN GOOD FAITH. FALSE STATEMENT ON THIS FORM IS PUNISHABLE BY LAW.		DATE 11-05-75 SIGNATURE (SIGN ORIGINAL AND FIRST CARBON COPY) Carol Anne McCard																																											
15. DATE OF APPOINTMENT 10-26-75		16. PLACE OF DUTY (IF DIFFERENT FROM ADDRESS IN ITEM 6) 																																											
17. TYPE OF APPOINTMENT <input type="checkbox"/> EXCLUDED <input checked="" type="checkbox"/> COMPETITIVE INCLUDES INDEFINITE AND TEMPORARY TYPES OF COMPETITIVE APPOINTMENT.		18. CIVIL SERVICE REGULATION NUMBER OR OTHER APPOINTMENT AUTHORITY CS Register																																											
19. THIS SPACE FOR FBI USE (SEE ALSO ITEM 22)		20. NAME AND FULL MAILING ADDRESS OF AGENCY OFFICIAL TO WHOM RESULTS OF INVESTIGATION SHOULD BE SENT. INCLUDE ZIP CODE. Center for Disease Control Personnel Management Office Atlanta, Georgia 30333																																											

RUFUS KING
ATTORNEY AT LAWTEL: (202) 638-4117
CABLES: "ARKING"WOODWARD BUILDING
WASHINGTON, D. C. 20005

April 20, 1976

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

Dear Sir:

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

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

Very truly yours,

James W. McCord, Jr.
James W. McCord, Jr.

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

REC-59

131

4887

14 MAY 18 1976

JEH
WA

JP

EJH

File it

EX 103

May 14, 1976

REC-59

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

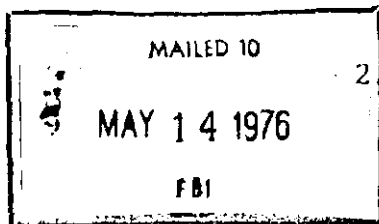
Dear Mr. King:

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

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

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

1. James McCord, aka Edward Martin
CR 34-127-72A
Attorney - Joseph A. Rafferty, Jr.
Attorney - at a later date - Gerald Alch;
2. Bernard L. Barker, aka Frank Carter
CR 34-128-72A
Attorney - Joseph A. Rafferty, Jr.
Attorney - at a later time - Henry B. Rothblatt;
3. Virgilo R. Gonzales, aka Raoul Godoy
CR 34-129-72A
Attorney - Joseph A. Rafferty, Jr.
Attorney - at a later time - Henry B. Rothblatt;
4. Jene Valdes, aka Eugenio R. Martinez
CR 34-130-72A
Attorney - Joseph A. Rafferty, Jr.
Attorney - at a later time - Henry B. Rothblatt;



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

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

MAIL ROOM ☒ TELETYPE UNIT ☐

GPO : 1975 O - 569-920

Rufus King III, Esq.

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

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

1. George Gordon Liddy
Attorney - Peter Maroulis;
2. Everette Howard Hunt, Jr.
Attorney C. Dickerson Williams;
3. James W. McCord, Jr.
Attorney - Bernard Fensterwald, Jr.
4. Bernard L. Barker
Attorney - Daniel E. Schultz;
5. Eugenio R. Martinez
Attorney - Daniel E. Schultz;
6. Frank A. Sturgis
Attorney - Daniel E. Schultz;
7. Virgilio R. Gonzalez
Attorney - Daniel E. Schultz.

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

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

Rufus King III, Esq.

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

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

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

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 6/28/76

MS/AS

FROM : SAC, WFO (56-308)

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

Enclosed for FBIHQ are the original and five (5) copies of
an LHM dated and captioned as above for dissemination to the Watergate
Special Prosecutor's Office (WSP0).

This LHM sets forth fifty (50) cases which had previously been
submitted for review to WSP0 by WFO in May, 1974. Concurrently these
cases have been carried by WFO in a pending inactive - unassigned status
while awaiting results of the WSP0 review. To date the results of
this review have not been received by WFO.

WFO is anxious to be advised of the WSP0 opinion on each case
set forth in order that each case may be either closed or reopened for
further investigation.

EXP-PROC.
30 JUN 28 1976

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/90 BY SP4 JRM/oms

*2 copies disseminated to
SPT, attention: Campaign
3 copies Room 5005
7-1-76
REMI*

EX-112

REC-36

ENCLOSURE

*2 - Bureau
1 - D. J.
1 - REMI
1 - FILE*

3078
7-1
JUN 28 1976

② - Bureau
50 - WFO (copy count attached)

RJR:dml

5 JUL 1 1976

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

WFO 56-308

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

1b*



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Washington, D.C. 20535
June 28, 1976

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

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

1. Northwest Orient Airlines
Watergate Special Matters
Election Laws
2. Tim Milford Babcock
Campaign Contributions
Election Laws
3. American Shipbuilding Company
George M. Steinbrenner
Election Laws
4. Salomon Brothers
Campaign Contributions
Election Laws
5. Max Palevsky
Campaign Contributions
Election Laws

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

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DATE 7/23/80 BY SP4 JSA/Ans



129 7000 3078
ENCLOSURE

6. Northwest Bank
Patrick J. O'Connor
Campaign Contributions
Election Laws
7. Jenos Incorporated
Jeno Paulucci
Campaign Contributions
Election Laws
8. L-T-V Corporation
Campaign Contributions
Election Laws
9. Cities Service Company
Campaign Contributions
Election Laws
10. Exxon Corporation
Standard Oil Company of California
Campaign Contributions
Election Laws
11. Robert A. Collier
Information Concerning
Campaign Contributions
Election Laws
12. Mason Hangar Company
Horatio Mason
Election Laws
13. INCOM, Incorporated
R.M. Collie
Election Laws
14. Atchison, Topeka and
Santa Fe Railroad
Campaign Contributions
15. Graniteville Company
Robert P. Timberman
Election Laws

16. Brigadier General Thomas Stafford
Information Concerning
17. Marathon Oil Company
Campaign Contributions
Election Laws
18. Avon Steamship Company, Incorporated
Campaign Contributions
Election Laws
19. American Shipbuilding Company
Contributions to "Dinner with
Dan Committee"
Election Laws
20. Hispanic Finance Committee
Campaign Contributions
Election Laws; Bribery
21. Martin Woolin
Maurice Stans
Election Laws; Bribery
22. Springs Mills, Incorporated
Hugh W. Close
Campaign Contributions
Election Laws
23. Apparel Industries Committee
Abe Schrader, Chairman;
Fred Pomerantz, Treasurer;
Samuel Sandhaus, Secretary;
Campaign Contributions
24. Citizens for Jackson
Campaign Committee
Election Laws
25. Audio Intelligence Devices
Leo Goodwin Foundation
Campaign Contributions

26. Texas Instruments, Incorporated
Campaign Contributions
Election Laws
27. United Airlines (UAL)
Edward E. Carlson
Campaign Contributions
Election Laws
28. Honeywell, Incorporated
Campaign Contributions
Election Laws
29. Lakewell Industrial Park, Incorporated
Andrew Clark
Campaign Contributions
Election Laws
30. Teledyne Ryan Aeronautical Company
Campaign Contributions
Election Laws
31. National Cable Television Association, Incorporated (NCTA)
Campaign Contributions
Election Laws
32. CRC Corporation
Campaign Contributions
Election Laws
33. Harvy A. Roffanan, also known as Henry Roffman
Campaign Contributions
Election Laws
34. Kerr - McGee Corporation
Campaign Contributions
Election Laws
35. Theodora Ashley
Warner Communications, Incorporated
Campaign Contributions
Election Laws

36. Engstrom - Hicks Insurance Agency
Election Laws
37. Continental Airlines
Campaign Contributions
Election Laws
38. Anthony George Angelos
Campaign Contributions
Election Laws
39. Eugene Richard Warner
Election Laws; Conspiracy
40. Executive Jet Aviation, Incorporated
Campaign Contributions
Election Laws
41. Douglas W. English, Jr.
Campaign Contributions
Election Laws
42. Ashland Oil Corporation
Campaign Contributions
Election Laws
43. Theodore M. Risenhoover
U.S. Congressman
Second Congressional District of Oklahoma
Election Laws
44. McDonnell Douglas Aircraft Corporation
Campaign Contributions
Election Laws
45. C. Brewer and Company, Limited
Honolulu, Hawaii
Election Laws
46. Federation of Experienced Americans, Independent Older Americans
Fraud Against the Government
Conspiracy

WFO 56-308

- 47. Unknown Subjects
Alleged Misuse of the Internal Revenue Service
Fraud Against the Government
- 48. John A. Scali
Conflict of Interest
- 49. Charles G. Rebozo
Miscellaneous Information Concerning
- 50. Unknown Subjects;
Missing and Altered White House Tapes and Documents
Perjury; Obstruction of Justice; Destruction of Government
Property.

Airtel

8/31/76

ST-107
To: SAC, WFO-10

DE-21

REC 68

From: Director, FBI

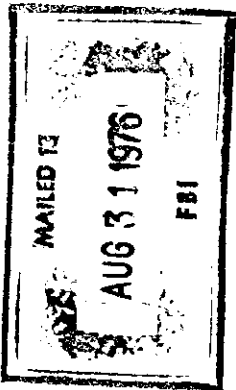
Mr. Meyer

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

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

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

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



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 _____

AEM:els (4)

SEP 2 1976

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

Airtel to SAC, WFO

Re: INVESTIGATIVE MATTERS PREVIOUSLY REFERRED TO
THE OFFICE OF THE WATERGATE SPECIAL PROSECUTOR

14. Martin Woolin
Maurice Stans
15. Spring Mills, Incorporated
Hugh W. Close
16. Apparel Industries Committee
Abe Schrader, Chairman
Fred Pomerantz, Treasurer
Samuel Sandhaus, Secretary
17. Audio Intelligence Devices
Leo Goodwin Foundation
18. Texas Instruments, Incorporated
19. United Airlines (UAL)
Edward C. Carlson
20. Honeywell, Incorporated
21. Lakeland Industrial Park, Incorporated
Andrew Clark
22. Teledyne Ryan Aeronautical Company
23. CRC Corporation
24. Harvy A. Roffanan, aka Henry Roffman
25. Kerr - McGee Corporation
26. Engstrom-Hicks Insurance Agency
27. Continental Airlines
28. Executive Jet Aviation Incorporated
29. Douglas W. English, Jr.
30. Ashland Oil Corporation
31. Theodore M. Risenhoover
U.S. Congressman
Second Congressional District of Oklahoma
32. C. Brewer and Company, Limited

Airtel to SAC, WFO

Re: INVESTIGATIVE MATTERS PREVIOUSLY REFERRED TO
THE OFFICE OF THE WATERGATE SPECIAL PROSECUTOR

33. Federation of Experienced Americans,
Independent Older Americans
34. John A. Scali
35. Northwest Bank
Patrick J. O'Connor
36. American Shipbuilding Company
Contributions to "Dinner with Dan Committee"
37. Citizens for Jackson Campaign Committee
38. Anthony George Angelos
39. McDonnell-Douglas Aircraft Corporation
40. Unknown Subjects
Alleged Misuse of the Internal Revenue
Service Fraud Against the Government
41. Unknown Subjects
Missing and Altered White House Tapes &
Documents; Perjury; Obstruction of
Justice; Destruction of Government Property

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

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

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

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

The following matters are still open for further
investigation:

1. Eugene Richard Warner
2. Charles G. Rebozo

WATERGATE SPECIAL PROSECUTION FORCE

DEPARTMENT

Memorandum

TO : Clarence Kelley, Director
Federal Bureau of Investigation

DATE: Aug

FROM: Charles F. C. Ruff
Special Prosecutor

James McCord

SUBJECT: Investigative Matters Previously Referred to the
WSPF Concerning Campaign Contributions Election

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	_____

FBI/DOJ

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

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

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

ST-105

REC 68

139-4489-3076

SEP 2 1976

EXP. PROC.
AUG 30 1976

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

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George Steinbrenner
2. Max Palevsky
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Jeno Paulucci
4. Graniteville Company
Robert P. Timmerman

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

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

The following matters are still open for further investigation:

1. Eugene Richard Warner
2. Charles G. Rebozo

~~CONFIDENTIAL~~

The Attorney General

November 4, 1976

Director, FBI

James Walter McCord

[REDACTED]

B1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

[REDACTED]

B1

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

REC-26 139-4089-3080

[REDACTED]

B1

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

JEO:bhg
(7)

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

5 NOV 5 1976

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

APPROVED: _____	Ext. Affs. _____	Letter to _____
Assoc. Dir. _____	Fin. & Pers. _____	Ext. Sec'y _____
Dep. AD Adm. _____	Gen. Inv. _____	Spec. Inv. _____
Dep. AD Inv. _____	Ident. _____	Training _____
Asst. Dir. _____	Inspection _____	Telephone Rm. _____
Adm. Serv. _____	Intell. _____	Director's Sec'y _____

MAIL ROOM ☐

~~CONFIDENTIAL~~

NOV 16 1976

FBI/DC

~~CONFIDENTIAL~~

The Attorney General

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

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

1 - The Deputy Attorney General

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

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

James Watten

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

Date: November 4, 1976
FEDERAL GOVERNMENT
To: Director of Central Intelligence
From: Clarence M. Kelley, Director
Subject: [REDACTED]

DELIVERED BY AIRMAIL
DATE 11/8/76

[REDACTED]

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

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

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

JEO:jmh
(5)

DE-39

139-4089-3081

8 NOV 10 1976

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

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

4 NOV 23 1976

MAIL ROOM ☐

TELETYPE UNIT ☐

~~CONFIDENTIAL~~

Director of Central Intelligence

B7C, D
contemplated [REDACTED] will be interviewed in the immediate future by the FBI relative to other unrelated allegations made [REDACTED]. Any additional information developed regarding this situation will be promptly furnished to you. B7C

B7C D [REDACTED] requested and was granted an express assurance of confidentiality pursuant to the Privacy Act of 1974. It is therefore requested appropriate precautions be taken by you concerning his identity.

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

~~CONFIDENTIAL~~

Special Prosecutor
Watergate Special Prosecutions Force

November 4, 1976

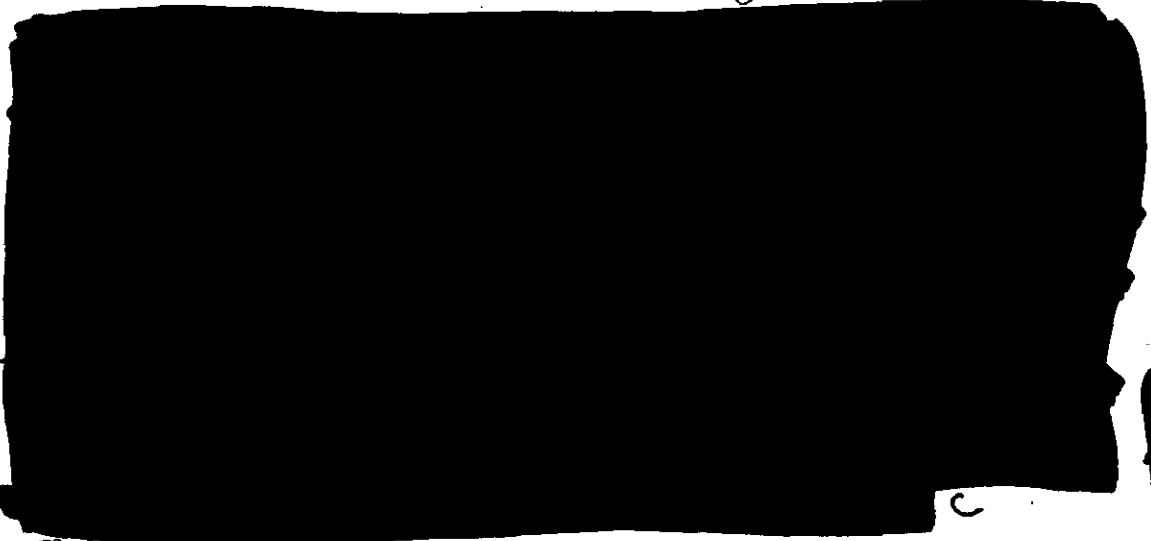
Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

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REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 11/4/96

CST


James B. Walter, Inc. Co.
B1



MAILED
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FBI

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

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

JEO:bhg
(5)

DE-19

EX 104

REC-86

N-20

NOV 9 1976

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

APPROVED:
Assoc. Dir.
Dep. AD Adm.
Dep. AD Inv.
Asst. Dir.:
Adm. Serv.

Ext. Affairs
Fin. & Pers.
Gen. Inv.
Ident.
Inspection
Intell.

Laboratory
Legal Coun.
Plan. & Eval.
Rec. Mgnt.
Spec. Inv.
Training
FBI/O

30 1976

~~CONFIDENTIAL~~

Special Prosecutor
Watergate Special Prosecutions Force

B7C

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

B7C

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

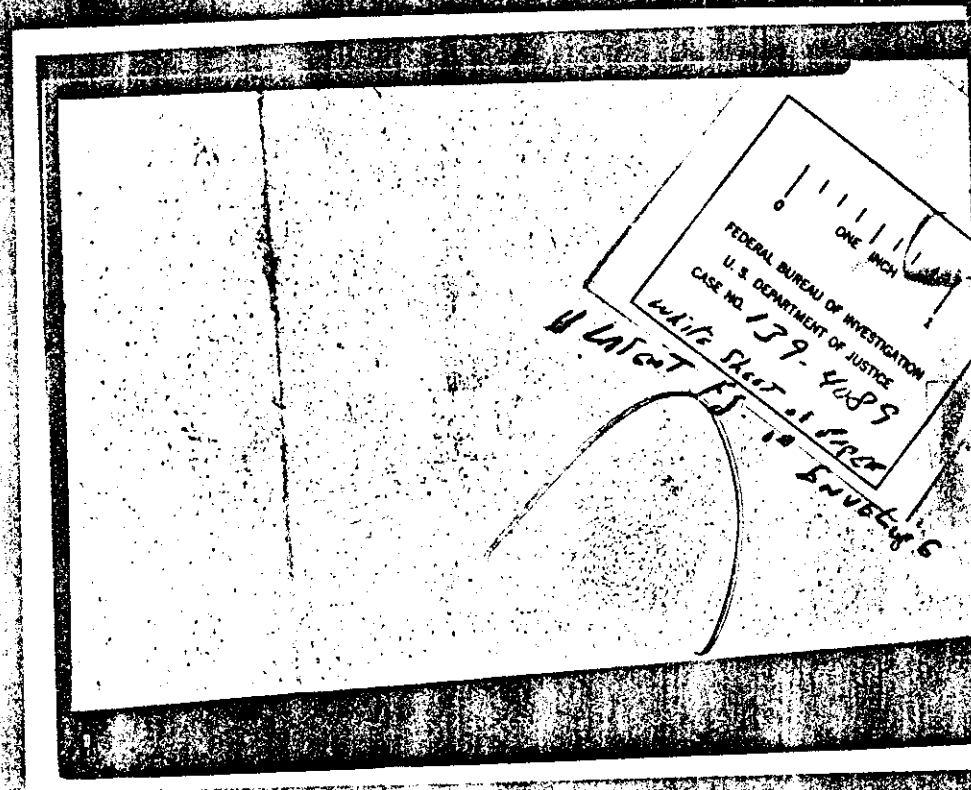
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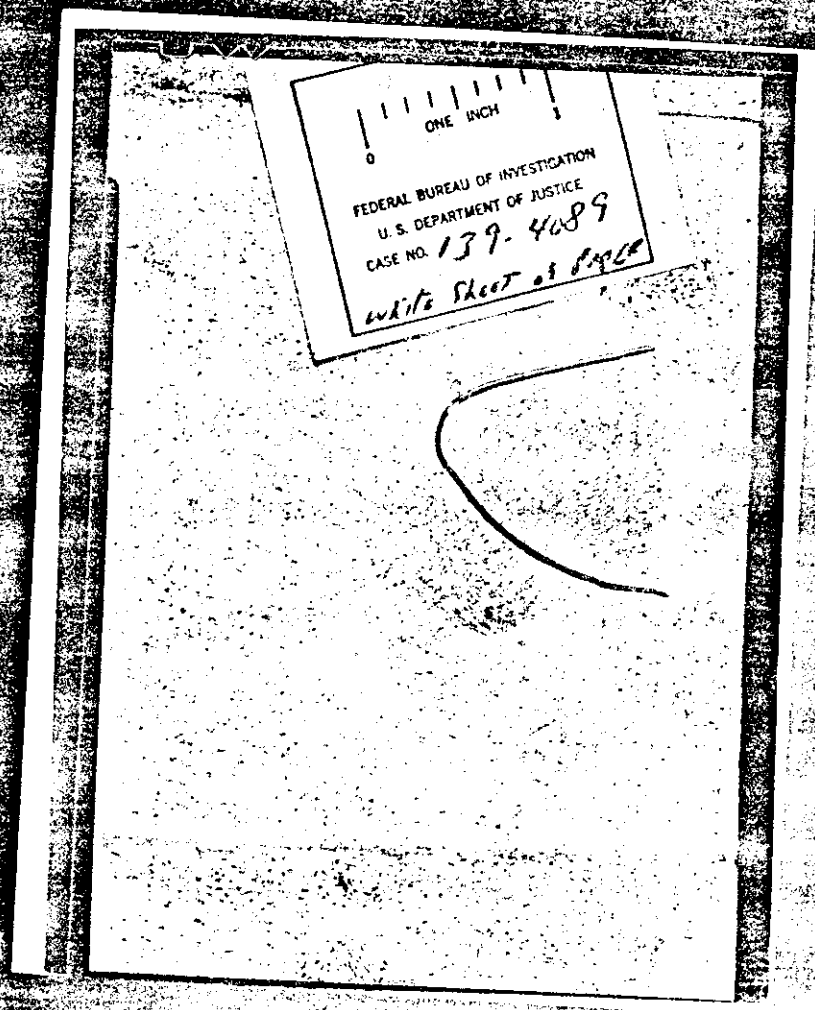
But:3 No.	139.4089
LC No.	A.55519
Date of Relet	A 5/20/75
Examiner	<i>Decker</i>
Noted by	<i>McDavid</i>
No. of Photos	15



139-4089 Q102 IK
FBI
LABORATORY

Mr.
127
Mia





POSTAGE DUE

Mr. Manuel Estime
1270 N.E. 89th
Miami, Fla.

Latent in letter

139-4089 Q102 IK
FBI
LABORATORY

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MIAMI
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FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

SEP 20 1968

CASE # 100-447537

WASH DC

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10/10/10

PP

10-11-55

FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CHARGE: 26 USC 5551

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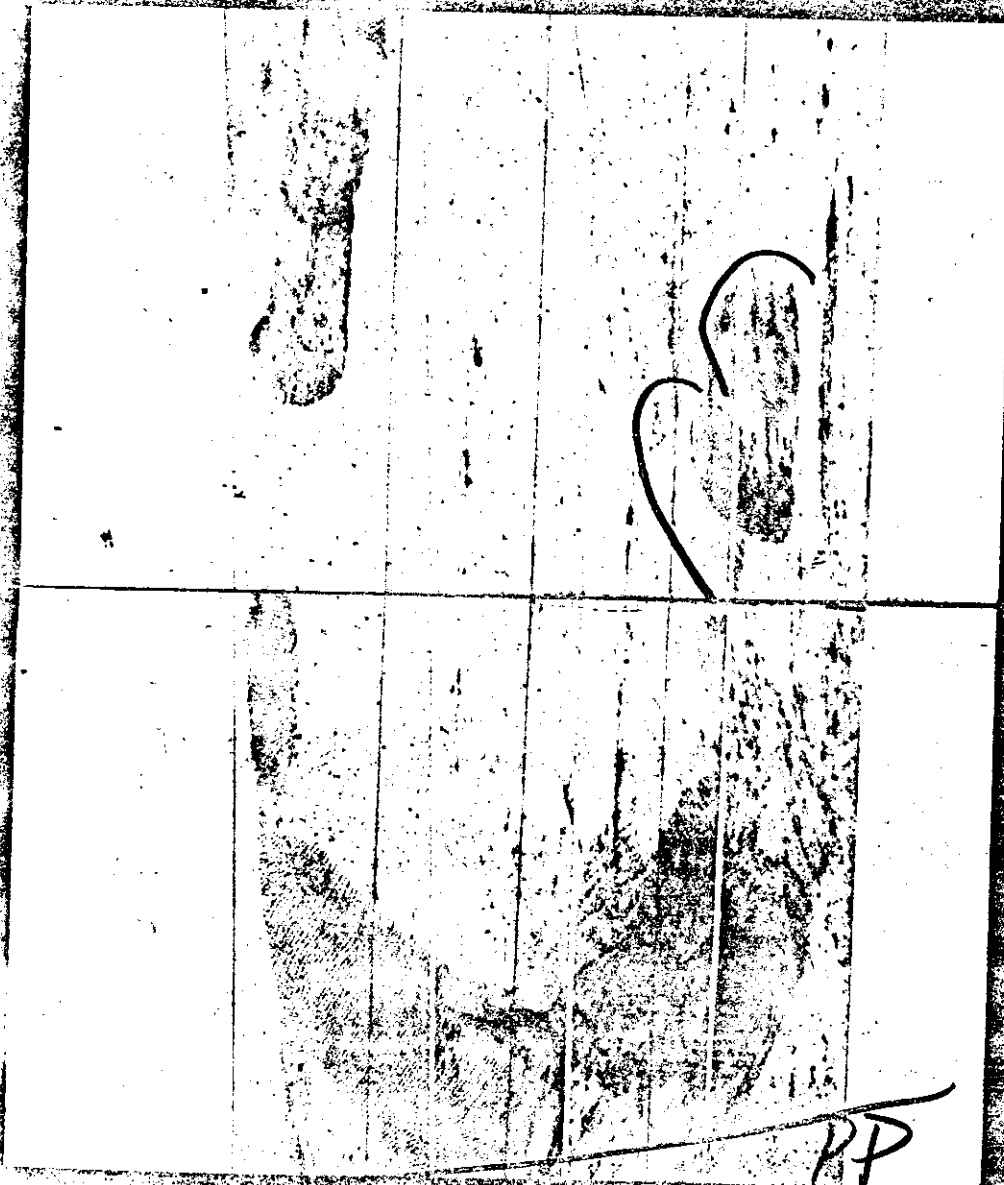
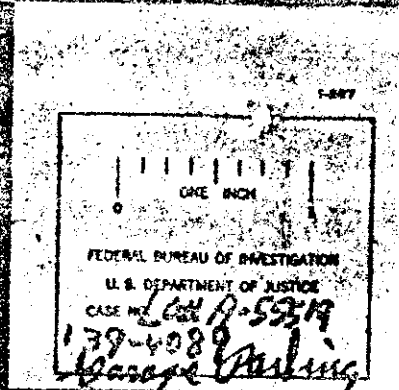
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RP

#166



See subjects; for other subjects, see page 8.
Essential picture.
Pressing in or releasing button.

0 1
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. **LLH-555A**
139-4089

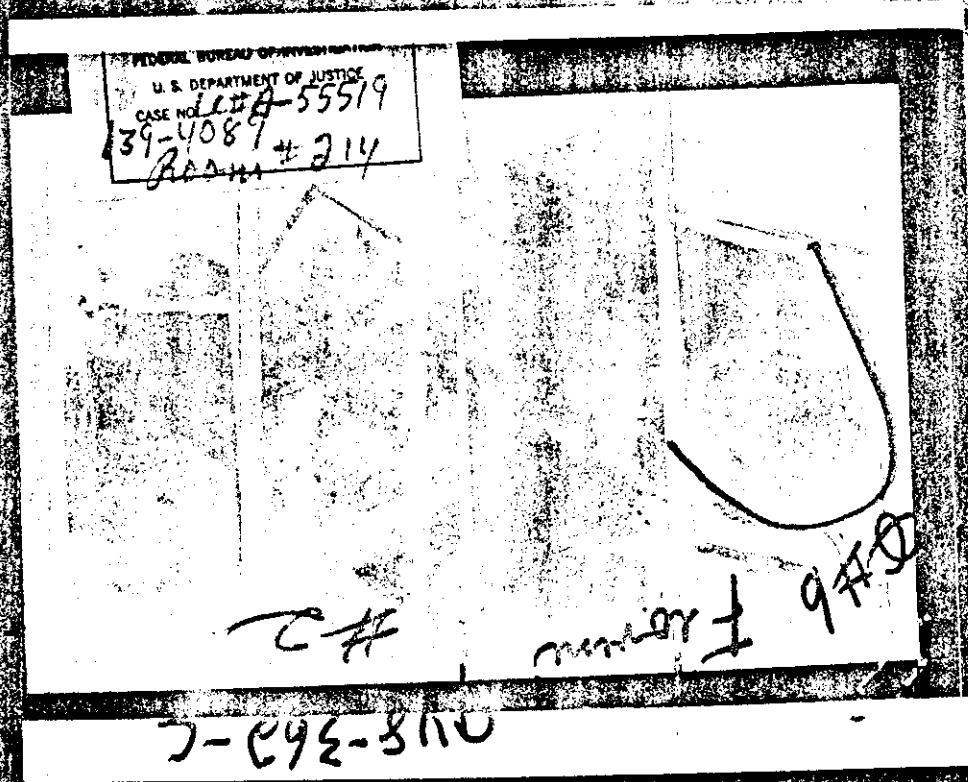


DATE **6/25/62**
NUMBER **12830**
EVID
METROPOLITAN
WASH. D. C.

1. Raise the camera frame
2. the subject, speed, pay no
3. attention to the red line
4. while frame is shooting.

XX

#187

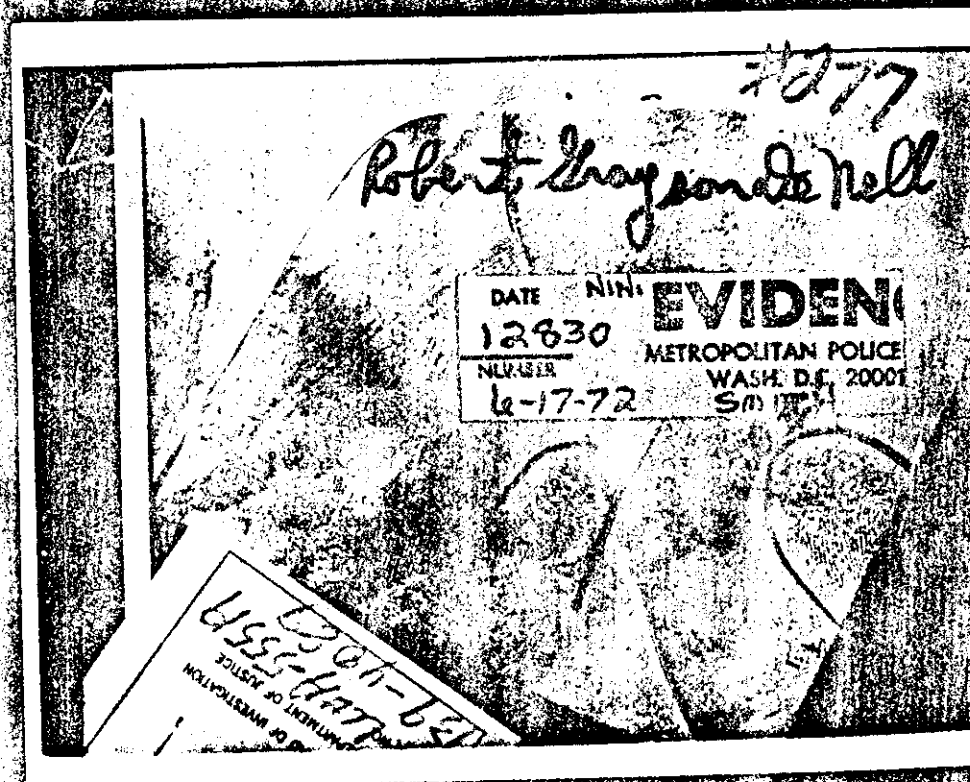


FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-4089
ROOM # 214

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FBI # 940

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#7

Q41



U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
139-17089-55519
SEARCHED INDEXED
SERIALIZED FILED
JAN 11 1964
FBI - NEW YORK

SA Donald Eugene Stuber II
Edison

Carl Marion Sheffler

#280

DATE 11/11

EV

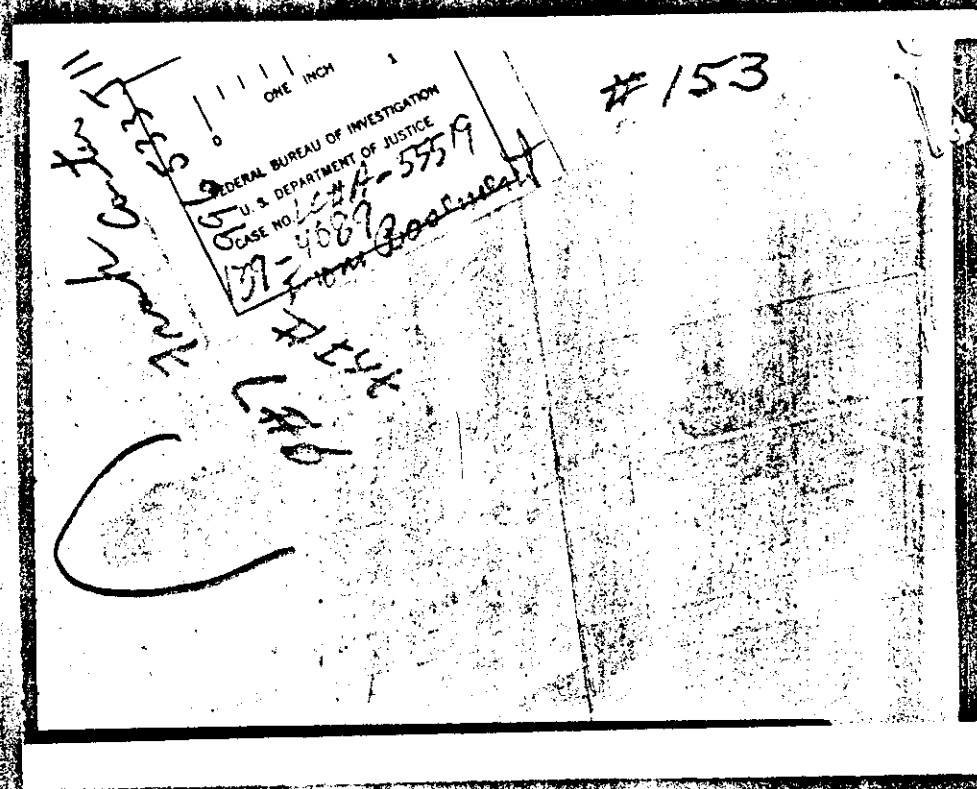
West Line METROPOLITAN

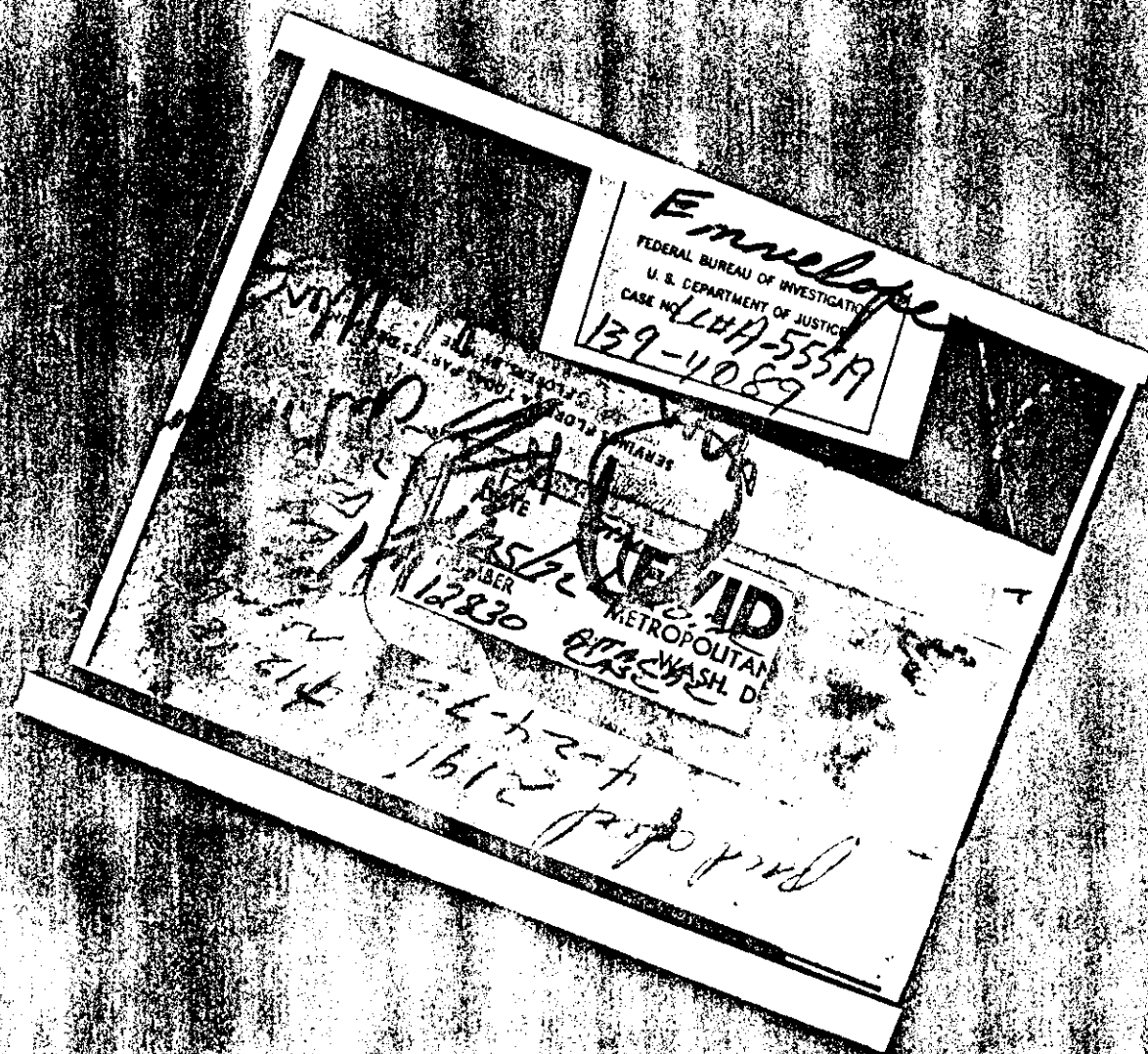
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 129-475519

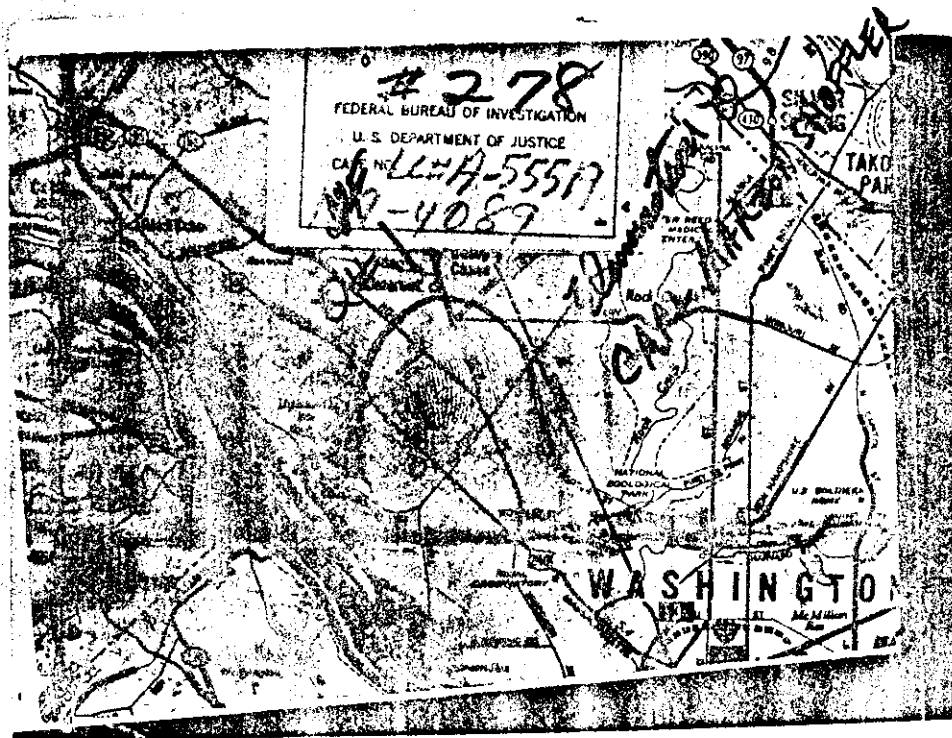
ELING #3







5337
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 100-4589
#153



WFO (139-166)

James Walter McLeod Jr; ET AL
Virginia Democratic National
Committee Headquarters

Washington DC

6/17/73

IOC

5 1974

ST 5 1972
Serial No. 139-4089
LC No. A-55519
Date of Report 9/6/73 (audit)
Examiner [Signature]
Noted by [Signature]
No. of Photos 189

84 lat pgs
12 lat ppis
7 lat rings

25 clings
12 p. encls

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/31/82 BY SP4/SLM

Photos & lats
139-4089

ENCLOSURE

LABORATORY
FBI
139-4089-6ET
LH 43 043 IX
61355-447

CREDIT CARD
KEY CARD
AMERICAN EXPRESS
DINERS

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ELIM. ✓
SA EUGENE JOHN ELYNN

64

Lee, Miami (139-328)

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

Elim Q 19

Q439 Q44

bufile NO. 101-17001
LC No. 11-55519
Date of Refel 6/26/72 (white)
Examiner Smith
Noted by Heepert
No. of Photos 5

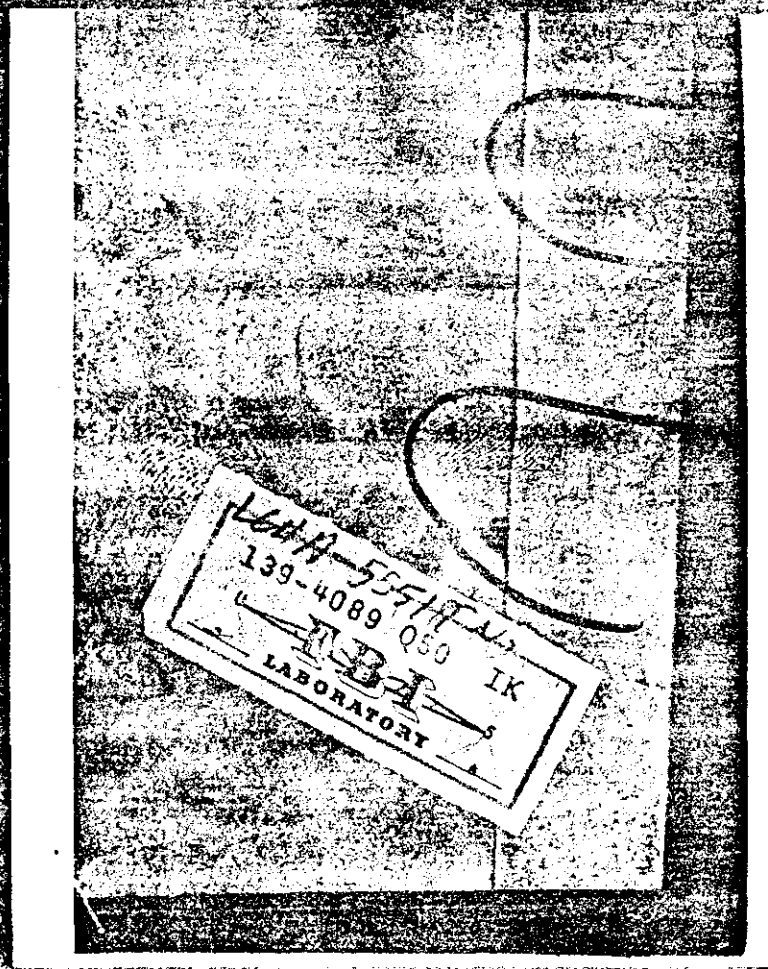
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& Elim.

SA Eugene John Flynn

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4/RS/ONS

139-4089
photos not pts.

10
11/18/74



W/ Warren

Fontainebleau

ON THE OCEAN
MIAMI

NOT RESPONSIBLE FOR CLUBS, BARS, APPAREL, ETC.
DEPOSITS. SALES DEPOSIT BOOKS ARE AVAILABLE AT THE CLUBS.

LABORATORY
139-4089 Q50 IK
6644-55517-43

Doc, Miami (139-328)

Q50

Buttle No. 139-4089
LC No. A-55519
Date of Refet 4/29/72 (initial)
Examiner Smith
Noted by Harper
No. of Photos 6

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

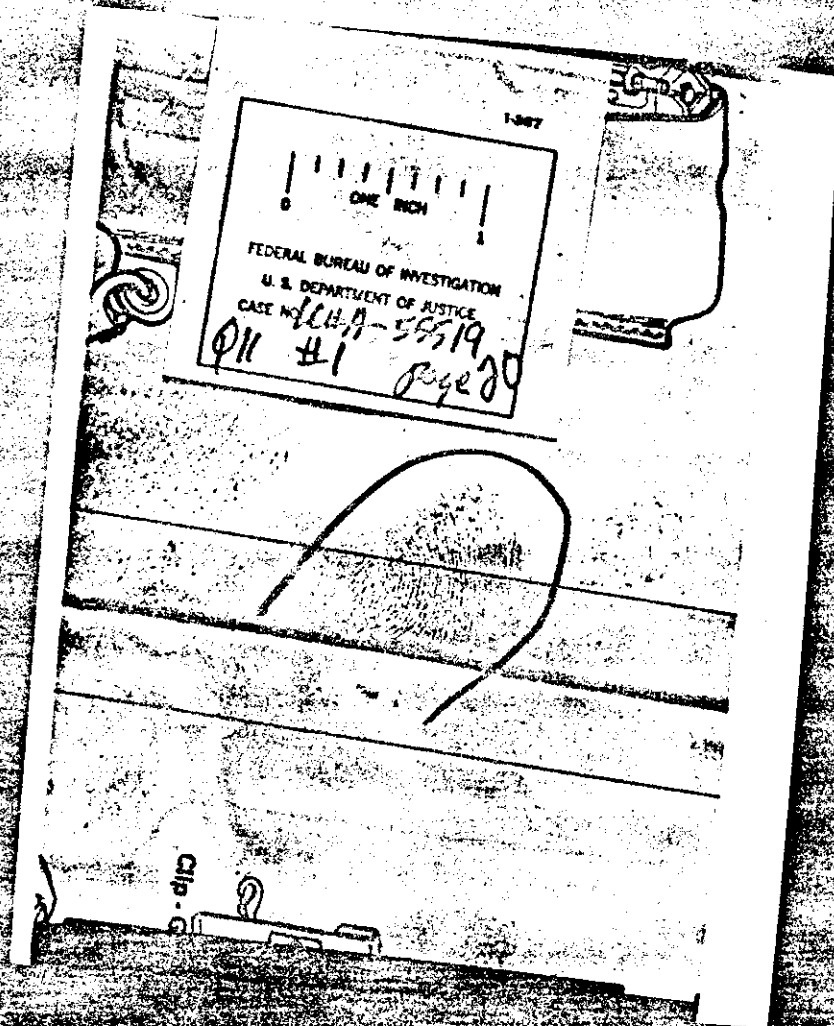
3 fpts

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

139-4089
photos lat pte

2 photos
of McLeod

139-4089

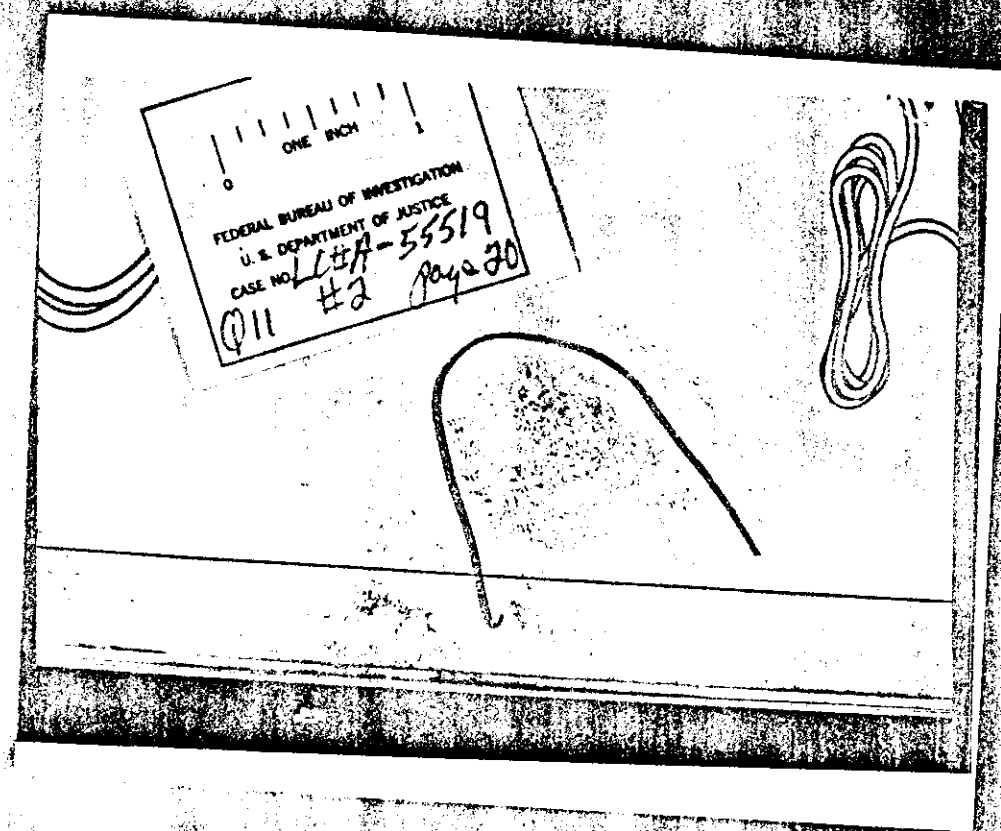


1-367

ONE INCH

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 100-55519
Q11 #1 Page 20

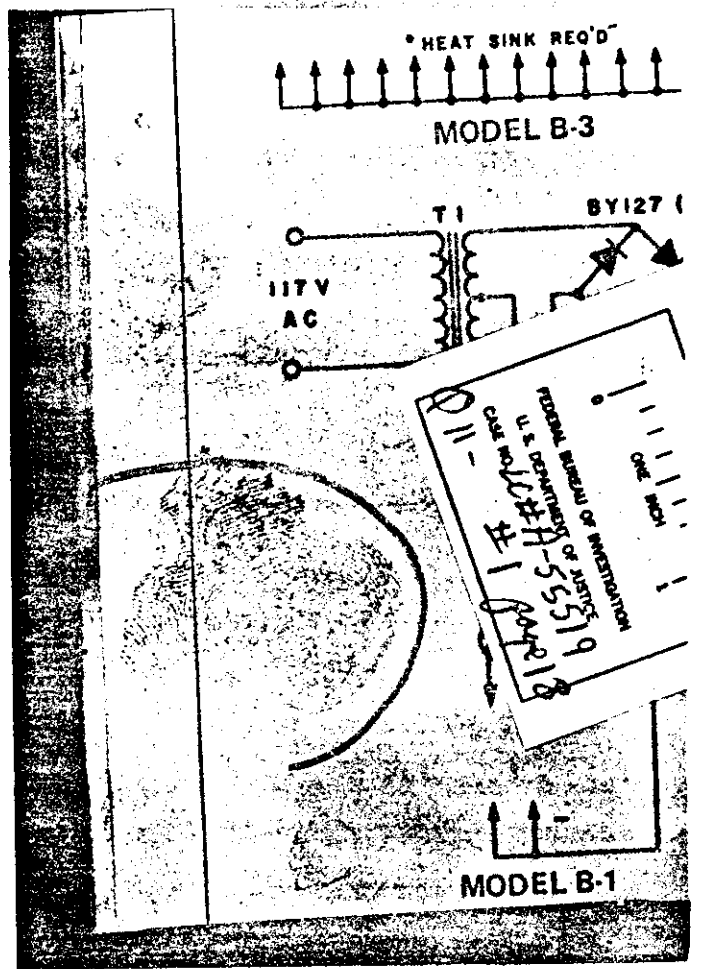
Clip - G





FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 66-55519
Q11- #1 page 18

Gutter Mount Antenn
Model A-4
with Adaptor Cable Mod



Doc, WFO

Bernard L. Barker, et al;
Watergate Apartments,
Washington, D.C.
Interception of Communications
Molva - 11/11/72
6/17/72

Q10 - attache case

Q11-Q28 - contents of Q10

5 lat pgts

photos of lats
139-4089

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

Buf file No. 139-4089
LC No. A-55519
Date of Report 6/27/72 in file
Exempted
Noted by H. J. J.
No. of Photos 13

6/27/72 in file

4 photos

1 Net/720

12/18/74

Q1 thru Q42
+ A/S

Ex. No. A-55519
Date of Report 4/27/72 (init)
Examiner A. Smith
Noted by Adams
No. of Photos 56

WFO (139-166)

James Walter McCord, Jr.;
Burglarizing Democratic
National Headquarters,
Washington, D.C.

34 fpts
2 pp

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/22/80 BY SP4/K6/DM

139-4089
Photo & lat pnts

CREDITS	BAL. DUE	PICK-UP ROOM NO.
		2.42 AB-905
		AA-905
		16.60 AB-905
		19.00 AB-905
		AB-905
		33.78 AB-905
		11.03 AB-905
		13.22 AD-905
		56.7 AB-905
		42.60 AB-905
		40.82 AB-905
		AB-905
		26.64 AB-905

FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE
 CASE NO. 65-555-4787
 09/4/77
 6504
 651

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

26
27
22
23

ONE INCH

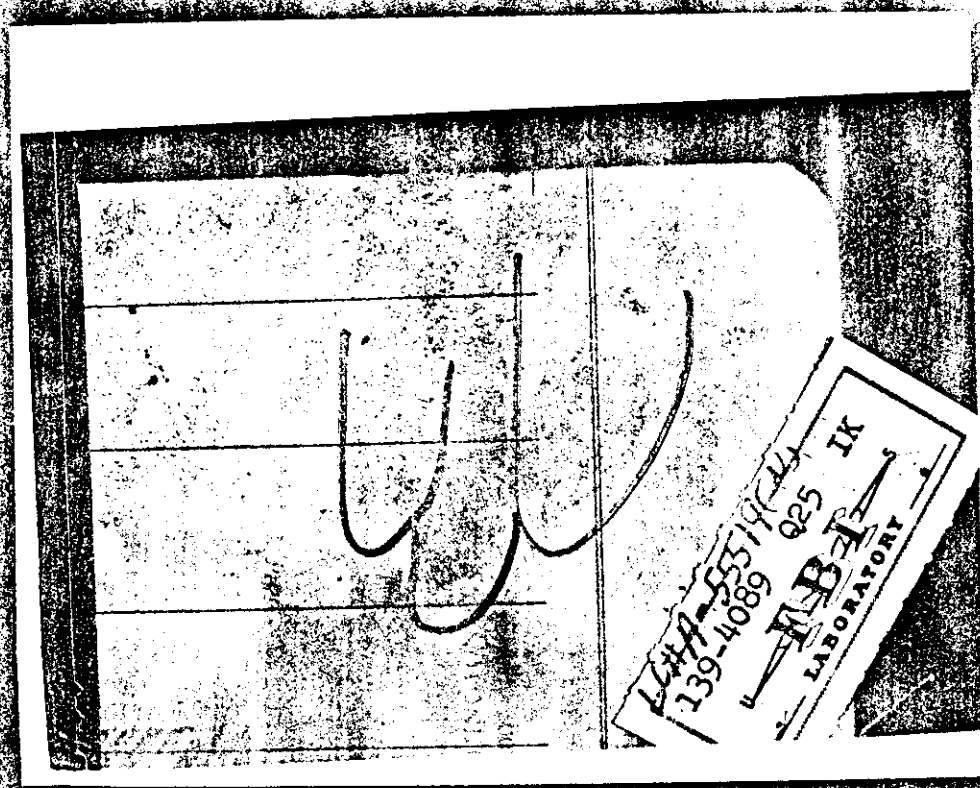
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 159-4039
159-4039-55519
159-4039-104730
Watergate Hotel

Watergate Hotel

GENERAL AVENUE
PHON

SIGNATURE _____
FIRM _____
ADDRESS _____

REMARKS:

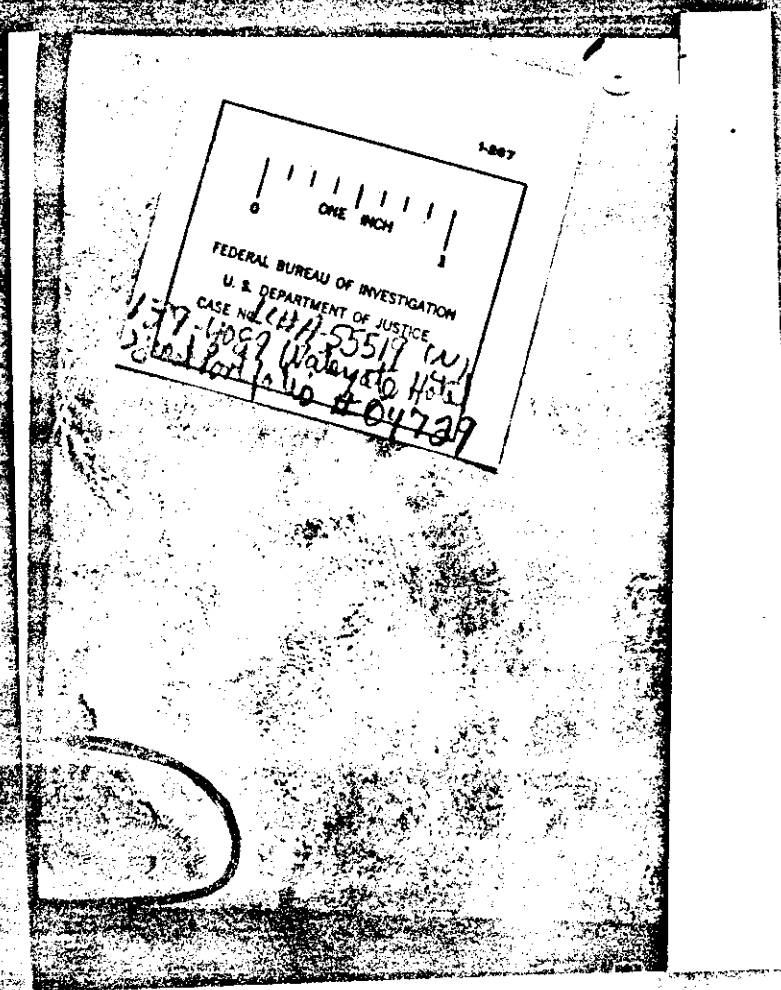


LC44-55519 (M)
139-4089 Q28 IK

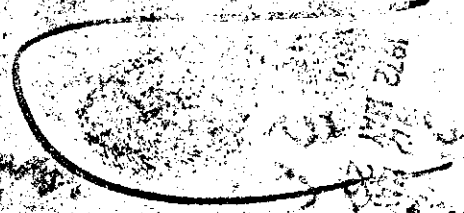
FBI
LABORATORY

MEMO	DATE	EXPLANATION
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139-10889 (Inventory # 04737)
 CASE NO. 139-10889
 FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE
 ONE INCH
 0 1 2 3 4 5 6 7 8 9



36



LAH-55519 (N)
139-4089 Q36 IK
FBI
LABORATORY

2

139-44-601-64
CASE NO. 139-44-601-64
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
DIVISION OF INVESTIGATION
1961

Name _____
Street and No. _____
City and State _____
Firm _____

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

LCU H 55517 (N)
139-4089 Q26 IK
FBI
LABORATORY

pos 3

Q35 IK

139-4089

144-55579

SPECIAL INSTRUCTIONS

LABORATORY

AMERICAN, Inc.

VALDES, G.

ROOM 3

FOLIO 1

1-287

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

ONE INCH

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

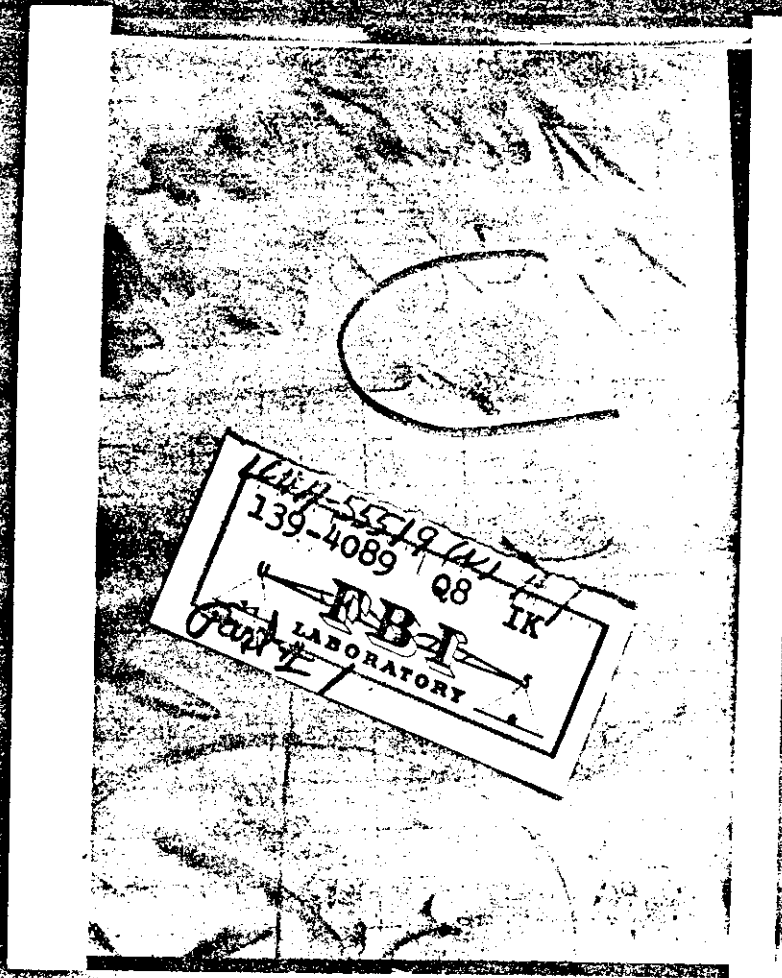
CASE NO. 137-4089 CH-55519 CL
Wm. G. Hamilton
Bul # 617156
Street and No. _____

City and State _____

Firm _____

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

MEMO	DATE	EXPL
	10	
	11	
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	14	
	15	
	16	



[illegible]

INITIAL	NO.	RATE	RATE CHANGE	RATE CHANGE	06/37
			SPECIAL INFORMATION		
			FOLD NUMBER		
			PP		
ARRIVAL			6/7/50		
DEPART					
LOCATION					
★ 18.00					
★ 0.90					
			★ 18.90		
			# 314		
			# 314		
			CASE NO. 100-4089-621 U. S. DEPARTMENT OF JUSTICE FEDERAL BUREAU OF INVESTIGATION 129-555-677 100-4089-621 100-4089-621		

ROOM ASSIGNED	701
RATE	13.50
68	
WORK	W
ERS.	2
DATE OF ARRIVAL	May 26
HOUR OF ARRIVAL	6:00
DATE OF DEPARTURE	May 26

☐ FICE ☒ PHONE ☐ TWX ☐ AMX ☐ OTHER ☐

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

Mayer Hotel
& Motor Inns

ONE INCH

FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. 44-55519 (CV)

12-4059 Mary C. Hamilton

67756

WAIVED
THE EVENT
CIATION
DUNT OF

CREDIT
CARD NO.

2.14

AA909

AA909

AA909

16.52

24.20

AA909

AB -909

38.38

AB -909

45.63

AB -909

47.82

AD -909

52.16

AD -909

AB -909

38.00

AB -909

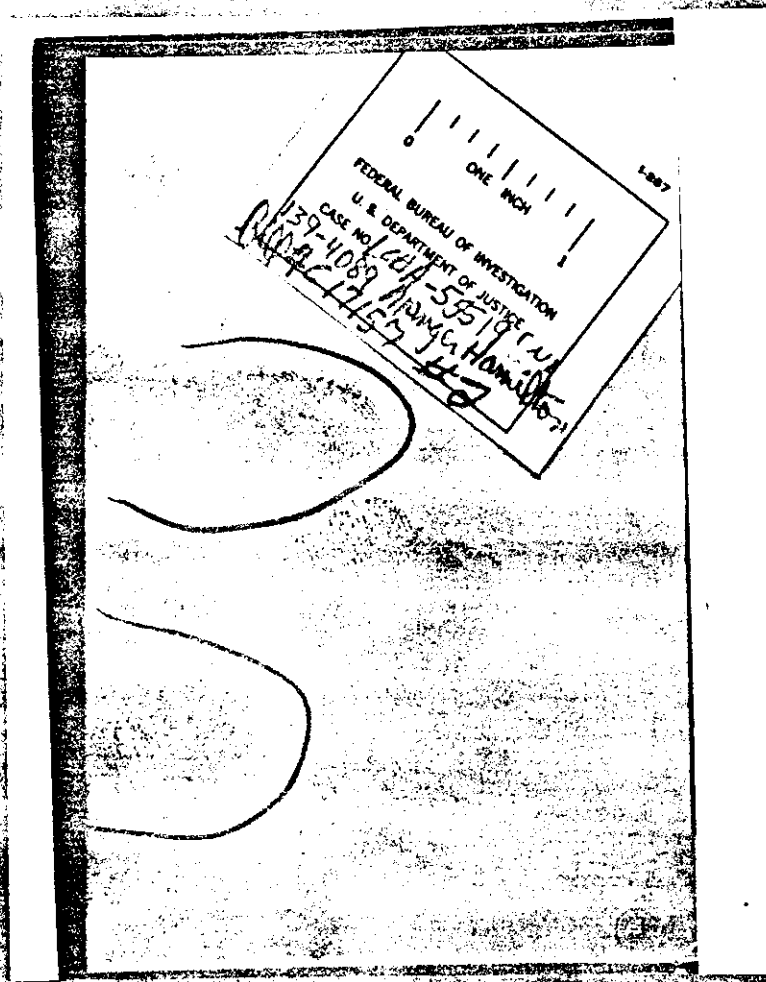
36.22

AB -909

AB -909

2.04

AB -909



70

ROOM NO

72

D

PRICES

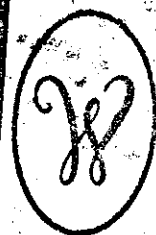
16

50

57-1350

50

FEDERAL BUREAU OF
INVESTIGATION
U. S. DEPARTMENT OF
JUSTICE
ONE INCH



atergate
Terrace

5423

5423

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5423

-4.05 DVPD

-0.20 TAX

-1.75 TIP

-6.00 CHG

WAITER	PERSONS	T
<i>W</i>	<i>2</i>	

WHA-55519 CV

139-4089 Q18 IK

FBI
LABORATORY

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LABORATORY
FBI
Q25 IK
LC#11-55519(L)
139-4089

2

R SERVICE OUT

ROOM NO.
723

D TO TOTAL PAID

NAME
Cord

90
~~3~~

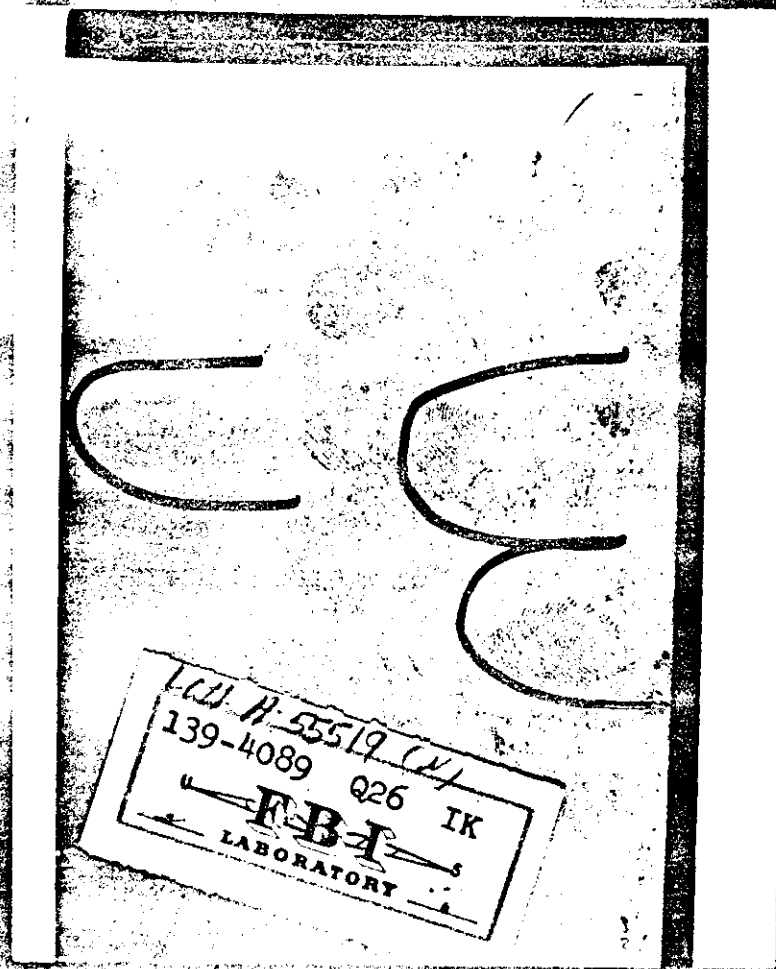
GE. Chee
Sig co

90

GE che

Laboratory
FBI
680T-6ET
L39 #1

DATE RECEIVED
JAN 2 1968





MEMO

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11	12	13	14	15
16	17	18	19	20
21	22	23	24	25
26	27	28	29	30

ONE INCH

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CASE NO. *100-4089-5551*
W. J. Mangen-Hamilton
6/15/57



FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 100-55518-1
137-4089 W. A. R. H. 11-150
Reg #06438

REMARKS

AST
STREET
CITY
FIRM
DATE
REFERENCE
CHARGES
CLERK

139-4089
CASE NO. 139-4089
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
MAY 26 1964
ONE INCH
1-387

MAY 26 1964

See, WFC (139-166)

James Walter McCord, Jr.;
et al;
none

Q51 thru Q56
45 A/S items

LC No.	19-55519
Date of Report	7/3/72 dated
Examiner	Amelia
Noted by	Harper
No. of Photos	3

1 Sept

~~CLASSIFIED INFORMATION ENCLOSED~~

139-14089
photos lat prts.

1 Rec. PD
12/1/72

U. S. F. & G.

UNITED STATES FIDELITY AND GUARANTY COMPANY
BALTIMORE 3, MARYLAND

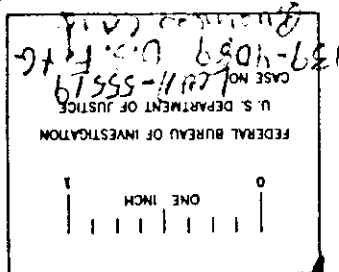
Insured: **EDWARD J. HAMILTON**

Address: **65 Parker St., Attleboro, Mass.**

Automobile Policy No. **C-1311453** Expires **7/31/61**
Claim Office Key No. **28**

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

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



OVER CONFIRM

~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

7/23/90
CLASS. & EXT. BY SP4 JRM/OMS
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 2/18/94

~~CONFIDENTIAL~~

FBI

Date: 12/14/76

Transmit the following in _____

(Type in plaintext or code)

Via AIRTEL

AIR MAIL

(Precedence)

TO: DIRECTOR, FBI (139-4089)
 FROM: SAC, SAN FRANCISCO (139-142) (RUC)
 SUBJECT: JAMES WALTER MC CORD, JR.,
 ET AL
 IOC
 OO: WFO

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

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

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

ST-108

REC- 13

DE-44

23 DEC 17 1976

- 2 - Bureau (Enc. 6)
 1 - San Francisco

RAN:ked

(3) ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/23/80 BY SP-101 DMS

Approved: _____

Special Agent in Charge

Sent _____

M Per _____

54 JAN 17 1977



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
San Francisco, California

In Reply, Please Refer to
File No.

December 14, 1976

JAMES WALTER MC CORD, JR.

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

CA:
1-1-1
Contact was established with the Fremont Police Department whereupon it was determined the only individual in that city who could possibly be identical with the caller was Martin William Harlan. Harlan met all the descriptive criteria available and in addition lived in the vicinity that a meet between Mc Gunn and the unknown individual was supposedly to have occurred but that did not transpire.

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

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

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/23/80 BY SP4 Jm/oms

137-4089-3083

JAMES WALTER MC CORD, JR.

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

~~CONFIDENTIAL~~

Airtel

12/17/76

To: SAC, Butte

PERSONAL ATTENTION

From: Director, FBI

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

[REDACTED]

B7C

- VICTIM;
ITAR - EXTORTION; CONSPIRACY
OO: Butte

James Walter Mc Cord

Enclosed for Butte are the following items:

1. Six-page typed transcript beginning, "Today's date is . . ." (2 copies).
2. Three-page typed transcript beginning, "I am going" (2 copies).
3. Eleven-page typed transcript beginning, "Typed from a . . ." (2 copies).
4. Envelope with "Nick" on its face containing two-page typed document beginning, "Nickie and an . . ." (2 copies).
5. Expense record captioned, "Hammerhead preparations . . ." (2 copies).

7/24/80
CLAS. & EXT. BY SP4 Jeml QMS
REASON-FCIM II, 1-2.4.2 2
DATE OF REVIEW 12/17/96

Enclosures

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

- 1 - Bufile captioned, [REDACTED]

JJO:hhg (9)

7/10/84
JUN 17 1977

B1

139-4089

NOT RECORDED
191 JUN 1 1977

~~CONFIDENTIAL~~ DUPLICATE YELLOW

~~CONFIDENTIAL~~

Airtel to Butte

Re: [REDACTED] B7C

6. United Airlines (UAL) ticket bearing number 0164459647739 (2 copies).
7. UAL ticket bearing number 0164257429591 (2 copies).
8. Copy of UAL ticket bearing number 0164459647738 (2 copies).
9. UAL ticket bearing number 0164257429590 (2 copies).
10. Receipt number 600404 for Hotel St. Francis (2 copies).
11. Record of serial numbers beginning with L 09891441A (2 copies).
12. Receipt for \$1.65 from San Francisco Airport (2 copies).
13. Hotel St. Francis Brochure for "Mr. Mauch" (2 copies).
14. Sixteen-page signed statement from [REDACTED] (original only). B7C
15. Warning and Waiver form signed by [REDACTED] B7C
16. Two-page signed statement from [REDACTED], re embezzlement of Idaho State Retirement Fund (original only). B7C
17. Receipt dated 10/12/76 for items received from [REDACTED] (original only). B7C, D
18. Interview [REDACTED] dated 10/12/76 (original only). B7C
19. Receipt dated 10/14/76 for items received from [REDACTED] (original only). B7C, D B7C
20. Interview [REDACTED] dated 10/14/76 (original only).
21. Two-page signed statement from [REDACTED] alleged murder by [REDACTED] (original only). B7C

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Airtel to Butte

Re: [REDACTED] B7C B7C.D

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

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

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

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

[REDACTED] B7C.D allegations and to determine if possible violations over which the FBI has jurisdiction have occurred, it was ascertained through public record sources that beginning in 1974, "The Idaho Statesman" newspaper, Boise, Idaho, printed articles that several members of the Idaho Endowment Investment Board were apparently involved in conflicts of interest which might constitute felony violations of Idaho State Statutes. Specifically, news reports disclose U. S. Farmers Home Administration, U. S. Forest Service, and the U. S. Small Business Administration in the States of Wyoming and Idaho were involved in an alleged conflict of interest by Steve Meikle, Chairman of the Board.

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

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

~~CONFIDENTIAL~~

Airtel to Butte

Re: [REDACTED] B7C

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

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

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

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

~~CONFIDENTIAL~~

Airtel to Butte

Re: [REDACTED] B7C

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

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

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

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

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

[REDACTED]

~~CONFIDENTIAL~~ B7C

~~CONFIDENTIAL~~

Airtel to Butte
Re: Charlene Brody

[REDACTED]

B7C

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

[REDACTED]

B1

REQUEST OF THE IDENTIFICATION DIVISION

Process the following items for latent fingerprints:

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

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

B7C
B7D

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

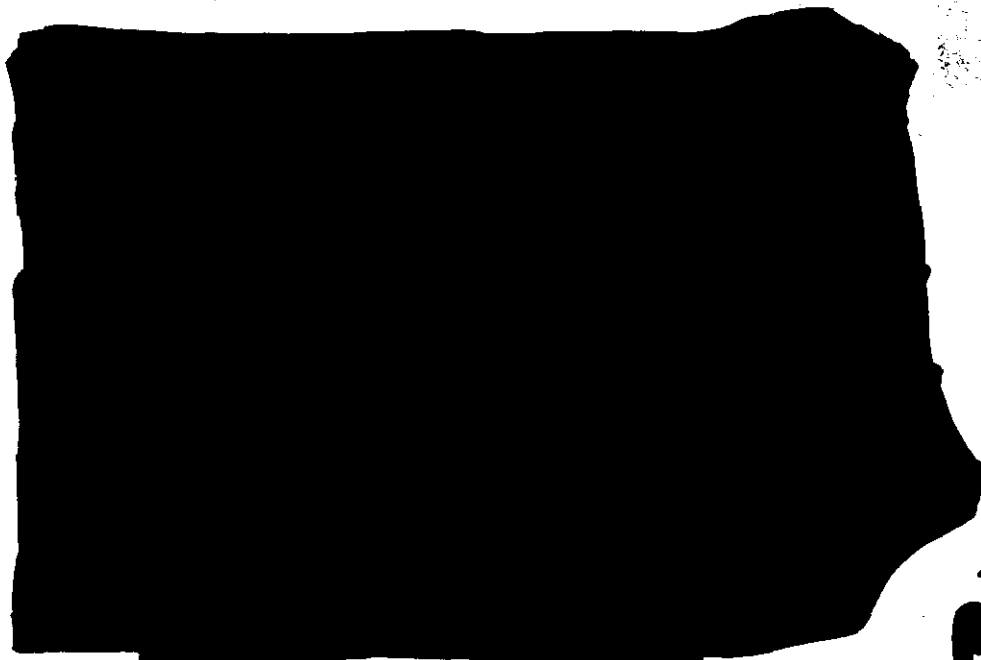
[REDACTED]

B7C

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Airtel to Butte
Re: Charlene Brody



B7C

Return results of examinations with evidence to Butte.

**REQUEST OF THE SCIENTIFIC AND TECHNICAL SERVICES
DIVISION**

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

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

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

BUTTE DIVISION

At. Ada County, Idaho:

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

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Airtel to Butte

Re: [REDACTED] **B7C**

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

At Boise, Idaho

B1 [REDACTED]

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

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

[REDACTED] **B7C** REPORTEDLY CARRY PISTOLS AND, THEREFORE, SHOULD BE CONSIDERED ARMED AND DANGEROUS.

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

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McDermott

DATE: July 15, 1977

FROM : A. J. Decker, Jr.

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

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

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

PURPOSE:

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

SYNOPSIS:

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

RECOMMENDATION:

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

APPROVED:

Director

Assoc. Dir.

Dep. AD Inv.

Adm. Serv.

Crim. Inv.

Fin. & Pers.

Ident.

Intell.

Laboratory

Legal Coun.

Plan. & Insp.

Rec. Mgnt.

Spec. Inv.

Tech. Serv.

Training

Public Affs. Off.

DETAILS - PAGE TWO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/23/80 BY SP4/EM/MS



5010-110

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

FBI/DOJ

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

DETAILS:

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

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

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

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

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

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

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

XXXXXX
XXXXXX
XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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

- ☒ Deleted under exemption(s) B1, B7C, B7D with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

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

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

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET14

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



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



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



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

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

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UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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

TO : Mr. Moore

DATE: 4/18/78

FROM : J. E. Henehan

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

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

Block R W Key
Aug 8

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

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

APPROVED:

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

Adm. Serv. _____
 Crim. Inv. *WJH*
 Ident. _____
 Intell. _____
 Laboratory _____

Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Tech. Servs. *WJH*
 Training _____
 Public Affs. Off. _____

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

REC-121

139-4089-3086

APPROVED:

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

Adm. Serv. _____
 Crim. Inv. *WJH*
 Ident. _____
 Intell. _____
 Laboratory _____

Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Tech. Servs. *WJH*
 Training _____
 Public Affs. Off. _____

6 APR 20 1978

4 ENCLOSURE



JHY:blp
 (6)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 CONTINUED - OVER DATE 7/24/80 BY SP4JRM/DMJ

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

FBI/DOJ

67 APR 21 1978

Henahan to Moore Memo
RE: JAMES WALTER MC CORD, JR.

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

Index

- (1) List of Watergate publications by date of article.
- (2) List of Watergate publications by article title.
- (3) List of Watergate publications by author of article.
- (4) List of Watergate publications by newspaper name.

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

UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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

TO : Mr. Moore ✓
 FROM : J. E. Henehan ✓
 SUBJECT: JAMES WALTER MC CORD, JR.
 ET AL

DATE: 4/18/78

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

FBI INVESTIGATION OF THE
 BURGLARY OF THE
 DEMOCRATIC NATIONAL
 COMMITTEE HEADQUARTERS
 JUNE 17, 1972
 COMMONLY REFERRED TO AS WATERGATE

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

RECOMMENDATION: None. For information.

APPROVED:

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

Adm. Serv. _____
 Crim. Inv. M/4/78
 Ident. _____
 Intell. _____
 Laboratory _____

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

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

REC-45 139-4089-308

EX-124

JUN 1 1978

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

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

FBI/DOJ



General
Services
Administration

National Archives
and
Records Service

Washington, DC 20540

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	_____
Adm. Servs.	_____
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Telephone Rm.	_____
Director's Sec'y	_____

FBI/DOJ

FEDERAL GOVERNMENT

JUL 27 1978

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

Dear Mr. Webster:

TO: Mr. Webster

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

2

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

ST-126 REC-70 139-4017-3088 11 AUG 28 1978

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

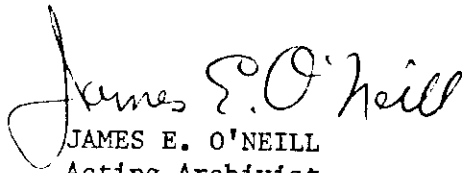
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H. G. Garfinkel - GSA
8-14-78 1978*

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8/23/78
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2

We appreciate your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "James E. O'Neill". The signature is written in dark ink and is positioned above the printed name.

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

Airtel

1 - Mr. Yelvington

8/23/78

To: SAC, WFO (139-166)

From: Director, FBI (139-4089)

JAMES WALTER MC CORD, JR.,
ET AL.

IOC;

OO: WFO

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

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

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

Enclosures - (2)

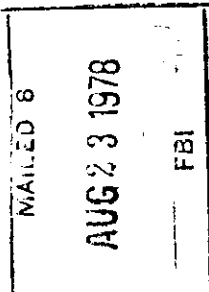
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SI-126

REC-70

139-4089-3089

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Phone Rm. _____
Director's Sec'y _____



54 SEP 14 1978
MAIL ROOM ☒

11 AUG 28 1978

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

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ Airtel

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

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

Date 9/6/78

TO: DIRECTOR, FBI (139-4089)

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

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

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

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

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

ENCLOSURE

REC-79

139-4089-302

Airtel WFO
 mm - info
 10/11/78
 JHW:Rbb

10-16-78
 22 SEP 8 1978

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/24/95 BY SP4JRM/DMS

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Approved: 21

Transmitted _____

(Number)

(Time)

Per _____

TO DIRECTOR 139-4089

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

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

Enc. Copy of FD 192

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

139-4089-3090

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. *44-1987-5557*
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Jene Valdes
378-279-D

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

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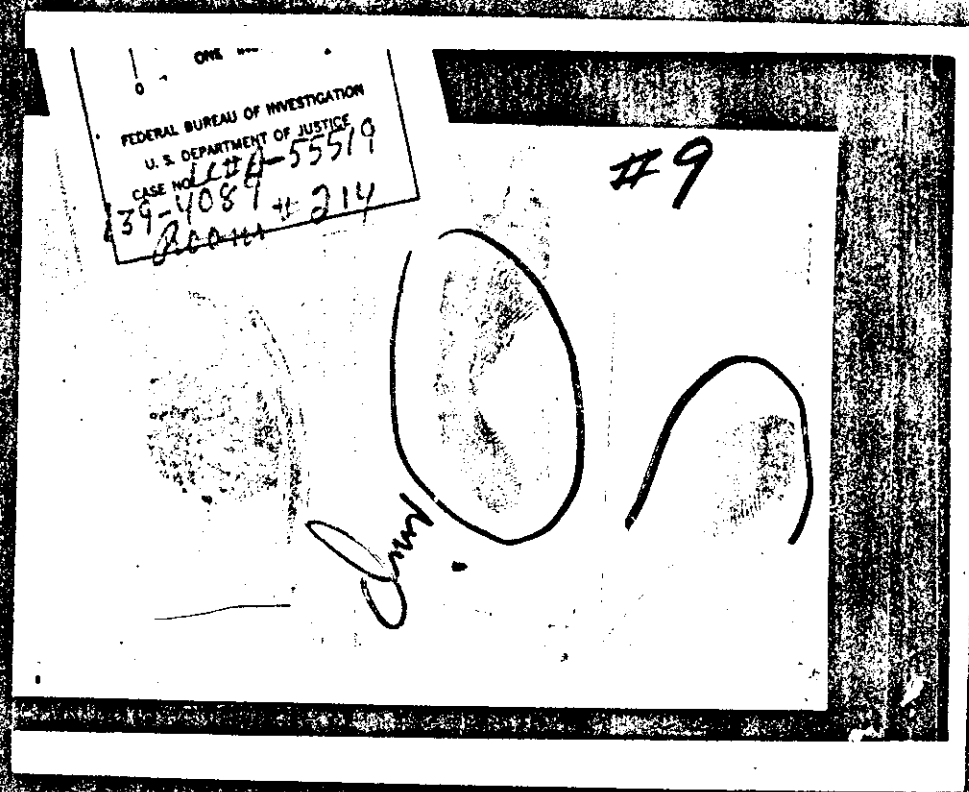
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WASH. DC 20001
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 44-5557
139-4087



#280



ENCLOSURE
POLICE DEPT.
C. 20001

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FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. LA-55519

139-4087



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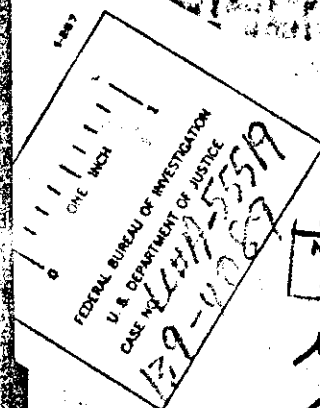
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WASH. D.C. 20001
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DEPARTMENT OF INVESTIGATION
CASE NO. 44-11-5559

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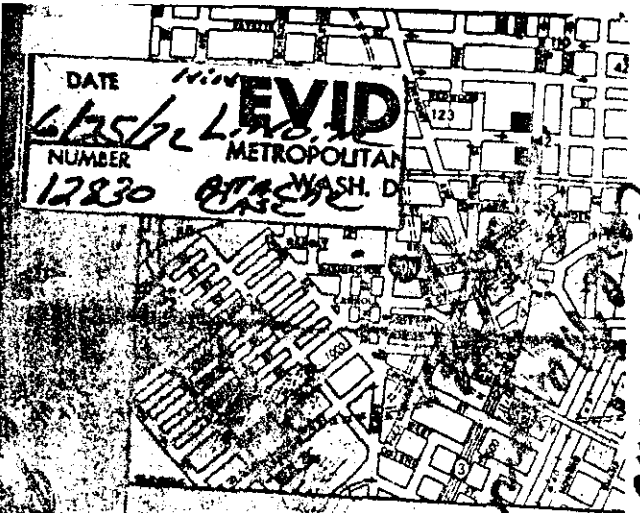
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U. S. DEPARTMENT OF JUSTICE
CASE NO. *139-4087*
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DATE 11/14/61
EVID
METROPOLITAN
NUMBER 12830
WASH. D. C.



Places of Interest:

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| <ul style="list-style-type: none"> Belmont and Ohio Transportation Belmont Capitol Building Capitol Complex Capitol Hill Capitol Museum Capitol of the Americas Capitol Police Building Capitol Commerce Capitol Station | <ul style="list-style-type: none"> Civic Center Building Confederate Monument Court House, Baltimore Custom House Cooper Union Ever Club Ever Plaza Ever Library Fifth Regiment Armory Flag House Fourth Armory Fourth Armory Fourth Armory |
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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CASE NO. 100-55519
139-4089

U. S. DEPARTMENT OF JUSTICE
CASE NO. *65-11-55519*
139-4089
Garage Parking

#162

PP

#187

for the wrong distance and get blurry pictures that are out of focus and fuzzy.

The Distance Finder is a simple-to-use device that helps the photographer to determine how far the subject is from the camera. It explains how to use the Distance Finder.

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U. S. DEPARTMENT OF JUSTICE



Carl Marion Shaffer

FEDERAL BUREAU OF
INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 139-408-18

DATE

6/25/72

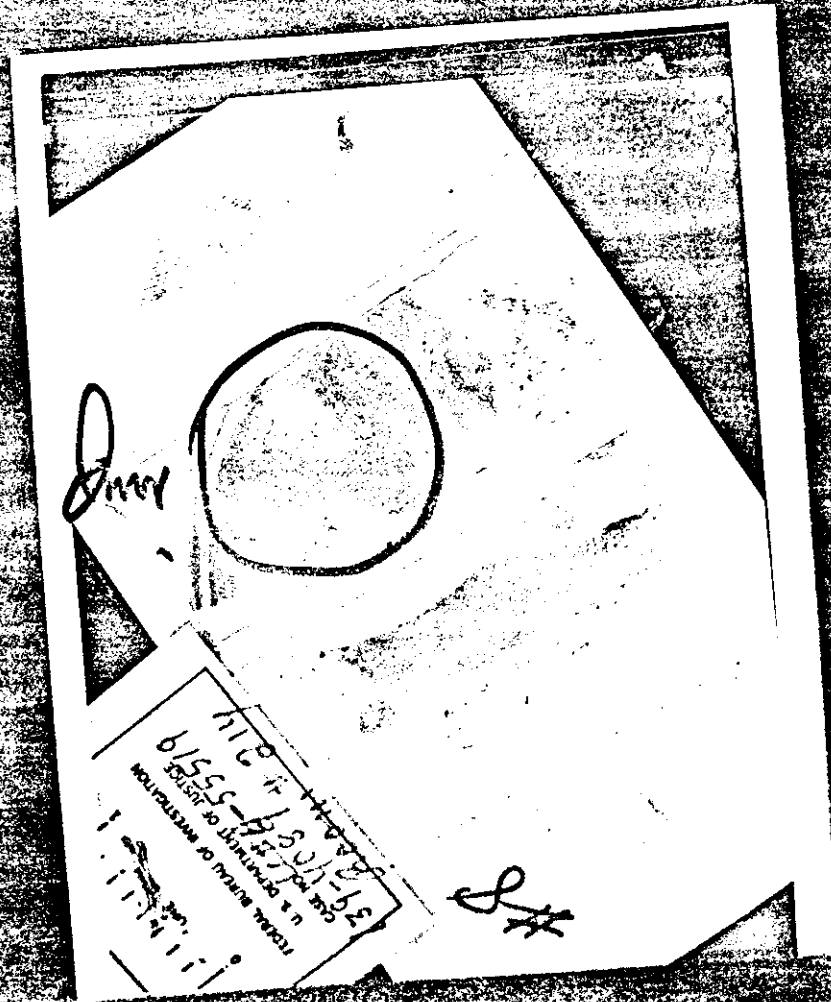
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Allentown/Bethlehem/Easton, Pa. -- F 80 Y 51 (204) 100
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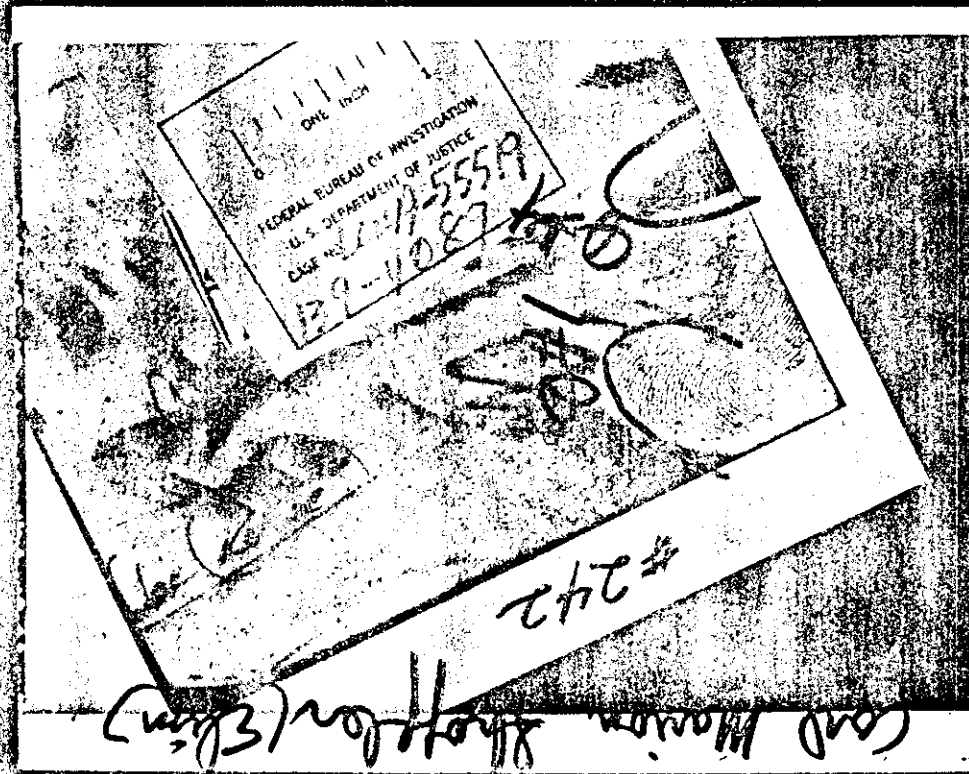
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 8:35a 11:55a 526/246 Tampa One-stop
 9:15a 11:55a 246 One-stop
 10:20a 11:55a 330 Non-stop
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 3:05p 5:25p 546 One-stop
 4:00p 5:45p 706 Non-stop
 4:05p 5:35p 326 Non-stop
 7:40p 9:15p 648 Non-stop
 10:30p 11:25p 296 Two-stop
 10:40p 11:11p 482 One-stop
 10:00p 11:55p 434 Non-stop
 10:00p 10:05p 488 Non-stop
 11:15p 9:00a 572 Non-stop
 3:05p 8:25a 404 One-stop
 3:45a 5:24a 340 Non-stop

139-4088
 CASE NO. 139-4088
 U. S. DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 1-887

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 12:55p 2:25p 461 Non-stop
 3:30p 5:41a 549 One-stop

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6/25/72

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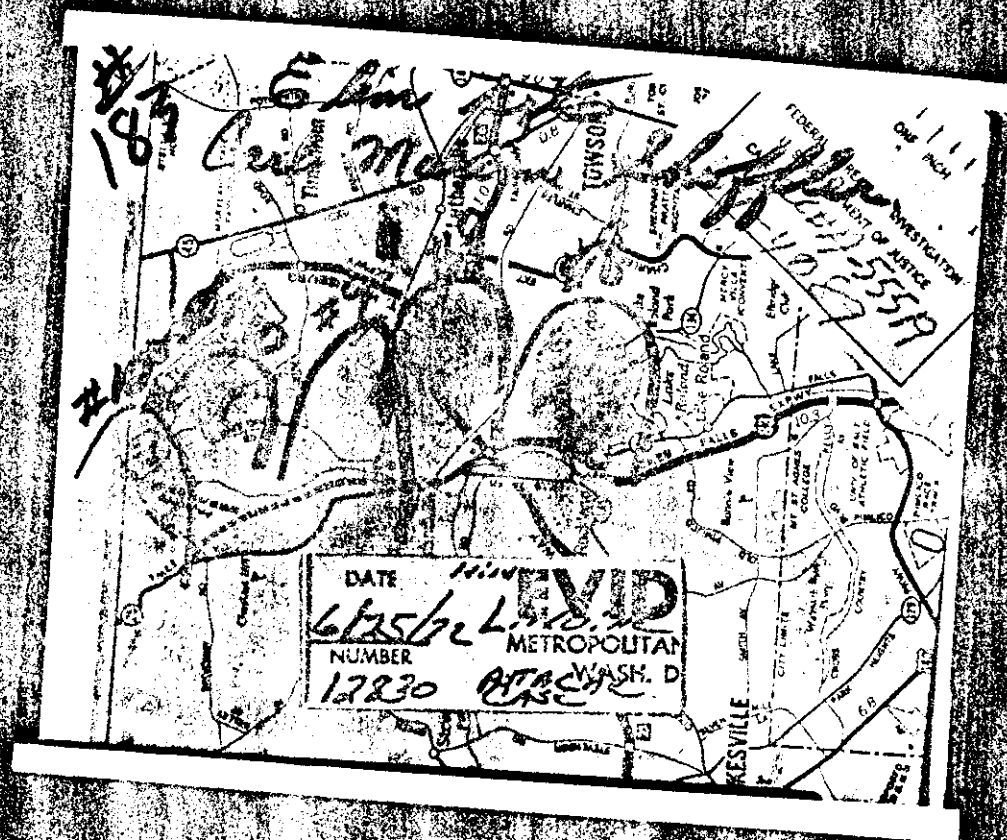
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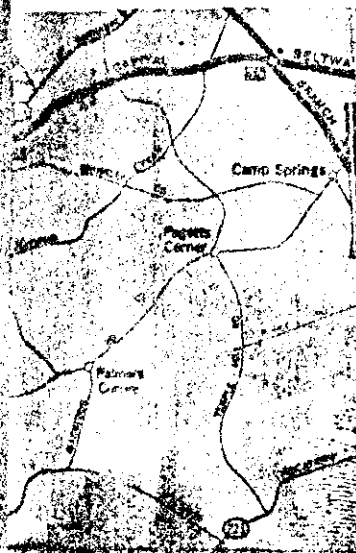
EVID

METROPOLITAN

WASH. D.C.

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455-447P
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
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#151 D
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 157-55519
139-PP-89

**WASHINGTON
AND VICINITY**
SCALE OF MILES
ONE INCH EQUALS APPROXIMATELY 17 MILES
Interchange Numbers Golf Courses
PUBLISHED BY THE BUREAU OF MAPS AND CHARTS
U. S. DEPARTMENT OF COMMERCE
WASHINGTON, D. C. 20540
1971 Edition

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CASE NO. *100-55519*
139-4089



670

FEDERAL BUREAU OF INVESTIGATION

U. S. DEPARTMENT OF JUSTICE

CASE NO. *LCB-A-55519*

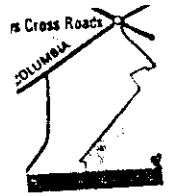
139-4089

Gordon R. Perkins



65/4

ONE INCH
#151
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 44-5559
139-4089



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IN MINNAPOLIS CALL COLLECT 612/544-1234

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CASE NO. 100-55519

139-4057

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

#277

EVIDENCE
METROPOLITAN POLICE
WASH. D.C. 20001
SMITH
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Handwritten:
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DATE *11-11-67*
West Lincoln
NUMBER *12830 ROOM 210*
EVID
METROPOLITAN

0 1 2 3 4 5 6 7 8 9
ONE INCH
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. *157-10887-5559*





242
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 104A-55519
129-11087

DATE

5/25/62

NUMBER

12230

EVID
METROPOLITAN
WASH. D. C.

Carriage A.A. Valle

375-277-D

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. *139-11289-55519*

#225

*Pqd
6-17-72
vwr*

*Robert Grayson De hell
(Glim)*



FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 100-55519
100-1087

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o London

EX-117
METROPOLITAN
SH. D.
DATE 6/12/54
NUMBER 12830

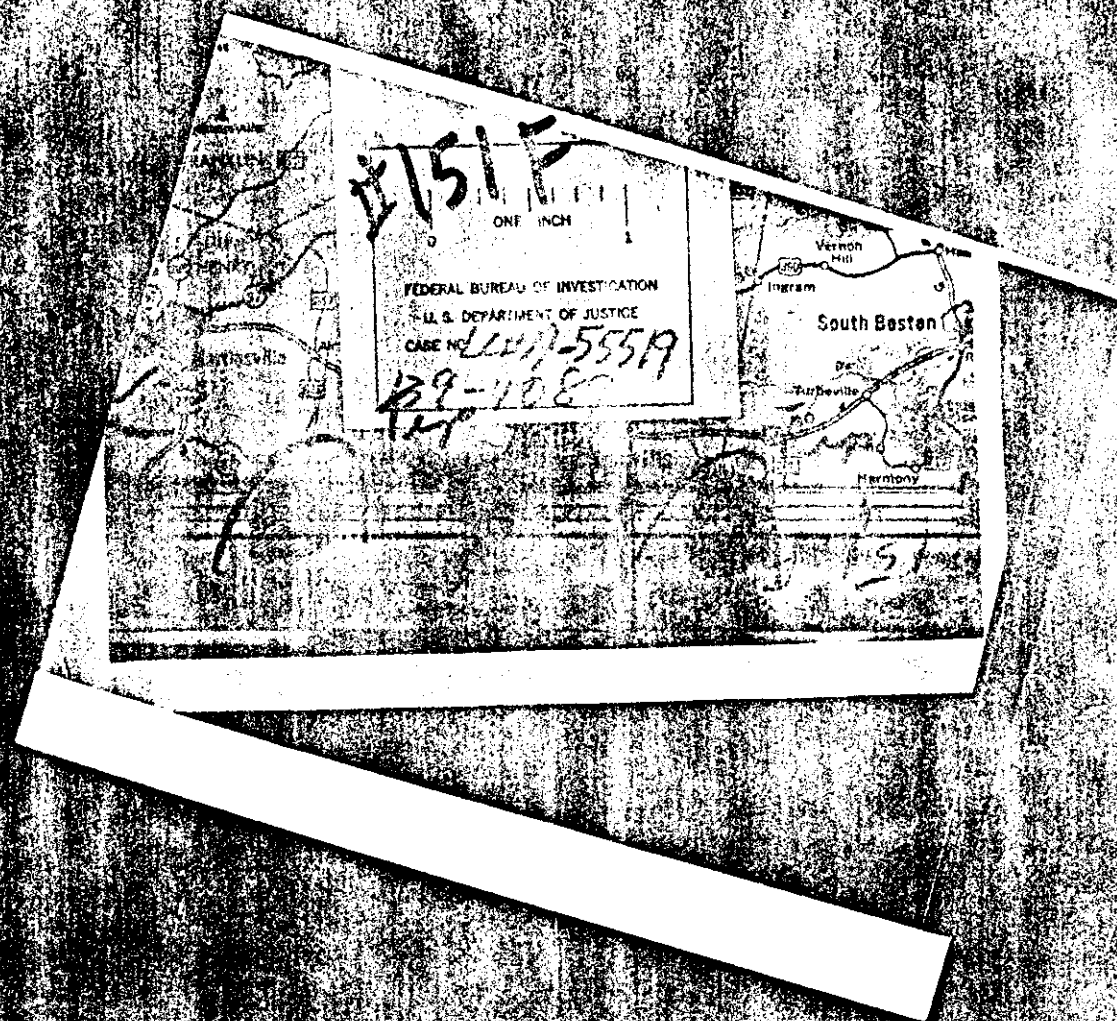
17-00000

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

Case No. *17-55519*
General Inquiry

#161

17







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U. S. DEPARTMENT OF JUSTICE
CASE NO. 62-55519
77-4089
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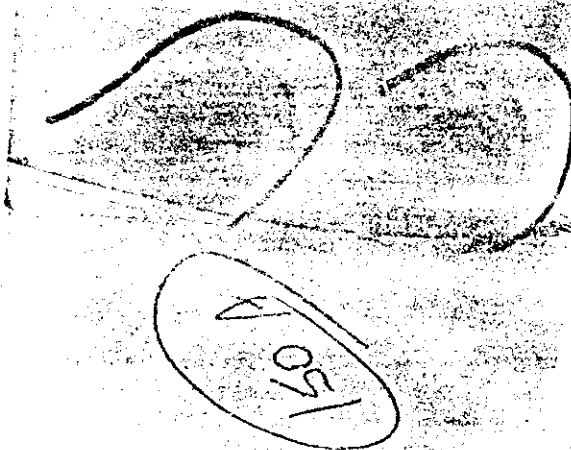
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

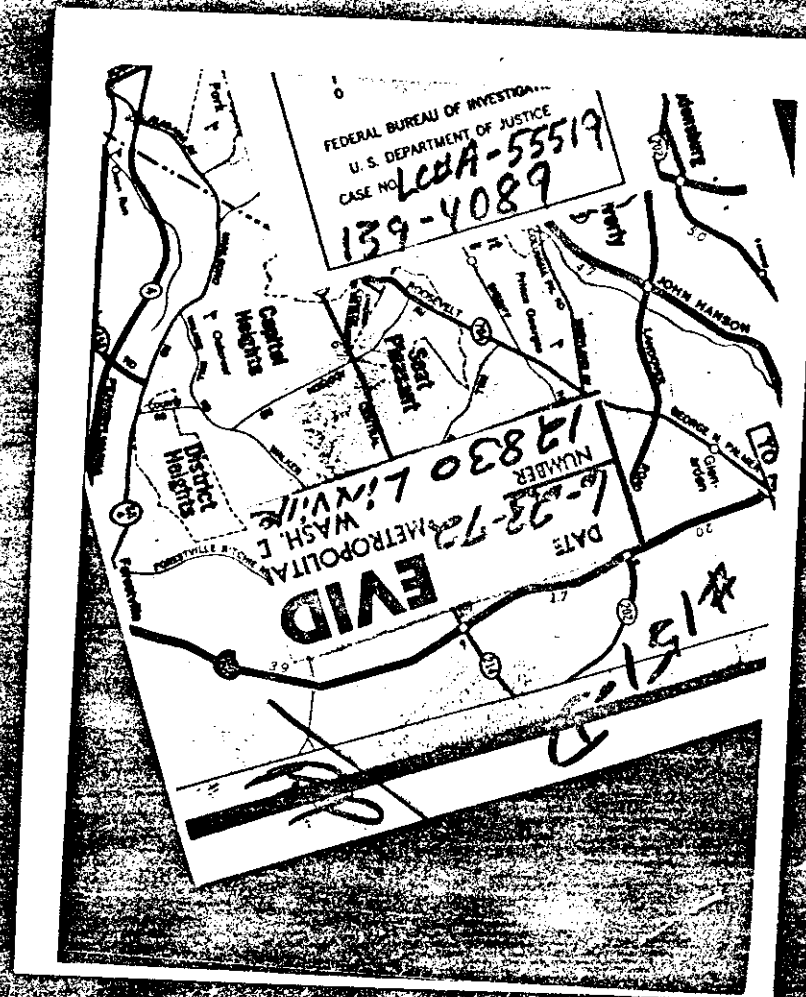
CASE NO. *157-A-55519*
137-4089

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
CASE NO. 137-4089 A-5519





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993-232-944

6555-447
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

CASE # 100-455519

132-4087



Date 6/23/72

Title and Character of Case

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

Date Property Acquired 6/21/72	Source From Which Property Acquired 1972 Dodge Dart, Florida License 1-219426
Location of Property or Bulky Exhibit Bulky Exhibit Section	Reason for Retention of Property and Efforts Made to Dispose of Same evidence
Description of Property or Exhibit and Identity of Agent Submitting Same	

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

SA ROBERT L. WILSON

SEMI-ANNUAL INVENTORY CERTIFICATION TO JUSTIFY RETENTION OF PROPERTY (Initial and Date)

8/9/72	8/15/72	8/17/72
2/14/73	2/4/76	9/7/77
8/7/73	3/4/75	8/12/78

Field File #

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JUN 26 1972	
FBI-MIAMI	

* To Bureau 10-25-72
per Bur Tel 10-25-72
mbs

7/11/74
T

139-328-18

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

13. One Schlage key bearing the initials "M" and "Y"
14. One key ring with "color-lite" key #SC1
15. One heavy paper poster entitled, "Campana de la Juventud Cubana Para La Liberacion de Cuba" bearing a drawing of an M16 automatic weapon
16. A 7" stainless steel knife and scabbard manufactured by Gerber, Portland, Oregon
17. Plastic envelop containing Miami International Airport Terminal Parking Lot Car Check #120-375 and a book of matches from the Watergate Hotel, Washington, D.C.
18. A deposit slip for the Republic National Bank, Miami, Florida, dated April 21, 1972
19. A receipt in the name of EUGENIO R. MARTINEZ dated March 13, 1972, from Brigada de Asalto 2506
20. A deposit stub from Jefferson National Bank, Miami Beach, Florida, dated June 1, 1972
21. Business card of ALFREDO COLLI, North America Realty, Inc., Coral Gables, Florida
22. Business card of ROBERT W. HAYES, The Hayes Agency, Fond du Lac, Wisconsin
23. Checkbook order stub for Account 1049895 of the Jefferson National Bank, Miami Beach, Florida
24. Business card of CARLOS DE VARONA
25. Miami Multiple Listing Service, Inc. form bearing miscellaneous writing
26. Burdine's charge slip dated December 14, 1971, for Account 554776082
27. Two Burdine's charge slips dated May 5, 1972 for Account 012478082
28. Blank mortgage deed form bearing miscellaneous writing on the back

29. Two unopened rolls of Kodak Panatomic-X Film #FX-135-36
30. Two opened boxes of Kodacolor X Film #CX-135-36
31. Two Ampex 361 C-90 recording cassettes
32. Books and pamphlets as follows:
 - a. Sixth edition of "Questions and Answers on Real Estate"
 - b. "Real Estate Listing Magic"
 - c. "Webster's New Collegiate Dictionary"
 - d. "Roget's Thesaurus"
 - e. "The Poems and Fairy Tales of Oscar Wilde"
 - f. "Construya en Ingles"
 - g. "The Doctor's Quick Weight Loss Diet"
 - h. "The Brand-Name Calorie Counter"
 - i. "Collins Spanish-English, English-Spanish Dictionary"
33. Membership card and monthly stamp book of EUGENIO R. MARTINEZ, Hotel Employee's Union of Miami and Miami Beach, Local 255
34. Republica de Cuba Passport #38384 in the name of EUGENIO ROLANDO MARTINEZ Y CAREAGA
35. One styrofoam cooler minus cover.
36. One Royal Crest Deluxe portable typewriter, serial #SL7285053.

*to let
ret
7-5-72
gm*

Airtel

1 - Mr. Wilson

10/11/78

To: SAC, Washington Field

From: Director, FBI

JAMES WALTER MC CORD, JR.;
ET AL;
BUREAU OF DEMOCRATIC PARTY
NATIONAL HEADQUARTERS
C/17/7
IOC
OO: WFO

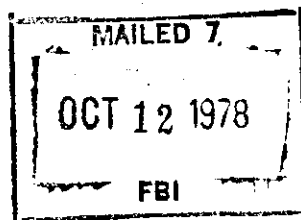
Re Miami airtel to Bureau dated 9/6/78.

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

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

Enclosures - (2)

JHW:kbs (100-323) For info
(6)



REC-79

4089-309
22 OCT 16 1978

c. Dir. _____
AD Adm. _____
AD Inv. _____
Dir. _____
Srvs. _____
In _____

plary _____
Coun. _____
& Insp. _____
Mgt. _____
Srvs. _____
ng _____
Affs. Off. _____
the Rm _____
s Secy _____

MAIL ROOM ☐

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/24/80 BY SP4-JRM/OMJ

FBI/DOJ

FBI

TRANSMIT VIA:

☐ Teletype
☐ Facsimile
☒ AIRTEL

PRECEDENCE:

☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:

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

Date 10/4/78

TO: DIRECTOR, FBI (139-4089)

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

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

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

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

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

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

2 - Bureau
 1 - WFO

GRH:mer
 (3)

EX-124

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

5 OCT 5 1978

Approved: *[Signature]*

Transmitted

(Number)

(Time)

Per

FBI/DOJ



General
Services
Administration

National Archives
and

Records Service Washington, DC 20408

JUL 27 1973

~~FEDERAL BUREAU OF INVESTIGATION~~

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

Dear Mr. Webster:

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

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

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

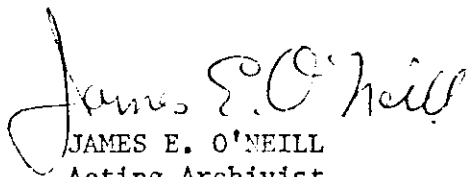
AK
7/27/73
D. J. [unclear]

\$1X

2

We appreciate your cooperation.

Sincerely,

A handwritten signature in cursive script, reading "James E. O'Neill". The signature is written in dark ink and is positioned above the printed name.

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

1 - Mr. Mullen
1 - Mr. Henahan
1 - Mr. Keenan

October 27, 1978

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

Dear Mr. O'Neill:

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

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

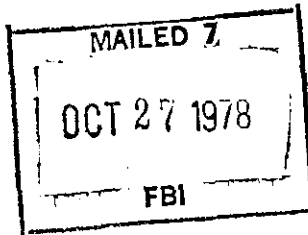
EX-124, REC-24 139-4089-3093

Sincerely yours,
William H. Webster

William H. Webster
Director

OCT 31 1978

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



GHK:msj

(6)

MAIL ROOM ☒

APPROVED:

Spec. Dir.
Dep. AD Adm.
Dep. AD Inv.

Adm. Servs.

Ident.

Intell.

Laboratory

Legal Coun.

Plan. & Insp.

Rec. Mgnt.

Tech. Servs.

Training

Public Affs. Off.

Telephone Rm.

Director's Sec'y

Legal Coun.

Plan. & Insp.

Rec. Mgnt.

Tech. Servs.

Training

Public Affs. Off.

Telephone Rm.

Director's Sec'y

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/80 BY SP-100/001

(Signature)
FBI/DOJ

UNITED STATES GOVERNMENT

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Memorandum

TO : Assistant Director *wjg*
Records Management Division

DATE: 12/12/78

FROM : Legal Counsel *jm*

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

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 _____

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

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

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

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

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

Enclosures (2) *1-2*

ENCLOSURE
2-Mr. Bassett AUG 6 1978
1-Mr. Cregar
(Attn: D. K. Pettus)

1-Mr. Moore
(Attn: G. H. Keenan)
1-Mr. Mintz
1-Legal Research Unit

RFP:lsh (7)

SEE INTD ADDENDUM PAGE 4

(CONTINUED-OVER)

RECORDS MANAGEMENT DIVISION ADDENDUM PAGE 3.

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

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



RECORDED COPY FILED IN

16 JUL 24 1979

RECORDS SYSTEM

FBI/DOJ

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

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

Jet

APPROVED:

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

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

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

Jan

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

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

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

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

RECOMMENDATION:

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

APPROVED:

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


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

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

FIVE

Legal Counsel Memo to Assistant Director Records Management Division

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


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

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

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

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

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

(CONTINUED - OVER)

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

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

RECOMMENDATION:

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

[Handwritten signature]

APPROVED:

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

Adm. Serv. _____
Crim. Inv. _____
Ident. _____
Intell. *[initials]* _____
Laboratory _____

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

139-4089-2093

24

GHR:msj 10/27/78

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

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

4832

note 5657

1-13-78
6 1973

139-4089-3093K

ENCLOSURE



General
Services
Administration

National Archives
and
Records Service Washington, DC 20408

FEDERAL GOVERNMENT

JUL 27 1973

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

Dear Mr. Webster:

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

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

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

ENCLOSURE

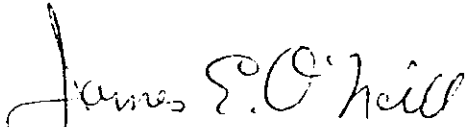
ack sent
to Mr. Garfinkel
2-14-78
memo Legal Council to
AD, RMD, 12-12-78 RFP:LL

139-40893-309
JHJ

2

We appreciate your cooperation.

Sincerely,


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

DATE: June 8, 1979

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

FEDERAL GOVERNMENT

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

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

James H. L. T. R. P. C. D.

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

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

Assoc. Dir. _____
Dep. AD Adm. _____ CMG:km
Dep. AD Inv. _____ (19)
Asst. Dir.: _____
Adm. Servs. _____ 1 - Mr. Cregar
Crim. Inv. _____ (Attn: Mr. Gray)
Ident. _____ 1 - Mr. Mintz
Intell. _____ (Attn: Mr. Peterson)
Laboratory _____
Legal Coun. _____ 1 - Mr. Moore
Plan. & Insp. _____
Rec. Mgnt. _____ (Attn: Mr. Keenan)
Tech. Servs. _____
Training _____
Public Affs. Off. _____
Telephone Rm. _____
Director's Sec'y _____

V-1

REC-70

ST-103

JUN 11 1979

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/24/70 BY SP4 Jent Cms

5 JUL 9 1979

MAIL ROOM ☒

Mr. James B. Rhoads

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

While I can appreciate your interest in the content of these documents, I am most reluctant to consider the release of the inventory at this time due to the complexities involved. Many of the original documents have been impounded by court order in the civil action, *Morton H. Halperin, et al. v. Henry A. Kissinger, et al.*, U.S.D.C. D.D.C., Civil Action No. 1137-73. Copies of certain documents were furnished to the Senate Select Committee and/or House Select Committee on Intelligence Activities. We currently have pending a Privacy Act request for destruction and litigation effecting this material, with potential for additional requests of similar nature.

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

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

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

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

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

Addendum of INTD, dated 5/8/79, noted that the complete inventory of the material requested by the Acting Archivist appeared in serial 385 of the SPECOV file (65-75085). INTD expressed the opinion that the documents should not be turned over to the Archivist since the basis for their being Presidential papers was that the documents were in Mr. Ehrlichman's White House safe. INTD did not believe it was in a position to determine what constitutes Presidential documents and believed that RMD was in a better position to make this determination. The matter was returned to Legal Counsel Division for referral to RMD. By R/S, dated 5/9/78, Legal Counsel Division referred the matter to RMD to resolve with INTD and have appropriate response prepared. The Archivist is being advised that the records are FBI documents and, due to the complexities involved, they should be viewed on site at Headquarters. There is no Privacy problem in permitting the review of this material. This matter has been coordinated with CI-3, Intelligence Division.

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