

Jim, addition to affisavor or for rephraaed inclusion in motion 5/24/75 HW

Can there be a presumption of good faith in the enforcing of a law that is ~~predicated~~ predicated on the certainty and the record that good faith is not always justified?

Can there be the presumption of good faith when after five Attorneys General and so many years the incumbent Attorney General, on May 23, 1975, assured the House Judiciary Chairman of five new illegal FBI operations in addition to those already exposed and his spokesman tells the press "that Levi could not be sure that the FBI did not conduct more Cointelpro operations..."(Washington Post, 5/24/75)

If the FBI repeatedly deceives the Attorney General of the United States, and if the Attorney General cannot be sure of the FBI's "good faith," can there be any basis for any trust in the FBI's word when its performance and integrity are at issue and when there is the clear, and unequivocal record that already exists in this case that the FBI has withheld what it pretends to say it has not withheld and when the withholding is the issue?

To do this would be to fly into the face of reason and to negate the clear purpose of law, clearest of all in this very case to which the Congress addressed itself in particular in amending the law to end precisely the abuses of it that are right now before this very court. (Cite CR 5/30/74 even though he knows it and the conference report even if he knows it.)

To presume "good faith" when there is an undeviating record of bad faith over so long a period of time and in so many cases it to say that laws are without meaning and Congress in enacting laws fritters away its time.

FBI Pitted Communists, Mafia, Attorney General Levi Reveals

5/23/78
By Lawrence Meyer
Washington Post Staff Writer

Attorney General Edward H. Levi yesterday disclosed the existence of five more FBI counterintelligence programs, including one "aimed at putting organized crime elements in competition with the Communist Party USA" to disrupt each other's activities.

Levi has asked the Justice Department Civil Rights Division to determine whether the latest disclosures of these FBI programs, which started in 1956 and were called Cointel-

pro, involved the violation of any person's civil rights by the FBI.

The disclosures yesterday, made in a letter from Levi to House Judiciary Committee Chairman Peter W. Rodino Jr. (D-N.J.), bring the total of publicly known Cointelpro projects to 12. Justice Department spokesman Robert Havel said that Levi could not be sure that the FBI did not conduct more Cointelpro operations, which the FBI said ended in 1971.

The Justice Department re-

vealed last November that it had conducted seven Cointelpro projects to gather intelligence, disrupt and harass various groups and individuals, including the Communist Party USA, the Socialist Workers Party, the New Left, white hate groups and black extremists. The FBI also conducted special operations and espionage activities against foreign intelligence services and groups under Cointelpro.

The latest disclosures also

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showed that the FBI tried to disrupt the activities of "militant groups which sought Puerto Rican independence" and conducted three other programs classified as secret because they involved aliens foreign groups in this country or "foreign-dominated" groups. Levi did not identify the groups or individuals in his letter to Rodino.

The program designed to pit the Communist Party and Mafia groups, given the name "operation Hoodwink," was conducted from October 1966 to July, 1968, Levi said.

On four occasions during that period, Levi said, letters were mailed anonymously by FBI agents—two to Mafia figures, one to a union local, and one to The Worker, the Communist Party newspaper.

One letter was mailed to a Mafia figure. It included an article which the FBI had written "to appear as if it were written by Communist Party USA officials" and it attacked labor practices at the Mafia figure's business.

Another letter, "written to appear as if it came from the Communist Party USA," was sent to three Mafia figures. The letter denounced them "for their alleged part in a bombing of Communist Party USA headquarters in New York," Levi said.

The letter to The Worker,

apparently never published, criticized organized crime.

The fourth letter, to a union local, said the "Communist Party had been instructed to work for the elimination of organized crime in the union," Levi said.

Asked the purpose of the program against the Communist Party and the Mafia figures, Havel said it was "just to have them sort of disrupt each other." Asked if the FBI intended that one or both groups would commit acts of violence against the other, Havel said, "To my knowledge, I don't think that was the purpose."

The activities against the Puerto Rican independence groups, which involved 37 separate actions from August, 1960, to April, 1971, included

more mailings by FBI agents to individuals or groups. In all instances, Havel said he believed that the information sent by the FBI agents was true.

Among the examples cited by Levi was a letter to two members of an independence group stating that a group leader and a member were having a "love affair." Levi said the letter also was mailed to a "local news medium."

Another instance cited by Levi was the mailing of 300 copies of a flyer stating that an independence group had mishandled group funds.

The activities against the Puerto Rican groups also included release of information by the FBI to the news media to embarrass the groups and persons associated with them.

Havel said the late FBI director, J. Edgar Hoover, was aware of each of the five programs that Levi disclosed.

Levi said in his letter to Rodino—copies of which were sent to the chairmen and ranking members of the Senate Judiciary and intelligence committees—that the five files were discovered after then-Attorney General William B. Saxbe testified before a House Judiciary subcommittee last November.