

UNITED STATES GOVERNMENT

Memorandum

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)

DATE: June 17, 1975

TO : Mr. W. R. Wannall

FROM : W. O. Cregar *WOC*

SUBJECT: SENATE SELECT COMMITTEE

1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. J. W. Dalseg
1 - Mr. T. J. McNiff

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Insp.	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

Reference is made to memorandum from Office of Legal Counsel to Mr. J. B. Adams, dated June 10, 1975, captioned as above, (copy attached) wherein it was recommended and approved that representatives of the Intelligence Division meet with Mr. K. William O'Connor, Special Counsel for Intelligence Coordination, Office of the Deputy Attorney General, for the purpose of briefing him concerning the contents of a Bureau letter to Mr. George P. Williams, Associate Counsel to the President at the White House, dated July 23, 1974, captioned "Electronic Coverage Placed at the Request of the White House."

By way of background, the Senate Select Committee (SSC) has requested certain documents and information relating to the so-called "Kissinger 17." Some of this information has already been prepared and furnished to O'Connor with the caveats that the Government has not publicly admitted to 15 of the coverages involved and some material relating to the remaining two has been impounded by court order due to pending civil suits. The decision was left to the Department as to whether or not material prepared in response to SSC requests should be made available to that Committee. Mr. O'Connor on June 9, 1975, requested of Assistant Director John Mintz a briefing as to the contents of the above July 23, 1974, letter which he believed summarized information available to the Bureau concerning the 17 wire taps.

On June 17, 1975, Special Agents John W. Dalseg and Thomas J. McNiff met with Mr. William O'Connor and the latter's assistant, Michael T. Shaheen, in the office of Mr. O'Connor. After a briefing on the contents of the July 23, 1974, letter Mr. O'Connor concluded that information contained in that letter and its enclosures is too sketchy to enable a knowledgeable determination be made as to whether or not requested material should be released to SSC. Mr. O'Connor stated he believed such a determination could only be made after a review of the entire file relating to the

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Enclosure

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ENCLOSURE

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ALL INFORMATION CONTAINED

ADDENDUM PAGE 3

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Memorandum to Mr. W. R. Wannall
Re: Senate Select Committee
62-116395

"Kissinger 17" and he stated his office would, in the near future, prepare a letter to the Director similarly requesting that Mr. Shaheen or some other designated representative of his staff be granted authority to review the Bureau file concerning the matter in question.

OBSERVATIONS:

During the above conversation Mr. O'Connor appeared to be primarily interested in the completeness of the Bureau file with regard to matters relating to the "Kissinger 17" and to what degree information in this file had been made public. It was explained to Mr. O'Connor, who appeared knowledgeable concerning the history of these documents, that this file contains all communications known to be in existence concerning the "Kissinger 17," but no one can state with certainty, due to the manner in which this material was handled at the specific request of the White House, that the file contains all communications prepared in this matter. With regard to publicity afforded these documents, Mr. O'Connor stated he is familiar with the documents which had been made available to the Department for referral to various Committees and he is familiar with excised versions of these documents which had been published by these Committees. He indicated that the Department's present problem is that no record has been located in the Department to date as to just which material or in what form such material furnished by the Bureau to the Department was subsequently turned over to the Committees by the Department. O'Connor stated it could be embarrassing at this time to make available to the SSC material which had not previously been made available to the Congressional Committees and equally embarrassing to withhold from the SSC material which was previously furnished Congressional Committees.

ACTION:

None. Above submitted for information.

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UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:

- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
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- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
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- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

TO : Mr. J. B. Adams

DATE: 6-18-75

FROM : Legal Counsel *[Signature]*

SUBJECT: SENSTUDY 75

By memo dated 6-10-75, you were advised that K. William O'Connor, Special Counsel for Intelligence Coordination in the Department, requested he be allowed to review a summary prepared concerning the so called "Kissinger 17" wiretaps since the Senate Select Committee had included a request for information concerning them in their letter of May 14, 1975. Mr. O'Connor and his Deputy, Michael Shaheen, reviewed the summaries. *[Handwritten initials]*

At Mr. O'Connor's request, a conference was held with Messrs O'Connor and Shaheen and SA Robert Peterson, SA Paul V. Daly, Inspector John B. Hotis, and Assistant Director John A. Mintz, present to discuss the SSC request for documents concerning the "Kissinger 17" wiretaps and his concern that the furnishing of such documents might adversely impact on existing litigation involving the Bureau, and may subject the Bureau to additional lawsuits. Most of the documents in question are also under a protective order of the Court in the Halperin Case and therefore, a release must be orchestrated with the Court. Mr. O'Connor suggested that a summary of existing summaries of these wiretaps be prepared by the Department and with the acquiescence of the Court which issued the protective order be made available for review by the Committee in the

- 1 - Mr. Wannall
(Attn: Mr. Cregar)
- 1 - Mr. Mintz
- 1 - Mr. Hotis
- 1 - Mr. Daly

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PVD:EEK *[Signature]*
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Legal Counsel to Adams, Memo
Re: SENSTUDY 75

Department of Justice. Mr. O'Connor also mentioned that the summary would, of course, have to set forth the sufficient information to allow the Committee to make a determination that the information derived from these wiretaps was not used for political purposes. Mr. Mintz expressed concern that the publication or leaking of information from summaries could expand the number and nature of suits facing the Bureau and suggested the Department should, in obtaining the Court approval for making the summaries available, request the Court to issue appropriate safeguards against publication of such information. Mr. O'Connor stated that such a recommendation to the Court would be proper and that this would be done.

Mr. Mintz told Mr. O'Connor that the Bureau at this time cannot make a commitment to the making available of the summaries to the Committee without further study and approval, and an approval would be sought expeditiously. Additionally, Mr. Mintz requested that the Bureau be given the opportunity to review the summaries prepared by the Department to insure the Bureau's interests are protected.

RECOMMENDATION:

That we notify the Department that we are in agreement concerning the preparation of summaries based on existing summaries of "Kissinger 17" wiretaps with the provision that we be given the opportunity to review these summaries prior to the Department seeking Court approval for making them available.

Handwritten signatures and initials:
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WRW was
K
JH
Jm
Jm
RM