



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

May 14, 2021

MR. JOHN GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1496071-000
Subject: 139-HQ-3

Dear Mr. Greenewald:

The enclosed 33 pages of records were determined to be responsive to your subject and were previously processed and released pursuant to the Freedom of Information Act (FOIA). Please see the selected paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- ☒ In an effort to provide you with responsive records as expeditiously as possible, we are releasing documents from previous requests regarding your subject. We consider your request fulfilled. Since we relied on previous results, additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your request, you may request an additional search for records. Submit your request by mail to **Initial Processing Operations Unit, 200 Constitution Drive, Winchester, VA 22602, or by fax to (540) 868-4997**. Please cite the FOIPA Request Number in your correspondence.
- ☐ Please be advised that additional records responsive to your subject exist. If this release of previously processed material does not satisfy your request, you must advise us that you want the additional records processed. Please submit your response within thirty (30) days by mail to **Initial Processing Operations Unit, 200 Constitution Drive, Winchester, VA 22602, or by fax to (540) 868-4997**. Please cite the FOIPA Request Number in your correspondence. **If we do not receive your decision within thirty (30) days of the date of this notification, your request will be closed.**
- ☐ One or more of the enclosed records were transferred to the National Archives and Records Administration (NARA). Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession.

If this release of the previously processed material does not satisfy your request, you may file a FOIPA request with NARA at the following address:

National Archives and Records Administration
Special Access and FOIA
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001

- ☐ Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA), and they were not previously processed pursuant to the FOIA. You may file a request with NARA using the address above.

- ☐ One or more of the enclosed records were destroyed. Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) , Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10.
- ☐ Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10.
- ☐ Documents or information referred to other Government agencies were not included in this release.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records about yourself or any third party individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,



Michael G. Seidel
Section Chief
Record/Information
Dissemination Section
Information Management Division

Enclosure(s)

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **Intelligence Records.** To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records about any Individual—Witness Security Program Records.** The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.
- (iii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault



The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: **<http://www.theblackvault.com>**

RECORDED - 28

Assistant Attorney General
Criminal Division
Director, FBI

January 30, 1953

SL 18

ROBERT O. CUNNINGHAM
UNAUTHORIZED PUBLICATION OR
USE OF PUBLICATION

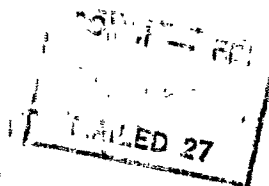
I am attaching hereto for your information a copy of a letter directed to me dated January 26, 1953, from Honorable Robert O. Cunningham, Member of the House of Representatives, State of Oklahoma, in which he requests that this Bureau conduct an investigation into allegations of wire tapping made by Governor Johnston Murray. It is noted that Mr. Cunningham sent copies of his letter to a D. A. Brice, Governor Murray, the County Attorney, Oklahoma County, and to Mr. R. E. Echols, Manager, Southwestern Bell Telephone Company.

Mr. Cunningham's reference to D. A. Brice is undoubtedly to Mr. D. A. Bryce, Special Agent in Charge of our Oklahoma City Office, who advised on January 26, 1953, that he had been telephonically contacted by Mr. Cunningham in this matter.

In line with my memorandum dated January 9, 1953, to the effect that no investigation will be conducted by this Bureau into allegations of wire tapping until funds for such purposes have been appropriated by Congress, this Bureau is not in a position at this time to conduct the desired investigation. I am taking the liberty, therefore, of advising Mr. Cunningham that the matter of conducting the investigation he requests is being referred to you for appropriate action.

Attachment

WRH:rmk



FEB 2 11 34 AM '53

FEB 2 10 46 AM '53

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____

FEB 24 1953

7256



ROBERT O. CUNNINGHAM
1st District, Oklahoma County
OKLAHOMA CITY, OKLAHOMA
Phones
3-8251 - 2-1913

HOUSE OF REPRESENTATIVES STATE OF OKLAHOMA

Mailing Address
P. O. Box 492
OKLAHOMA CITY, OKLAHOMA
Office
24 N.W. 8th

January 26, 1953

Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington 25, D. C.

Dear Mr. Hoover:

I write you this letter as a Member of the House of Representatives, State of Oklahoma.

On Friday, January 23, 1953, Governor Johnston Murray in a public address at a luncheon during the Oklahoma Press Association's annual meeting stated that his private telephone line in the Governor's office at the State Capitol had been tapped and further that he had personally confronted the person responsible.

I ask you to investigate this due to the fact that my name was the only one mentioned in connection with the charge.

I understand that this is a violation of a federal statute and in order that my name, as a public official and a private citizen, be cleared and that the guilty party, if any, should be brought to justice.

Your immediate cooperation in this matter would sincerely be appreciated.

Yours truly,

RECORDED - 28

Robert O. Cunningham
Robert O. Cunningham
Member of the
House of Representatives

ROC/siw

CC D. A. Brice
Governor Johnston Murray
County Attorney, Oklahoma County
R. E. Echols, Manager
Southwestern Bell Telephone Co.

RECORDED - 28

INDEXED - 28

139-3-1
JAN 29 1953
152-4
[Handwritten signatures and initials]

EXPEDITE PROCESSING.
JAN 29 1953

*1-30-53
Let to
Cunningham
+ Let to
Cunningham
West.*

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JAN 26 1953

TELETYPE

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
Mr. Sizoo ☒
Miss Gandy ☒

FBI OKLAHOMA CITY 1-26-53 4-24 PM CST WSW

DIRECTOR..... U R G E N T

ROBERT O. CUNNINGHAM, UNAUTHORIZED PUBLICATION OR USE OF COMMUNICATIONS. MR. CUNNINGHAM, STATE REPRESENTATIVE FROM OKLA. COUNTY, HAS ADVISED THIS OFFICE TELEPHONICALLY THAT HE HAS DIRECTED A COMMUNICATION TO THE BUREAU ASKING THAT AN INVESTIGATION BE CONDUCTED BY THE FBI INTO ALLEGATIONS OF WIRE TAPPING BY GOVERNOR JOHNSTON MURRAY IN A SPEECH TO THE OKLA. NEWSPAPER EDITORS WHICH MEETING WAS HELD IN OKLA. CITY FRIDAY TWENTYTHREE, INSTANT. CUNNINGHAM STATED THAT NEWS BROADCASTS QUOTED THE GOVERNOR AS HAVING RELATED TO THE EDITORS THAT HIS PRIVATE TELEPHONE HAD BEEN TAPPED AND QUOTE HIS ENEMIES TRIED TO INVOLVE HIM IN SCANDAL IN A PLOT TO IMPEACH HIM UNQUOTE. CUNNINGHAM STATED THAT HIS NAME WAS THE ONLY ONE MENTIONED IN CONNECTION WITH THE WIRE TAPPING CHARGE THAT GOVERNOR MURRAY MADE AND THAT HIS REASON FOR ADVISING THE FBI AND REQUESTING THEIR ASSISTANCE WAS QUOTE IN ORDER THAT MY NAME AS A PUBLIC OFFICIAL AND A PRIVATE CITIZEN BE CLEARED AND THAT THE GUILTY PARTY IF ANY SHOULD BE BROUGHT TO JUSTICE UNQUOTE. COPIES OF THE LETTER SENT TO THE BUREAU WERE ALSO DESIGNATED FOR OKLA. COUNTY ATTORNEY GRANVILLE SCANLAND, GOVERNOR MURRAY, R. E. ECHOLS, MANAGER S. W. BELL TELEPHONE CO. AND D. A. BRYCE, AGENT IN CHARGE OF THE FBI OFFICE, OKLA. CITY. A COPY OF THE AFOREMENTION

RECORDED - 28

FEB 11 1953

79 FEB 24 1953

PAGE TWO

LETTER HAS NOT BEEN RECEIVED BY THIS OFFICE. CUNNINGHAM IS OUTSPOKEN
FOE OF GOVERNOR MURRAY AND IS REFERRED TO AS A PUBLICITY SEEKER. NO
INVESTIGATION TO BE CONDUCTED UACB.

BRYCE

END

CORRECTION LAST LINE SHOULD READ" NO INVESTIGATION B"

END

5-28 PM OK FBI WA VH

M

January 30, 1953

~~3-1~~

Honorable Robert O. Cunningham
Member of the House of Representatives
State of Oklahoma
Post Office Box 492
Oklahoma City, Oklahoma

My dear Mr. Cunningham:

Your letter dated January 26, 1953, concerning allegations of wire tapping made by Governor Johnston Murray during a public address has been received.

I want you to know that I appreciate your calling this matter to my attention.

I am taking the liberty of referring your letter to the Assistant Attorney General in charge of the Criminal Division of the Department of Justice, under whose jurisdiction this matter comes, for whatever action he deems appropriate.

Sincerely yours,
J. Edgar Hoover

RECORDED - 28

139-3
FEB 3 1953
137

WRH:rmk

MAILED 8

FEB 6

FEB 24 1953
FEB 2 1953

4256

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson *Jim*

DATE: January 30, 1953

FROM : L. B. Nichols

SUBJECT:

m
ROBERT D. CUNNINGHAM *63-1*

kg
Charles Haslet of the Associated Press telephoned at 1:25 p.m., January 30, 1953, and talked to Crosby. He advised that there was a big news story in Oklahoma City over a speech made by Governor Johnson Murray of Oklahoma. Murray made the statement at a luncheon that his telephone had been tapped. One of the persons present at the luncheon was State Representative Cunningham of Oklahoma City. Cunningham inferred from Murray's remarks that Murray was accusing him, Cunningham, of tapping his telephone. The Governor subsequently advised he does not believe in fact his telephone was tapped. Cunningham is firmly of the belief that the Governor has accused him of tapping the Governor's telephone and he called at the Oklahoma City Office and subsequently wrote a letter to the Bureau requesting that an investigation of the alleged tap on the Governor's telephone be made in order to clear his name, both as a private citizen and as a public figure. *G.I.R.*

The matter has been featured in the Oklahoma City press since January 23, and Haslet wanted to know if we had received a letter from State Representative Cunningham and, if so, what we had told him.

The Investigative Division advised that a letter dated January 26, 1953, had been received from Mr. Cunningham along the lines set out above; that it is proposed to refer this matter to the Department in view of the fact no funds are available for this type of an investigation and to advise Mr. Cunningham the matter has been referred to the Department and the Department will communicate with him. *Cunningham's letter 1-30-53*

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63-3-4
Mr. Haslet will call back. Until the proposed action by the Investigative Division has been approved, the matter cannot be disposed of fully with Haslet and accordingly he will be informed that Crosby is checking around to see if he can find Cunningham's letter and will advise him when it has been located.

cc: Mr. Ladd
Mr. Rosen

FEC:MP

79 FEB 20 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Winterrowd _____
Tele. Rm. _____
Holloman _____
Gandy _____

*Black**Letter to Ladd 1-30-53 WPH*

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson *✓*

DATE: February 2, 1953

FROM : L. B. Nichols

SUBJECT:

h 3-1

Tolson	✓
Ladd	✓
Nichols	✓
Belmont	✓
Clegg	✓
Glavin	✓
Harbo	✓
Moore	✓
Tracy	✓
Laughlin	✓
Mohr	✓
Winterrowd	✓
Tele. Rm.	✓
Holloman	✓
Gandy	✓

PP

YH

ly

On January 30, 1953, I submitted a memorandum on a telephone call from Mr. Charles Haslet of the Associated Press inquiring whether there was any comment the Bureau cared to make concerning a "row" raised by Representative Cunningham over what he construed as an accusation by Governor Johnson Murray of Oklahoma that Cunningham, State Representative in the Oklahoma Legislature, had tapped the Governor's telephone.

Mr. Haslet called again at 1:30 p.m., February 2, 1953, and after checking, Crosby advised him the Bureau had no comment to make.

cc: Mr. Ladd
Mr. Rosen

FEC:MP

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G. I. R.

FEB 10 1953

24

C

79 FEB 20 1953

AIRTEL

MARCH 6, 1953

SAC, OKLAHOMA CITY

ROBERT O. CUNNINGHAM, UNAUTHORIZED PUBLICATION OR USE OF
COMMUNICATIONS. REURTEL JANUARY TWENTYSIX, NINETEEN FIFTYTHREE.
IMMEDIATELY INSTITUTE FULL AND COMPLETE INVESTIGATION IN THIS
CASE. REFER TO BUAIRTEL OF JANUARY TWENTYTWO, NINETEEN FIFTYTHREE
TO ALL SACs FOR PROVISIONS OF SO CALLED WIRE TAPPING STATUTE,
SECTION SIX NAUGHT FIVE, TITLE FORTYSEVEN, UNITED STATES CODE
AND FOR DETAILED INFORMATION AS TO POSSIBLE VIOLATIONS. DISREGARD
INSTRUCTIONS IN THAT AIRTEL CONCERNING CONDUCTING PRELIMINARY
INVESTIGATION AND PROCEED WITH FULL INVESTIGATION IN THIS CASE.
SUBMIT RESULTS IN REPORT FORM SUITABLE FOR DISSEMINATION AND
DESIGNATE THREE COPIES FOR BUREAU. FURNISH COPY OF ALL REPORTS TO
USA. SUBMIT REPORT TO REACH BUREAU TWO WEEKS FROM DATE OF RECEIPT
OF THIS AIRTEL.

JGL/rh

RECORDED - 96

HOOVER

1137-3
MAR 10 1953
137

BY AIRTEL OF 1/22/53, TO ALL SACs, DETAILED INSTRUCTIONS CONCERNING
THE SO CALLED WIRE TAPPING STATUTE AND DETAILS OF INVESTIGATION
TO BE CONDUCTED WHEN FUNDS WERE PROVIDED WERE ISSUED. THESE
INSTRUCTIONS PROVIDE FOR PRELIMINARY INVESTIGATION WITH A REPORT TO
BE SUBMITTED FOR REFERRAL TO DEPARTMENT FOR OPINION AS TO WHETHER
A FULL INVESTIGATION WAS TO BE CONDUCTED. IN THIS INSTANCE, OKLAHOMA
CITY IS BEING INSTRUCTED TO CONDUCT FULL AND COMPLETE INVESTIGATION
INASMUCH AS DEPARTMENT WAS FURNISHED WITH FACTS OF THIS CASE ON
1/30/53.

2 DEB
HOLDERS
B I
MAR 10 1953

COMM - FBI

MAILED 26

MAR 20 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd *EL*

DATE: March 9, 1953

FROM : Mr. Rosen *RW*SUBJECT: (1) ROBERT O. CUNNINGHAM
UNAUTHORIZED PUBLICATION OR
USE OF COMMUNICATIONS(2) WILLIAM DORN
UNAUTHORIZED PUBLICATION OR
USE OF COMMUNICATIONS

Tolson	
Ladd	
Nichols	
Belmont	
Clegg	
Glavin	
Harbo	
Rosen	
Tracy	
Laughlin	
Mohr	
Winterrowd	
Tele. Rm.	
Holloman	
Gandy	

SYNOPSIS:

Mr. Tolson recommended that we institute wire tapping investigations of the captioned cases inasmuch as additional funds will undoubtedly be available in the near future. If investigation in these two cases is now instituted, then we will not be charged with a delay in handling them in light of our present investigative responsibilities. Attached are airtels for the Miami and Oklahoma City Divisions instructing investigation be instituted. These will be full investigations and not preliminaries as present policy calls for in view of the fact that the complaints have been pending from August 25, 1952, and January 29, 1953, (Cunningham case). If new complaints, we would handle them on preliminary basis so that proper legal advice could be obtained from Department as to whether full investigation should be conducted.

Memorandum dated March 4, 1953, received March 5, 1953, from Olney in Cunningham case reflects that until FBI is prepared to carry out responsibility of conducting these investigations no action may be taken by Criminal Division. Memorandum reflects Olney recommended appropriation of funds by Congress be urged by Department as soon as practicable. Director inquired as to this statement pointing out he thought we are now prepared to act on such cases.

We are presently ordering investigation in the Cunningham case referred to in Olney's memorandum as well as his second case, the Dorn case in Miami. These investigations being instituted in view of fact complaints have been pending in these cases and inasmuch as funds are to be available. The memorandum from Olney was received while we were in process of ordering the investigations.

Attachment *att*

cc: Mr. Nichols

EHW:eck

RECORDED - 10139-3-7
20 MAR 12 1953

UNRECORDED COPY FILED IN 100-39-1-1

50 APR 1 1953

Memorandum to Mr. Ladd

RECOMMENDATIONS:

- Handwritten notes:*
D. T. Ladd
to Mr. Tolson
2-11-53
JBL
1. That attached airtels go forward to Miami and Oklahoma City Divisions instituting the two investigations.
 2. Since we are ordering these investigations, it is believed that we should advise the Criminal Division and if this is approved, appropriate memorandum will be submitted.

Handwritten:
OK.
H.

DETAILS:

A memorandum dated February 26, 1953, to Mr. Tolson recommended to the Director that inasmuch as the Bureau will receive additional funds in the near future, investigation should be instituted in the Dorn case and in the Cunningham case so that we will not be charged with a delay in handling these cases in the light of our present investigative responsibilities. It was pointed out that in the Dorn case we advised the Department on August 25, 1952, that this was a matter within the jurisdiction of FCC and no further action would be taken by the Bureau. In the Cunningham case, the Department has advised on January 29, 1953, that no investigation would be conducted until necessary funds were made available. (On January 16, 1953, former Attorney General McGranery wrote the chairman of the FCC pointing out the Department was prepared to assume responsibilities in investigating alleged violations of the "Wire Tapping Statute" - 47 U.S.C. 605.)

The Director approved this but inquired^{ed} as to whether funds had been obtained for this particular class of work and Mr. Tolson noted that the source of such funds had been explained.

We thereupon embarked on ordering the investigations in the Dorn and Cunningham cases. There are airtels attached in each of these cases instructing the instituting of the investigation. We are ordering full investigations in view of the period of time in which these complaints have been pending.

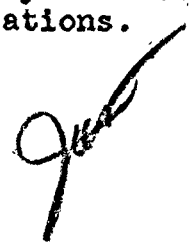
Memorandum to Mr. Ladd

Otherwise in accordance with present policy, a preliminary investigation would be instituted to determine if in fact there had been tapping of wires and divulgence. Thereafter, we would seek the advice of the Department or a legal determination as to whether a full investigation should be conducted.

During the time we were preparing to order these investigations, a memorandum was received from the Criminal Division dated March 4, 1953, and received March 5, 1953, to which was attached a memorandum from Olney to Rogers referring to our communication in the Cunningham case wherein we pointed out that no investigation would be conducted until appropriation by Congress of funds for the necessary personnel and equipment. Olney's memorandum to Rogers goes on to state that until such time as the FBI is prepared to carry out the responsibility of conducting these investigations no action can be taken by the Criminal Division to enforce the Wire Tapping Statute. Olney recommended the appropriation by Congress of funds be urged by the Department as soon as practicable.

The Director inquired as to Olney's memorandum advising he thought we are now prepared to act on such cases.

This is to advise that we are ordering the Cunningham investigation as referred to by Olney as well as the Dorn investigation in Miami, Florida inasmuch as funds are to be available as stated above. The memorandum from Olney was received at the time we were preparing to order the investigations.



FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

OKLAHOMA CITY

FILE NO.

REPORT MADE AT OKLAHOMA CITY	DATE WHEN MADE 3-26-53	PERIOD FOR WHICH MADE 3-10, 11-53	REPORT MADE BY LEO E. KUYKENDALL HM
TITLE ROBERT O'DARRELL CUNNINGHAM			CHARACTER OF CASE UNAUTHORIZED PUBLICATION OR USE OF COMMUNICATIONS

SYNOPSIS OF FACTS:

CUNNINGHAM, member of House of Representatives, State of Oklahoma, First District, Oklahoma County, Oklahoma City, alleges Oklahoma Governor JOHNSTON MURRAY in a public address 1-23-53, stated telephone line in Governor's office had been tapped. Governor MURRAY denies allegation and states he has no information indicating his telephone has been tapped. T-1, of known reliability, advised several checks of Governor's telephone line revealed no evidence of line having been tapped.

-C-

DETAILS:

This is a report of a joint investigation conducted by SA JOHN CALVIN RICE and the Reporting Agent.

At Oklahoma City, Oklahoma

The following letter was written by ROBERT O. CUNNINGHAM:

"January 26, 1953

"Mr. J. Edgar Hoover
Federal Bureau of Investigation
Washington 25, D. C.

"Dear Mr. Hoover:

APPROVED AND FORWARDED: <i>DAB</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT COPY IN FILE 3 - Bureau 1 - USA, Oklahoma City 1 - Oklahoma City (139-1) <i>7256</i>		139- 2 - 1 MAR 10 1953	SE 46 RECORDED - INDEXED -

PROPERTY OF FBI - THIS ~~CONFIDENTIAL~~ REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

"I write you this letter as a Member of the House of Representatives, State of Oklahoma.

"On Friday, January 23, 1953, Governor Johnston Murray in a public address at a luncheon during the Oklahoma Press Association's annual meeting stated that his private telephone line in the Governor's office at the State Capitol had been tapped and further that he had personally confronted the person responsible.

"I ask you to investigate this due to the fact that my name was the only one mentioned in connection with the charge.

"I understand that this is a violation of a federal statute and in order that my name, as a public official and a private citizen, be cleared and that the guilty party, if any, should be brought to justice.

"Your immediate cooperation in this matter would sincerely be appreciated.

"Yours truly,

Robert O. Cunningham
Member of the
House of Representatives

ROC/siw

CC D. A. Brice
Governor Johnston Murray
County Attorney, Oklahoma County
R. E. Echols, Manager
Southwestern Bell Telephone Co."

Governor ~~JOHNSTON~~ MURRAY, State Capitol, Oklahoma City, Oklahoma, advised in addition to the above letter that the following address was given by ROBERT O. CUNNINGHAM to the House of Representatives on January 26, 1953, and a copy of the address was furnished by the Governor, which is as follows:

"ADDRESS GIVEN BY ROBERT O. CUNNINGHAM,
MEMBER OF THE HOUSE OF REPRESENTATIVES,
JANUARY 26, 1953

"Gentlemen, the Governor of this State stooped to a new low in statemanship; he has placed himself in the position that no other Governor of this State has ever done.

"The Governor has intimated No. 1

that I am guilty of tapping the wires in his office. Which Gentlemen as you all know is a felony punishable by a penitentiary sentence.

"No. 2.

He has intimated that other unnamed persons and myself have entered into a plot and conspiracy to impeach him.

"No. 3.

He charged that I appeared at his office with two capital reporters who incidentally are reporters at this press table right now and that I charged that \$2,000.00 influence money had changed hands in the governors office.

"No. 4

He has intimated that I am guilty of trying to intice him into hotel rooms.

"The only one of these charges that has any semblence of the ring of truth is the statement that I appeared at his office with two reporters as witnesses; that is true, but the Governor failed to tell the true topic of conversation.

"This visit that the Governor speaks of occurred early in the fall of 1951 and I did take two reporters to his office in order that there would never come a time that I would be misquoted on this subject. The subject under discussion was the fund collecting activities of the Murray Volunteers. The purpose of this visit was to ask the Governor if he was aware that such an organization using his name was tapping the con-

OC 139-1

tractors and business men, who do business with this State, for campaign funds of an election a year past.

"At this point I challenge the Governor to produce the letter I handed him in front of these two newspaper men so that everybody in the State of Oklahoma can have an idea of what was taking place and further I challenge the Governor to tell this house and the State of Oklahoma how much money was collected under the name of this organization."

Governor MURRAY stated that in the Summer of 1951, shortly after he had received information indicating that ROBERT O. CUNNINGHAM had claimed to have a "pipeline" into the Governor's office, CUNNINGHAM appeared at his office with two newspaper reporters, JOHNNY MC WILLIAMS of the Tulsa Tribune and HUGH HALL of the Oklahoma City Times, and alleged that the sum of \$2000 had been paid by unnamed persons to someone in the Governor's office for patronage. Governor MURRAY stated he requested CUNNINGHAM to furnish him names, dates and places, pointing out to CUNNINGHAM that a State Grand Jury was then in session and would be happy to hear the evidence of a crime CUNNINGHAM may have. He stated in this conversation with CUNNINGHAM, he, Governor MURRAY, pointed out that he had received information that CUNNINGHAM had a "pipeline" into his office and told him that if he desired to tap his telephone he could go into the basement of the Capitol Building or to the third, fourth or fifth floor and tie on to Pair 78 and he probably would have his ears burned off.

Governor MURRAY stated that during this visit that CUNNINGHAM gave him a letter with these allegations which he retained, and as he, Governor MURRAY, was appearing before a Grand Jury in Oklahoma County that afternoon, that he kept the letter and presented CUNNINGHAM's letter to the Grand Jury and asked them to make an investigation and if there were any facts, that he was desirous of prosecution of persons responsible for any type of bribe or payment for patronage as alleged by CUNNINGHAM. Governor MURRAY stated that the letter which CUNNINGHAM had presented to him, which the Governor gave to the Grand Jury, has never been returned to him.

Governor MURRAY stated that on January 23, 1953, he appeared before the Press Association, Mid-winter Meeting, in the Civic Room of the Biltmore Hotel, which was a closed meeting. He stated he had with him at that time a prepared speech and he inquired of the newspaper reporters present whether they desired to hear a "canned speech" or an "off-the-cuff" address. He stated he did not refer to the speech at any time but endeavored to point out to those present at the Press Association meeting some of the difficulties encountered by the Governor and how a person, including the Governor, could be misquoted and his statements misinterpreted. Governor MURRAY further stated that he had noted in different sections of the state that there was a variance as to the statements made by him. He stated that during this "off-the-cuff" address that he told the press members present that there had been many stones and roadblocks put in the Governor's path by members of the House who were attempting to "impeach" him. He stated at the time he mentioned two members, ROBERT O. CUNNINGHAM and J. D. MC CARTY, and that he also mentioned a frequently named candidate for the governorship of Oklahoma,

OKL 21

a DR. WALDO STEPHENS. Governor MURRAY stated that he also related to this closed session of the members of the Press Association the conversation that he had with ROBERT O. CUNNINGHAM as stated above.

Governor MURRAY stated that he did not and has never specifically accused ROBERT O. CUNNINGHAM of tapping his or anyone's telephone line. He stated, however, that CUNNINGHAM apparently misinterpreted his remarks as outlined in his letter to MR. HOOVER set forth above, a copy of which was directed to him. Governor MURRAY stated that to his knowledge his telephone line has never been tapped and he has never received any information indicating that his telephone has been tapped.

Governor MURRAY stated he had received information that CUNNINGHAM had received a medical discharge from the Army as a "Psychoneurotic." He stated that he personally considers CUNNINGHAM to be no good and a publicity seeker.

Informant T-1, of known reliability, advised that several checks of the telephone lines in the Governor's office in recent months has revealed no evidence of the Governor's telephone line having been tapped.

The records of Informant T-2, another Governmental agency which maintains personnel records, reflect that ROBERT O'DARRELL CUNNINGHAM, 2422 Southwest 24th Street, Oklahoma City, served in the U. S. Army April 18, 1942, as a Corporal in the Medical Detachment and received an honorable discharge on August 1, 1945, under Dependency Section III, AR 615-362. These records reflect that CUNNINGHAM received a fifty per cent disability due to atonic bladder, rated as stricture of urethra, from August 2, 1945, until November 17, 1947, and a thirty per cent compensation from November 18, 1947, to date, presently amounting to \$47.25 per month. These records reflect the following description of CUNNINGHAM:

Name	ROBERT O'DARRELL CUNNINGHAM
Born	June 3, 1918, at Oklahoma City, Oklahoma
Height	5' 9"
Weight	153 pounds
Eyes	Brown
Hair	Brown
Complexion	Dark
Race	White
Marital status	Married
Residence	1237 North Goff, Oklahoma City, Oklahoma
Occupation	Advertising and member of House of Representatives, State of Oklahoma
Army Serial Number	18082115

ADMINISTRATIVE PAGE

It is noted that Governor MURRAY indicated that CUNNINGHAM is a "publicity seeker" and since his name is frequently noted in the local newspapers, the possibility is suggested that if CUNNINGHAM is interviewed by FBI Agents in connection with this matter that the results of the interview would be immediately furnished to the press by CUNNINGHAM, and he, therefore, is not being interviewed UACB.

With regard to CUNNINGHAM's publicity seeking, two copies of page one of the Oklahoma City Times dated January 26, 1953, are enclosed for the Bureau's information. It should be noted this story was written by HUGH HALL, previously mentioned as accompanying CUNNINGHAM to the Governor's office as a witness.

INFORMANTS

- T-1: [] Southwestern Bell Telephone Company, whose identity is concealed at his request.
- T-2: Records of the Veterans Administration, Oklahoma City, Oklahoma.

b7D

REFERENCE

Teletype to the Bureau dated January 26, 1953.
Bureau airtel dated March 6, 1953.

ENCLOSURES: TO THE BUREAU

2 - copies of Page 1 of the
Oklahoma City Times
dated January 26, 1952.



131-3-8

6-10-68

Comic Dictionary

Businessman—A man who spends time making money and then spends money killing time.

OKLAHOMA CITY TIMES



Accidents to Jan. 15 1,352
Injured to Jan. 15 454
Dead to Jan. 26 30

Paid Circulation Greater Than Any Other Evening Newspaper in Oklahoma
(Evening Edition of The Daily Oklahoman.) Entered at Oklahoma City, Oklahoma, Postoffice as second class mail matter under the act of March 3, 1879

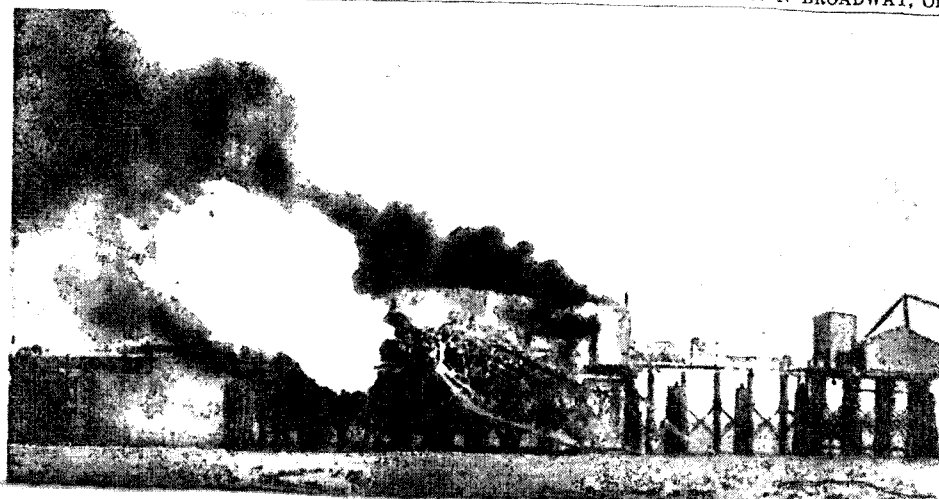
VOL. LXIII, NO. 363

EVENING EXCEPT SUNDAY

TWENTY PAGES—500 N BROADWAY, OKLAHOMA CITY, MONDAY, JANUARY 26, 1953

FINAL HOME EDITION

PRICE FIVE CENTS



Tulsa Socialite Fights to Delay Murder Trial

Mrs. Parsons Claims 6 Vital Witnesses Not Available for Hearing

WICHITA FALLS, Jan. 26 —A furious legal battle was shaping up at noon Monday over whether Mary Jean Parsons, 21, Tulsa oil heiress, will gain another delay before going on trial for murder. Defense attorneys, claiming six important witnesses cannot be present, have asked for a continuance, the third since it was first attempted to bring the case to trial here last autumn on a change of venue from El Paso.

Jury Panel Whittled

Snakes Alive! FBI, Murray, Solon Get In a Noisy Rattle



Wire Tapping Quiz by U. S. Asked Following Governor's Speech to State Editors

By HUGH HALL

RECORDED - 18

MARCH 6, 1953

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SAC, MIAMI

WILLIAM DORN, UNAUTHORIZED PUBLICATION OR USE OF COMMUNICATIONS.
REBUAIRTEL DECEMBER NINE, NINETEEN FIFTYTWO. INSTITUTE
INVESTIGATION IN THIS CASE IMMEDIATELY IN ACCORDANCE WITH THE
INSTRUCTIONS CONTAINED IN REBUTEL. SUBMIT RESULTS IN REPORT
FORM SUITABLE FOR DISSEMINATION AND DESIGNATE THREE COPIES FOR
BUREAU. FURNISH COPIES OF ALL REPORTS TO USA, MIAMI. SUBMIT
REPORT TO REACH BUREAU TWO WEEKS FROM DATE OF RECEIPT OF THIS
AIRTEL.

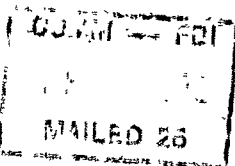
HOOVER

I. R. - 8

JGL/rh

Detailed instructions concerning investigation in this case were
issued to Miami by Buairtel of 12/9/52; however, investigation has been
held in abeyance pending receipt of necessary funds to investigate
this type of case. The facts of this case were referred to the
Department on August 25, 1952. JGL/rh

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Hosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____



62 APR 10 1953

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8

Office Memorandum • UNITED STATES GOVERNMENT

TO : J. Edgar Hoover, Director
 Federal Bureau of Investigation
 FROM : Warren Olney III, Assistant Attorney General,
 Criminal Division
 SUBJECT: ①

DATE: March 4, 1953

WO:JWB:t
82-60-0

Robert O. Cunningham
 Unauthorized Publication Or
 Use of Publication

Reference is made to your memorandum of January 30, 1953, entitled as above.

There are enclosed for your information two copies of my memorandum of this date to the Deputy Attorney General.

Enclosure No. 150780

Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Hendon	
Mr. Jones	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

What about attached?
 I thought we were not prepared
 to act on indicated

RECORDED - 18

12

MAR 5 1953

13

MAR 5 1953

UNRECORDED

WOW
ENCLOSUREMemo to
Rosen to
Ladd
3/9/53

100-5718

Rose

cc Rosen
Ladd

William P. Rogers, Deputy Attorney General

March 4 1953
NO:JWB:tal
82-60-0

Warren Olney III, Assistant Attorney General,
Criminal Division

Unknown subject

Violation: "Wire Tapping Statute" (47 U.S.C. 605)

Complainant: Robert O. Cunningham, Member of
Oklahoma House of Representatives

Attached hereto is a memorandum dated January 30, 1953, in which the Director of the Federal Bureau of Investigation referred the subject matter to the Criminal Division for appropriate action.

Your attention is invited to the memorandum to former Deputy Attorney General Ross L. Malone, Jr., from the Director of the Federal Bureau of Investigation dated January 9, 1953, and to the letter of former Attorney General James P. McGranery to the Chairman of the Federal Communications Commission dated January 16, 1953, in which it is stated that this Department is prepared to assume responsibility for investigations of alleged violations of the "Wire Tapping Statute" (47 U.S.C. 605), subject to the appropriation by Congress of funds for the necessary personnel and equipment. See attached file 82-012.

Until such time as the Federal Bureau of Investigation is prepared to carry out the responsibility of conducting these investigations, there would appear to be no appropriate action which the Criminal Division may take to enforce the "Wire Tapping Statute". Accordingly, it is recommended that the appropriation by Congress of the above-indicated funds be urged by the Department as soon as practicable.

Enclosure No. 150779

ENCLOSURE
Nº 150780
FROM
Department of Justice
<small>7-542</small>

U. S. GOVERNMENT PRINTING OFFICE

127-37
ENCLOSURE

J. Edgar Hoover, Director
Federal Bureau of Investigation
Warren Olney III, Assistant Attorney General,
Criminal Division

March 4 1953
WO:JWB:tal
82-60-0

Robert O. Cunningham
Unauthorized Publication Or
Use of Publication

Reference is made to your memorandum of January 30,
1953, entitled as above.

There are enclosed for your information two copies of
my memorandum of this date to the Deputy Attorney General.

Enclosure No. 150780

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR

DATE: February 26, 1953

FROM : Clyde Tolson

SUBJECT:

ROBERT T. CUNNINGHAM

A-3-1

There are attached hereto two memoranda which were prepared as Budget Exhibits concerning the facts in two cases which come within the Bureau's present jurisdiction to investigate alleged violations of Section 605 of the Federal Communications Act. In the Dorn case we advised the Department on August 25, 1952, that this was a matter within the jurisdiction of the FCC and no further action would be taken by the Bureau. In the Cunningham case we advised the Department on January 29, 1953, that no investigation would be conducted until necessary funds were made available.

Since it appears that we will receive additional funds in the near future I believe we should initiate investigations of these two cases now so that we will not be charged with a delay in handling them in the light of our present investigative responsibilities.

Belmont and
Rosen agree

CT:LCB

727

explained
3/12

OK. But I didn't
know any funds
had been obtained
for this particular
class of work

RECORDED - 18

139-3-10

6 MAR 23 1953

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UNRECORDED COPY FILED IN 139-3-10

WILLIAM DORN
UNAUTHORIZED PUBLICATION OR
USE OF COMMUNICATIONS

On August 2, 1952, William Dorn was arrested by local authorities at Miami, Florida, for tapping an Associated Press direct wire from New York carrying sports news to some Miami newspapers. The purpose of the tap was to secure race results prior to publication for use by local bookies at Miami, Florida.

From information available it appears that someone at the telephone company at Miami had been bribed to place a jumper wire extension from the Associated Press wire to a terminal box which eventually led to a small room on a roof of a building in Miami.

Officials of the telephone company and two Pinkerton Detectives noticed the tap and Dorn was arrested when he was seen at the terminal box.

The United States Attorney at Miami, Florida, referred the information to the FBI indicating that he had referred the complaint to the Federal Communications Commission but they had declined to investigate saying they had received instructions that matters of this type were to be handled by the Department of Justice.

EXHIBIT NO. 2 - 10: WILLIAM DORN

ENCLOSURE 10

On August 25, 1952, the FBI referred the matter to the Department of Justice with the advice that this was a matter within the jurisdiction of the Federal Communications Commission and that no further action was being taken by the FBI.

Thereafter, the over-all problem of jurisdiction in regard to alleged violations of Section 605 (the so-called wire tapping section of the Federal Communications Act) was under study by the Department of Justice. The possibility of presenting the Dorn Case to a Federal Grand Jury was a matter of discussion in the Department; however, this was not done.

On January 16, 1953, the Department of Justice advised the Federal Communications Commission that the Department of Justice was prepared to assume exclusive responsibility for conducting investigations under Section 605, subject to the appropriation of funds for necessary personnel and equipment.

The William Dorn case will, in line with this new policy, now be investigated by the FBI as soon as funds are made available.

✓

ROBERT O. CUNNINGHAM;
UNAUTHORIZED PUBLICATION
IN USE OF COMMUNICATIONS

By letter dated January 26, 1953, Mr. Robert O. Cunningham, State Representative from Oklahoma County, Oklahoma, advised this Bureau that in a recent public address Governor Murray of Oklahoma claimed that his private telephone line had been tapped and that he, Cunningham, was responsible for it. Cunningham requested that the FBI investigate this allegation of wire tapping in order to clear his name and bring the guilty party, if any, to justice.

Since an allegation of wire tapping has been received, an immediate investigation would be conducted to determine if, in fact, a telephone line had been tapped. If a tap were discovered, or some evidence that there had been unlawful interception of communications, further investigation would be conducted to determine the identity of those responsible.

This matter was referred to the Department of Justice on January 29, 1953, pointing out that no investigation would be conducted until necessary funds were made available.

EXHIBIT NO. 3 - 10: ROBERT O. CUNNINGHAM

139-3-10

Office Memorandum • UNITED STATES GOVERNMENT

TO : J. Edgar Hoover
 : Director, Federal Bureau of Investigation

FROM : William P. Rogers, Deputy Attorney General

DATE: March 18, 1953

SUBJECT: Complaint of Robert O. Cunningham of the Oklahoma House of Representatives concerning alleged wire tapping of Oklahoma Governor Murray's private telephone line.

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Harbo	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Gearty	✓
Mr. Mohr	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Mr. Sizoo	✓
Miss Gandy	✓

Assistant Attorney General Olney has sent to me your memorandum of January 30 on the above subject, together with the copy of Mr. Cunningham's letter to which reference is made in your memorandum, and the Department file on the subject.

It appears that some time ago it was determined in the Department that the basic obligation to investigate wire tapping offenses rests within this Department. To conclude otherwise, I am sure you will agree, would seriously weaken the Department's often expressed position that investigative jurisdiction of criminal offenses lies with the Federal Bureau of Investigation except in those instances where the Congress has specifically otherwise assigned such jurisdiction.

Being appreciative, however, of the effect which limited funds must have on the activities of the Bureau, I suggest that a representative of the Bureau communicate with Mr. Chambers of my office with a view toward arranging for a conference to be attended by Bureau representatives, with Assistant Attorney General Olney, and Mr. Minor and Mr. Chambers of my office.

memo Mr. Rosen
 to Mr. Ladd
 memo to Deputy
 Atty. Rogers
 3-25-53
 JGL:JCB

OK but I thought
 we had funds now
 I would go ahead
 on such cases. How to
 about it.

1139-3-11
12 APR 8 1953

EX-103 93 1953

EX-103 93 1953

Mr. William F. Rogers
Deputy Attorney General

March 26, 1953

Director, FBI

139-3-11

COMPLAINT OF SUSPECT C. C. BISHOP OF THE
OKLAHOMA HOUSE OF REPRESENTATIVES CONCERNING
ALLEGED WIRE TAPPING OF OKLAHOMA GOV-ARCH ACHARY'S
PRIVATE T-LONDON LINE

I have your memorandum of March 18, 1953, concerning the alleged tap of the telephone of Governor Johnston Murray of Oklahoma and suggesting a conference between representatives of the Bureau and the Department concerning funds available to the Bureau for investigation in this regard.

In this connection a memorandum was sent to Assistant Attorney General Warren Olney III under date of March 12, 1953, in which he was advised that funds were currently available for the investigation of wire tapping matters and that our field offices were being instructed to institute investigation of complaints of this kind. It was also mentioned in this memorandum that investigation had been ordered in the case involving the alleged tap of the telephone of Governor Murray which you referred to. A copy of this memorandum is attached for your reference.

Further reference to wire tapping investigations was contained in my memorandum to the Attorney General of February 27, 1953, captioned, "Revision of Appropriation Estimates Fiscal Year 1954." It was mentioned in this memorandum that wire tapping investigations for the fiscal year 1954 would cost an estimated \$1,100,000 and that no funds are provided for this activity in our appropriation request approved by the Bureau of the Budget. It was also indicated therein that in view of this and in an effort to comply with the Administration's economy program, the Bureau would endeavor to absorb the cost of this activity during the next fiscal year.

With reference to your suggestion for a conference, we shall, of course, be glad to confer with representatives of the Department at any time concerning problems arising in connection with wire tapping matters. However, in view of the foregoing, it would not appear necessary at this time to confer concerning the availability of funds for these investigations.

cc: 2 - Assistant Attorney General

WARREN Olney III

MAR 27 1953

COMM. 22

JGL:10

53 APR 20 1953

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Tele. Rm.
Holloman
Gandy

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R
Edwards
K

CC: Mr.
Mr.
Mr. Price
Mr. Haynes
Mr. Crowder

Assistant Attorney General
Warren Olney III

March 30, 1953

Director, FBI

157-5-12
ROBERT O'DARRELL CUNNINGHAM
UNAUTHORIZED PUBLICATION OR USE OF
COMMUNICATIONS

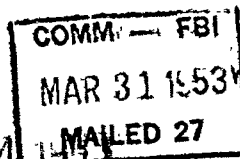
There is attached a report dated March 16, 1953,
prepared by Special Agent Leo E. Kuykendall of Oklahoma City
regarding the above-captioned matter.

It is requested that this Bureau be advised whether
any further investigation into this matter is desired.

Attachment

CGH:MAH

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Tele. Rm. _____
Holloman _____
Gandy _____



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RH

OK

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: March 27, 1953

FROM : Mr. Rosen

SUBJECT: ROBERT O'DARRELL CUNNINGHAM
UNAUTHORIZED PUBLICATION OR USE OF
COMMUNICATIONS

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

Attached is a closing report of SA Leo E. Kuykendall of Oklahoma City concerning the above-captioned matter. I thought you would be interested in seeing this report in view of the prominence of the persons involved.

You will recall that Robert O'Darrell Cunningham, member of the House of Representatives, State of Oklahoma, wrote the Director alleging that Governor Johnston Murray in a public address stated that his telephone line in the Governor's office had been tapped and the inference was made that Cunningham was involved.

Agents of the Oklahoma Office have interviewed Governor Murray and he denies that he ever accused Cunningham of tapping his or anyone's telephone line. Murray stated that to his knowledge his telephone line has never been tapped. An employee of the Southwestern Telephone Company advised Bureau agents that several checks of the telephone lines in the Governor's office in recent months have revealed no evidence of the Governor's telephone ever having been tapped.

Cunningham was not interviewed by Bureau agents in view of the allegation by Governor Murray that he was a publicity seeker and since his name has frequently been seen in the local newspapers. It is thought that any interview with Cunningham would be immediately furnished to the press.

RECOMMENDATION:

That the attached memorandum be sent to the Department forwarding a copy of SA Kuykendall's report with the request that this Bureau be advised whether any further investigation is desired.

CGH:MAH

Attachments (2)

RECORDED - 106

1239-3-12
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53 APR 16 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation

FROM : Warren Olney III, Assistant Attorney General,
Criminal Division

SUBJECT: Robert O'Darrell Cunningham
Unauthorized Publication or Use of Communications

DATE: April 1953

WO:JWB:50

82-60-0

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Nichols	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Harbo	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Gandy	✓
Mr. Mohr	✓
Mr. Winterrowd	✓
Tele. Room	✓
Mr. Holloman	✓
Mr. Sizoo	✓
Miss Gandy	✓

This is in reply to your memorandum of March 30, 1953, which you requested to be advised whether any further investigation into the captioned matter is desired.

On the basis of the report dated March 16, 1953, prepared by Special Agent Leo E. Kuykendall we are of the opinion that no further investigation would be warranted.

G.I.R.-9

6-att

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129-3-113

38 APR 1953

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CRH

cc: Rose + Supervisor

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