

Ms. Donna Mackie  
Secretary to Mr. Bradlee  
Washington Post  
1150 15 St., NW  
Washington, D.C. 20071

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Dear Ms. Mackie,

If Mr. Bradlee is still on vacation please do not trouble him with this and if you think it should be referred to anyone else on the Post, would you please do that? Thanks.

I write about today's lead editorial, "The Presser Deal," and some misconceptions in it. What I will say comes from personal knowledge obtained mostly from reading an enormous amount of pages of FBI records I've obtained under FOIA.

"There is little talk of that (i.e., White House influence) any more, nor have there been charges that high officials in the Justice Department or the FBI were influential or even knew of the relationship between the labor leader and the bureau." It is beyond question that high FBI officials were fully aware, as I'll explain.

FBI agents are not permitted to make unauthorized use of informants. It all goes through the chain of command and with special kinds of informers there is an additional body which is involved in and with everything. I believe that without question Presser was that kind of informer. Using him also involved delicate political questions that nobody below some top spot would dare not buck upward.

The agent who wants someone as an informer makes his recommendation or request through channels in the field office and the special agent in charge, if he agrees, then sends the written request for approval to FBIHQ. There it is routed to the appropriate Division and whether or not ~~it~~ it goes any higher, as I believe is required, it does require the approval of the Assistant Director in charge of that Division. Initial approval is for a six-months period of probation and during that six months the informer is identified on the FBI's records with an arbitrary letter and code identification to hide his identity from those not required to know it. For this probation the letter "P" precedes his code identification. If he is a criminal informer, he is PCI followed by the letter identification of the field office, for example, CL for Cleveland, and then the arbitrary numbers that follow PCI CL 1234, etc. FBIHQ decides whether or not to keep him on after this six months, based on his productivity. Or lack of it. During that period as well as thereafter the agent running the fink is required to fill out a special form reporting each contact and the information provided. All moneys paid are recorded and the agent's estimate of the value of the information he gets also is recorded in a special place on the form, of which I have copies.

For what the FBI regards as its "top echelon" informers, everything must be approved by a little-known body whose existence was disclosed to me by accident: Top Echelon Informant Committee." Without doubt anyone like Presser would be considered top echelon, more so because of his Regan support. But his position is enough. Any decision on disclosing that he was an informer to the DJ would require the OK of this committee high up in the FBI.

The editorial states that "informants are supervised by a small group of people at the local ~~level~~ level and information about each case is kept tightly guarded in order to protect the informant's identity. It is at the local level that the foul-up in the Presser investigation appears to have occurred." This is the FBI line and it isn't the truth, except that at the field office level the number who need to know the identity of the informer is small. There is no time when FBIHQ does not know

who every informer is and what information comes from him, no time it is without supervision and the supervision is so close I have records from FBIHQ directing the field office to end all relationship with an informer. I think I can guess how the FBI would undertake to mislead your people by showing records that do in fact hide the informer's identity. This is how it works, and I'm drawing upon a very large number of records I obtained relating to the FBI's investigation of the assassination of Dr. King, from I think seven different field offices.

Instead of using the informer's correct and assigned symbol identification the FBI switches to another arbitrary identification if the records from the field office is intended for any possible distribution. In the Presser case, say for example, the Labor Department. (Please note that the information itself also need not be "closely guarded" but is distributed, only the FBI may decide to withhold some of the information.) The Presser case agent would prepare his memo on what he learned from Presser (and sometimes other sources, all similarly hidden and not hidden). It is known as a LHM, or Letterhead Memorandum, on FBI letterheads. Instead of Presser being identified in it by his actual identification number he is identified by, say, CL T-1, another arbitrary number. Then, on a separate page that FBIHQ does not distribute, there is a listing of all T numbers and their actual identifications. Only in making copies for distribution, this page is omitted. Only the T identification is disseminated, but there is no time when FBIHQ does not know precisely what source, informer or other, is represented by each T number.

From what within my not inconsiderable experience is the FBI's undeviating practise I think the editorial is wrong and the writer was misled into concluding that "It is at this (local) level that the foul-up in the Presser investigation appears to have occurred."

"Who made the deal with Jackie Presser in the first place?" There just has to be much FBI paper on this and there is no possibility of any question existing in the FBI's records. From the first idea, the first contact, there will be records. Even of phone calls on the deal. There will be duplicate filing of much of this info. The Presser file itself will begin with the file classification number 137, which represents "Criminal Informants," or if he were a political informer, 134, "Security Informants." This would usually hold some information not incorporated in the "main" file, say 62, or "administrative inquiry," or #92. Anti-Racketeering," etc. (There is a series of administrative or "admat files that are catchalls. Even wiretapping and bugging records are hidden in the admat 66.) The place in which the information itself belongs is the "main" file, like 92. This is true in the field and at FBIHQ. At FBIHQ it may be duplicated in other files and then is known as a Not Recorded record. (The main file only is indexed as the record copy at FBIHQ.)

It is not uncommon for those who are kept informed, like divisions of the DJ, to be able to make pretty good guesses to identify special sources, such as Presser, because very few people have the information they have. And they will know from the FBI's T number description whether that is a regular source. (All sources are not informers who have informer designations by the FBI.)

If the internal investigation is by the Office of Professional Responsibility the result, from its past record, will be as generous a coat of whitewash as the OPR thinks it can get away with. And it will generally accept the FBI's standard evasions and misrepresentations, for it has. But I wish I could believe that sooner or later "the whole story will come out." Not likely, even if there is vindictiveness, as there has been in the past, and leaking. This is much too sensitive to expect that and there has already been too much misrepresentation, at the least misrepresentation.

Sincerely,

# The Washington Post

AN INDEPENDENT NEWSPAPER

## The Presser Deal

**E**ACH DAY it becomes more apparent that the government's handling of the investigation of Teamster President Jackie Presser qualifies as a first-class fiasco. People were understandably astonished when a 32-month grand jury inquiry into Mr. Presser's activities was suddenly abandoned. But the reason given for dropping a potential prosecution at this early stage is even more perplexing: Mr. Presser, we are told, has been working for some time as an informer for the FBI and the bureau had specifically authorized criminal conduct on his part. In addition, the defendant in a case long concluded will probably be released from prison because prosecutors are unwilling to reveal, at a retrial, the extent of Mr. Presser's involvement with the government.

At first there was suspicion that the investigation of the Teamster leader was being conveniently jettisoned because of his ties to the White House. His was the only major labor organization to endorse the president in 1980 and 1984. There is little talk of that any more, nor have there been charges that high officials in the Justice Department or the FBI were influential in or even knew of the relationship between the labor leader and the bureau. The Labor Department had also been conducting an investigation of the union, but by all accounts this department's agents favored prosecution and also had been kept in the dark.

Law enforcement officials must work with informants, co-conspirators and petty crooks because without their cooperation, and often their testimony, cases against racketeers, narcotics traffickers and corrupt officials would be almost impossible to make. Under strict guidelines adopted by the Justice Department and strengthened in the last administration, investigators may authorize an informant to participate in criminal conduct—but never violence—in order to preserve credibility. Arrangements are made and informants supervised by a small group of people at the local level, and information about each case is kept tightly guarded in order to protect the informant's identity. It is at this level that the foul-up in the Presser investigation appears to have occurred.

Who made the deal with Jackie Presser in the first place? Why was a big fish like Mr. Presser given license to commit crimes just to catch a few little fish? Were there rivalries between Labor Department investigators and FBI agents that hindered the investigation? Why, when it was well known that a federal grand jury was working on this matter for almost three years, didn't the FBI tell the Justice Department about their arrangement? Law enforcement officials aren't answering these questions; they're conducting quiet internal investigations. But sooner or later the whole story will come out, whether by full disclosure or a series of leaks and accusations. This case will not stay closed.

## German Spies

**T**HE COSTS of the German espionage affair are evidently going to run high. At a time when relations between East and West are not very good in any case, this latest affront is a reminder of all the familiar reasons for taking care in trying to improve them. As West Germany's Chancellor Helmut Kohl gloomily observed, it shows "the difference between propaganda and the real situation."

For Mr. Kohl's government, these events are another burden to carry. They won't force him out of office, as a similar scandal did to his predecessor, Willy Brandt, in 1974. But they will become a distraction and point of vulnerability to a government that, at the midpoint of its term, has not been showing much evidence of energy or initiative. A true measure of the losses in security, as intelligence specialists measure them, is not likely ever to be made public. But to get a rough idea, you only have to know

In any event, he took with him a vast knowledge of West German and Allied intelligence methods.

Three others have disappeared in circumstances suggesting a hasty departure to the east. One of them was the personal secretary of Martin Bagemann, West Germany's minister of economics and the leader of the Free Democratic party. Another was a secretary for an association of refugees. The third was an army messenger who had once worked inside the secret command center that the government would use in case of war.

For West Germany, the struggle to control foreign spying is extraordinarily difficult. There is a continuous stream of refugees from the east, and West Germans consider it a moral obligation to welcome them fully into all areas of West German life with no hindrance. Sometimes it means allowing them into sensitive jobs, although they are peo-



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