

Gary Cohn  
1401 16 St., NW  
Washington, D.C. 20036

4/22/78

Dear Gary,

While I have only a limited idea of what Les was working on for Jack when he phoned me I have a hunch that what lies behind today's Post story may be relevant. The headline is "FBI Begins Internal Probe of Officials." The story is that this newest of the endless internal investigations and re-investigations is to be by the so-called "Office of Professional Responsibility."

A convenient reading on OPR for you and Les (to whom a carbon separately) is that they had the records I gave Murray and covered it up. These records were relevant in their best-known report but they still suppressed.

OPR is the whitewashing agency the Republicans put in DJ with the Orwellian title.

The current inquiry is supposed to deal with false swearing, which at least in part was one of Les's interests when he phoned.

FBI false swearing is commonplace. Really. I have many examples. They swear falsely with regularity in Freedom of Information cases, for example. The result is not only the negation of the Act but enormous costs to the government in what the false swearing enables in non-compliance. The cost in needless litigation alone is fantastic. (I think part of the purpose is to lay a basis for seeking "relief" from the Congress.)

Faced with some of this false swearing in my Civil Action 75-1996 I wrote Clarence Kelley about it. (Of course he never saw the letter. The response was probably by the perjuring agent.) The response signed by Kelley referred me to OPR. I therefore asked OPR to investigate this false swearing. I'm not checking the records but my guess is that it was two years ago. No response.

Protection of the FBI in such false swearing is commonplace. It extends to the rest of DJ. As an example and in this same litigation the guy who was in charge of the New York Grand jury in this FBI perjury case and the breakins - he and others later quit, I believe to protect themselves - also swore falsely. Common as false swearing is in that case his is perhaps the most sweeping. His name is Stephen Horn. And his FOIA attitude in this case is turn the request down first and then hoke up some legal gobbledegook to cover it. I have the records and I put them in the court record.

If you want to carry this farther you are welcome.

On the Ray part of the King case and the records you have already used, the one I gave Les, I am certain the FBI had already done the tapping and bugging or had it done and was seeking permission to cover it, also commonplace. I am also sure there was a black bag done on the Ray sister, Mrs. Albert (Carol) Pepper. (The House assassins committee is giving her a rough time right now. As long as Mark Lane is Ray's lawyer there is a limit to what I can give you but I'm telling you I am not just theorizing and that there was at least another black bag job of which I do have proof - plus a false affidavit to cover it.

On the King case the FBI had a number of inside informers, including in SCIO headquarters in Atlanta but in many other places. I know that one in Atlanta had a prior criminal record, which gave the FBI the handle. I have a notion who one was in Phila. (I also think but can't prove that they sicced this character on Jim Leear and me during the Ray evidentiary hearing in October 1974.) This use of informers continued after the King assassination. In fact the agent who ran them in Atlanta and was also the open SCIO contact is one of the heroes in Lane's crappy book.

Do you wonder at the demonstrations by FBI agents? How many of them may not be in the same boat if there is every any real investigation?

Sincerely, Harold Weisberg



# FBI Begins Internal Probe of Officials

4/22/78  
By Charles R. Babcock  
Washington Post Staff Writer

The FBI has begun an internal investigation of whether its officials, including James B. Adams, the new No. 2 man, deliberately hid from congressional investigators the extent of the bureau's allegedly illegal break-ins.

The new "administrative inquiry" was delegated to the FBI by Attorney General Griffin B. Bell when he announced the indictment of FBI former acting director L. Patrick Gray III and two high-ranking aides 10 days ago. The men were charged with ap-

proving break-ins against friends and relatives of members of the radical Weather Underground in the early 1970s.

The FBI's office of professional responsibility will conduct the inquiry, with the goal of determining "the causes of the FBI's failure to discover and report all instances of surreptitious entry," according to Bell.

That unfinished part of the Justice Department investigation was given little notice at the time the indictments were announced.

But FBI and Justice officials con-

sider the new inquiry important because of Adams' potential involvement and because it raises questions about the integrity and credibility of FBI officials.

Adams said yesterday in an interview at his office that he did have a role in approving erroneous material forwarded to Congress during the 1975 investigations by the House and Senate intelligence committees and the General Accounting Office.

"It's fair to ask the question of who,

See ADAMS, A8, Col. 1

## ADAMS, From A1

if anyone, knew the information was incomplete," Adams said. "I can and will tell you that I didn't know" the information was wrong.

Adams, who was named associate director just three weeks ago, said he will have no role in reviewing the work of the new inquiry because the internal FBI investigators will report directly to FBI Director William H. Webster. "I do expect to be interviewed," he said.

FBI officials told the congressional investigators that they had uncovered no evidence that the so-called "black-bag" jobs continued after 1966, when FBI then-director J. Edgar Hoover ordered that break-ins against domestic targets be stopped.

In July 1975, then FBI director Clarence M. Kelley told reporters the same thing.

In the spring of 1976, however, the FBI found records which showed that agents from the New York field office were still conducting break-ins in 1972 and 1973.

That discovery triggered what became a criminal investigation by a team of Justice Department civil rights attorneys under the direction of Assistant Attorney General J. Stanley Pottinger.

It also led Kelley to announce that he had been deceived by unknown subordinates.

Pottinger, now a Washington attorney, said in a telephone interview that he told members of the Senate committee in late May that they had been



JAMES B. ADAMS

... "I do expect to be interviewed."

misinformed by the FBI the year before. He then incorporated the possible cover-up investigation into the larger inquiry, he said.

That summer, Richard Fogel, who directed the GAO study of the FBI domestic intelligence investigations, learned that in one instance, at least, he too had received bad information.

That GAO audit—the first involving FBI investigative files—depended on bureau summaries of sample cases, Fogel said in a telephone interview. "I was contacted by one of Pottinger's group who said there were indications they (FBI officials) had covered up the fact of break-ins in one sample," he said.

The GAO investigator testified about the matter before a New York grand jury in December 1976, he said.

Sources familiar with the investigation said that this part of the cover-up investigation led to a recommendation that James Ingram, then head of intelligence for the FBI's New York office, be charged with making false statements to federal investigators.

Ingram, now deputy assistant director in charge of domestic security and terrorism investigations at FBI headquarters, refused to answer questions about whether others higher in the FBI chain of command approved or were informed of the incomplete report to the GAO, sources said.

Bell, however, rejected the recommendation to prosecute Ingram, just as he did the recommendation to charge another high FBI official, J. Wallace LaPrade, with lying about his role in the break-ins.

LaPrade, who was assistant director in charge of the New York office, is being fired instead for his alleged perjury.

Adams said yesterday that he had no part in the allegedly deliberate attempt to mislead the GAO. He declined to comment specifically on the



Ingram case, but said: "I have tried to impress on everyone that the credibility of the bureau depends on how accurately we respond to these types of inquiries.

"We can live with what mistakes we've made in the past. We cannot play games and decided which facts to make available," he said.

The potential FBI cover-up investigation apparently was not a high priority item either for Pottinger's original task force or an expanded Justice Department team that took over last December, when the first team quit after a dispute with Bell.

Bell's referral of the incomplete investigation back to the FBI for administrative, rather than criminal, inquiry is indicative of his effort to get the painful problem of the FBI break-ins behind him.

"It's a question," Adams said, "of whether you pursue everything right down to the last item, or do you let us [in the FBI] pursue white collar and organized crime."

# Bell Takes His Case to an FBI Field Office

By David Rohn

Special to The Washington Post

INDIANAPOLIS—U.S. Attorney General Griffin B. Bell won few converts but some respect yesterday after explaining to field agents his reasons for the prosecution of three former top FBI officials.

About 40 agents and other FBI employees listened quietly as Bell made an impromptu speech lasting nearly an hour from the center of the large agents' workroom at the Indianapolis FBI field office. He made the visit to talk with the agents following a keynote luncheon speech at the Indiana Bar Association convention here.

Moments before addressing the agents, Bell was handed a letter which began, "We would like to inform you that special agents of the Indianapolis FBI had planned to mass in front of the Indianapolis Convention Center during the time of your appearance at this location to demonstrate our support of the former agents who were recently indicted, and most importantly, our support of the FBI."

The letter, signed "Special Agents of the Indianapolis FBI office," said the demonstration had been canceled out of respect for the FBI, but added, "We are of the opinion in this field

office that the FBI is being systematically destroyed for reasons unknown to us."

Bell, at the outset of his off-the-cuff remarks to the agents and employees, said, "I thank you for not demonstrating in front of the convention center."

He told the audience he was not particularly upset about the demonstration by hundreds of FBI agents Thursday in Washington outside of the courthouse when L. Patrick Gray, former acting FBI chief, Mark Felt, former associate director, Edward S. Miller, former intelligence chief, entered innocent pleas to charges they ordered illegal break-ins while pursuing Weather Underground terrorists. Bell added, however, "I would be worried if there were constant demonstrations, because someone has to run the FBI."

Bell spent about 20 minutes explaining his position on prosecuting the three men and then responded to written questions from the agents. The first question asked was what he expected the prosecutions to accomplish.

"The same as any other prosecution," Bell said, "to uphold the law."

Asked if the purpose of the prosecutions was more to serve as a warning to present agents rather than to punish former agents, Bell replied, "I guess someone could say that, but that's not the basis of my decision."

After responding to several more written ques-

tions, Bell asked the agents if they had any oral questions. An agent asked if Bell thought the majority of people supported his position.

Bell said he thought that most people had not made up their minds on the matter, adding, "By having the virgil you had yesterday you will probably stir up some sympathy for these men."

Bell said he realized the alleged acts happened during unusual times. "The prosecution must go forward," he said, "but we wish they would not have much done to them in the end."

The only audible reaction Bell received during his appearance was when he was asked if he had thought about not prosecuting Gray, Felt, and Miller.

There was a slight ripple of laughter when he replied, "Yeah, I thought about it a lot. It would have been the easiest thing not to prosecute. I can take the flak from the left better than from the right, and you know I've got to return to Georgia some day to face all those conservatives."

Near the end of his presentation an agent asked how he and his colleagues could help the FBI. Bell told them to do their job, work on getting a congressional charter for the FBI, and said, "get rid of this hang-dog attitude that somebody's after you. Nobody's after you. I'm not after you."