E. POLITICAL ABUSE OF INTELLIGENCE INFORMATION

Major Finding

The Committee finds that information has been collected and disseminated in order to serve the purely political interests of an intelligence agency or the administration, and to influence social policy and political action.

Subfindings

(a) White House officials have requested and obtained politically useful information from the FBI, including information on the activities of political opponents or critics.

(b) In some cases, political or personal information was not specifically requested, but was nevertheless collected and disseminated to administration officials as part of investigations they had requested. Neither the FBI nor the recipients differentiated in these cases between national security or law enforcement information and purely political intelligence.

(c) The FBI has also volunteered information to Presidents and their staffs, without having been asked for it, sometimes apparently to curry favor with the current administration. Similarly, the FBI has assembled intelligence on its critics and on political figures it believed might influence public attitudes or Congressional support.

(d) The FBI has also used intelligence as a vehicle for covert efforts to influence social policy and political action.

Elaboration of Findings

The FBI's ability to gather information without effective restraints gave it enormous power. That power was inevitably attractive to politicians, who could use information on opponents and critics for their own advantage, and was also an asset to the Bureau, which depended on politicians for support. In the political arena, as in other facets of American life touched by the intelligence community, the existence of unchecked power led to its abuse.

By providing politically useful information to the White House and congressional supporters, sometimes on demand and sometimes gratuitously, the Bureau buttressed its own position in the political structure. At the same time, the widespread—and accurate—belief in Congress and the administration that the Bureau had available to it, derogatory information on politicians and critics created what the late Majority Leader of the House of Representatives, Hale Boggs, called a "fear" of the Bureau:

> Freedom of speech, freedom of thought, freedom of action for men in public life can be compromised quite as effectively by the fear of surveillance as by the fact of surveillance.[1]

[1] Remarks by Rep. Hale Boggs, 4/22/71, Congressional Record, Vol. 117, Part 9, p. 11565.

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Information gathered and disseminated to the White House ranged from purely political intelligence, such as lobbying efforts on bills an administration opposed and the strategy of a delegate challenge at a national political convention, to "tidbits" about the activities of politicians and public figures which the Bureau believed "of interest" to the recipients.

Such participation in political machinations by an intelligence agency is totally improper. Responsibility for what amounted to a betrayal of the public trust in the integrity of the FBI must be shared between the officials who requested such information and those who provided it.

The Bureau's collection and dissemination of politically useful information was not colored by partisan considerations; rather its effect was to entrench the Bureau's own position in the political structure, regardless of which party was in power at the time. However, the Bureau also used its powers to serve ideological purposes, attempting covertly to influence social policy and political action.

In its efforts to "protect society," the FBI engaged in activities which necessarily affected the processes by which American citizens make decisions. In doing so, it distorted and exaggerated facts, made use of the mass media, and attacked the leadership of groups which it considered threats to the social order.

Law enforcement officers are, of course, entitled to state their opinions about what choices the people should make on contemporary social and political issues. The First Amendment guarantees their right to enter the marketplace of ideas and persuade their fellow citizens of the correctness of those opinions by making speeches, writing books, and, within certain statutory limits, supporting political candidates. The problem lies not in the open expression of views, but in the covert use of power or position of trust to influence others. This abuse is aggravated by the agency's control over information on which the public and its elected representatives rely to make decisions.

The essence of democracy is the belief that the people must be free to make decisions about matters of public policy. The FBI's actions interfered with the democratic process, because attitudes within the Bureau toward social change led to the belief that such intervention formed a part of its obligation to protect society. When a governmental agency clandestinely tries to impose its views of what is right upon the American people, then the democratic process is undermined.

Subfinding (a)

White House officials have requested and obtained politically useful information from the FBI, including personal life information on the activities of political opponents or critics.

Presidents and White House aides have asked the FBI to provide political or personal information on opponents and critics, including "name checks" of Bureau files.[2] They have also asked the Bureau to

[2] A "name check" is not an investigation, but a search of existing FBI files through the use of the Bureau's comprehensive general name index. Requests for FBI "name checks" were peculiarly damaging because no new investigation was done to verify allegations stored away for years in Bureau files. A former FBI official responsible for compliance with such requests said that the Bureau "answered . . . by furnishing the White House every piece of information in our files on the individuals requested." Deposition of Thomas E. Bishop, former Assistant Director, Crime Records Division, 12/2/75, p. 144.)

conduct electronic surveillance or more limited investigations of such persons. The FBI appears to have complied unquestioningly with these requests, despite occasional internal doubts about their propriety.[3]

Precedents for certain political abuses go back to the very outset of the domestic intelligence program. In 1940 the FBI complied with President Roosevelt's request to file the names of people sending critical telegrams to the White House.[4] There is evidence of improper electronic surveillance for the White House in the 1940s.[5] And an aide to President Eisenhower asked the FBI to conduct a questionable name check.[6] In 1962, the FBI complied unquestioningly with a request from Attorney General Kennedy to interview a steel executive and several reporters who had written stories about a statement by the executive.[7] As part of an investigation of foreign lobbying efforts on sugar quota legislation in 1961 and 1962, Attorney General Kennedy requested wiretaps on a Congressional aide, three executive officials, and two American lobbyists, including a Washington law firm.[8]

Nevertheless, the political misuse of the FBI under the Johnson and Nixon administrations appears to have been more extensive than in previous years.

Under the Johnson administration, the FBI was used to gather and report political intelligence on the administration's partisan opponents in the last days of the 1964 and 1968 Presidential election

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[3] Former FBI executive Cartha DeLoach, who was FBI liaison with the White House during part of the Johnson administration, has stated, "I simply followed Mr. Hoover's instructions in complying with White House requests and I never asked any questions of the White House as to what they did with the material afterwards." (DeLoach deposition, 11/25/75, p. 28.) On at least one occasion, when a White House aide indicated that President Johnson did not want any record made by the FBI of a request for a "run-down" on the links between Robert Kennedy and officials involved in the Bobby Baker investigation, the Bureau disregarded the order. DeLoach stated that he "ignored the specific instructions" in this instance because he "felt that any instructions we received from the White House should be a matter of record." (DeLoach deposition, 11/25/75, p. 89.)

Former Assistant Director Bishop stated, "Who am I to ask the President of the United States what statutory basis he has if he wants to know what information is in the files of the FBI?" It was a "proper dissemination" because it was "not a dissemination outside the executive branch" and because there was "no law, no policy of the Department of Justice, . . . no statute of the United States that says that was not permissible." But even if there had been a statute laying down standards, Bishop said "it wouldn't have made a bit of difference . . . when the Attorney General or the President asks for it."

Bishop recalled from his "own knowledge" instances where President Kennedy, Johnson, and Nixon had "called over and asked Mr. Hoover for a memo on certain people." (Bishop deposition, 12/2/75, pp. 153–154.)

[4] Memoranda from Stephen Early, Secretary to the President, to Hoover, 5/21/40 and 6/17/40.

[5] FBI memorandum to Senate Select Committee, 3/26/76: See pp. 36–37.

[6] Memorandum from J. Edgar Hoover to Thomas E. Stephens, Secretary to the President, 4/13/54.

[7] Courtney Evans deposition, 12/1/75, p. 39.

[8] See pp. 64–65. The tap authorized by Attorney General Kennedy on another high executive official was not related to political considerations, nor apparently was the tap authorized by Attorney General Katzenbach in 1965 on the editor of an anti-communist newsletter who had published a book alleging impropriety by Robert Kennedy a year earlier.

campaigns. In the closing days of the 1964 campaign, Presidential aide Bill Moyers asked the Bureau to conduct "name checks" on all persons employed in Senator Goldwater's Senate office, and information on two staff members was reported to the White House.[9] Similarly, in the last two weeks of the 1968 campaign, the Johnson White House requested an investigation (including indirect electronic surveillance and direct physical surveillance) of Mrs. Anna Chennault, a prominent Republican leader, and her relationships with certain South Vietnamese officials.[10] This investigation also included an FBI check of Vice Presidential candidate Spiro Agnew's long distance telephone call records, apparently at the personal request of President Johnson.[11]

Another investigation for the Johnson White House involved executive branch officials who took part in the criminal investigation of former Johnson Senate aide Bobby Baker. When Baker's trial began in 1967, it was revealed that one of the government witnesses had been "wired" to record his conversations with Baker. Presidential aide Marvin Watson told the FBI that Johnson was quite "exercised," and the Bureau was ordered to conduct a discreet "run-down" on the former head of the Justice Department's Criminal Division and four Treasury Department officials who had been responsible for "wiring"

[9] Memorandum from Hoover to Moyers, 10/27/64, cited in FBI summary memorandum. 1/31/75.

[10] Bureau files indicate that the apparent "reason" for the "White House interest" was to determine "whether the South Vietnamese had secretly been in touch with supporters of Presidential candidate Nixon, possibly through Mrs. Chennault, as President Johnson was apparently suspicious that the South Vietnamese were trying to sabotage his peace negotiations in the hope that Nixon would win the election and then take a harder line towards North Vietnam." (FBI memorandum, subject: Mrs. Anna Chennault. 2/1/75.) The FBI has claimed that its investigation of Mrs. Chennault was "consistent with FBI responsibilities to determine if her activities were in violation of certain provisions of the Foreign Agents Registration Act and of the Neutrality Act."

Direct electronic surveillance of Mrs. Chennault was rejected, according to a contemporaneous FBI memorandum, because FBI executive Cartha DeLoach pointed out that "it was widely known that she was involved in Republican political circles and, if it became known that the FBI was surveilling her this would put us in a most untenable and embarrassing position." (Memorandum from DeLoach to Tolson, 10/30/68.)

Electronic surveillance was, however, directed at the South Vietnamese officials and was approved by Attorney General Ramsey Clark. Clark has testified that he did not know of the physical surveillance aspect of the FBI's investigation, but that he did authorize the electronic surveillance of the South Vietnamese officials. (Clark testimony, 12/3/75, Hearings, Vol. 6, p. 252.)

[11] FBI executive Cartha DeLoach has stated that a White House aide made the initial request for the check of telephone company records late one night. According to DeLoach, the request was "to find out who, either Mr. Agnew or Mr. Nixon, when they had been in Albuquerque (New Mexico) several days prior to that, had called from Albuquerque while they were there." When DeLoach refused to contact the telephone company "late in the evening," President Johnson "came on the phone and proceeded to remind me that he was Commander in Chief and he should get what he wanted, and he wanted me to do it immediately." DeLoach then talked with Director Hoover, who told him to "stand your ground." The next day, however, Hoover ordered that the records be checked, but the only calls identified were "made by Mr. Agnew's staff." These were reported to the White House. (DeLoach Deposition, 11/25/75, pp. 74–75.) Agnew's arrival and departure times in and out of Albuquerque were also "verified at the request of the White House." (FBI summary memorandum, subject: Mrs. Anna Chennault, 2/1/75).

the witness. The Bureau was specifically insisted to include any associations between those persons and Robert Kennedy.[12]

Several Johnson White House requests were directed at critics of the war in Vietnam, at newsmen, and at other opponents. According to a Bureau memorandum, White House aide Marvin Watson attempted to disguise his, and the President's interest in such requests by asking the FBI to channel its replies through a lower level White House staff member.[13]

In 1966, Watson asked the FBI to monitor the televised hearings of the Senate Foreign Relations Committee on Vietnam policy and prepare a memorandum comparing statements of the President's Senate critics with "the Communist Party line." [14] Similarly, in 1967 when seven Senators made statements criticizing the bombing of North Vietnam, Watson requested (and the Bureau delivered) a "blind memorandum" setting forth information from FBI files on each of the Senators. Among the data supplied were the following items:

> Senator Clark was quoted in the press as stating that the three major threats to America are the military-industrial complex, the Federal Bureau of Investigation, and the Central Intelligence Agency.
>
> Senator McGovern spoke at a rally sponsored by the Chicago Committee for a Sane Nuclear Policy, a pacifist group. Senator McGovern stated that the "United States was making too much of the communist take-over of Cuba."
>
> [Another Senator now deceased] has, on many occasions, publicly criticized United States policy toward Vietnam. He frequently speaks before groups throughout the United States on this subject. He has been reported as intentionally entering into controversial areas so that his services as a speaker for which he receives a fee, will be in demand.[15]

The Johnson administration also requested information on contacts between members of Congress and certain foreign officials known to oppose the United States presence in Vietnam. According to FBI

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[12] FBI Director Hoover brought the matter to the attention of the White House in a letter describing why the FBI had refused to "wire" the witness (there was not adequate "security") and how the Criminal Division had then used the Bureau of Narcotics to do so. (Memorandum from Hoover to Watson, 1/12/67.) This was the instance where FBI executive Cartha DeLoach made a record, after Watson told him that "the President does not want any record made." (Memorandum from DeLoach to Tolson, 1/17/67; see also FBI summary memorandum, 2/3/75.)

[13] According to this memorandum, Watson told Cartha DeLoach in 1967 that "he and the President" wanted all "communications addressed to him by the Director" to be addressed instead to a lower level White House staff member. Watson told DeLoach that the "reason for this change" was that the staff member "did not have the direct connection with the President that he had and, consequently, people who saw such communications would not suspicion (sic) that Watson or the President had requested such information, nor were interested in such information." (Memorandum from De Loach to Tolson, 3/17/67.)

[14] FBI summary memorandum, subject: Coverage of Television Presentation, Senate Foreign Relations Committee, 1/31/75. Former FBI executive Cartha DeLoach has stated, regarding this incident, "We felt that it was beyond the jurisdiction of the FBI, but obviously Mr. Hoover felt that this was a request by the President and he desired it to be done." (DeLoach deposition, 11/25/75, p. 58.)

[15] Blind FBI memorandum, 2/10/67.

records, President Johnson believed these foreign officials had generated "much of the protest concerning his Vietnam policy, particularly the hearings in the Senate." [16]

White House requests were not limited to critical Congressmen. Ordinary citizens who sent telegrams protesting the Vietnam war to the White House were also the subject of Watson requests for FBI name check reports.[17] Presidential aide Jake Jacobsen asked for name checks on persons whose names appeared in the Congressional Record as signers of a letter to Senator Wayne Morse expressing support for his criticism of U.S. Vietnam policy.[18] On at least one occasion, a request was channeled through Attorney General Ramsey Clark, who supplied Watson (at the latter's request) with a summary of information on the National Committee for a Sane Nuclear Policy.[19]

Other individuals who were the subject of such name check requests under the Johnson Administration included NBC Commentator David Brinkley,[20] Associated Press reporter Peter Arnett,[21] columnist Joseph Kraft,[22] Life magazine Washington bureau chief Richard Stolley,[23] Chiago Daily News Washington bureau chief Peter Lisagor,[24] and Ben W. Gilbert of the Washington Post.[25] The Johnson White House also requested (and received) name check reports on the authors of books critical of the Warren Commission report; some of these reports included derogatory information about the personal lives of the individuals.[26]

The Nixon administration continued the practice of using the FBI to produce political information. In 1969 John Ehrlichman, counsel to President Nixon, asked the FBI to conduct a "name check" on Joseph Duffy, chairman of Americans for Democratic Action. Data in Bureau files covered Duffy's "handling arrangements" for an anti-war teach-in in 1965, his position as State Coordinator of the group

[16] President Johnson's request also went beyond "legislators," and included contacts by any "prominent U.S. citizens." (FBI summary memorandum, subject: Information Concerning Contacts Between [Certain Foreign officials] and Members or Staff of the United States Congress Furnished to the White House at the Request of the President, 2/3/75.) The FBI's reports indicated that its information came "through coverage" of the foreign officials and that the Bureau, in this case, had "conducted no investigation of members of Congress." (FBI summary memorandum, 2/3/75.) FBI "coverage" apparently included electronic surveillance.

President Nixon also requested information on contacts between foreign officials and Congressmen, but his request does not appear to have related to Presidential critics. Rather, the Nixon request grew out of concern about "an increase in [foreign] interest on Capitol Hill" which had been expressed to President Nixon by at least one Senator; and the FBI's report "included two examples of [foreign] intelligence initiatives directed against Capitol Hill without identifying the [foreigners] or American involved." (FBI summary memorandum, 2/3/75.)

[17] Memoranda from Hoover to Watson, 6/4/65 and 7/30/65.

[18] Memorandum from Hoover to Watson, 7/15/66, citing Jacobsen request.

[19] Memorandum from Clark to Watson, 4/8/67, enclosing memorandum from Director, FBI to the Attorney General, 4/7/67. (LBJ Library.)

[20] Memoranda from Hoover to Watson, 2/15/65 and 5/29/65.

[21] Memorandum from Hoover to Watson, 7/22/65.

[22] Memorandum from Hoover to Watson, 1/27/67.

[23] Memorandum from Hoover to Watson, 4/6/66.

[24] Memorandum from Hoover to Watson, 2/24/66.

[25] Memorandum from Hoover to Watson, 4/6/66.

[26] Memorandum from Hoover to Watson, 11/8/66; DeLoach, 12/3/75. Hearings, Vol. 6, pp. 180–182.

"Negotiation Now" in 1967, and his activity as chairman of Connecticut Citizens for McCarthy in 1968.[26a]

Presidential aide H. R. Haldeman requested a name check on CBS reporter Daniel Schorr. In this instance, the FBI mistakenly considered the request to be for a full background investigation and began to conduct interviews. These interviews made the inquiry public. Subsequently, White House officials stated (falsely) that Schorr was under consideration for an executive appointment.[27] In another case, a Bureau memorandum states that Vice President Agnew asked the FBI for information about Rev. Ralph David Abernathy, then head of the Southern Christian Leadership Conference, for use in "destroying Abernathy's credibility." [28] (Agnew has denied that he made such a request, but agrees that he received the information.)[29]

Several White House requests involved the initiation of electronic surveillance. Apparently on the instructions of President Nixon's aide John Ehrlichman and Director Hoover, FBI Assistant Director William C. Sullivan arranged for the microphone surveillance of the hotel room of columnist Joseph Kraft while he was visiting a foreign country.[30] Kraft was also the target of physical surveillance by the FBI.[31] There is no record of any specific "national security" rationale for the surveillance.

Similarly, although the "17" wiretaps were authorized ostensibly to investigate national security "leaks," there is no record in three of the cases of any national security claim having been advanced in their support. Two of the targets were domestic affairs advisers at the White House, with no foreign affairs duties and no access to foreign policy materials.[32] A third was a White House speechwriter who had been overheard on an existing tap agreeing to provide a reporter with background on a presidential speech concerning, not foreign policy, but revenue sharing and welfare reform.[33]

[26a] Letter from J. Edgar Hoover to John D. Ehrlichman, 10/6/69; letter from Clarence M. Kelly to Joseph Duffy, 7/14/75, enclosing FBI records transmitted under Freedom of Information Act.

[27] House Judiciary Committee Hearings, Book VII, White House Surveillance Activities (1974), p. 1111.

[28] According to Director Hoover's memorandum of the conversation, Agnew asked Hoover for "some assistance" in obtaining information about Rev. Abernathy. Hoover recorded: "The Vice President said he thought he was going to have to start destroying Abernathy's credibility, so anything I can give him would be appreciated. I told him I would be glad to." (Memorandum from Hoover to Tolson, et al, 5/18/70.) Subsequently, the FBI Director sent Agnew a report on Rev. Abernathy containing not only the by-product of Bureau investigations, but also derogatory public record information. (Letter from Hoover to Agnew, 5/19/70.)

[29] Staff summary of Spiro Agnew interview, 10/15/75.

[30] Memoranda from Sullivan to Hoover, 6/30/69 and 7/2/69.

[31] Memorandum from Sullivan to DeLoach, 11/5/69. The Kraft surveillance is also discussed in Part II, pp. 121–122.

[32] Coverage in these two cases was requested by neither Henry Kissinger nor Alexander Haig (as most of the "17" were), but by other White House officials. Attorney General Mitchell approved the first at the request of "higher authority." (Memorandum from Hoover to Mitchell, 7/23/69.) The second was specifically requested by H. R. Haldeman. (Memorandum from Hoover to Mitchell, 12/14/70.

[33] This tap was also apparently requested by White House officials other than Kissinger or Haig. (Memorandum from Sullivan to DeLoach, 8/1/69.) The "17" wiretaps are also discussed at p. 122.

Subfinding (b)

In some cases, political or personal information was not specifically requested, but was nevertheless collected and disseminated to administration officials as part of investigations they had requested. Neither the FBI nor the recipients differentiated in these cases between national security or law enforcement information and purely political intelligence.

In some instances, the initial request for or dissemination of information was premised upon law enforcement or national security purposes. However, pursuant to such a request, information was furnished which obviously could serve only partisan or personal interests. As one Bureau official summarized its attitude, the FBI "did not decide what was political or what represented potential strife and violence. We are an investigative agency and we passed on all data." [34]

Examples from the Eisenhower, Kennedy, Johnson, and Nixon administrations illustrate this failure to distinguish between political and nonpolitical intelligence. They include the FBI's reports to the White House in 1956 on NAACP lobbying activities, the intelligence about the legislative process produced by the "sugar lobby" wiretaps in 1961–1962, the purely political data disseminated to the White House on the credentials challenge in the 1964 Democratic Convention, and dissemination of both political and personal information from the "leak" wiretaps in 1969–1972.

(i) The NAACP

In early 1956 Director Hoover sent the White House a memorandum describing the "potential for violence" in the current "racial situation".[35] Later reports to the White House, however, went far beyond intelligence about possible violence; they included extensive inside information about NAACP lobbying efforts, such as the following:

> A report on "meetings held in Chicago" in connection with a planned Leadership Conference on Civil Rights to be held in Washington under the sponsorship of the NAACP.[36]
>
> An extensive report on the Leadership Conference, based on the Bureau's "reliable sources" and describing plans of Conference delegations to visit Senators Paul Douglas, Herbert Lehman, Wayne Morse, Hubert Humphrey, and John Bricker. The report also summarized a speech by Roy Wilkins, other conference proceedings, and the report of "an informant" that the United Auto Workers was a "predominant organization" at the conference.[37]
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> Another report on the conference included an account of what transpired at meetings between conference delegations and Senators Paul Douglas and Everett Dirksen.[38]

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[34] DeLoach, 12/3/75, Hearings, Vol. 6, p. 180.

[35] Memorandum from Hoover to Dillon Anderson, Special Assistant to the President, 1/3/56. This report was also provided to the Attorney General, the Secretary of Defense, and military intelligence.

[36] *Memorandum from Hoover to Anderson*, 3/2/56.

[37] Memorandum from Hoover to Anderson, 3/5/56.

[38] Memorandum from Hoover to Anderson, 3/6/56.

A report including the information that two New Jersey congressmen would sign a petition to the Attorney General.[39]

A presidential aide suggested that Hoover brief the Cabinet on "developments in the South." [40] Director Hoover's Cabinet briefing also included political intelligence. He covered not only the NAACP conference, but also the speeches and political activities of Southern Senators and Governors and the formation of the Federation for Constitutional Government with Southern Congressmen and Governors on its advisory board.[41]

(ii) The Sugar Lobby

The electronic surveillance of persons involved in a foreign country's lobbying activities on sugar quota legislation in 1961–1962, authorized by Attorney General Robert Kennedy for the White House, also produced substantial political intelligence unrelated to the activities of foreign officials.[42] Such information came from wiretaps both on foreign officials and on American citizens, as well as from the microphone surveillance of the chairman of the House Agriculture Committee when he met with foreign officials in a New York hotel room.[43] The following are examples of the purely political (and personal) by-product:

A particular lobbyist "mentioned he is working on the Senate and has the Republicans all lined up." [44]

The same lobbyist said that "he had seen two additional representatives on the House Agriculture Committee, one of

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[39] Memorandum from Hoover to Anderson, 3/7/56. A National Security Council staff member responsible for internal security matters summarized these reports as providing information "regarding attempts being made by the National Association for the Advancement of Colored People to send instructed delegations to high-ranking Government officials 'to tactfully draw out their positions concerning civil rights.'" (Memorandum from J. Patrick Coyne to Anderson, 3/6/56.)

[40] After consulting the Attorney General, this aide advised the Secretary to the Cabinet that the FBI had "reported developments in recent weeks in several southern States, indicating a marked deterioration in relationships between the races, and in some instances fomented by communist or communist-front organizations." (Memorandum from Anderson to Maxwell Rabb, 1/16/56.) The Secretary to the Cabinet, who had "experience in handling minority matters" for the White House, agreed that "each Cabinet Member should be equipped with the plain facts." (Memorandum from Rabb to Anderson, 1/17/56.) A National Security Council staff member who handled internal security matters reported shortly thereafter that the FBI Director was "prepared to brief the Cabinet along the general lines" of his written communications to the White House. (Memorandum from J. Patrick Coyne to Anderson, 2/1/56.)

[41] Memorandum from Director, FBI, to the Executive Assistant to the Attorney General, 3/9/56, enclosing FBI memorandum described as the "basic statement" used by the Director "in the Cabinet Briefing this morning on Racial Tension and Civil Rights." For a further discussion of the exaggeration of Communist influence on the NAACP in this briefing, see pp. 250–257, note 151a.

[42] The electronic surveillances were generally related to foreign affairs concerns. See pp. 64–65.

[43] The Americans include three Agriculture Department officials, the secretary to the Chairman of the House Agriculture Committee, and two registered lobbying agents for foreign interests. For Attorney General Kennedy's relationship to the microphone surveillance of the Congressman, see p. 61, note 233. One of the wiretaps directed at a registered lobbying agent was placed on the office telephone of a Washington law firm. (See p. 201)

[44] FBI memorandum, 6/15/62.

whom was 'dead set against us' and who may reconsider, and the other was neutral and 'may vote for us.' "[45]

The Agriculture Committee chairman believed "he had accomplished nothing" and that "he had been fighting over the Rules Committee and this had interfered with his attempt to organize."[46]

The "friend" of a foreign official "was under strong pressure from the present administration, and since the 'friend' is a Democrat, it would be very difficult for him to present a strong front to a Democratic Administration."[47]

A lobbyist stated that Secretary of State Rusk "had received a friendly reception by the Committee and there appeared to be no problem with regard to the sugar bill."[48]

A foreign official was reported to be in contact with two Congressmen's secretaries "for reasons other than business." The official asked one of the secretaries to tell the other that he "would not be able to call her that evening" and that one of his associates "was planning to take [the two secretaries and another Congressional aide] to Bermuda."[49]

The FBI's own evaluation of these wiretaps indicates that they "undoubtedly . . . contributed heavily to the Administration's success" in passing the legislation it desired.[50]

(iii) The 1964 Democratic Convention

Political reports were disseminated by the FBI to the White House from the 1964 Democratic convention in Atlantic City. These reports, from the FBI's "special squad" at the convention, apparently resulted from a civil disorders intelligence investigation which got out of hand because no one was willing to shut off the partisan by-product.[51] They centered on the Mississippi Freedom Democratic Party's credentials challenge. Examples of the political intelligence which flowed from FBI surveillance at the 1964 convention include the following:[52]

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[45] FBI memorandum, 6/15/62.

[46] Memorandum from Hoover to Attorney General Kennedy, 2/18/61. This information came from the Bureau's "coverage" (by microphone surveillance) of the Congressman's hotel room meeting.

[47] FBI memorandum, 2/15/62.

[48] Memorandum from J. Edgar Hoover to Robert Kennedy, 3/13/61.

[49] Memorandum from J. Edgar Hoover to Robert Kennedy, 3/13/61.

[50] Memorandum from W. R. Wannall to W. C. Sullivan, 12/22/66. According to a Bureau memorandum of a meeting between Attorney General Kennedy and FBI Assistant Director Courtney Evans, Kennedy stated in April 1961 that "now the law has passed he did not feel there was justification for continuing this extensive investigation." (Memorandum from Evans to Parsons, 4/15/61.)

[51] There is no clear evidence as to what President Johnson had in mind when, as a contemporaneous FBI memorandum indicates, he directed "the assignment of the special squad to Atlantic City." (DeLoach to Mohr, 8/29/64) Cartha DeLoach has testified that Presidential aide Walter Jenkins made the original request to him, but that he said it should be discussed with Director Hoover and that "Mr. Jenkins or the President, to the best of my recollection, later called Mr. Hoover and asked that this be done." DeLoach claimed that the purpose was to gather "intelligence concerning matters of strife, violence, etc." which might arise out of the credentials challenge. (DeLoach, 12/3/75, hearings, Vol. 6, p. 175.)

[52] The operations of the FBI in Atlantic City are described in greater detail in Section II, pp. 117–119.

Dr. Martin Luther King and an associate "were drafting a telegram to President Johnson . . . to register a mild protest. According to King, the President pledged complete neutrality regarding the selecting of the proper Mississippi delegation to be seated at the convention. King feels that the Credentials Committee will turn down the Mississippi Freedom Party and that they are doing this because the President exerted pressure on the committee along this line." [53]

Another associate of Dr. King contacted a member of the MFDP who "said she thought King should see Governor Endicott Peabody of Massachusetts, Mayor Robert Wagner of New York City, Governor Edmund G. (Pat) Brown of California, Mayor Richard Daley of Chicago, and Governor John W. King of New Hampshire." The purpose was "to urge them to call the White House directly and put pressure on the White House in behalf of the MFDP." [54]

"MFDP leaders have asked Reverend King to call Governor Egan of Alaska and Governor Burns of Hawaii in an attempt to enlist their support. According to the MFDP spokesman, the Negro Mississippi Party needs these two states plus California and New York for the roll call tonight." [55]

An SCLC staff member told a representative of the MFDP: "Off the record, of course, you know we will accept the Green compromise proposed." This referred to "the proposal of Congresswoman Edith Green of Oregon." [56]

In a discussion between Dr. King and another civil rights leader, the question of "a Vice-Presidential nominee came up and King asked what [the other leader] thought of Hugh [sic] Humphrey, and [the other leader] said Hugh Humphrey is not going to get it, that Johnson needs a Catholic . . . and therefore the Vice-President will be Muskie of Maine." [57]

An unsigned White House memorandum disclosing Dr. King's strategy in connection with a meeting to be attended by President Johnson suggests that there was political use of these FBI reports.[58]

(iv) The "17" Wiretaps.

The Nixon White House learned a substantial amount of purely political intelligence from wiretaps to investigate "leaks" of classified information placed on three newsmen and fourteen executive officials during 1969–1971.[59] The following illustrate the range of data supplied:

One of the targets "recently stated that he was to spend an hour with Senator Kennedy's Vietnam man, as Senator Kennedy is giving a speech on the 15th." [60]

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[53] Memorandum from DeLoach to Jenkins, 8/24/64.
[54] Memorandum from DeLoach to Jenkins, 8/25/64.
[55] Memorandum from DeLoach to Jenkins, 8/25/64.
[56] Memorandum rom DeLoach to Jenkins, 8/25/64.
[57] Memorandum from DeLoach to Jenkins, 8/25/64.
[58] Blind memorandum from LBJ Library bearing handwritten date 8/26/64 and the typewritten date 8/19/64, Hearings, Vol. 6, Exhibit 68–2, p. 713.
[59] In at least two instances, the wiretaps continued on targets after they left the Executive Branch and became advisers to Senator Edmund Muskie, then the leading Democratic prospect for the Presidency. See Part II, p. 122.
[60] Memorandum from Hoover to Nixon, Kissinger, and Mitchell, 10/9/69.

Another target said that Senator Fulbright postponed congressional hearings on Vietnam because he did not believe they would be popular at that time.[61]

A well-known television news correspondent "was very distressed over having been 'singled out' by the Vice President." [62]

A friend of one of the targets said the *Washington Star* planned to do an article critical of Henry Kissinger.[63]

One of the targets helped former Ambassador Sargent Shriver write a press release criticizing a recent speech by President Nixon in which the President "attacked" certain Congressmen.[64]

One of the targets told a friend it "is clear the Administration will win on the ABM by a two-vote margin. He said 'They've got [a Senator] and they've got [another Senator].'." [65]

A friend of one of the targets wanted to see if a Senator would "buy a new amendment" and stated that "they" were "going to meet with" another Senator.[66]

A friend of one of the targets described a Senator as "marginal" on the Cooper-Church Amendment and stated that another Senator might be persuaded to support it.[67]

One of the targets said Senator Mondale was in a "dilemma" over the "trade bill." [68]

A friend of one of the targets said he had spoken to former President Johnson and "Johnson would not back Senator Muskie for the Presidency as he intended to stay out of politics." [69]

There is at least one clear example of the political use of such information. After the FBI Director informed the White House that former Secretary of Defense Clark Clifford planned to write a magazine article criticizing President Nixon's Vietnam policy,[70] White House aide Jeb Stuart Magruder advised John Ehrlichman and H. R. Haldeman that "we are in a position to counteract this article in any number of ways." [71] It is also significant that, after May 1970, the FBI Director's letters summarizing the results of the wiretaps were no longer sent to Henry Kissinger, the President's national security advisor, but to the President's political advisor, H. R. Haldeman.[72]

. . . . . .

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[61] Memorandum from Hoover to Nixon and Kissinger, 12/3/69.
[62] Memorandum from Hoover to Nixon and Kissinger, 2/26/70.
[63] Memorandum from Hoover to H. R. Haldeman, 6/2/70.
[64] Memorandum from Hoover to Haldeman. 9/4/70.
[65] Memorandum from Hoover to Nixon and Kissinger, 7/18/69.
[66] Memorandum from Hoover to Haldeman, 5/18/70.
[67] Memorandum from Hoover to Haldeman, 6/23/70.
[68] Memorandum from Hoover to Haldeman, 11/24/70.
[69] Memorandum from Hoover to Haldeman, 12/22/70.
[70] Memorandum from Hoover to Nixon, Kissinger, and Mitchell, 12/29/69.
[71] Memorandum from Magruder to Haldeman and Ehrlichman, 1/15/70. Ehrlichman advised Haldeman, "This is the kind of early warning we need more of—your game planners are now in an excellent position to map anticipatory action." (Memorandum from "E" (Ehrlichman) to "H" (Haldeman), undated.) Haldeman responded, "I agree with John's point. Let's get going." (Memorandum from "H" to "M" (Magruder), undated).
[72] Report of the House Judiciary Committee, 8/20/74, p. 147.

These four illustrations from administrations of both political parties indicate clearly that direct channels of communication between top FBI officials and the White House, combined with the failure to screen out extraneous information, and coupled with overly broad investigations in the first instance, have been sources of flagrant political abuse of the intelligence process.[73]

Subfinding (c)

The FBI has also volunteered information to Presidents and their staffs, without having been asked for it, sometimes apparently to curry favor with the current administration. Similarly, the FBI has assembled information on its critics and on political figures it believed might influence public attitudes or Congressional support.

There have been numerous instances over the past three decades where the FBI volunteered to its superiors purely political or personal information believed by the FBI Director to be "of interest" to them.[74]

The following are examples of the information in Director Hoover's letters under the Truman, Eisenhower, Kennedy, and Johnson administrations.[75]

> To Major General Harry Vaughn, Military Aide to President Truman, a report on the activities of a former Roosevelt aide who was trying to influence the Truman administration's appointments.[76]
>
> To Matthew J. Connelly, Secretary to President Truman, a report from a "very confidential source" about a meeting of newspaper representatives in Chicago to plan publication of stories exposing organized crime and corrupt politicians.[77]
>
> To Dillon Anderson, Special Assistant to President Eisenhower, the advance text of a speech to be delivered by a prominent labor leader.[78]

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[73] It should be noted, however, that in at least one case the Bureau did distinguish between political and non-political information. In 1968, when an aide to Vice President Humphrey asked that a "special squad" be sent to the Democratic National Convention in Chicago, Director Hoover not only declined, but he also specifically instructed the SAC in Chicago not "to get into anything political" but to confine his reports to "extreme action or violence." (Memorandum from Hoover to Tolson., et al, 8/15/68.) There were no comparable instructions at Atlantic City.

[74] Former Attorney General Francis Biddle recalled in his autobiography how J. Edgar Hoover shared with him some of the "intimate details" of what his fellow Cabinet members did and said, "their likes and dislikes, their weaknesses and their associations." Biddle confessed that he enjoyed hearing these derogatory and sometimes "embarrassing" tidbits and that Hoover "knew how to flatter his superior." (Francis Biddle, *In Brief Authority* [Garden City: Doubleday, 1962], pp. 258–259.)

A former FBI official has described one aspect of the Bureau's practice:

"Mr. Hoover would say what do we have in our files on this guy? Just what do we have? Not blind memorandum, not public source information, everything we've got. And we would maybe write a 25 page memo. When he got it and saw what's in it, he'd say we'd better send that to the White House and the Attorney General so they can have in one place everything that the FBI has now on this guy. . . . (Bishop deposition, 12/2/75, pp. 141–142.)"

[75] None of these letters indicate that they were in response to requests, as is the case with other similar letters examined by the Committee. All were volunteered as matters which Director Hoover considered to be "of interest" to the recipients.

[76] Memorandum from Hoover to Vaughn, 2/15/47.

[77] Memorandum from Hoover to Connelly, 1/27/50.

[78] Memorandum from Hoover to Anderson, 4/21/55.

To Robert Cutler, Special Assistant to President Eisenhower, a report of a "confidential source" on plans of Mrs. Eleanor Roosevelt to hold a reception for the head of a civil rights group.[79]

To Attorney General Robert Kennedy, information from a Bureau "source" regarding plans of a group to publish allegations about the President's personal life.[80]

To Attorney General Kennedy, a summary of material in FBI files on a prominent entertainer which the FBI Director thought "may be of interest".[81]

To Marvin Watson, Special Assistant to President Johnson, a summary of data in Bureau files on the author of a play satirizing the President.[82]

As these illustrations indicate, the FBI Director provided such data to administrations of both political parties without apparent partisan favoritism.[83]

Additionally, during the Nixon Administration, the FBI's INLET (Intelligence Letter) Program for sending regular short summaries of FBI intelligence to the White House was used on one occasion to provide information on the purely personal relationship between an entertainer and the subject of an FBI domestic intelligence investigation.[84] SACs were instructed under the INLET program to submit to Bureau headquarters items with an "unusual twist" or regarding "prominent" persons.[85]

One reason for the Bureau's volunteering information to the White House was to please the Administration and thus presumably to build high-level political support for the FBI. Thus, a 1975 Bureau report on the Atlantic City episode states:

> One [agent said], "I would like to state that at no time did I ever consider (it) to be a political operation but it was obvious that DeLoach wanted to impress Jenkins and Moyers with the Bureau's ability to develop information which would be of interest to them." Furthermore, in response to a question as to whether the Bureau's services were being utilized for political reasons, [another] answered, "No. I do recall, however, that on one occasion I was present when DeLoach held a lengthy telephone conversation with Walter Jenkins. They appeared to be discussing the President's 'image.' At the end of the conversation DeLoach told us something to the effect, 'that may have sounded a little political to you but this doesn't do the Bureau any harm.' " [86]

In addition to providing information useful to superiors, the Bureau assembled information on its own critics and on political figures it believed might influence public attitudes or congressional support. FBI Director Hoover had massive amounts of information at his

[79] Memorandum from Hoover to Cutler, 2/13/58.
[80] Memorandum from Hoover to Robert Kennedy, 11/20/63.
[81] Memorandum from Hoover to Robert Kennedy, 2/10/61.
[82] Memorandum from Hoover to Watson, 1/9/67.
[83] For additional examples, See Section II, pp. 51–53.
[84] Staff memorandum: Review of INLET letters, 11/18/75.
[85] Memorandum from FBI Headquarters to all SAC's, 11/26/69.
[86] Memorandum from Bassett to Callahan, 1/29/75.

fingertips. As indicated above, he could have the Bureau's files checked on anyone of interest to him. He personally received political information and "personal tidbits" from the special agents in charge of FBI field offices.[87] This information, both from the files and Hoover's personal sources, was available to discredit critics.

The following are examples of how the Bureau disseminated information to discredit its opponents:

> In 1949 the FBI provided Attorney General J. Howard McGrath and Presidential aide Harry Vaughn inside information on plans of the Lawyers Guild to denounce Bureau surveillance so they would have an opportunity to prepare a rebuttal well in advance of the expected criticism.[88]
>
> In 1960, when the Knoxville Area Human Relations Council in Tennessee charged that the FBI was practicing racial discrimination, the Bureau conducted name checks on members of the Council's board of directors and sent the results to Attorney General William Rogers, including derogatory personal allegations and political affiliations from as far back as the late thirties and early forties.[89]
>
> When a reporter wrote stories critical of the Bureau, he was not only refused any further interviews, but an FBI official in charge of press relations also spread derogatory personal information about him to other newsmen.[90]

The Bureau also maintained a "not to contact list" of "those individuals known to be hostile to the Bureau." Director Hoover specifically ordered that "each name" on the list "should be the subject of a memo." [91]

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[87] Former FBI official Mark Felt has stated that the SAC's could have sent personal letters to Hoover containing such "personal tidbits" "to curry favor with him," and on one occasion he did so himself with respect to a "scandalous" incident. (W. Mark Felt testimony, 2/3/76, p. 91.)

The following excerpt from one SAC's letter is an example of political information fed to the Director: "I have heard several comments and items which I wanted to bring to your attention. As I imagine is true in all States at this time, the political situation in [this state] is getting to be very interesting. As you know, Senator [deleted] is coming up for re-election as is Representative [deleted]. For a long time it appeared that [the Senator] would have no opposition to amount to anything in his campaign for re-election. The speculation and word around the State right now is that probably [the Representative] will file for the U.S. Senate seat now held by [the Senator]. I have also been informed that [the Senator's] forces have offered [the Representative] $50,000 if he will stay out of the Senate race and run for re-election as Congressman." (Letter from SAC to Hoover, 5/20/64.)

[88] Letter from Attorney General McGrath to President Truman, 12/7/49; letter from Hoover to Vaughn, 1/14/50.

[89] Memorandum from Hoover to Rogers, 5/25/60.

[90] Bishop deposition, 12/2/75, p. 211. Bishop stated that he acted on his own, rather than at the direction of higher Bureau executives. However, Director Hoover did have a memorandum prepared on the reporter summarizing everything in the Bureau's files about him, which he referred to when he met with the reporter's superiors. (Bishop deposition, 12/2/75, p. 215.)

[91] Memorandum from Executives Conference to Hoover, 1/4/50. Early examples included historian Henry Steele Commager, "personnel of CBS," and former Interior Secretary Harold Ickes. (Memorandum from Mohr to Tolson, 12/21/49.) By the time it was abolished in 1972, the list included 332 names, including mystery writer Rex Stout, whose novel 'The Doorbell Rang" had "presented a highly distorted and most unfavorable picture of the Bureau." (Memorandum from M. A. Jones to Bishop, 7/11/72.)

This request for "a memo" on each critic meant that, before someone was placed on the list, the Director received, in effect, a "name check" report summarizing "what we had in our files" on the individual.[92]

In addition to assembling information on critics, name checks were run as a matter of regular Bureau policy on all "newly elected Governors and Congressmen." The Crime Records Division instructed the field offices to submit "summary memoranda" on such officials, covering both "public source information" and "any other information that they had in their files." [93] These "summary memoranda" were provided to Director Hoover and maintained in the Crime Records Division for use in "congressional liaison"—which the Division head said included "selling" hostile Congressmen on "liking the FBI." [94]

It has been widely believed among Members of Congress that the Bureau had information on each of them.[95] The impact of that belief led Congressman Boggs to state:

> Our apathy in this Congress, our silence in this House, our very fear of speaking out in other forums has watered the roots and hastened the growth of a vine of tyranny which is ensnaring that Constitution and Bill of Rights which we are each sworn to uphold.
>
> Our society can survive many challenges and many threats. It cannot survive a planned and programmed fear of its own government bureaus and agencies.[96]

Subfinding (d)

The FBI has also used intelligence as a vehicle for covert efforts to influence social policy and political action.

The FBI's interference with the democratic process was not the result of any overt decision to reshape society in conformance with Bureau-approved norms. Rather, the Bureau's actions were the natural consequence of attitudes within the Bureau toward social change, combined with a strong sense of duty to protect society—even from its own "wrong" choices.

The FBI saw itself as the guardian of the public order, and believed that it had a responsibility to counter threats to that order, using any means available.[97] At the same time, the Bureau's assessment of what constituted a "threat" was influenced by its attitude toward the forces of change. In effect, the Bureau chose sides in the

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[92] Bishop deposition, 12/2/75, p. 207.

[93] The field office was also expected to send to headquarters any additional allegations about the Congressman or Governor which might come to its attention in future investigations, even if the Congressman or Governor was not himself the "subject" of the investigation. (Bishop deposition, 12/2/75, pp. 194–200.)

[94] Bishop deposition, 12/2/75, pp. 206–7.

[95] The FBI is not the only agency believed to have files on Congressmen. According to Rep. Andrew Young, "in the freshman orientation" of new House members, "one of the things you are told is that there are seven agenices that keep files on private lives of Congressmen." (Rep. Andrew Young testimony, 2/19/76, p. 48.)

[96] Remarks by Rep. Hale Boggs, House of Representatives, 4/22/71, Congressional Record, Vol. 117, Part 9, p. 11562.

[97] The means used are discussed in the finding on "Covert Action to Disrupt and Discredit Domestic Groups", as well as the Detailed Reports on COINTELPRO, Dr. Martin Luther King, Jr., and the Black Panther Party.

major social movements of the last fifteen years, and then attacked the other side with the unchecked power at its disposal.

The clearest proof of the Bureau's attitude toward change is its own rhetoric. The language used in internal documents which were not intended to be disseminated outside the Bureau is that of the highly charged polemic revealing clear biases.

For example, in one of its annual internal reports on COINTELPRO, the Bureau took pride in having given "the lie" to what it called "the Communist canard" that "the Negro is downtrodden and has no opportunities in America." This was accomplished by placing a story in a newspaper in which a "wealthy Negro industrialist" stated that "the Negro will have to earn respectability and a responsible position in the community before he is accepted as an equal." It is significant that this view was expressed at about the same time as the civil rights movement's March on Washington, which was intended to focus public attention on the denial of opportunities to black Americans, and which rejected the view that inalienable rights have to be "earned." [98]

The rhetoric used in dealing with the Vietnam War and those in opposition to it is even more revealing. The war in Vietnam produced sharply divided opinions in the country; again, the Bureau knew which side it was on. For instance, fifty copies of an article entitled "Rabbi in Vietnam Says Withdrawal Not The Answer" were anonymously mailed by the FBI to members of the Vietnam Day Committee to "convince" the recipients "of the correctness of the U.S. foreign policy in Vietnam." [99]

The Bureau also ordered copies of a film called "While Brave Men Die" which depicted "communists, left-wing and pacifist activities associated with the so-called 'peace movement' or student agitational demonstrations in opposition to the United States position in Vietnam." The film was to be used for training Bureau personnel in connection with "increased responsibilities relating to communist inspired student agitational activities." [100]

In the same vein, a directive to the Chicago field office shortly after the 1968 Democratic Convention instructed it to "obtain all possible evidence" that would "disprove" charges that the Chicago police used undue force in dealing with antiwar demonstrations at the Convention:

> Once again, the liberal press and the bleeding hearts and the forces on the left are taking advantage of the situation in Chicago surrounding the Democratic National Convention to attack the police and organized law enforcement agencies. . . . We should be mindful of this situation and develop all possible evidence to expose this activity and to refute these false allegations.[101]

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[98] Memorandum from FBI Headquarters to New York Field Office, et al., 8/13/63.

[99] Memorandum from FBI Headquarters to San Francisco Field Office, 11/11/65

[100] Memorandum from FBI Headquarters to New York Field Office et al., 3/9/66.

[101] Memorandum from FBI headquarters to Chicago Field Office 8/28/68.

The Bureau also attempted to enforce its view of sexual morality. For example, two students became COINTELPRO targets when they defended the use of a four-letter word, even though the demonstration in which they participated "does not appear to be inspired by the New Left," because it "shows obvious disregard for decency and established morality." [102] An anonymous letter purportedly from an irate parent and an article entitled "Free Love Comes to Austin" were mailed to a state senator and the chairman of the University of Texas Board of Regents to aid in "forcing the University to take action against those administrators who are permitting an atmosphere to build up on campus that will be a fertile field for the New Left." [103] And a field office was outraged at the distribution on campus of a newspaper called SCREW, which was described as "containing a type of filth that could only originate in a depraved mind. It is representative of the type of mentality that is following the New Left theory of immorality on certain college campuses." [104]

As these examples demonstrate, the FBI believed it had a duty to maintain the existing social and political order. Whether or not one agrees with the Bureau's views, it is profoundly disturbing that an agency of the government secretly attempted to impose its views on the American people.

(i) Use of the Media

The FBI attempted to influence public opinion by supplying information or articles to "confidential sources" in the news media. The FBI's Crime Records Division [105] was responsible for covert liaison with the media to advance two main domestic intelligence objectives: [106]

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[102] Memorandum from FBI Headquarters to Minneapolis Field Office, 11/4/68.

[103] Memorandum from San Antonio field office to FBI Headquarters, 8/12/68; memorandum from FBI Headquarters to San Antonio Feld Office, 8/27/68.

[104] The field office also disapproved of the "hippy types" distributing the newspaper, with their "unkempt clothes", "wild beards", and "other examples of their nonconformity". Accordingly, an anonymous letter was sent to a state legislator protesting the distribution of such "depravity" at a state university, noting that "this is becoming a way of campus life. Poison the minds of the young, destroy their moral being, and in less than one generation this country will be ripe for its downfall." (Memorandum from New York Field Office to FBI Headquarters, 5/23/69; memorandum from FBI Headquarters to Newark Field Office, 1/69.

[105] The Crime Records Division also had responsibility for disseminating information to cultivate a favorable public image for the FBI—a practice common to many government agencies. This objective was pursued in various ways. One section of the Crime Records Division was assigned to assemble "material that was needed for a public relations program." This section "developed information for television shows, for writers, for authors, for newspapermen, people who wanted in-depth information concerning the FBI." The section also "handled scripts" for public service radio programs produced by FBI Field Offices; reviewed scripts for television and radio shows dealing with the FBI; and handled the "public relations and publicity aspect" of the "ten most wanted fugitives program." The Bureau attempted to assert control over media presentations of information about its activities. For example, Director Hoover's approval was necessary before the Crime Records Division would cooperate with an author intending to write a book about the FBI (Bishop testimony, 12/2/75, pp. 6–8, 18.)

[106] Memoranda recommending use of the media for COINTELPRO purposes sometimes bore the designation "Mass Media Program," which appeared merely to signify the function of the Crime Records Division as a "conduit" for disseminating information at the request of the Domestic Intelligence Division. (Bishop testimony, 12/2/75, pp. 63–68, 88.) The dissemination of derogatory information to the media was usually reviewed through the Bureau's chain of command and received final approval from Director Hoover. (Bishop testimony, 12/2/75, p. 89.)

(1) providing derogatory information to the media intended to generally discredit the activities or ideas of targeted groups or individuals; and (2) disseminating unfavorable articles, news releases, and background information in order to disrupt particular activities.

Typically, a local FBI agent would provide information to a "friendly news source" on the condition "that the Bureau's interest in these matters is to be kept in the strictest confidence." [107] Thomas E. Bishop, former Director of the Crime Records Division, testified that he kept a list of the Bureau's "press friends" in his desk.[108] Bishop and one of his predecessors indicated that the FBI sometimes refused to cooperate with reporters critical of the Bureau or its Director.[109]

Bishop stated that as a "general rule," the Bureau disseminated only "public record information" to its media contacts, but this category was viewed by the Bureau to include any information which could conceivably be obtained by close scrutiny of even the most obscure publications.[110] Within these parameters, background information supplied to reporters "in most cases [could] include everything" in the Bureau files on a targeted individual; the selection of information for publication would be left to the reporter's judgment.[111]

There are numerous examples of authorization for the preparation and dissemination of unfavorable information to discredit generally the activities and ideas of a target; [112]

—FBI headquarters solicited information from field offices "on a continuing basis" for "prompt . . . dissemination to the news media . . . to discredit the New Left movement and its adherents." Headquarters requested, among other things, that:

> specific data should be furnished depicting the scurrilous and depraved nature of many of the characters, activities, habits and living conditions representative of New Left adherents.

Field Offices were to be exhorted that "Every avenue of possible embarrassment must be vigorously and enthusiastically explored." [113]

—FBI headquarters authorized a Field Office to furnish a media contact with "background information and any arrest record" on a man

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[107] For example, Memorandum from FBI Headquarters to Atlanta Field Office, 10/22/68.

[108] Bishop, 12/2/75, p. 33.

[109] Cartha DeLoach, who handled media contacts for several years, testified that this technique was not actually used as much as the Director desired:

> If any unfair comment appeared in any segment of the press concerning Mr. Hoover or the FBI . . . Mr. Hoover . . . would say do not contact this particular newspaper or do not contact this person or do not cooperate with this person. . . . If I had complied strictly to the letter of the law to Mr. Hoover's instructions, I think I would be fair in saying that we wouldn't be cooperating with hardly a single newspaper in the United States. . . . The men down through the years had to overlook some of those instructions and deal fairly with all segments of the press. (DeLoach testimony, 11/25/75, pp. 213–214.)

[110] Bishop stated that the Crime Records Division was "scrupulous" in providing information which could be cited to a "page and paragraph" in a public source. (Bishop, 12/2/75, pp. 24, 177–178.)

[111] Bishop, 12/2/75, pp. 135–136.

[112] T. E. Bishop stated that from the FBI documents available to the Committee, it was impossible to determine whether an article was actually printed after a news release or a draft article had been supplied to a media source. (Bishop, 12/2/75, p. 86.)

[113] Memorandum from C. D. Brennan to W. C. Sullivan, 5/22/68.

affiliated with "a radical New Left element" who had been "active in showing films on the Black Panthers and police in action at various universities during student rioting." The media contact had requested material from the Bureau which "would have a detrimental effect on [the target's] activities." [114]

—Photographs depicting a radical group's apartment as "a shambles with lewd, obscene and revolutionary slogans displayed on the walls" were furnished to a free-lance writer. The directive from headquarters said: "As this publicity will be derogatory in nature and might serve to neutralize the group, it is being approved." [115]

—The Boston Field Office was authorized to furnish "derogatory information about the Nation of Islam (NOI) to established source [name excised]":

> Your suggestions concerning material to furnish [name] are good. Emphasize to him that the NOI predilection for violence, preaching of race hatred, and hypocrisy, should be exposed. Material furnished [name] should be either public source or known to enough people as to protect your sources. Insure the Bureau's interest in this matter is completely protected by [name]. [116]

One Bureau-inspired documentary on the NOI reached an audience of 200,000.[117] Although the public was to be convinced that the NOI was "violent", the Bureau knew this was not in fact true of the organization as a whole.[118]

—The Section which supervised the COINTELPRO against the Communist Party intended to discredit a couple "identified with the Community Party movement" by preparing a news release on the drug arrest of their son, which was to be furnished to "news media contacts and sources on Capitol Hill." A Bureau official observed that the son's "arrest and the Party connections of himself and his parents presents an excellent opportunity for expoitation." The news release noted that "the Russian-born mother is currently under a deportation order" and had a former marriage to the son of a prominent Communist Party member. The release added: "the Red Chinese have long used narcotics to help weaken the youth of target countries." [119]

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[114] Memorandum to Director from SAC Miami, 3/10/70. Bishop testified that he "would hope" that in response to the directive to disseminate the target's "arrest record" the Division would have disseminated only conviction records. Bishop said that under the Attorney General's guidelines then in effect only conviction records or arrests which were a matter of public record in a particular jurisdiction were to be disseminated. Bishop stated that his policy was not to disseminate an arrest record "especially if that arrest record resulted in an acquittal or if the charge was never completed . . . because that is not, to my mind, anything derogatory against a guy, until he actually gets convicted." (Bishop testimony, 12/2/75, pp. 163–167, 173.)

[115] Memorandum from FBI Headquarters to Boston Field Office, 1/13/68.

[116] Memorandum from FBI Headquarters to Boston Field Office, 2/27/68.

[117] Memorandum from Tampa Field Office to FBI Headquarters, 2/7/69.

[118] Deposition of Black Nationalist COINTELPRO supervisor, 10/17/75, p. 21; Deposition of George C. Moore, Chief of the Racial Intelligence Section, 11/3/75, p. 36.

[119] Memorandum from F. J. Baumgardner to W. C. Sullivan, 6/3/63.

—When the wife of a Communist Party leader purchased a new car, the FBI prepared a news item for distribution to "a cooperative news media source" mocking the leader's "prosperity" "as a disruptive tactic." The item commented sarcastically that "comrades of the self-proclaimed leader of the American working class should not allow this example of [the leader's] prosperity to discourage their continued contributions to Party coffers." [120]

—After a public meeting in New York City, where "the handling of the [JFK assassination] investigation was criticized," the FBI prepared a news item for placement "with a cooperative news media source" to discredit the meeting on the grounds that "a reliable [FBI] source" had reported a "convicted perjurer and identified espionage agent as present in the audience." [121]

—As part of the new Left COINTELPRO, the FBI sent a letter under a fictitious name to *Life* magazine to "call attention to the unsavory character" of the editor of an underground magazine, who was characterized as "one of the moving forces behind the Youth International Party, commonly known as the Yippies." To counteract a recent *Life* "article favorable" to the Yippie editor, the FBI's fictitious letter said that "the cuckoo editor of an unimportant smutty little rag" should be "left in the sewers." [122]

Much of the Bureau's use of the media to influence public opinion was directed at disrupting specific activities or plans of targeted groups or individuals:

—In March 1968, FBI Headquarters granted authority for furnishing to a "cooperative national news media source" an article "designed to curtail success of Martin Luther King's fund raising" for the poor people's march on Washington, D.C. by asserting that "an embarrassment of riches has befallen King . . . and King doesn't need the money." [123] To further this objective, Headquarters authorized the Miami Office "to furnish data concerning money wasted by the Poor People's Campaign" to a friendly news reporter on the usual condition that "the Bureau must nat be revealed as the source." [124]

The Section Chief in charge of the Black Nationalist COINTELPRO also recommended that "photographs of demonstrators" at the march should be furnished; he attached six photographs of Poor People's Campaign participants at a Cleveland rally, accompanied by the note: "These show the militant, aggressive appearance of the participants and might be of interest to a cooperative news source." [125]

—As part of the New Left COINTELPRO, authority was granted to the Atlanta Field Office to furnish a newspaper editor who had "written numerous editorials praising the Bureau" with "information to supplement that already known to him from public sources concerning subversive influences in the Atlanta peace movement. His use of this material in well-timed articles would be used to thwart the [upcoming] demonstrations." [126]

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[120] Memorandum from F. J. Baumardner to W. C. Sullivan, 8/9/65.
[121] Memorandum from F. J. Baumgardner to W. C. Sullivan, 2/24/64.
[122] Memorandum from New York Field Office to FBI Headquarters, 10/16/68.
[123] Memorandum from G. C. Moore to W. C. Sullivan, 10/26/68.
[124] Memorandum from FBI Headquarters to Miami Field Office, 7/9/68.
[125] Memorandum from G. C. Moore to W. C. Sullivan, 5/17/76.
[126] Memorandum from FBI Headquarters to Atlanta Field Office, 10/22/68.

—An FBI Special Agent in Chicago contacted a reporter for a major newspaper to arrange for the publication of an article which was expected to "greatly encourage factional antagonisms during the SDS Convention" by publicizing the attempt of "an underground communist organization" to take over SDS. This contact resulted in an article headlined "Red Unit Seeks SDS Rule." [127]

—FBI Director Hoover approved a Field Office plan "to get cooperative news media to cover closed meetings of Students for a Democratic Society (SDS) and other New Left groups" with the aim of "disrupting them." [128]

—Several months after COINTELPRO operations were supposed to have terminated, the FBI attempted to discredit attorney Leonard Boudin at the time of his defense of Daniel Ellsberg in the Pentagon Papers case. The FBI "called to the attention" of the Washington bureau chief of a major news service information on Boudin's alleged "sympathy" and "legal services" for "communist causes." The reporter placed a detailed news release on the wires which cited Boudin's "identification with Leftist causes" and included references to the arrest of Boudin's daughter, his legal representation of the Cuban government and "Communist sympathizer" Paul Robeson, and the statement that "his name also has been connected with a number of other alleged communist front groups." In a handwritten note, J. Edgar Hoover directed that copies of the news release be sent to "Haldeman, A. G., and Deputy." [129]

The Bureau sometimes used its media contacts to prevent or postpone the publication of articles it considered favorable to its targets of unfavorable to the FBI. For example, to influence articles which related to the FBI, the Bureau took advantage of a close relationship with a high official of a major national magazine, described in an FBI

[127] Memorandum from Chicago Field Office to FBI Headquarters, 6/18/69.

[128] Memorandum from FBI Headquarters to Indianapolis Field Office, 6/17/68.

[129] FBI Memorandum from Bishop to Mohr, 7/6/71; Bishop testimony, 12/2/75, pp. 148–151.

Two years earlier the Crime Records Division prepared a sixteen-page memorandum containing information on "Leonard B. Boudin, Attorney for Dr. Benjamin Spock," written at the time of Spock's indictment for conspiring to violate the Selective Service Act. (FBI Memorandum from M. A. Jones to T. E. Bishop, 2/26/68) The memorandum described "alleged associations and activities of Boudin" related to organizations or individuals considered "subversive" by the FBI, (Bishop, 12/2/75, pp. 134–135) and included: names of many of Boudin's clients; citations to magazines and journals in which Boudin had published articles; references to petitions he had signed; and notes on rallies and academic conferences at which he had spoken. The memorandum indicated that "the White House and Attorney General have been advised" of the information on Boudin's background. Notations on the cover sheet of the memorandum by high Bureau officials indicate that approval was granted for "furnishing the attached information to one of our friendly news contacts" but the information was not used until after the "results of appeal in Spock's case." Bishop did not recall distributing the Boudin memorandum. (Bishop, 12/2/75, pp. 125–126)

The head of the Crime Records Division speculated that the memorandum was prepared at the request of a reporter because he did not remember a request from Hoover or from the Domestic Intelligence Division, which was the normal route for assignments to the Crime Records Division. Division Chief Bishop testified that he probably instructed the Division "to get up any public source information that we have concerning Boudin that shows his connection with the Communist Party or related groups of that nature." (Bishop, 12/2/75, pp. 131–133)

memorandum as "our good friend." Through this relationship, the FBI "squelched" an "unfavorable article against the Bureau" written by a free-lance writer about an FBI investigation; "postponed publication" of an article on another FBI case; "forestalled publication" of an article by Dr. Martin Luther King, Jr.; and received information about proposed editing of King's articles.[130]

The Bureau also attempted to influence public opinion by using news media sources to discredit dissident groups by linking them to the Communist Party:

—A confidential source who published a "self-described conservative weekly newspaper" was anonymously mailed information on a church's sponsorship of efforts to abolish the House Committee on Un-American activities. This prompted an article entitled "Locals to Aid Red Line," naming the minister, among others, as a local sponsor of what it termed a "Communist dominated plot" to abolish HUAC.[131]

—The Bureau targeted a professor who had been the president of a local peace center, a "coalition of anti-Vietnam and anti-draft groups." In 1968, he resigned temporarily to become state chairman of Eugene McCarthy's presidential campaign organization. Information on the professor's wife, who had apparently associated with Communist Party members in the early 1950's, was furnished to a newspaper editor to "expose those people at this time when they are receiving considerable publicity in order" to "disrupt the members" of the peace organization.[132]

—Other instances included an attempt to link a school boycott with the Communists by alerting newsmen to the boycott leader's plans to attend a literary reception at the Soviet mission;[133] furnishing information to the media on the participation of the Communist Party presidential candidate in the United Farm Workers' picket line;[134] "confidentially" informing established sources in three northern California newspapers that the San Francisco County Communist Party Committee had stated that civil rights groups were to "begin working" on the area's large newspapers "in an effort to secure greater employment of Negroes;"[135] and furnishing information to the media on Socialist Workers Party participation in the Spring Mobilization Committee to End the War in Vietnam to "discredit" the antiwar group.[136]

(ii) Attacks on Leaders

Through covert propaganda, the FBI not only attempted to influence public opinion on matters of social policy, but also directly in-

[130] Memorandum from W. H. Stapleton to C. D. DeLoach, 11/5/64.

[131] Memorandum from Cleveland Field Office to FBI Headquarters, 10/28/64; memorandum from FBI Headquarters to Cleveland Field Office, 11/6/64.

[132] Memorandum from FBI Headquarters to Phoenix Field Office, 6/11/68.

[133] Memorandum from FBI Headquarters to New York Field Office, 2/4/64.

[134] The target was not intended to be the United Farm Workers, but a local college professor expected to participate in the picket line. The Bureau had unsuccessfully directed "considerable efforts to prevent hiring" the professor. Apparently, the Bureau did not consider the impact of this technique on the United Farm Workers' efforts. (Memorandum from San Francisco Field Office to FBI Headquarters, 9/12/68; memorandum from FBI Headquarters to San Francisco Field Office, 9/13/68.)

[135] Memorandum from San Francisco Field Office to FBI Headquarters, 4/16/64.

[136] Memorandum from San Francisco Field Office to FBI Headquarters, 3/10/67; memorandum from FBI Headquarters to San Francisco Field Office, 3/14/67.

tervened in the people's choice of leadership both through the electoral process and in other, less formal arenas.

For instance, the Bureau made plans to disrupt a possible "Peace Party" ticket in the 1968 elections. One field office noted that "effectively tabbing as communists or as communist-backed the more hysterical opponents of the President on the Vietnam question in the midst of the presidential campaign would be a real boon to Mr. Johnson." [137]

In the FBI's COINTELPRO programs, political candidates were targeted for disruption. The document which originated the Socialist Workers Party COINTELPRO noted that the SWP "has, over the past several years, been openly espousing its line on a local and national basis through running candidates for public office." The Bureau decided to "alert the public to the fact that the SWP is not just another socialist group but follows the revolutionary principles of Marx, Lenin, and Engels as interpreted by Leon Trotsky." Several SWP candidates were targeted, usually by leaking derogatory information about the candidate to the press.[138]

Other COINTELPRO programs also included attempts to disrupt campaigns. For example, a Midwest lawyer running for City Council was targeted because he and his firm had represented "subversives". The Bureau sent an anonymous letter to several community leaders which decried his "communist background" and labelled him a "charlatan." [139] Under a fictitious name, the Bureau sent a letter to a television station on which the candidate was to appear, enclosing a series of questions about his clients and his activities which it believed should be asked.[140] The candidate was defeated. He later ran (successfully, as it happened) for a judgeship. The Bureau attempted to disrupt this subsequent, successful campaign for a judgeship by using an anti-communist group to distribute fliers and write letters opposing his candidacy.[141]

In another instance, the FBI attempted to have a Democratic Party fundraising affair raided by the state Alcoholic Beverage Control Commission. The fund raiser was targeted because of two of the candidates who would be present. One, a state assemblyman running for reelection, was active in the Vietnam Day Committee; the other, the Democratic candidate for Congress, had been a sponsor of the National Committee to Abolish the House Committee on Un-American Activities and had led demonstrations opposing the manufacture of napalm bombs.[142]

Although the disruption of election campaigns is the clearest example, the FBI's interference with the political process was much broader.

[137] Memorandum from Chicago Field Office to FBI Headquarters, 6/1/67.

[138] Memorandum from FBI Headquarters to all SAC's, 10/12/61.

[139] Memorandum from Detroit Field Office to FBI Headquarters, 9/1/65; memorandum from FBI Headquarters to Detroit Field Office, 9/22/65.

[140] Memorandum from Detroit Field Office to FBI Headquarters, 9/28/65; memorandum from FBI Headquarters to Detroit Field Office, 10/1/65.

[141] Memorandum from Detroit Field Office, to FBI Headquarters, 1/19/67.

[142] Memorandum from FBI Headquarters to San Antonio Field Office, 11/14/66. The attempt was unsuccessful; a prior raid on a fire department's fund raiser had angered the local District Attorney, and the ABC decided not to raid the Democrats because of "political ramifications."

For example, all of the COINTELPRO programs were aimed at the leadership of dissident groups.[143]

In one case, the Bureau's plans to discredit a civil rights leader included an attempt to replace him with a candidate chosen by the Bureau. During 1964, the FBI began a massive program to discredit Dr. Martin Luther King, Jr. and to "neutralize" his effectiveness as the leader of the civil rights movement.[144] On January 8, 1964, Assistant Director William C. Sullivan proposed that the FBI select a new "national Negro leader" as Dr. King's successor after the Bureau had taken Dr. King "off his pedestal":

> When this is done, and it can and will be done . . . the Negroes will be left without a national leader of sufficiently compelling personality to steer them in the right direction. This is what could happen, but need not happen if the right kind of Negro leader could at this time be gradually developed so as to overshadow Dr. King and be in the position to assume the role of leadership of the Negro people when King has been completely discredited.
>
> I want to make it clear at once that I don't propose that the FBI in any way became involved openly as the sponsor of a Negro leader to overshadow Martin Luther King. . . . But I do propose that I be given permission to explore further this entire matter. . . .
>
> If this thing can be set up properly without the Bureau in any way becoming directly involved, I think it would not only be a great help to the FBI but would be a fine thing for the country at large. While I am not specifying at this moment, there are various ways in which the FBI could give this entire matter the proper direction and development. There are highly placed contacts of the FBI who might be very helpful to further such a step. . . .[145]

The Bureau's efforts to discredit Dr. King are discussed more fully elsewhere.[146] It is, however, important to note here that some of the Bureau's efforts coincided with Dr. King's activities and statements concerning major social and political issues.

(iii) Exaggerating The Threat

The Bureau also used its control over the information-gathering process to shape the views of government officials and the public on the

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[143] The originating document for the "Black Nationalist" COINTELPRO ordered field offices to "expose, disrupt, misdirect, discredit, or otherwise neutralize" the "leadership" and "spokesmen" of the target groups. The "New Left" originating memo called for efforts to "neutralize" the New Left and the "Key Activitists," defined as "those individuals who are the moving forces behind the New Left;" the letter to field offices made it clear that the targets were the "leadership" of the "New Left"—a term which was never defined. (Memorandum from FBI Headquarters to all SAC's, 8/25/67.)

[144] Memorandum from Brennan to Sullivan, 5/9/68; memorandum from FBI Headquarters to all SAC's, 5/10/68.

[145] Memorandum from Sullivan to Belmont, 1/8/64. Although this proposal was approved by Director Hoover, there is no evidence that any steps were taken to implement the plan.

[146] See Martin Luther King, Jr. Report: Sec. V, The FBI's Efforts to Discredit Dr. Martin Luther King: 1964, Sec. VII, The FBI Program Against Dr. King: 1965–1968.

threats it perceived to the social order. For example, the FBI exaggerated the strength of the Communist Party and its influence over the civil rights and anti-Vietnam war movements.

Opponents of civil rights legislation in the early 1960s had charged that such legislation was "a part of the world Communist conspiracy to divide and conquer our country from within." The truth or falsity of these charges was a matter of concern to the administration, Congress, and the public. Since the Bureau was assigned to compile intelligence on Communist activity, its estimate was sought and, presumably, relied upon. Accordingly, in 1963, the Domestic Intelligence Division submitted a memorandum to Director Hoover detailing the CPUSA's "efforts" to exploit black Americans, which it concluded were an "obvious failure." [147]

Director Hoover was not pleased with this conclusion. He sent a sharp message back to the Division which, according to the Assistant Director in charge, made it "evident that we had to change our ways or we would all be out on the street." [148] Another memorandum was therefore written to give the Director "what Hoover wanted to hear." [149]

The memorandum stated, "The Director is correct;" it called Dr. Martin Luther King, Jr. "the most dangerous Negro of the future in this Nation from the standpoint of communism, the Negro, and national security;" and it concluded that it was "unrealistic" to "limit ourselves" to "legalistic proofs or definitely conclusive evidence" that the Communist Party wields "substantial influence over Negroes which one day could become decisive." [150]

Although the Division still had not said the influence *was* decisive, by 1964 the Director testified before the House Appropriations Subcommittee that the "Communist influence" in the "Negro movement" was "vitally important." [151] Only someone with access to the underlying information would note that the facts could be interpreted quite differently.[151a]

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[147] Memorandum from Baumgardner to Sullivan, 8/23/63, p. 1.

[148] Sullivan deposition, 11/1/75, p. 20.

[149] Sullivan deposition, 11/1/75, p. 29.

[150] Memorandum from Sullivan to Director, FBI, 8/30/63. Sullivan described this process of "interpretive" memo writing to lead a reader to believe the Communists were influential without actually stating they were in control of a movement: "You have to spend years in the Bureau really to get the feel of this. . . . You came down here to 'efforts', these 'colossal efforts'. That was a key word of ours when we are getting around the facts. . . . You will not find anywhere in the memorandum whether the efforts were successful or unsuccessful. . . . Here is another one of our words that we used to cover up the facts, 'efforts to exploit', that word 'exploit'. Nowhere will you find in some of these memos the results of the exploitation. [Like] 'planning to do all possible', you can search in vain for a statement to the effect that their plans were successful or unsuccessful, partly successful or partly unsuccessful." (Sullivan, 11/1/75, pp. 15–16.)

[151] Hearings before the House Appropriations Subcommittee, 88th Cong., 2d Sess. (1964), p. 309. Director Hoover's statement was widely publicized. (E.g., "Hoover Says Reds Exploit Negroes," New York Times, 4/22/64, p. 30) It caused serious concern among civil rights leaders who feared that it would hurt the prospects for passage of the 1964 civil rights bill.

[151a] Director Hoover had included similar exaggerated statements about Communist influence in a briefing to the Eisenhower Cabinet in 1956. Hoover had stated, regarding an NAACP-sponsored conference:

"The Communist Party *plans* to use this conference to embarrass the Administration by causing a rift between the Administration and Dixiecrats who have

A similar exaggeration occurred in some of the Bureau's statements on communist influence on the anti-Vietnam war demonstrations.

In April 1965 President Johnson met with Director Hoover to discuss Johnson's "concern over the anti-Vietnam situation." According to Hoover, Johnson said he had "no doubt" that Communists were "behind the disturbances." [152] Hoover agreed, stating that upcoming demonstrations in eighty-five cities were being planned by the Students for a Democratic Society and that SDS was "largely infiltrated by communists and [it] has been woven into the civil rights situation which we know has large communist influence." [153]

Immediately after the meeting, however, Hoover told his associates that the Bureau might not be able to "technically state" that SDS was "an actual communist organization." The FBI merely knew that there were "communists in it." Hoover instructed, however, "What I want to get to the President is the background with emphasis upon the communist influence therein so that he will know exactly what the picture is." The Director added that he wanted "a good, strong memorandum" pinpointing that the demonstrations had been "largely participated in by communists even though they may not have initiated them;" the Bureau could "at least" say that they had "joined and forced the issue." According to the Director, President Johnson was "quite concerned" and wanted "prompt and quick action." [154]

Once again, the Bureau wrote a report which made Communist "efforts" sound like Communist success. The eight-page memorandum detailed all of the Communist Party's attempts to "encourage" domestic dissent by "a crescendo of criticism aimed at negating every effort of the United States to prevent Vietnam from being engulfed by communist aggressors." Twice in the eight pages, for a total of two and a half sentences, it was pointed out that most demonstrators were not Party members and their decisions were not initiated or controlled by the communists. Each of these brief statements moreover, was followed by a qualification: (1) "*however*, the Communist Party, USA . . . has vigorously supported these groups and exerted influence;" (2) "*While* the March [on Washington] was not Communist initiated . . . Communist Party members from throughout the nation participated." [Emphasis added.] [155]

The rest of the memorandum is an illustration of what former Assistant Director Sullivan called "interpretive" memo writing in

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supported it, by forcing the Administration to take a stand on civil rights legislation with the present Congress. The Party *hopes* through a rift to affect the 1956 elections." [Emphasis added.] (Memorandum from Director, FBI, to the Executive Assistant to the Attorney General, 3/9/56, and enclosure.)

Director Hoover did not include in his prepared briefing statement the information reported to the White House separately earlier that there was "no indication" the the NAACP had "allowed the Communist Party to infiltrate the conference." (Hoover to Dillon Anderson, Special Assistant to the President, 3/5/56.) According to one historical account, Hoover's Cabinet briefing "reinforced the President's inclination to passivity" on civil rights legislation. (J. W. Anderson, *Eisenhower, Brownell, and the Congress: The Tangled Origins of the Civil Rights Bill of 1956–57* [University of Alabama Press, 1964], p. 34.)

[152] Memorandum from Hoover to subordinate FBI officials, 4/28/65.

[153] Hoover memorandum, 4/28/65.

[154] Hoover memorandum, 4/28/65.

[155] Letter from Hoover to McGeorge Bundy, Special Assistant to the President (National Security), 4/28/65, enclosing FBI memorandum, Subject: Communist Activities Relative to United States Policy on Vietnam.

which Communist efforts and desires are emphasized without any evaluation of whether they had been or were likely to be successful.

The exaggeration of Communist participation, both by the FBI and White House staff members relying on FBI reports,[156] could only have had the effect of reinforcing President Johnson's original tendency to discount dissent against the Vietnam War as "Communist inspired"—a belief shared by his successor.[157] It is impossible to measure the full effect of this distorted perception at the very highest policymaking level.

[156] See, *e.g.*, a memorandum from Marvin (Watson) to the President, 5/16/67, quoting from a Bureau report that: "the Communist Party and other organizations are continuing their efforts to force the United States to change its present policy toward Vietnam."

[157] The report prepared by the intelligence agencies as the basis for the 1970 "Huston Plan" included the following similar emphasis on the potential threat (and downplaying of the actual lack of success):

"Leaders of student protest groups" who traveled abroad were "considered to have *potential* for recruitment and participation in foreign-directed intelligence activity."

"Antiwar activists" who had "frequently traveled abroad" were considered "as having *potential* for engaging in foreign-directed intelligence collection."

The CIA was "of the view that the Soviet and bloc intelligence services *are committed* at the political level to exploit all domestic dissidents wherever possible."

Although there was "no hard evidence" of substantial foreign control of "the black extremist movement," there was "*a marked potential*" and the groups were "*highly susceptible* to exploitation by hostile foreign intelligence services."

"Communist intelligence services *are capable of* using their personnel, facilities, and agent personnel to work in the black extremist field."

While there were "no substantial indications that the communist intelligence services have actively fomented domestic unrest," their "*capability*" could not "*be minimized.*"

"The dissidence and violence in the United States today present adversary intelligence services with *opportunities unparalleled* for forty years." [Emphasis added.] (Special Report, Interagency Committee on Intelligence (Ad Hoc), June 1970; substantial portions of this report appear in Hearings, Vol. 2, pp. 141–188.)