

INTELLIGENCE ACTIVITIES AND THE  
RIGHTS OF AMERICANS

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BOOK II

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FINAL REPORT  
OF THE  
SELECT COMMITTEE  
TO STUDY GOVERNMENTAL OPERATIONS  
WITH RESPECT TO  
INTELLIGENCE ACTIVITIES  
UNITED STATES SENATE  
TOGETHER WITH  
ADDITIONAL, SUPPLEMENTAL, AND SEPARATE  
VIEWS



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SENATE SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS  
WITH RESPECT TO INTELLIGENCE ACTIVITIES

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(II)



On the other hand, the record reveals instances when intelligence agencies have concealed improper activities from their superiors in the Executive branch and from the Congress, or have elected to disclose only the less questionable aspects of their activities.

There has been, in short, a clear and sustained failure by those responsible to control the intelligence community and to ensure its accountability. There has been an equally clear and sustained failure by intelligence agencies to fully inform the proper authorities of their activities and to comply with directives from those authorities.

#### 6. *The Adverse Impact of Improper Intelligence Activity*

Many of the illegal or improper disruptive efforts directed against American citizens and domestic organizations succeeded in injuring their targets. Although it is sometimes difficult to prove that a target's misfortunes were caused by a counter-intelligence program directed against him, the possibility that an arm of the United States Government intended to cause the harm and might have been responsible is itself abhorrent.

The Committee has observed numerous examples of the impact of intelligence operations. Sometimes the harm was readily apparent—destruction of marriages, loss of friends or jobs. Sometimes the attitudes of the public and of Government officials responsible for formulating policy and resolving vital issues were influenced by distorted intelligence. But the most basic harm was to the values of privacy and freedom which our Constitution seeks to protect and which intelligence activity infringed on a broad scale.

(a) *General Efforts to Discredit.*—Several efforts against individuals and groups appear to have achieved their stated aims. For example:

—A Bureau Field Office reported that the anonymous letter it had sent to an activist's husband accusing his wife of infidelity "contributed very strongly" to the subsequent breakup of the marriage.<sup>84</sup>

—Another Field Office reported that a draft counsellor deliberately, and falsely, accused of being an FBI informant was "ostracized" by his friends and associates.<sup>85</sup>

—Two instructors were reportedly put on probation after the Bureau sent an anonymous letter to a university administrator about their funding of an anti-administration student newspaper.<sup>86</sup>

—The Bureau evaluated its attempts to "put a stop" to a contribution to the Southern Christian Leadership Conference as "quite successful."<sup>87</sup>

—An FBI document boasted that a "pretext" phone call to Stokeley Carmichael's mother telling her that members of the Black Panther Party intended to kill her son left her "shocked". The memorandum intimated that the Bureau believed it had been responsible for Carmichael's flight to Africa the following day.<sup>88</sup>

(b) *Media Manipulation.*—The FBI has attempted covertly to influence the public's perception of persons and organizations by disseminating derogatory information to the press, either anonymously or through "friendly" news contacts. The impact of those articles is

<sup>84</sup> Memorandum from St. Louis Field Office to FBI Headquarters, 6/19/70.

<sup>85</sup> Memorandum from San Diego Field Office to FBI Headquarters, 4/30/69.

<sup>86</sup> Memorandum from Mobile Field Office to FBI Headquarters, 12/9/70.

<sup>87</sup> Memorandum from Wick to DeLoach, 11/9/66.

<sup>88</sup> Memorandum from New York Field Office to FBI Headquarters, 9/9/68.



generally difficult to measure, although in some cases there are fairly direct connections to injury to the target. The Bureau also attempted to influence media reporting which would have any impact on the public image of the FBI. Examples include:

—Planting a series of derogatory articles about Martin Luther King, Jr., and the Poor People's Campaign.<sup>89</sup>

For example, in anticipation of the 1968 "poor people's march on Washington, D.C.," Bureau Headquarters granted authority to furnish "cooperative news media sources" an article "designed to curtail success of Martin Luther King's fund raising."<sup>90</sup> Another memorandum illustrated how "photographs of demonstrators" could be used in discrediting the civil rights movement. Six photographs of participants in the poor people's campaign in Cleveland accompanied the memorandum with the following note attached: "These [photographs] show the militant aggressive appearance of the participants and might be of interest to a cooperative news source."<sup>91</sup> Information on the Poor People's Campaign was provided by the FBI to friendly reporters on the condition that "the Bureau must not be revealed as the source."<sup>92</sup>

—Soliciting information from Field Offices "on a continuing basis" for "prompt . . . dissemination to the news media . . . to discredit the New Left movement and its adherents." The Headquarters directive 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."<sup>93</sup>

—Ordering Field Offices to gather information which would disprove allegations by the "liberal press, the bleeding hearts, and the forces on the left" that the Chicago police used undue force in dealing with demonstrators at the 1968 Democratic Convention.<sup>95</sup>

—Taking advantage of a close relationship with the Chairman of the Board—described in an FBI memorandum as "our good friend"—of a magazine with national circulation to influence articles which related to the FBI. For example, through this relationship the Bureau: "squashed" 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.<sup>96</sup>

*(c) Distorting Data to Influence Government Policy and Public Perceptions*

Accurate intelligence is a prerequisite to sound government policy. However, as the past head of the FBI's Domestic Intelligence Division reminded the Committee:

<sup>89</sup> See King Report: Sections V and VII.

<sup>90</sup> Memorandum from G. C. Moore to W. C. Sullivan, 10/26/68.

<sup>91</sup> Memorandum from G. C. Moore to W. C. Sullivan, 5/17/68.

<sup>92</sup> Memorandum from FBI Headquarters to Miami Field Office, 7/9/68.

<sup>93</sup> Memorandum from C. D. Brennan to W. C. Sullivan, 5/22/68.

<sup>94</sup> Memorandum from FBI Headquarters to Chicago Field Office, 8/28/68.

<sup>95</sup> Memorandum from W. H. Stapleton to DeLoach, 11/3/64.



of FBI files to elicit all Bureau information on particular critics of each administration. Johnson aides requested such reports on critics of the escalating war in Vietnam.<sup>568</sup> President Johnson's assistants also requested name checks on members of the Senate staff of Presidential candidate Barry Goldwater in 1964,<sup>569</sup> on Justice and Treasury Department officials responsible for a phase of the criminal investigation of Johnson's former aide Bobby Baker,<sup>569a</sup> on the authors of books critical of the Warren Commission report,<sup>570</sup> and on prominent newsmen.<sup>571</sup> President Nixon's aides asked for similar name checks on another newsman, the Chairman of Americans for Democratic Action, and the producer of a film critical of the President.<sup>572</sup>

According to a memorandum by Director Hoover, Vice President Spiro Agnew received ammunition from Bureau files that could be used in "destroying [the] credibility" of Southern Christian Leadership Conference leader Reverend Ralph Abernathy.<sup>573</sup>

(2) *Democratic National Convention, Atlantic City, 1964.*—On August 22, 1964, at the request of the White House, the FBI sent a "special squad" to the Democratic National Convention site in Atlantic City, New Jersey. The squad was assigned to assist the Secret Service in protecting President Lyndon Johnson and to ensure that the convention itself would not be marred by civil disruption.

But it went beyond these functions to report political intelligence to the White House. Approximately 30 Special Agents, headed by Assistant Director Cartha DeLoach, "were able to keep the White House fully apprised of all major developments during the Convention's course" by means of "informant coverage, by use of various confidential techniques, by infiltration of key groups through use of undercover agents, and through utilization of agents using appropriate cover as reporters."<sup>574</sup> Among these "confidential techniques" were: a wiretap on the hotel room occupied by Dr. Martin Luther King, Jr., and microphone surveillance of a storefront serving as headquarters for the Student Nonviolent Coordinating Committee and another civil rights organization.<sup>575</sup>

<sup>568</sup> Letter from J. Edgar Hoover to Marvin Watson, 6/4/65.

<sup>569</sup> Memorandum from Hoover to Moyers, 10/27/64, cited in FBI summary memorandum, subject: Senator Barry Goldwater, 1/31/75.

<sup>569a</sup> Memorandum from DeLoach to Tolson, 1/17/67.

<sup>570</sup> Memorandum from Hoover to Marvin Watson, 11/8/66.

<sup>571</sup> See Finding on Political Abuse, p. 225.

<sup>572</sup> Letter from J. Edgar Hoover to John D. Ehrlichman, 10/6/69; House Judiciary Committee Hearings, Statement of Information (1974), Book VII, p. 1111; Book VIII, p. 183. Director Hoover volunteered information from Bureau files to the Johnson White House on the author of a play satirizing the President. (Memorandum from Hoover to Watson, 1/9/67.)

<sup>573</sup> Memorandum from Hoover to Tolson, *et al.*, 5/18/70. Agnew admits having received such information, but denies having asked for it. (Staff summary of Spiro Agnew interview, 10/15/75.)

<sup>574</sup> Memorandum from C. D. DeLoach to Mr. Mohr, 8/29/64.

<sup>575</sup> DeLoach memorandum, 8/29/64; Cartha DeLoach testimony, 12/3/75, Hearings, Vol. 6, p. 177. A 1975 FBI Inspection Report has speculated that the SNCC bug may have been planted because the Bureau had information in 1964 that "an apparent member of the Communist Party, USA, was engaging in considerable activity, much in a leadership capacity in the Student Nonviolent Coordinating Committee." (FBI summary memorandum, 1/30/75.) It is unclear, however, whether this bug was even approved internally by FBI Headquarters, as ordinarily required by Bureau procedures. DeLoach stated in a contemporaneous memorandum that the microphone surveillance of SNCC was instituted

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Neither of the electronic surveillances at Atlantic City were specifically authorized by the Attorney General. At that time, Justice Department procedures did not require the written approval of the Attorney General for bugs such as the one directed against SNCC in Atlantic City. Bureau officials apparently believed that the wiretap on King was justified as an extension of Robert Kennedy's October 10, 1963, approval for surveillance of King at his then-current address in Atlanta, Georgia, or at any future address to which he might move.<sup>576</sup> The only recorded reason for instituting the wiretap on Dr. King in Atlantic City, however, was set forth in an internal memorandum prepared shortly before the Convention:

Martin Luther King, Jr., head of the Southern Christian Leadership Conference (SCLC), an organization set up to promote integration which we are investigating to determine the extent of Communist Party (CP) influence on King and the SCLC, plans to attend and possibly may indulge in a hunger fast as a means of protest.<sup>577</sup>

Walter Jenkins, an Administrative Assistant to President Johnson who was the recipient of information developed by the Bureau, stated that he was unaware that any of the intelligence was obtained by wiretapping or bugging.<sup>578</sup> DeLoach, moreover, has testified that he is uncertain whether he ever informed Jenkins of these sources.<sup>579</sup>

Walter Jenkins, and presumably President Johnson, received a significant volume of information from the electronic surveillance at Atlantic City, much of it purely political and only tangentially related to possible civil disturbances. The most important single issue for President Johnson at the Atlantic City Convention was the seating challenge of the Mississippi Freedom Democratic Party to the regular Mississippi delegation.<sup>580</sup> From the electronic surveillances of King and SNCC, the White House was able to obtain the most intimate details of the plans of individuals supporting the MFDP's challenge unrelated to the possibility of violent demonstrations.

Jenkins received a steady stream of reports on political strategy in the struggle to seat the MFDP delegation and other political plans and discussions by the civil rights groups under surveillance.<sup>581</sup> Moreover, the 1975 Inspection Report stated that "several Congressmen,

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"with Bureau approval." (Memorandum from DeLoach to Mohr, 8/29/64.) But the Inspection Report concluded that "a thorough review of Bureau records fails to locate any memorandum containing [internal] authorization for same." (FBI summary memorandum, 1/30/75.)

<sup>576</sup> Mr. DeLoach cited the fact that in the summer of 1964 "there was an on-going electronic surveillance on Dr. Martin Luther King . . . as authorized by Attorney General Kennedy." (Cartha DeLoach testimony, 11/26/75, p. 110) The Inspection Report noted that the Special Agent in Charge of the Newark office was instructed to institute the wiretap on the ground that "the Bureau had authority from the Attorney General to cover any residences which King may use with a technical installation." (FBI summary memorandum 1/30/75, Subject: "Special Squad at Democratic National Convention, Atlantic City, New Jersey, August 22-28, 1964.")

<sup>577</sup> Memorandum from W. C. Sullivan to A. H. Belmont, 8/21/64.

<sup>578</sup> Staff summary of Walter Jenkins interview, 12/1/75.

<sup>579</sup> DeLoach, 11/26/75, p. 114.

<sup>580</sup> Theodore White, *Making of the President 1964* (New York: Athenium, 1965), pp. 277-280. Walter Jenkins also confirmed this characterization. (Staff summary of Jenkins interview, 12/1/75).

<sup>581</sup> Memorandum from DeLoach to Mohr, 8/29/64.