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# Comment

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# The FBI Is a Vacuum Cleaner For Raw Gossip

By John Seigenthaler

I have been reporting and writing for the Nashville *Tennessean* for most of the last 28 years — and this is the most difficult assignment I have undertaken.

This is a story about myself. It is personal. It is painful.

The allegations cited in the FBI communication printed at right are not true. But they were repeated, in substance, in another communication to FBI Director Kelley four days later, on May 10, 1976.

I found out about it in late June 1977 when, after more than a year of denial and delay, Director Kelley finally complied with provisions of federal laws and sent me my FBI files. At least he sent me some of my files.

I have now been assured by ranking officials of the Justice Department that the words cited in the May 6 and May 10 "telexes" will be purged from my records.

But as of this moment they are part of the "official" FBI files. I have been given access, under law, to some FBI reports mentioning my name. But nothing I have received from the bureau explains how such information could get into my files, why it was sent on May 6 to Director Kelley, or why it was repeated in another message to him a few days later.

The law which allows citizens the right to examine their files also allows the FBI to decide arbitrarily what records will not be shown. I am appealing Kelley's decision in my own case to try to get more information.

Like most Americans, I grew up believing completely in the integrity of the FBI. I know many agents I like

*"... allegations of Seigenthaler having illicit relations with young girls..."*

— Report of Memphis FBI to FBI Director Clarence Kelley, May 6, 1976

and admire. The hard work of agents like them gave the bureau a reputation which was unblemished for decades.

I am aware that disclosing the mere fact that this material is in my files will raise doubts about me in the minds of some people. It will raise the inevitable questions: "If there is smoke, isn't there fire? If the FBI had it in the files, isn't it true?" That realization is why I would prefer not to write this.

But I appeared before a congressional committee May 20, 1976 and stated under oath that if I could get access to my FBI files I would publish what was there, no matter how scurrilous or scandalous or false.

I then wrote a letter to FBI Director Kelley. I told him I was convinced that his agency had collected defamatory gossip about me. I demanded access to my FBI records. I told Kelley that I was going to publish that material if I could get it.

Then, recently, I was honored in New York by the Sidney Hillman Foundation and given an award for "courage in publishing."

Having accepted that award, and having told Kelley I would publish what was in my files, and having sworn before a committee of Congress to do so, I can hardly lock it up in a filing cabinet now and forget it.

For years the FBI has engaged in a "vacuum cleaner" approach to intelligence gathering. That means that some FBI agents will solicit or

accept any information, even hearsay, rumor or gossip, and put it into the bureau's "raw files."

At the time I testified before Congress, I had an idea that if I would voluntarily expose the "vacuum cleaner" method of information gathering, that might help stop that corrupt practice.

For some time it has been clear that J. Edgar Hoover, when he was FBI director, collected titillating tidbits of gossip about high-ranking officials in Washington — members of Congress, cabinet officers, even presidents.

But nobody ever thinks the FBI is

John Seigenthaler is publisher of Nashville newspaper The *Tennessean*. This is excerpted from his article published in that newspaper recently.

collecting common gossip about them; nobody realizes that the "vacuum cleaner" is always turned on, possibly sucking up information about them. Before May 1976, I did not suspect that the FBI had collected damaging or discrediting information about me. I didn't want to think that about myself; I didn't want to think it about the FBI.

Then, on May 13 last year a FBI official name Homer Boynton, while visiting the Washington offices of the *New York Times*, made disparaging comments to members of the *Times* staff about me and the *Tennessean*.

Boynton said "Seigenthaler is not entirely pure."

I don't know why he said it. I can't prove what he meant.

But for more than a year I have suspected the worst; now, having received my FBI records — or some of them — I know the worst. I know that in the week before Deputy FBI Director Boynton made those comments about my "purity," the FBI in Memphis sent two messages to Director Kelley which included false allegations that "Seigenthaler involved in having illicit relations" with young girls.

If this is a difficult story for me to relate, it also may be difficult for the reader to follow. It involves complex events and confusing relationships with the Federal Bureau of Investigation.

The job of a journalist is to make complexities simple and confusion easy to understand. Because of my personal stake in this story, I may fall short of doing the reporter's job.

My conflict with the FBI dates back more than a year — to May 5, 1976, the day before the first Memphis FBI telex was sent off to Kelley.

It was on that day that Mrs. Jacque Srouji, then a part-time copy editor for the *Tennessean*, was separated from the newspaper.

On May 3, 4 and 5 I had talked at length with her about what the FBI has since described as her "special relationship" with the bureau. I was concerned about how that special relationship affected our newspaper's staff. On May 5 I made the difficult decision to dismiss Mrs. Srouji.

There is public controversy about why Mrs. Srouji was fired. Ultimately, I am confident, that controversy will be resolved. That will be another story for another day.

What is pertinent to this story is the date of her firing: May 5, 1976. It was the day before the first FBI telex went from Memphis to Director Kelley in Washington. Her dismissal became public knowledge in news accounts published in the *Tennessean* and other newspapers on May 8. Two days later the second FBI telex was shot off from Memphis to Kelley in Washington.

Three days later I appeared at the Department of Justice in Washington to file a formal complaint with Justice officials about the FBI developing a "special relationship" with a member of the staff of the *Tennessean*. It was on that day — in fact at the very hour I was filing the complaint — that Deputy Director Boynton showed up at the office of the *New York Times* and made his "not entirely pure" crack about me and the *Tennessean*.

The files I now have received from the FBI are maddeningly incomplete. For example, the May 5 and May 10 telexes have been heavily censored and excised by either Kelley or agents who make the decision as to what in my records I may not read.

Consider the May 6 "document." It

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appears to be a two-page telex. It has been so heavily censored that nothing appears on the first page but the notation that a "coded" "nitel" was sent to the "Director" from "Memphis" at 7:15 p.m.

Everything else on that first page has been deleted by the FBI. Kelley, in a letter that came with these documents, said this was to protect the privacy of others, including the source of the information.

On the second page of this "nitel" every word has been deleted by the FBI except what appears to be the last two and a half lines. Starting in what surely is the middle of a sentence, those lines read as follows:

"... allegations of Seigenthaler having illicit relations with young girls, which information source obtained from an unnamed source."

What is there to conclude from the May 6 "nitel" to Kelley? It shows

that sometime prior to May 6 the FBI "vacuum cleaner" turned in my direction and ingested this derogatory information. Some "source" — unnamed in the FBI documents I have received — had sucked up this gossip from some other source. The second source is "unnamed" according to that telex.

That means not even the FBI knows the original source who started the rumor about me.

I had waited for more than a year for a look at my FBI records. It was a year of frustrating exchanges of letters with Kelley and Justice Department officials in which I would regularly demand immediate access to my files, Kelley would deny those demands, — I would appeal to other Justice Department officials and then there would be interminable delays.

When I finally read the few words included in the May 6 telex I was reminded of a letter I had written to the FBI director a year ago, on July 9, 1976. In that letter I stated that I was convinced "your agency solicits and files common gossip and rank character defamation, under the guise of "investigating."

On July 21 Kelley wrote me: "I can assure you that the FBI does not solicit common gossip and rank character defamation."

When he wrote me those words he had in his possession the message sent him from Memphis May 6 quoting a "source" who quoted an "unnamed source."

He also had in his possession the telex sent him from Memphis on May 10. This one is three pages in length. Once again, as I read it I feel that I have been ripped off because either the FBI director or some of his agents have censored most of what it contained.

In addition, the copying machine used by the FBI in reproducing the documents is a sad commentary on the technical equipment of the world's greatest investigative agency. Some of what I received is barely legible.

In the May 10 telex the FBI, once again, has blanked out everything that was on page one — except the fact that it was addressed to the "Director" from "Memphis" and that the teletype was "immediate," rather than a "nitel" as the May 6 communication had been. The rest of what was contained on that first page is blank — censored by the FBI.

Most of the second page is blank. On what appears to be the third line from the bottom, one word appears: "volunteered."

The next line is mostly blank but it does contain three words, "heard rumors that."

What seems to be the last line on that page is mostly blank but near the end of the line is my name, "Seigenthaler" — followed by a comma.

Now, it is impossible to tell what those three lines really say. But the FBI official who censored those lines obviously wants me to know — or perhaps believe — that somebody "volunteered" that there were "rumors" around about Seigenthaler.

Whether that came from "source" or "unnamed source" isn't spelled out quite as clearly in this message.

And what were the rumors heard about Seigenthaler? Turn to page three. The first line is complete: "involved in having illicit relations with young females."

The next sentence in the telex says: "Inasmuch as the information furnished by the source concerning Seigenthaler was unfounded rumor, since it could not be corroborated (and then there is a blank space), no record of this information was made in Memphis files."

But somebody kept it in Washington FBI files. And from there, after more than a year of denial and delay, I finally got access to it. The language of the FBI message on May 10 leaves no doubt that it was "unfounded rumor" which could not be corroborated. As I read the telex it is obvious to me that the FBI actually tried to corroborate it, and failed.

And after more than a year that



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unfounded, uncorroborated rumor has remained in my FBI files in Washington — where it rests today. And there it would remain forever were it not for current officials of the Justice Department who agree with me that it should be purged.

Still, Kelley wrote to me that he could assure me "the FBI does not solicit common gossip and rank character defamation."

In that same letter Kelley said, "I am confident the records will speak for themselves."



Well, the documents are so heavily censored that they hardly speak at all. But insofar as they speak they leave no doubt in my mind that the FBI, even today, solicits — and keeps in its records — “common gossip and rank character defamation.”

Last November, after I had pro-

tested the actions by the FBI and the statements by Boynton I received a letter of apology from the Department of Justice. In December a second letter came from Justice. Kelley and Boynton joined in this apology, this letter said:

Having now read my files I have a better idea of why that apology was forthcoming. I have difficulty understanding why it took from May until December:

But still the information I received is inadequate and incomplete. I suspect that means months of more appeals to get more information.

As I reread the May 6 and May 10 telexes I have several random reactions:

- The federal privacy act bars the FBI from providing me any information about any other person whose name is in my files. That, I think, is a sensible provision designed to let me know what the FBI says about me, but protects others from my finding out what the FBI says about them. At the same time, as long as the Bureau continues to use a “vacuum cleaner” process of information gathering and allows unnamed sources to feed in false rumors, this provision will encourage bureaucratic abuse.

- This same provision that permits the FBI to determine what it will excise from documents will lead, inevitably, to the suspicion that the bureau is covering up its own misdeeds in the process of censoring documents.

- There are many Americans who, I now am sure, have similar stuff in their files. There is no way for them to know how or when this may adversely affect their interests, or the interests of persons close to them. In one letter to Director Kelley, while appealing for immediate access to

my records, I pointed out that there was another “John Seigenthaler” — my son — who might be damaged by such information in my files.

- My hope that publishing the derogatory information about me might help cure the FBI practice of picking up such gossip and rumor has been dimmed by the tedious, tiring effort required to get even part of the records. Kelley sent a letter accompanying the documents he provided me, listing the provisions of the law which permit him to withhold information in my records in order to protect others. His letter never even acknowledges that it was improper for the FBI to gather such material. He never bothers to explain his letter of a year ago in which he said his agency does not solicit gossip. He did tell me that the information was never used in an investigation against me: If he was trying to make me feel good, he failed.

- President Carter is now considering names recommended to him by a presidential commission to replace Kelley. Whoever is selected, I cannot help but hope that it is a person with a background in solid law enforcement who understands the difference between legitimate police intelligence and slander. I also hope that the appointment comes soon. Very soon.

Director Kelley has denied my request to meet with him face to face and discuss the details of my files: I regret that. He did mention to me that I owe the FBI \$7.80 — or ten cents a page — as a copying fee for sending me the 78 pages of my FBI records.

The check will be in the mail shortly — but I don't like to pay. The quality of the “copying” was just too bad.