

FEDERAL BUREAU OF INVESTIGATION
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THE DIRECTOR
THE EXECUTIVES CONFERENCE

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1/24/50
Yunc

The Executives Conference of January 23, 1950, consisting of Messrs. Ladd, Harbo, Fletcher, N. H. McCabe, Carlson, Rosen and Mohr, was advised of the Director's comments concerning the memorandum which Mr. Clegg prepared on January 13, 1950, regarding the testimony of Special Agent Robert J. Wirth at the Coplion-Gubitchev pre-trial hearing in New York City. The Conference was also advised of Mr. Mohr's addendum to Mr. Clegg's memorandum concerning the observations of the first and second Nardone cases and the holdings of Judge Ryan in connection with the pre-trial hearing on the wire tapping issue.

The Conference also considered the desirability of sending to the field at this time the decisions in the first and second Nardone cases.

It was the unanimous opinion of the Conference that no useful purpose would be served in advising the field in detail of the first and second Nardone decisions while the whole matter of wire tapping was under consideration, particularly the question as to the retention and destruction of the records from wire taps. The Conference felt that the field in reading the Nardone decisions, particularly the second Nardone decision, would not be particularly benefited until it has been definitely determined what legal disposition should be taken of material obtained from wire taps. As you know this matter is presently being considered by the Department as well as the whole question concerning wire taps and when these matters have been fully resolved, the field should be informed in detail of the policy of the Department and the Bureau with respect to wire taps and material obtained by virtue of wire taps.

Should the Director agree, no action will be taken with respect to advising the field of the Nardone decisions until this whole matter of wire taps has been fully and completely resolved, at which time the Training and Inspection Division should take the necessary steps to fully inform the field of the policy of the Department and the Bureau in this matter.

Respectfully,
For the Conference

Clyde Tolson

66-2534-7541

FEB 21 1950

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DATE 2/18/93 BY SP5C/bcc

- Mr. Tolson
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Mohr
- Mr. Pennington
- Mr. Quinn Tamm
- Tele. Room
- Mr. Nease
- Mrs. Gandy

Agree but I want above matters presented to decision & then field advised & close adherence to references

3-3-50
JPM:DW

2/18/93

Classified by 2152/10

Declassify on: OADR June 12, 1990

CONFIDENTIAL

THE EXECUTIVES' CONFERENCE

MICROPHONE SURVEILLANCES

CLASS. & EXT. BY: 3152/10
REASON FOR EXT: 25X(2)
DATE OF REVIEW: 6/12/90

At the Executives' Conference, June 9, 1950, Messrs. Tolson, Ladd, Glavin, Harbo, Mohr, Rosen, Tracy, Nichols and Belmont, in attendance, the Conference considered the problem of whether our present policy of approving microphone surveillances on a restricted basis without either securing authority from the Attorney General, or notifying the Department, is a sound policy. (U)

It was pointed out that at the present time there are the following types of microphone surveillances: (1) tel-mike, which is installed in the telephone instrument and necessarily causes telephone conversations to be overheard; (2) microphones installed in the room or quarters either occupied by the subject or in which the subject is located at the time the conversation occurs; (3) microphones located outside of the room occupied by the subject, such as contact microphones on an adjoining wall which, therefore, do not involve trespass in placing the microphones. (U)

In none of the above cases do we presently advise the Department of the installation of the microphones, nor do we seek authority to install the microphone. Prior to the installation of any tel-mike, however, authority is received from the Attorney General for the installation of a technical surveillance, inasmuch as the tel-mike actually is also a telephone tap. In seeking such authority, however, the Department is not advised that the technical installation is a combination telephone and microphone installation. (U)

It was pointed out that microphones installed in the premises or room of the subject in many instances are illegal in that the installation is accomplished through trespass and there is a considerable question whether, in fact, all such microphones would not be considered illegal by the courts even though they were placed in the premises in advance of occupation by the subject. At least we should approach the problem of utilizing such microphones under the presumption that they may be considered illegal. The Department is not advised in advance of the installation of such microphones, nor is the Department advised subsequent to the installation, unless a question is raised at a subsequent date when the case is discussed with the Department from the standpoint of prosecution or otherwise. (U)

In connection with the use of microphones installed outside the room or premises (contact mike), the Department is likewise not advised, nor is authority obtained. In such instances a microphone would appear to be legal, as no trespass is involved. (U)

It was pointed out to the Conference that the Department is on indirect notice that the Bureau uses microphones, inasmuch as Departmental opinion has been sought and rendered, on several occasions, as to whether a microphone, under various conditions, would be considered legal or illegal. In addition, in such cases as the Judith Coplin case and others, the Department has become aware of the fact we have used microphones. Nevertheless, under existing policy, the Bureau is

- Tolson
- Ladd
- Clegg
- Glavin
- Nichols
- Rosen
- Tracy
- Harbo
- Mohr
- Tele. Room
- Nease
- Gandy

CC - Mr. H. H. Clegg
Mr. J. P. Mohr

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~~CONFIDENTIAL~~

actually installing and utilizing microphones on its own authority, without authorization from the Department or any other source, and must take the responsibility for such action if the question of illegality is raised during the prosecution of a case or at any other time. (X)

It was pointed out that under present policy before the field can install a microphone, specific authority must be obtained from Mr. Ladd; that microphones are used rather sparingly, although in some field offices they are used to a greater extent than in others. This is particularly true of microphones installed to cover Communist Party activities. Each request for the installation of a microphone is carefully analyzed from the standpoint of whether it is justified and will furnish intelligence information of sufficient value to warrant the installation. The present policy is that wherever a case may develop to the point of prosecution, no technical surveillances or microphone surveillances will be considered unless the intelligence information to be gathered outweighs the risk of having such installations come out during a trial. It was pointed out that microphone installations do give us intelligence information of considerable value. Under the present arrangement that each field division justify its technical coverage periodically, the field is required to show that the microphone warrants the use of the type of information being secured. It was pointed out that regardless of the fact that the Bureau is countenancing illegal activities when it authorizes the installation of a microphone involving trespass, the Bureau does not ignore its obligations in the security field to gather intelligence information and to protect the welfare of the country. (X)

The feasibility of consulting with the Department prior to the installation of the microphone was discussed. It was pointed out that by Presidential Directive, the Attorney General has authority to approve a telephone tap, whereas no such color of authority exists with the Attorney General in the case of microphones. Should we consult with the Department and attempt to throw responsibility on the Department for the installation of microphones, we would, in effect, be asking the Department to countenance illegal activities and it is highly doubtful whether the Department would do this. Furthermore, by taking such a step, we may be cautioned by the Department to cease such activities in spite of the fact that the Department knows at the present time that we utilize this technique and has not objected to it. (U)

It was pointed out, in connection with our heavy responsibility to secure intelligence information, that a large percentage of such information comes from technical surveillances, microphones, trash covers and other checks of a confidential nature. Therefore, if we consider that we must dispense with microphone installations, other than those of a strictly legal nature, we must also consider dispensing with any other type of investigative technique that may smack of illegality. (U)

After a thorough discussion of the question involved, Messrs. Ladd, Glavin, Tracy, Harbo, Mohr, Rosen, Nichols, and Belmont voted to continue our

and

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operations as at present, with the understanding that each request for a microphone surveillance should be subjected to severe analysis to be sure that the results to be expected from the microphone warrant its installation and that the field be required to continually inspect the productiveness and value of the microphone, looking toward its discontinuance as soon as it is no longer warranted. This is the present policy. (U)

In addition, Mr. Glavin felt that we should direct a letter to the Department, advising the Department that we utilize microphone surveillances where they are necessary in our investigations, thus putting the Department definitely on notice that we do utilize this technique. Other members of the conference disagreed with this on the basis that the Department would probably reply to such a letter by pointing out that the Department could not countenance any technique or activities on the part of the Bureau that might be construed as illegal. (U)

Mr. Tolson stated that he is opposed to the utilization of any technique which we know is illegal. Mr. Tolson felt that the Bureau's position in utilizing such techniques is untenable and the Bureau will have no answer to criticism involving any illegal activities on our part. Mr. Tolson felt that technical surveillances authorized by the Attorney General are an acceptable technique, inasmuch as the Attorney General's authorization lends a color of authority to this technique. (U)

*I have no other alternatives
as this is presented but to (U)
agree with Tolson*

Respectfully,
For the Conference

H.
✓
Clyde Tolson

~~CONFIDENTIAL~~ - 3 -

JUNE

cc/CEL
4/2/82
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THE DIRECTOR

April 21, 1950

THE EXECUTIVES' CONFERENCE

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TECHNICAL AND MICROPHONE SURVEILLANCE LOGS

At the Executives' Conference, April 20, 1950, Messrs. Ladd, Glegg, Carlson, Mohr, Harbo, Glavin, Tracy and Belmont in attendance, the Conference considered the problem of whether existing instructions regarding the type of information to be placed in technical and microphone surveillance logs fulfilled our present needs in view of the fact that the recording discs and handwritten slips of the monitors are no longer retained on technical surveillances and in view of the fact that consideration is presently being given to no longer retaining recording discs and handwritten slips of monitors on microphone surveillances, except in those cases where the microphone surveillance was installed without trespass.

Under present procedure established by unnumbered SAC Letter dated December 22, 1949 and clarified in Section E of SAC Letter No. 19 dated March 14, 1950, the only record of conversations from technical surveillances from now on will be the log. The field has been advised to destroy the recording discs, slips, notes, etc., after the log has been prepared. The field has also been told that the logs are not permanent records and though they are to be retained until further notice, they are to be considered merely a temporary record.

The procedure in handling technical surveillances will necessarily affect the preparation of the log which from now on will be the only record of the conversation. The log should, therefore, be as complete as possible, consistent with the type of information being received. Instructions presently outstanding, as set forth in SAC Letter No. 129 dated December 6, 1946, are as follows:

*** A chronological log shall be maintained with respect to each surveillance, reflecting: identification of the surveillance; the date; time of each call, whether incoming or outgoing; to whom the call is placed and from whom the call is received; summary of the conversation; and initials of the person listening to the call. Each call shall be recorded on the log. The employee monitoring the surveillance may exercise discretion as to the extent of the summary with respect to each conversation, resolving all doubt in favor of a meaningful summary reflecting the gist of each pertinent call. The monitor shall use his discretion in determining whether a particular call shall be recorded.

- Tolson _____ Experience has demonstrated that the recording of every message is
- Ladd _____ impractical; however, a call shall be recorded in any instance where it
- Glegg _____ appears that the conversation bears a significant or material relationship
- Glavin _____ to the inquiry at hand. Normally, records shall be identified by the
- Nichols _____ initials of the monitor, the date, and the cut number, and the log shall
- Rosen _____ reflect following the summary that a record was made and the cut number.
- Tracy _____
- Harbo _____ In those instances where a large volume of material is involved, where
- Mohr _____

Tele. Room _____
Nease _____
Gandy _____
CC - Mr. J. P. Mohr
Mr. J. P. Mohr

RECORDED - 24
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MEMORANDUM FOR THE DIRECTOR

"several monitoring employees are [redacted] and where several different cuts are made on one record, it will be permissible to identify the record simply by number and date. The object at all times is, of course, to insure that the employee monitoring the call will be in a position to tie-in the log of the conversation with the conversation as cut on the record. In the event a conversation being monitored appears to be innocuous at its inception and later assumes some importance, a recording will be started and a notation made on the log that the recording made for transcription of records by employees [redacted] in those instances where the particular installation permits this procedure. * * * *"

b7E

Under present instructions, the monitor exercises a discretion as to the extent of the summary placed on the log. The Agents in the confidential "June" section in the field offices who prepare the logs likewise exercise discretion as to what information is taken from the handwritten slips and recordings in the preparation of the log. Inasmuch as the log will be the only existing record of the technical surveillance, it was pointed out that it would be desirable to alert the field to the necessity of preparing the log in such a manner that it would be as complete as possible and would answer, within reason, any questions arising as to what information came over the technical surveillance in the event such questions arose at some future date. Such instructions to the field, it was felt, should reflect that all doubt should be resolved in favor of verbatim transcripts, rather than summaries on the conversations which appeared significant in order that the information will be available at a later date in the event the entire conversation is needed. In an important case, summary or paraphrased information may be insufficient and the actual words used in the conversation may convey an entirely different meaning than a summary.

While the "June" procedure at this time applies only to technical surveillances, it was suggested that the new instructions apply to both technical and microphone surveillances for the sake of uniformity and a better log, and, further, in view of the fact that the "June" procedure may be applied to microphone surveillances involving a trespass in the near future.

The Executives' Conference unanimously recommended that the attached SAC Letter be transmitted to the field, pointing out the necessity of setting forth in the log verbatim any pertinent conversation which is believed by the monitor or the Agent preparing the log to be of current or future value in the case.

Respectfully,
For the Conference

Clyde Tolson

THE DIRECTOR

JUNE

September 20, 1950

THE EXECUTIVES' CONFERENCE

TECHNICAL AND MICROPHONE SURVEILLANCES

On September 19, 1950, the Executives' Conference, consisting of Messrs. Tolson, Ladd, Callahan, Quinn Tamm, Harbo, Mohr, Rosen, Clegg, Sizoo, McGuire and Belmont, recommended that the attached proposed SAC Letter be disseminated to the field. The letter calls for submission of justification letters on all technical and combination technical-microphone surveillances each thirty days. The period for justification on microphone surveillances is not being changed, but remains thirty days after installation and each six months thereafter.

The proposed letter calls for the closest supervision possible as to the installation and continuation of technical surveillances.

The purpose of the letter is to insure close and continuous supervision of technical surveillances, both in the field and at the Seat of Government.

In the event you approve, this letter will be sent to the field.

Respectfully,
For the Conference

Clyde Tolson

Attachment

cc - Mr. H. H. Clegg
Mr. J. P. Mohr

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THE DIRECTOR

June 28, 1951

THE EXECUTIVES' CONFERENCE

June

RADIO FREQUENCY MICROPHONE

The Executives' Conference, consisting of Messrs. Tolson, Glegg, Harbo, Nichols, Rosen, Ladd, Callahan for Glavin, Quinn Tamm for Tracy, Sizoo, and Laughlin for Belmont, considered the advisability of having the Laboratory orally discuss with the Special Agents in Charge of the New York, San Francisco, Los Angeles, and Washington Field Offices the availability of the radio frequency microphone. It was suggested that the Special Agents in Charge of these offices be advised such equipment is available and that the Bureau, in very specialized circumstances, would consider making it available on important security-type cases where other types of coverage are not possible or feasible. In this connection, it would be pointed out to these Special Agents in Charge that the Bureau does not desire that this equipment be considered for general use, but would be available for use only in special, important security-type cases.

EXECUTIVES' CONFERENCE RECOMMENDATION:

The Conference was of the unanimous opinion that the Bureau should not discuss the radio frequency microphone with the Field or, specifically, the Agents in Charge of the four mentioned offices. It was suggested that the Security Division follow this matter closely and, if an important security-type case arises where this equipment could be used, where other type of coverage would not be possible, consideration would be given to its utilization at that time.

If you concur, this policy will be followed.

Respectfully,
For the Conference

Clyde Tolson

CC: Mr. H. H. Glegg
Mr. Mohr

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- Nichols _____
- Belmont _____
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JUNE

THE DIRECTOR

January 9, 1952

THE EXECUTIVES' CONFERENCE

~~PROCEDURE IN HANDLING DISCS AND RECORDS FROM
TECHNICAL AND MICROPHONE SURVEILLANCES~~

On January 9, 1952, the Executives' Conference, consisting of Messrs. Tolson, Ladd, Clegg, Glavin, Harbo, Nichols, Rosen, Tracy, Mohr, Gearty, and Belmont, considered the question brought up as a result of the current Smith Act cases in New York as to whether the Bureau should preserve original discs, tapes, records, etc., resulting from technical and microphone surveillances on Communist activities.

On September 12, 1951, a subpoena duces tecum was filed in United States District Court, New York City, which called for the production of all discs, recordings, etc., relating to the New York Smith Act defendants. Inasmuch as there were technical surveillances in operation in New York, including the Communist Party headquarters, and inasmuch as the New York defendants were on bail and might use these telephones, the New York Office was instructed on September 19, 1951, that no recordings, discs, etc., involving the Communist Party, USA activities should be destroyed until further notice. This was done as a precautionary measure, inasmuch as the Bureau might be criticized if these recordings were destroyed while the motion to produce them was pending.

The motion to produce these discs and recordings was argued on November 8, 1951, before Judge Edward Conger, and on December 21, 1951, Judge Conger denied the motion for the suppression of evidence obtained through the use of wire tapping and at the same time quashed the subpoena duces tecum served on the Attorney General, the Director and SAC Scheidt.

The New York Office has now asked for permission to destroy the tapes and recordings which have accumulated during the period that the motions and subpoenas were pending. New York has pointed out that the tapes in these technical surveillances are re-used over and over again and if it is necessary to continue preserving these tapes, a quantity of additional tapes will be required as the existing tapes cannot be re-used as long as they are being held.

It was pointed out that subsequent to the Judith Coplon case the procedure used by the Bureau in the handling of records and recording all information coming from technical and microphone surveillances was presented to the Department and our normal

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CC - Mr. Clegg
Mr. Mohr

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MEMORANDUM FOR THE DIRECTOR

procedure of destroying these original records and tapes after the material has been recorded on the log has Departmental approval. See the attached memorandum from James M. McInerney dated February 8, 1950, captioned "U. S. vs. Judith Coplon and Valentin A. Gubitchev - Disposition and Disposal of Records, Memoranda, etc., under Sections 366-369 of Title 44, U. S. C., and Section 2071 of Title 18, U. S. C." (65-58365-1336X). In addition, the Department has advised us that no Bureau records pertaining to technical and microphone surveillances will be produced at either hearings or the trials of the Smith Act subjects. See the attached memorandum from the Attorney General dated October 19, 1951, captioned "Communist Party, USA, Policy of the Department of Justice If the Motions to Suppress Illegal Evidence in the Pending Smith Act Cases Are Granted and Hearings Are Ordered." (60-2-74-9243). Nevertheless, the Department has not specifically expressed an opinion as to whether the Bureau should preserve the original recordings and tapes from these technical sources when a motion is filed or a subpoena served calling for such records. Nor has the Department expressed an opinion as to whether the denial of the motion or the quashing of the subpoena would relieve us of the responsibility of preserving such records.

Executives' Conference
Recommendations

The Executives' Conference unanimously recommended that this matter be referred to the Department at this time, first, to ask the Department's opinion as to whether the defense motion calling for all records on wire taps, microphones, etc., should be considered as a constructive notice to the Bureau to preserve such records in existence and which may accrue, and, second, if the Bureau is so required, whether the denial of the motion or the quashing of the subpoena will permit the Bureau to return to its ordinary procedure of destruction of these records after appropriate logs, etc., have been made.

The Conference felt that even though the Department has specifically advised us that such records will not be produced in court or at a hearing, we should secure a legal opinion from the Department in order that the Bureau may be protected in case of a shift of policy in the Department. Such a memorandum is attached for your approval.

Respectfully,
For the Conference

Clyde Tolson

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DATE 2/19/93 BY SP5CJ/bce

THE DIRECTOR

March 6, 1952

THE EXECUTIVES' CONFERENCE

JUNE

SECURITY INDEX
PREPARATION OF SUMMARY REPORTS

On March 6, 1952, the Executives' Conference consisting of Messrs. Tolson, Ladd, Nichols, Mohr, Harbo, Tracy, Mason for Clegg, Callahan for Glavin, Winterrowd for Rosen, Holloman, Gearty, and Belmont considered recommendations of the Domestic Intelligence Division regarding the following matters pertaining to the handling of security cases.

As you know we are presently engaged in a project of preparing summary reports on all Security Index cases. This is a huge task necessitating consumption of a tremendous amount of Agent time.

Since the institution of the summary report project certain questions have arisen and recommendations have been submitted by the Field and in the Domestic Intelligence Division regarding the procedure to be followed in preparing the reports. The Domestic Intelligence Division has made a study of various problems presented with a view to (1) streamlining the procedure of preparing the summary reports yet retaining requirements which will obtain the maximum results from the project, and (2) improving the method of handling information obtained in security investigations. These matters have been discussed with the first 2 classes of the Security-Espionage School.

The following are the recommendations resulting from this study:

1. That we defer preparation of current summary reports on Top Functionaries and Key Figures until after summaries are submitted on all other Security Index subjects. Past summary reports have been submitted on a great many of these subjects. Their position and activities are such that we will not have difficulty in producing sufficient evidence to satisfy the hearing boards as to the advisability of detaining them.

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Attachment
LGD:mjt

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cc - Mr. Clegg
cc - Mr. Mohr

[Handwritten signatures and initials]

2. That the Field be instructed to submit quarterly status letters for this project in standard tabulated form. This will facilitate the matter of following the progress of the project.
3. That the following instructions be issued regarding documentation of summary reports.
 - a. Documentation should be set forth in tabulated form on the administrative pages. This will facilitate the preparation of the reports by cutting down on time involved and space consumed.
 - b. Documentation of information received from live confidential informants, trash covers, physical surveillances and photographic surveillances should be complete when information received therefrom is specifically set forth in the reports. By fully documenting such information in the reports we will be able to produce the evidence for hearings in the least possible time.
 - c. Information received from "anonymous" sources, technical surveillances, and microphone surveillances need not be fully documented. Technical surveillances and microphone surveillances should only be documented by showing the date of activity and date the information was received with the office symbol number followed by an asterisk inasmuch as these are highly confidential sources and we will not produce actual documents before hearing boards.
 - d. When offices preparing summary reports have photostatic copies of original evidence which was obtained by other offices it will not be necessary to request full documentation from the other offices at this time. This will greatly facilitate the entire project.
 - e. The Field should not be required to document previously submitted summary reports.
 - f. Complete documentation is not necessary concerning organizations or individuals other

than the subjects, who are identified in the reports. All that is necessary are the approved citations for the organizations and the permanent informant symbol numbers for the individuals.

4. That, in the future, we require investigative reports in all security cases as well as summary reports to be fully documented in line with the above recommendations. This will simplify the procedure of preparing future summary reports and is not an undue burden on the Field.
5. Where there are repetitions and cumulative items of information against a subject only a selected number of such items need be specifically set forth in the summary reports. Detailed reporting of such items has been one of the most time consuming problems in preparing the reports. We lose nothing by being selective and gain much time.
6. That, in the future, information channeled to individual case files be fully documented when received from sources other than "anonymous" sources, technical and microphone surveillances. This procedure will simplify preparation of summary reports in the future.

ACTION:

The Executives' Conference unanimously concurred in the above recommendations.

If you agree there is attached for your approval an SAC Letter so instructing the Field.

Respectfully for the Conference,


Clyde A. Tolson

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2/18/93 *323013

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THE DIRECTOR

MARCH 18, 1952

THE EXECUTIVES CONFERENCE

JUNE

MICROPHONE SURVEILLANCES

~~SECRET~~

The Executives Conference on March 14, 1952 considered the establishment of certain factors with regard to the authorization of microphone surveillances. The Attorney General in his memorandum of February 26, 1952, on technical and microphone surveillances, stated that he did not intend to alter the existing policy on wire tapping and that he could not authorize the installation of a microphone involving trespass under existing law. ✓

In accordance therewith, all microphone surveillances involving a trespass have been discontinued, with three exceptions,

[Redacted]

All other microphone surveillances presently in operation do not involve trespass and their installation, as such is based upon opinions previously obtained from the Department in hypothetical situations. By memorandum of February 28, 1952, additional hypothetical situations on microphone surveillances not involving trespass were transmitted to the Department for an opinion. ✓

The field by SAC Letter, No Number, G, dated March 4, 1952, has been advised that authorization will not be granted to install any microphone surveillance involving trespass. It was recommended that the following be set up as governing factors with regard to the authorization of microphone surveillances in addition to the fact that trespass cannot be involved: ✓

1. Consideration has been given to referring to the Attorney General for authorization each proposed installation. It is believed, however, that such will not be necessary if the proposed installation fits one of the opinions previously furnished by the Department in hypothetical fashion. If the Bureau does not have an opinion from the Department exactly fitting the proposed installation, such an opinion will be obtained and authorization granted to install, dependent upon the Department opinion. If time is of the essence, and the requested installation appears to be legal, it is believed authorization should be considered immediately and then an opinion requested from the Department. ✓

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- Clegg _____
- Glavin _____
- Harbo _____
- Rosen _____
- Tracy _____
- Mohr _____
- Tele. Rm. _____
- Nease _____

Attachment

- cc - Mr. Mohr
- cc - Mr. H. H. Clegg

JDD:DE

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The Executive Conference, with the following in attendance: Mr. E. A. Ladd, Mr. E. H. Winterrowd, Mr. G. C. Casper, Mr. E. D. Mason, Mr. J. P. Mohr, Mr. H. J. Tracy, Mr. W. H. Harbo and Mr. A. E. Belmont, unanimously recommended the above, and there is attached for your approval a proposed letter to all SAC's advising them of this policy.

Respectfully,
For the Conference

[Handwritten Signature]
Clayton Tolson

[Handwritten Initials]

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~~SECRET~~

2. Since the installation must not involve trespass, the field should be instructed at the time authorization is granted that no Bureau personnel should handle the installation or maintenance of the surveillance if any such personnel has committed a trespass at any time in the past on the premises of the subject. In addition, the field will be advised that there is to be no trespass in connection with the maintenance of the installation. ✓

3. At the time authorization is granted to install a microphone surveillance, the field will be directed to furnish complete details of the installation when it has been made, advising the Bureau of the type of microphone or microphones installed and manner of physical installation. ✓

4. The field will be reminded that whenever a microphone surveillance is authorized, it should be installed and maintained in accordance with opinions previously received from the Department and transmitted to the field in SAC Letters No. 36, dated March 31, 1947, and No. 55, dated April 5, 1948, setting forth requirements for legal microphone surveillances. These requirements are still in effect and set forth certain standards which, if followed, will, it is believed, produce legally admissible evidence. Briefly, it is provided that Special Agents should be used and not Special Employees; that the plant be separate and apart from any other plant maintained on technical surveillances; that leased telephone lines should not be used, and the monitors should familiarize themselves not only with the voice, but with the person of the subject possessing the voice so that the monitor can be a competent witness. ✓

The field will also be advised that if the contemplated installation is of such importance and value that it is desired despite the fact that one or more of the requirements for legal microphone surveillances cannot be followed, specific authorization in each and every instance to make such an installation must be obtained from the Bureau. ✓

~~SECRET~~

THE DIRECTOR

May 19, 1952

THE EXECUTIVES' CONFERENCE ~~CONF. INFT.~~

JUNE

MICROPHONE SURVEILLANCE BU 155-S

On May 19, 1952, the Executives' Conference, consisting of Messrs. Tolson, Clegg, Glavin, Parsons (for Harbo), Tracy, Mohr, Gearty and Belmont, considered the question of continuing a current telephone-microphone surveillance on the residence of two active Buffalo informants, [redacted]

b7D

The Attorney General has specifically authorized a technical surveillance on the residence of the informants and the microphone side of this surveillance is one of thirteen microphone installations presently in operation. When the microphone surveillances involving trespass were removed recently four surveillances which appeared to be legally installed were retained and to obtain an opinion regarding them hypothetical situations were presented to the Department. In its reply of April 10, 1952, the Criminal Division advised that this particular microphone surveillance may involve trespass despite the fact that it is in an informant's home on the basis that if the informant is not aware of the installation there is a trespass.

b7D

These informants are furnishing daily valuable information on the activities of the Communist Party and its leaders and [redacted] there were indications that the [redacted]

[redacted] and in the opinion of the Buffalo Division the surveillance will eventually produce information concerning the whereabouts of [redacted]

In addition, a Communist Party [redacted]

the informants'

CC - Mr. Clegg
Mr. Mohr

INDEXED - 72
RECORDED - 82

JUN 9 1952

JDD:DE #

3230/3-20669

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 3/14/93 BY [signature]

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- Glavin _____
- Harbo _____
- Tolson _____
- Tracy _____
- Laughlin _____
- Chapman _____
- Tele. Rm. _____
- Holloman _____
- Gandy _____

6-1252

MEMORANDUM FOR THE DIRECTOR

[redacted]
[redacted] Through this surveillance it has been possible to [redacted] is being furnished to the other offices to effect an identification. Buffalo believes this surveillance is of the utmost importance.

b7D

Executives' Conference
Recommendation:

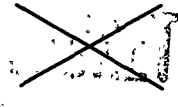
The Executives' Conference unanimously agreed that this microphone-telephone surveillance should be continued in view of its valuable production. It was felt, however, that the question of the use of microphone surveillances in selected cases even though they involve trespass should be presented to Mr. McGranery when he assumes the duties of Attorney General. Our heavy responsibility for gathering intelligence would appear to require the highly restricted use of microphone surveillances in certain instances despite trespass. It was felt by the Conference that the Bureau should have the backing of the Attorney General in this policy.

If you approve, we will continue this surveillance and present this matter to Mr. McGranery when he takes the Office of Attorney General.

Respectfully,
For the Conference

Clyde Tolson

18/93 #323013
#906696
Classified by *SP5/cj/bee*
Declassify on: OADR



The Director

June 25, 1952

The Executives Conference

J U N E

~~ULTRASONIC LISTENING DEVICE~~
~~RADIO FREQUENCY~~
~~MICROPHONE-TELEPHONE SURVEILLANCE~~

On June 25 the Executives Conference consisting of Messrs. Tolson, Ladd, Gearty, Mason, Rosen, Belmont, Gresham, Tamm, Glavin and Parsons considered advising the field concerning the radio frequency microphone-telephone device.

The FBI Laboratory developed an instrument which imposes a radio frequency on a telephone line and converts the telephone instrument into a microphone without entering the premises where the telephone is located. In July, 1950, a similar device was demonstrated to Government officials by a commercial electronics manufacturer and as a result a Presidential directive was issued August 23, 1950, classifying this device as ~~Top Secret~~ and restricting the purchase and use of this equipment by Government agencies. Since that time at least two other sources outside of the Government have come into existence. One of these sources, a former Bureau Agent, developed this equipment and offered it to the Bureau. The second source, the Alertronic Protective Corporation of New York, is an unsavory organization which it is believed has offered this equipment to a foreign government (Canada). (S)

The Department of Justice has considered the security of this device and advised that the Presidential directive is not sufficient to protect against the disclosure by individuals outside of the Government and that a patent should be applied for under the Inventions Secrecy Act which provides criminal penalties for unauthorized disclosure. A patent is, therefore, being applied for in the name of the Bureau based on its development of the equipment.

The field has not been previously advised of the existence of this equipment. However, it is coming to the attention of Agents in the field in a number of different ways, such as, the demonstration of the equipment by Cronin in California to Agents of the San Francisco Office, the inquiries being made by the field into the allegations concerning the Alertronic Protective Corporation, and probably also through Telephone contacts since the existence of this equipment is known to some Telephone Company employees. *be*

RECORDED - 58
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5866-2554-9734
JUN 25 1952

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In order to control the security of this information within the Bureau, the Conference unanimously recommends that we at this time advise the SAC's, Security Supervisors and Sound Men of the existence of this equipment and its top secret nature. If the Director approves, a No Number SAC Letter will be prepared instructing the SAC's to advise

cc - Mr. H. H. Clegg
Mr. Mohr

DJP:VH
80-760

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RAB


ALL INFORMATION CONTAINED
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WHERE SHOWN OTHERWISE

Memorandum for the Director

~~SECRET~~

the Security Supervisors and Sound Men and also all employees who have obtained information as a result of their official duties or whenever it comes to their attention that an employee has received such information from an outside source,

Respectfully,
For the Conference


Clyde Tolson

*O.K. if we can
do so without
violation in any
Ex. 1
H.*

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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-10-2011

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE~~

The Director

December 3, 1952

J U N E

Executives Conference

RUSSIAN MICROPHONE DEVICES
IN U. S. EMBASSIES ABROAD
ESPIONAGE - R

2/18/93 #230/3 + 306,696
Classified by SPS/cj/bce
Declassify on: OADR

On December 3 the Conference composed of Messrs. Tolson, Ladd, Nichols, Glavin, Belmont, Mason, Gearty, Mohr, Tracy, Holloman, Rosen and Harbo was advised of the recommendation by Mr. Conrad of the Laboratory that certain radio signal generators be obtained which would make it possible to conduct searches to locate the new type microphone employed by the Russians in the American Embassy in Moscow. Mr. Conrad's recommendation is based on the possibility that we may receive requests to conduct such security checks from the White House, Atomic Energy Commission and other agencies for which we have made microphone security checks in the past. It is absolutely impossible to make searches for the new type microphone without the equipment which Mr. Conrad proposes be purchased at this time. One set of the necessary equipment would cost approximately \$1,200 and the two sets recommended by Mr. Conrad would cost approximately \$2,400. (S)

It was pointed out to the Conference that radio signal generators specially designed for this purpose would be superior in some respects to the equipment presently available on the commercial market. However, it would be more expensive and it may be some time before such special equipment is designed and constructed. Mr. Ladd mentioned that Bryan LaPlante of the Atomic Energy Commission recently indicated the possibility that AEC will undertake to construct units for their own use and for other agencies that had a need for this equipment.

Mr. Harbo felt that one set of the radio signal generator equipment necessary to make searches for the new type Russian microphone should be purchased for use by the Laboratory. This is based on the belief that the Bureau will receive requests for this type of security check especially since the President instructed that the technical phases of the examination of the microphone be handled by the FBI. (S) tr

The remainder of the Conference felt that although the Laboratory eventually should have equipment of this type that no purchase should be made at this time due to the shortage of funds and the possibility that equipment might become available through the Atomic Energy Commission in the next several months.

- Tolson
- Ladd
- Nichols
- Belmont
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- Glavin
- Harbo
- Rosen
- Tracy
- Mohr
- Tele. Rm.
- Nease
- Gandy

I agree at least until we have some funds

cc - Mr. H. H. Clegg
Mr. Mohr

RTH:VH

RECORDED-36/66-2554-70076
Respectfully,
For the Director

Clyde Tolson

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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-10-2011

Mr. Tolson

February 12, 1953

Executives Conference

JUNE

2/18/93
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Classified by SP5 ci/bia
Declassify on OADR

SUGGESTION BY I. W. CONRAD
CONCERNING CONFERENCE ROOM
AND RELATED SECURITY PROBLEMS

On February 12 the Conference, composed of Messrs. Tolson, Ladd, Glavin, Tracy, Mohr, Belmont, Rosen, Clegg, Gearty, Nichols and Harbo, considered the suggestion by Mr. I. W. Conrad of the Laboratory that the United States Government consider the adoption of use of a sound-proofed transparent enclosure as the best effective means of securing absolute security against clandestine microphones in space used for top secret conferences.

Mr. Conrad had in mind the disclosures reflecting that the Russians and satellite countries have used a variety of ingenious hidden microphone installations in embassy space, more particularly the cavity-type microphone recently found in the American Embassy in Moscow. He pointed out that the physical examination of a room employing such technical devices as may be developed from time to time is not entirely satisfactory since one hundred per cent security could only be obtained through almost complete destruction of the opaque walls and other room surfaces which is, of course, impractical. His proposal involves the construction about the area to be protected of a clear, transparent plastic enclosure to serve as an effective sound barrier and thus nullify the effectiveness of any microphones hidden in the permanent walls of the room. It would make it immediately possible by a visual inspection to determine absolutely that no clandestine listening devices are hidden within the protected area. (S)

The Conference unanimously was of the opinion that no action should be taken at this time to bring Mr. Conrad's suggestion to the attention of other U. S. Government agencies but that this proposal be considered in the event other agencies should at any future time request the FBI to make suggestions concerning means for establishing one hundred per cent security against clandestine microphones in a conference room.

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- Nease _____
- Candy _____

CC - Mr. Clegg
Mr. Mohr

RTH:kmb

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-10-2011 BY 60322 UCBAW

The Director

March 30, 1953

JUNE

Executives Conference

323013 + 306696

ALL INFORMATION CONTAINED
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DATE 2/18/93 BY 55 wjbee

SECURITY OF BUREAU OFFICES

On March 30 the Conference composed of Messrs. Tolson, Ladd, Callahan, Tracy, Clegg, Gearty, Holloman, Belmont, Mohr and Harbo considered the suggestion of Special Agent O. A. Ezell of the Domestic Intelligence Division that the Laboratory make an examination of the offices of key Bureau officials and supervisors of the Domestic Intelligence Division to determine whether resonant cavity microphones or any other listening devices may be present.

The Conference was advised that it would require 6 man days per room to make such a search, that it would not insure one hundred per cent against the presence of microphones since they could be concealed without detection unless substantial damage was done to wall surfaces.

The Bureau now has the equipment needed to search for the cavity type microphones. It is anticipated that a request to search for such devices will be received from the White House. The Conference was opposed to the suggestion of Mr. Ezell. Mr. Ladd was likewise opposed to a proposal that a search for listening devices be made only in the Director's Office on the ground that it is extremely unlikely that hidden listening devices would be found, due to the practical difficulties of gaining access to the space to install any concealed microphones.

Messrs. Tolson, Callahan, Tracy, Mohr, Belmont, Clegg, Gearty, Holloman and Harbo recommend that a search for cavity type microphones and other listening devices be made in the Director's Office. They recognize that it is unlikely any concealed listening devices will be discovered but feel that since we are making such searches for other agencies we should make such a search of the Director's Office as a precautionary measure.

Respectfully,
For the Conference

Clyde Tolson
EX - 107

cc - Mr. Clegg
Mr. Mohr

RTH:VH

- Tolson _____
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KAT

RECORDED - 68

INDEXED 68

166-2554-10323

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#323013 + 306696

ALL INFORMATION CONTAINED
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DATE 2/18/93 BY SP5C/LS

5/18/54

Mr. Tolson

The Executives Conference

JUNE

TITLE 47, UNITED STATES CODE,
SECTION 605

UNAUTHORIZED PUBLICATION OR USE OF COMMUNICATIONS

At the Conference on May 18, 1954, consisting of Messrs. Tolson, Nichols, Boardman, Sizoo, Holloman, Harbo, Winterrowd, Mohr, Tamm, Belmont and Callahan, there was considered the recommendation that the Bureau request blanket authority from the Attorney General to in turn authorize the listening in on a telephone extension with the consent of one of the parties, to the conversation in cases involving national security or national defense or where human life is in jeopardy in kidnaping and extortion cases.

Our present policy regarding this matter is contained in No Number SAC Letter 53-D, dated May 8, 1953, which instructed the field divisions that authority to listen in on a conversation with the consent of one of the parties had to be cleared by the Bureau which, in turn, would receive authorization from the Attorney General, the same as in any technical surveillance.

Previously, by memorandum dated April 16, 1953, the Department advised that it is their opinion that there is no interception within the meaning of the statute where one party permits a third party to listen in on the conversation. The Department cited U. S. v. Guller, 101 F. Supp. 176 (ED Pa.); U. S. v. Lewis, 87 F. Supp. 970 (District of Columbia). The Court of Appeals for the Second Circuit, according to the Department, has held that the consent must be of both parties and cited U. S. v. Polakoff, 112 F. (2d), 888.

It was the Department's opinion that based on the Guller and Lewis cases, there would be no violation of Section 605 if the third party divulged or published information concerning the conversation. It would make no difference if the consent were granted to a third person who was a Federal law enforcement officer. In the Second Circuit, however, it would seem that Section 605* would be held applicable to situations where only one of the parties consented to the listening in by a third person.

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

Attachment
cc - Mr. Harbo
Mr. Mohr
Mr. J. D. Donohue

RECORDED-59

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66-2554-11445

[Handwritten signature]

*Section 605, Title 47, prohibits unauthorized interception and divulgence of phone conversations.

RHW:LS

Memorandum for Mr. Tolson

Based upon the unsettled law, notwithstanding the Department's opinion that there would be no violation, we had adopted a conservative policy concerning Agents listening on extension phones with the consent of one party based on the second Circuit Court of Appeals' ruling.

It was pointed out to the Conference that if blanket authority were obtained from the Attorney General in this regard, it was recommended that the Assistant Director of the interested Division should be permitted to authorize the listening in on an extension under the previously discussed circumstances which would be limited to those cases involving national security or national defense or where human life is in jeopardy in kidnaping and extortion cases.

It was further pointed out that where time is of the essence this procedure, if approved, would preclude the necessity of dictating a memorandum for the Attorney General and thereby time would be saved.

RECOMMENDATION

The Conference unanimously recommended (1) that blanket authority be sought from the Attorney General in order that the Bureau could authorize the use of an extension phone in the cases described where the consent of one of the parties to the conversation is obtained, and (2) that in the event such authority is obtained from the Attorney General the responsible Assistant Director be permitted to authorize this type of operation providing all requirements are met and full security is, of course, assured.

ACTION

Attached for approval is a memorandum to the Attorney General.

OK
H.

Office Memorandum • UNITED STATES GOVERNMENT

~~CONFIDENTIAL~~

TO : Mr. Harbo

DATE: [October 30, 1953]

FROM : I. W. Conrad

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE~~

#306696
#323075
3/10/93
Classified by [signature]
[signature]

SUBJECT: [SOVIET DIPLOMATIC ACTIVITIES
INTERNAL SECURITY - R]

JUNE

In accordance with Bureau approved recommendation #1 of the memo from Mr. Branigan to Mr. Belmont dated 10-27-53 a newly constructed lectern with a cavity microphone hidden therein was delivered to SAC Leo L. Laughlin by the Laboratory at 3 pm today.

The Exhibits Section expeditiously constructed the greatly improved lectern according to dimensions obtained from WFO and the installation of the cavity microphone was completed in the Radio and Electrical Section through the assistance of Mr. M. E. Williams of the Firearms Unit.

For record purposes it is noted that the cavity microphone was installed inside a 1 1/2" x 1 1/2" right corner post in the most secure manner possible allowing reasonable chances of proper operation. A section of the post was hollowed out and the cavity microphone installed in it, after which the post was glued and nailed into place. Although all possible precautions were taken to avoid detection of the installation, it is pointed out that there are no known ways to protect against discovery by 1. x-ray examination or 2. use of a specific cavity microphone detector similar to that used by the Bureau, both of which techniques undoubtedly are available to the subject. In an effort to foil detection by a third search technique, namely, the use of a metal detector, a small sheet of brass was inserted in the left corner of the lectern to provide symmetry of metal detector response and visible metal traces and nails were added to "explain" the responses obtained near the microphone and the corresponding brass sheet.

It is further noted that the microphone was adjusted to approximately 1410 megacycles, the point of maximum sensitivity. There are no known government or non-government radio operations in the near vicinity of this frequency in the eastern part of the U. S.

ACTION: 1. For information and record.

2. In accordance with Bureau approved recommendation #2 of the reference memo, the Laboratory is immediately taking steps to purchase the necessary parts and construct equipment to activate this microphone and you will be kept advised of all developments in this matter. It is anticipated that several months' time will be required.

RWS:IWC:alc

RECORDED

EX-127

CC: Hennrich 1742

~~CONFIDENTIAL~~
[signature]
[signature]

4-11-53
65-30092-

RECOMMENDATION:

~~CONFIDENTIAL~~

1. It is recommended that the Laboratory and Cartographic Section in conjunction with the Washington Field Office build the lectern and install the resonant cavity microphone therein. ~~(S)~~

OK
H

2. We should also proceed to build activating equipment, even though we cannot guarantee success. The Bureau is in need of such equipment for experimental purposes, and we should now begin to develop and perfect such equipment. We should make use of this opportunity to do this and we should take the calculated risk that the installation might be successful. Cost approximately \$10,000. ~~(S)~~

OK
H

ADDENDUM:

The Executive Conference on October 28, 1953, consisting of Messrs. Tolson, Ladd, Mason for Clegg, Glavin, Harbo, Rosen, Tracy, Mohr, Holloman and Belmont, unanimously recommended that we proceed with the installation of the resonant cavity microphone and if the installation is successfully completed, that we proceed with the building of the activating equipment. ~~(S)~~

AHB:DSS
OK

OK
H

✓

~~CONFIDENTIAL~~

CC: MR. LADD
MR. BELMONT
MR. BAUMGARDNER

February 19

MR. TOLSON

THE EXECUTIVES CONFERENCE

~~ATTENTION ON THE PICAL OF RECORDINGS,
LOGS, DATA FILMS AND TECHNICAL SURVEILLANCES~~

#323A13 + 306

RECLASSIFIED UNCLASSIFIED
DATE 2/18/93 BY SPS

The Executives' Conference, consisting of Messrs. Tolson, Clegg, Glavin, Harbo, Rosen, Tracy, Mohr, Holloman, Gearty, Belmont and Laughlin, on February 19, 1953, considered the present policy and procedure being followed with regard to the handling of recordings, summary logs and other material connected with the utilization of technical surveillances.

The present policy was instituted December 22, 1949, and is based on the fact that the Bureau does not make use of technical surveillances in any case involving possible prosecution and technical surveillances are only installed to obtain general intelligence information. The policy as established requires that only a daily summary log of the information received on a technical surveillance is retained and the disc recordings, memoranda or other material connected with the surveillance are destroyed as soon as possible.

The Department had given the Bureau an opinion that all material from wire taps, such as disc recordings, etc., is temporary in nature and may be destroyed without violation of the laws relating to the preservation of Government records. In addition, such records can be maintained as "temporary."

The field has been instructed to consider the daily summary logs as temporary records until further notice and all other material used in connection with technical surveillances should be destroyed as soon as the pertinent information is placed in the log. When this policy went into effect it was learned that some offices had retained certain disc recordings.

The Washington Field Division has 23,000 such discs. Because of the work involved in insuring that all information on disc recordings was incorporated in a summary log, the Washington Field Division was authorized to retain the discs. Dallas, New Haven, Seattle and New York (Robert M case) were also authorized

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- Tele. Rm. _____
- Holloman _____
- Gandy _____

CC - Mr. Clegg
Mr. Mohr

RECORDED - 23
INDEXED - 23
66-25
SEP 16 11

retain certain disc recordings made prior to December 22, 1949. In addition, we are retaining disc recordings even under our present policy when a special reason exists to keep such recordings, such as whenever a motion is filed in a Smith Act case relative to discovery of evidence. All material, such as recordings, memoranda, etc., is preserved in these cases until the conclusion of the trial, and this preservation applies not only to the Smith Act subjects themselves, but to all technical surveillances on Communist matters in the particular field division involved.

The Domestic Intelligence Division representative advised if the proposed legislation on wire tapping now being drafted by the Department becomes enacted into law, our entire procedure would have to be reviewed. Under the proposed law information obtained by FBI wire tapping could be used in evidence and, therefore, the Domestic Intelligence Division is making a study to see what changes will be necessary.

This should be expedited

EXECUTIVES' CONFERENCE
RECOMMENDATION

The Executives' Conference recommended that we continue our present procedures on handling of technical surveillances and we make a study to determine what changes will be required in the event the proposed legislation now being drafted by the Department is enacted into law.

~~SECRET~~

MR. TOLSON

JUN 8 2 11 18 1954 June 8, 1954

THE EXECUTIVES' CONFERENCE

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~~EX~~ SOVIET PERSONNEL INTELLIGENCE ACTIVITIES PROGRAM
ESPIONAGE - R

Mr. Harbo's memorandum of May 28, 1954, suggested that the Domestic Intelligence Division follow through on a suggestion made by Supervisor James J. Hill, of the New York Office. Mr. Hill had suggested that arrangements be made to appropriately cover Russian personnel traveling by boat ordered back to Russia. Hill's suggestion was that microphone coverage be established in the staterooms of some of the Russian personnel. The Domestic Intelligence Division pointed out that such would involve the Bureau in coverage of activities outside the Bureau's jurisdiction; that the responsibility for coverage of personnel traveling by boat outside the United States would be that of CIA or [redacted]. The Domestic Intelligence Division recommended that the Bureau not partake in such activities.

b7D

A check was made with CIA who advised that they do not have such coverage. We are checking with [redacted] as to whether [redacted] establishes such coverage. This is merely for our information so that we can take advantage of such information if the coverage has been established. We are not checking with [redacted] concerning such coverage.

b7D

Executives' Conference EX-123
Recommendation:

RECORDED - 76 INDEXED - 76 66-2554-11477

The Executives' Conference consisting of Messrs. Boardman, Nichols, Mohr, Harbo, Winterrowd for Rosen, Tamm, Parsons, Holloman, Sizoo and Belmont on June 7, 1954, unanimously recommended that the Bureau not attempt to cover the activity of Russian personnel traveling back to Europe from the United States by boat.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

CC - Mr. Sizoo
Mr. Harbo

AHB:tlc

Concurrence

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Mohr _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

~~SECRET~~

The Director

May 12, 1954

J U N E

The Executives Conference

On May 12, 1954, the Executives Conference with Messrs. Boardman, Nichols, Tracy, Glavin, Hennrich, Winterrowd, Mohr, Harbo, Holloman and Q. Tamm being present considered field use of the Cub Corder which is a small tape recorder.

By SAC Letter No. 54-14 dated March 16, 1954, Section K, the field was advised that Special Agents in Charge without prior authority of the Bureau could authorize the use of Cub Corders when this instrument was completely concealed from public view and in immediate possession and control of the operating Agent and that such action should be immediately thereafter reported to the Bureau. This SAC Letter specifically pointed out that the Cub Corder must not be placed in the category of a microphone surveillance inasmuch as this activity must still be approved by the Bureau. Section 1, Paragraph 4 (g), of the Manual of Rules and Regulations states, "Employees must not install secret telephone systems or microphones without Bureau authority."

In answer to specific questions which have been received from the field in connection with this SAC Letter, the Laboratory proposes an SAC Letter specifically outlining certain cases under which the Cub Corder can be used without prior Bureau authority but with the authority of the Special Agent in Charge. The first of these situations is (1) that the Cub Corder can be used in Bureau or Agent-owned cars or for recording interviews with subjects and informants within Bureau-controlled rooms and the Conference unanimously recommends this use; (2) the Laboratory recommends that with the authority of the Special Agent in Charge the Cub Corder may be used to record subject's conversations which might be audible through doors, ventilators and similar structures under conditions where both the microphone and the recording equipment are in the immediate personal possession of the surveilling Agent who may, for example, be in a room adjoining that of the subject. This would permit the use of a contact microphone at a door leading into another room to facilitate listening. However, the restriction would still be placed upon the field that the Cub Corder must be in the immediate possession of the Agent. In other words, it would not permit the installation of the microphone in a room apart from the recording equipment.

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- Tele. Room _____
- Holloman _____
- Miss Gandy _____

1 - Mr. Harbo
1 - Mr. Mohr

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JUN 15 1954
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SEARCHED SERIALIZED INDEXED FILED
MAY 19 1954
FBI - NEW YORK
RKT

Memorandum for the Director

SAC Letter No. 121, Series 1947, dated September 16, 1947, covered a similar type of case in which the field was advised that hearing aids could be used to render assistance in the investigation of cases without Bureau authority but with the authority of the Special Agent in Charge. This particular SAC Letter pointed out that inasmuch as the microphone, batteries and hearing device are all worn by the Agent and there is no necessity for any trespass on the person or premises of a third party, hearing aids should not be considered in the category of microphone installations and thus require Bureau authority.

It is the feeling of the Laboratory that the use of the Cub Corder in conjunction with a contact microphone in an adjoining room where the equipment is in the immediate possession of the Agent, and where no trespass is committed, would come within the same category and such use should be left to the discretion of the Special Agent in Charge, but he should, however, immediately after such action advise the Bureau.

Messrs. Mohr, Harbo and Holloman feel that the policy should remain as it is at present and the use of a contact microphone in situations of the type outlined above should not be permitted. They are in agreement that the Cub Corder should be used in those situations where it is used in a Bureau or Agent-owned car or in a Bureau-controlled room.

Messrs. Boardman, Nichols, Glavin, Tracy, Hennrich, Winterrowd and Tamm feel that the use of the Cub Corder should be permitted where it is used as a contact microphone and trespass is not committed. An appropriate SAC Letter will be prepared after your decision.

Respectfully,
For the Conference

Clyde Tolson

MR. TOLSON

March 8, 1955

THE EXECUTIVES' CONFERENCE

TECHNICAL SURVEILLANCES

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 2/21/92 BY SP5 CFB/BS

FOIA# 306,696

FOIA# 323,013

On March 8, 1955, the Executives' Conference, consisting of Messrs. Tolson, Boardman, Nichols, Harbo, Rosen, Sizoo, Parsons, Tamm, Callahan for Mohr, and Belmont, considered the problem of our relations with subsidiary telephone companies in connection with the placing of technical surveillances. The Conference was advised that our present policy and procedure are based upon a letter dated May 21, 1940, from the late President Roosevelt in which he authorized the Attorney General to utilize wire tapping in security-type cases. In each instance since then we have secured written approval from the Attorney General to install wire taps. Up until 1943, through the cooperation of local telephone companies on a contact basis we effected wire taps, where necessary, in the most economical manner possible and [redacted] through such cooperation we effected savings, both from a financial and personnel standpoint.

b7E

In September, 1943, the New York Telephone Company advised that further wire taps could not be permitted in view of New York State laws prohibiting wire tapping and the possibility that Title 47, USC, Section 605, prohibited wire tapping. In December, 1943, a series of conferences were held by the representatives of the American Telephone and Telegraph Company and the Bureau as a result of which a form letter was drafted and approved by the Attorney General, the FBI and the telephone company to serve as the basis for justification for telephone company assistance to the FBI. This letter stated the request for assistance was being made upon the specific authorization of the Attorney General and it was signed by the Director of the FBI. Where the telephone company requested such a letter, it was furnished, as in New York, Boston and Baltimore. In other parts of the country officials of the telephone companies continued to furnish cooperation without such a letter.

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room (7) _____
- Holloman _____
- Gandy _____

In May, 1946, the New York Telephone Company again raised a question concerning continued cooperation, inasmuch as the war was over. Another series of conferences were held, including one with Attorney General Clark. As a result, the

Mr. Boardman
Mr. Belmont
Mr. Harbo
Mr. Sizoo

RECORDED-27
INDEXED-27

JUL 11 1955

66-2557-12221
MAR 10 1955

51 MAR 14 1955

MEMORANDUM FOR MR. TOLSON

Attorney General prepared a letter by which President Truman authorized the Attorney General to approve wire taps involving investigations of subversive activities and where human life is in jeopardy. This letter was displayed to Mr. Keith McHugh, Vice President of the American Telephone and Telegraph Company, and as a result, he stated that all the Presidents of the operating companies of the Bell System would be advised of the agreements reached with the FBI and that it is the policy of the parent company to honor the requests of the FBI and render the necessary cooperation and to treat the matter on a highly confidential basis.

By SAC Letter dated November 6, 1948, the field was advised of the above negotiations. The SAC Letter stated, "I want to again emphasize that this new procedure requiring a written request from me to the telephone company for assistance is not to be used unless desired by the local telephone company. No change is to be made in the present method of obtaining assistance from your contacts in the telephone company * * *." Since that time we have furnished letters to telephone companies in Cleveland, Philadelphia, Newark, New York, Boston and Baltimore, but in other areas the telephone companies have provided cooperation without being furnished letters.

The question was posed as to whether we should insist that arrangements with all telephone companies be formalized by requiring that letters be furnished to the telephone companies in each instance regardless of whether or not the telephone company requests the letter.

Executives' Conference
Recommendation:

The Executives' Conference unanimously recommended that we continue our present procedure, namely, that letters be provided by the Bureau to telephone companies whenever the telephone company requests that this be done. The Conference felt that the Bureau's position is sound and above board. The Director and the Attorney General have publicly stated in the past that the FBI does engage in wire tapping on a restricted basis within the field of subversive activities affecting the security of the United States, or where human life is in jeopardy. This was approved by two former Presidents. A letter

MEMORANDUM FOR MR. TOLSON

is being sent to the Attorney General suggesting that the concurrence of President Eisenhower be secured. We have further restricted our wire tapping to cover security cases only and we are not presently using them even on cases involving jeopardy to human life. We have the basic approval of the American Telephone and Telegraph Company which is the parent company and the American Telephone and Telegraph Company has advised the local companies of its approval of their cooperation. We deal with reputable officials of the various telephone companies who are free to discuss their activities with any other officials in the telephone company. While there is an obvious need that arrangements with telephone companies be on a confidential basis so that the details reflecting the names of persons on whom wire taps are placed will not be circulated throughout employees of the telephone companies, our dealings with the companies are official in nature and are above board.

In addition, it is noted that the formalizing of our arrangements in those offices where we do not currently furnish leased-line letters will almost certainly result in material increased costs to the Bureau. It is our definite opinion that formal arrangements will require the telephone company to bill the FBI for leased lines and other services which are presently being furnished free. We feel this is true because the telephone company would have to take cognizance of the record established by the leased-line letters. In Washington, D. C., alone, the services rendered by the telephone company to the Bureau without charge are estimated at \$30,000 a year. This is the figure arrived at during a survey of technical installations in the Washington Field Office by Mr. Glavin in January, 1954.

For these reasons, the Executives' Conference recommended that we continue our present arrangements with the individual telephone companies. If you approve, this will be done.

✓
I concur
H.

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: September 2, 1954

~~CONFIDENTIAL~~

FROM : W. A. Branigan

J U N E

SUBJECT: MICHAEL ALEXANDER SIDOROVICH, was;
ANNE HANUSIAK SIDOROVICH, wa.
ESPIONAGE - R
PERJURY

FOIA # 306,696
323,013

DECLASSIFIED BY SP5 CE/JS
ON 2/19/93/93

Tolson _____
Boardman _____
Nichols _____
Belmont _____
Harbo _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
 Sizoo _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

DETAILS

Executive Conference

Cleveland office advised by letter 6/29/54 that GS [redacted]

maintained 30 dial recorders for telephone company use. He offered to make available to Cleveland office information obtained by the telephone company from these recorders. He stated everything connected with the recorders was confidential; all repairs and maintenance is handled by management personnel and only a very few management officials know of existence of this equipment. He further stated no conversations would be monitored. Cleveland requested advice as to whether prior authority was necessary to utilize this service. Bulet 7/13/54 advised Cleveland this could be construed as a wire tap and prior authority of the Attorney General was needed. By attached letter of 8/27/54 Cleveland requested authority to use this service in connection with the instant case for a period of 90 days, at which time an evaluation could be made of the results. The subjects, man and wife, have been identified as part of the espionage network of Julius Rosenberg, executed Soviet agent. Extensive investigation including several interviews produced no evidence warranting espionage prosecution. Cleveland previously had microphone and telephone coverage of subjects' apartment and telephone by authority of the Attorney General dated September 8, 1953; microphone coverage discontinued October 9, 1953, and telephone coverage discontinued 11/12/53 due to unproductivity. After authorized survey Cleveland by letter of 7/1/54 recommended against technical surveillance due to cost involved. Inasmuch as the Attorney General authorized technical coverage of subject's address on September 8, 1953, no further request for authority is believed necessary at this time.

ACTION:

There is attached for your approval an air-tel to Cleveland authorizing the obtaining of information from GS [redacted] obtained by him from dial recorder equipment of the Ohio Bell Telephone Company used on the subjects' telephones.

18 SEP 24 1954

RECEIVED - DIVISION

(See Addendum on Page 2)

NOT RECORDED
105 SEP 13 1954

65-50294
ATTACHMENT
1/1/54

~~CONFIDENTIAL~~

CLASSIFIED BY H913 AP/RJP 8-13-92
EXEMPT FROM GDS CATEGORY 3
DATE OF DECLASSIFICATION INDEFINITE

APPROVED:

Executives' Conference Consideration:

On September 7, 1954, the Executives' Conference consisting of Messrs. Tolson, Boardman, McGuire for Nichols, Harbo, Mohr, Parsons, Rosen, Tamm, Sizoo and Belmont considered the procedure outlined and unanimously recommended that we go ahead.

AHB:tlo

V. A. J. G. M. V.

INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

~~SECRET~~
2/14/93 323013-306696
Classified by SPS C/162

THE DIRECTOR

Declassify on: OADR 9/6/56

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-11-2011
JUNE

THE EXECUTIVES CONFERENCE

The Executives Conference of September 5, 1956, consisting of Messrs. Tolson, McGuire, B. C. Brown, Rosen, Belmont, Hennrich, Nease, Parsons, Tamm and Mohr, considered the present Bureau policy with respect to the granting of incentive awards in multiple cases.

Mr. Nease was of the opinion that our present procedure of repeatedly granting awards to the same personnel for performing the same type of work was not entirely correct and he felt that rather than make multiple type awards, they should be considered on an annual basis and an annual award should be given or possibly consideration should be given to affording the individual employee an Outstanding efficiency rating, which would result in an incentive award for such type of work. Mr. Nease also thought if the Bureau employee continued on the type of work in question which would result in multiple awards, consideration might even be given to a salary and grade raise where possible.

~~Awards to Bureau Employees~~

b7E

Mr. Nease had in mind the type of case where groups of Agents have successfully

Certain offices in the field have had great success in their endeavors along this line and where results have been obtained, the individuals participating in the entrance into the establishment have been rewarded by incentive awards. In particular offices the same groups of employees participate in these ventures for the reason that the Bureau is desirous of keeping the number of men to a minimum because of the security hazards involved and certain employees in the Laboratory, particularly George Berley, have assisted on many of these ventures in several of our field offices. Berley is a participant because of his knowledge of safe techniques and the use of cobalt 60 in effecting entrance into the safes.

We also have multiple type awards to the same employees in those offices where we have closely knit underground squads where a small group of Agents is engaged in conducting what we call in the Bureau "black bag" jobs or surreptitious entries into the homes or establishments of members of the Communist Party. Where these ventures are successful and considerable results obtained, the individual employees who are responsible for the success of the venture are recommended for incentive awards. In some offices where the efforts of the underground squads are extensive, the same Agent may receive two or three awards per year.

- Tolson
- Nichols
- Boardman
- Belmont
- Mason
- Mohr
- Parsons
- Rosen
- Tamm
- Nease
- Winterrowd
- Tele. Room
- Holloman
- Gandy

JPM:DW

EX-116

RECORDED - 52

66-2554-12496

25 SEP 7 1956

SEP 11 1956 Mr. Nease
Training and Inspection Division

~~SECRET~~

George Berley in the Laboratory, who is the safe man and works with the cobalt 60, the dangerous radioactive material, has been the recipient of four incentive awards in the past nine months and is being recommended for a fifth. The award to Berley in the case now pending is in the amount of \$150.

It was pointed out to the Conference that to make awards on an annual basis would have a detrimental effect on morale in the service and that one of the great benefits of an incentive award is that it is made promptly and that the recipient receives the award contemporaneously with the incident for which he is being rewarded. It also is a means whereby the Director can recognize the outstanding efforts of particular employees and reward them in nominal amounts for their efforts. This has been very helpful in connection with the morale of our Agents in the field and has been an inducement to inspire employees to greater achievements.

In connection with the multiple type awards, employees who engage in these undertakings are performing the most hazardous type of assignment they possibly can in the Bureau and if they were detected in their efforts, it could result in international complications and might well result in pressure from the State Department to take disciplinary action against such employees. This has occurred in the past. Furthermore, we know that the assignments themselves are ones of great tension and the employees who participate must exercise the greatest amount of judgment, initiative and skill to successfully consummate them. We have had one Agent drop dead from a heart attack on such type of assignment and because of its very nature, we were able to establish his death was service connected, even though he died of a heart attack, which normally would be impossible to make out as a compensation case from a work related injury. (X)

In the case of George Berley in the Laboratory and those who assist him, we know he is dealing with the most dangerous radioactive material in using the cobalt 60 and the slightest accident might result in permanent injury or death to himself from this source alone.

Mr. Nease representing the minority of the Conference thinks that multiple awards should not be made but that such cases should be handled on an annual basis in the form of one award. He feels that the single award should be adopted only in the multiple award cases and that other type cases should be handled on an individual basis.

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The majority of the Conference, consisting of Messrs. Tolson, McGuire, B. C. Brown, Rosen, Belmont, Hennrich, Parsons, Tamm and Mohr, felt that there was great benefit to be derived from the use of multiple awards and that the incentive award program places no limitation on the number of awards that can be given to an employee for this type of achievement. As a matter of fact, the Government policy is to encourage the granting of incentive awards in order to induce other employees to perform better and greater accomplishments in the service. The majority of the Conference felt that multiple awards have a salutary effect on morale and that such cases should be carefully considered and wherever justified, multiple type awards should be granted irrespective of the number of times a particular employee may qualify for them in a particular year.

Should the Director agree with the majority views of the Conference, we will continue to grant multiple awards at the time the accomplishment is achieved as we have done in the past.

Respectfully,
For the Conference

Clyde Tolson

I agree with majority.

H.

~~SECRET~~

~~SECRET~~

SAC, Washington Field

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-18-2011

10, 1955

Director, FBI

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.~~

~~CONFIDENTIAL~~

Classified by *SPS cil/bce*
Declassify on: OADR

ESPIONAGE AND FOREIGN INTELLIGENCE
INVESTIGATIONS - PHYSICAL SURVEILLANCES

66-2554

A continuing review of investigative reports involving coverage of [redacted] under the Intensification Program has indicated the existence of problems in securing complete coverage of known and suspected intelligence agents which may be capable of solution by technical means. It has become quite apparent in recent months that intelligence agents

[Large redacted block]

Agents on physical surveillances of [redacted] observed the use of pay stations and public telephone booths. By physical surveillance we are frequently able to cover the intelligence agent only to find that he enters a drug store or hotel and makes his contact through a pay station telephone. Under this situation, even if we were able to keep all of the known intelligence agents under continuous physical surveillance, it is probable that we still would be unable to promptly identify their contacts.

It is believed that on some occasions at least it might be possible for a surveilling agent to occupy an adjoining phone booth. With technical assistance it might be possible for an agent to overhear [redacted] conversation in the [redacted] booth. If the agent could record the number dialed, such recording could be played back later at a slower speed.

CC - 2 - New York

CC - 1 - Laboratory

CC - [redacted]

MAILED 2
OCT 7 1955
COMM - FBI

- Alson _____
- Boardman _____
- Belmont _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Nease _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

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b7E

~~CONFIDENTIAL~~

6 NOV 1 1955

Letter to SAC, Washington Field

~~SECRET~~

~~CONFIDENTIAL~~

thus disclosing the number dialed. The recording would also permit subsequent translation of the conversation in the event it was in foreign language. (S)

With the above in mind, the Laboratory has reviewed the equipment currently available and studied other possible equipment. The Laboratory suggests two approaches to the problem. In the first approach microphone surveillance equipment only is used and the surveilling agent hears or records only the actual sounds occurring in the subject's phone booth. All offices have available Aurex Detectaphones which can be used for microphone coverage on an adjacent booth. The Detectaphone, complete with microphone, batteries and earphones, is small enough to be concealed on the person of an Agent. The Aurex microphone (by-pass transformer in Aurex microphone case) or a good crystal contact microphone can be used with the Cub Corder. WFO can obtain a Cub Corder from the Laboratory upon request. In addition, the microphone can be utilized with the Minifon, which is a miniature wire recorder. This latter item has many advantages as far as security and mobility are concerned due to its small size and weight. The New York Office has a Minifon and improved models have been ordered, one of which will be made available to WFO. The above equipment cannot be used in the manner described except upon prior Bureau authority. The Laboratory points out that this technique is not effective on soundproof telephone booths. (S)

The second approach suggested by the Laboratory is a so-called "induction coil" which may be used to pick up both sides of the telephone conversation from the subject's telephone equipment. The "induction coil" is not dependent upon soundproof material and is much more effective in accomplishing the desired coverage from one telephone booth to another. The "induction coil" may be used with the Cub Corder or with the Minifon. The use of the device as described, however, constitutes a technical surveillance and must not be put into operation except upon prior Bureau approval. (S)

It is believed the second approach suggested by the Laboratory may possibly be of some assistance to you in providing coverage which appears to be deficient. It is believed that only by practical application can we learn whether this approach is of any assistance. Such practical application may also permit improvements and suggestions as to implementing coverage of telephone conversations from pay stations. (S)

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~SECRET~~

b7E

Washington Field and New York should therefore each select one [redacted] on whom the respective offices have Bureau authority for technical surveillance. A physical surveillance of these individuals should be instituted with an agent or agents equipped with technical equipment in the form of an induction coil and miniature recorder assigned to the surveillance. It will be well to select a subject who is known to utilize pay station telephone booths. Efforts should be made during the physical surveillance to have the agent equipped with the sound equipment, place it in application when the subject calls from a telephone booth. (S)

The Bureau should be advised immediately of the individuals to be placed under surveillance in connection with the experimental application of this technique. At the end of 60 days thereafter the Bureau should be advised in detail of the results of the surveillance and application of the technical equipment. Your comments should be furnished as to the feasibility of the utilization of this technique together with your suggestions as to innovations, improvements or other approaches to tighten our coverage of known and suspected intelligence agents. This matter should receive a high priority and must be given careful attention and close supervision. Information concerning the experiments should be limited to employees on a need-to-know basis. Since skill, enterprise and imagination will determine to a large extent the degree of success attained, it is expected that careful attention will be given to the selection of the personnel utilized in this experiment. (S) (S)

ADDENDUM:

CWP:stw

10-6-55

The Executives Conference consisting of Mr. Tolson, McGuire for Nichols, Belmont for Boardman, B.C. Brown, Mohr, Parsons, Tamm, Hennrich for Belmont, Holloman and Nease on October 6, 1955, unanimously recommended approval of the above and recommended this letter be sent to the field.

RECEIVED - NICHOLS
OCT 10 11 22 AM '55

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~~CONFIDENTIAL~~ ~~SECRET~~

UNITED STATES GOVERNMENT

TO : MR. PARSONS

2/18/93

DATE: Aug. 24, 1955

FROM : R. L. MILLEN

323013 + 306696
Classified by 15 ci/6a
Declassify on: OADR

JUNE

SUBJECT: ESPIONAGE AND FOREIGN INTELLIGENCE INVESTIGATIONS - PHYSICAL SURVEILLANCE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

- Tolson
- Boardman
- Belmont
- Mohr
- Parsons
- Rosen
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
- Gandy

SINOPSIS:

Memorandum dated 7/14/55, Mr. Belmont to Mr. Boardman, advised that surveilling Agents observe [redacted] using public telephone booths to [redacted] and on some occasions it is possible for the surveilling Agent to occupy adjacent booth. If technical means are available to overhear [redacted] conversation in adjacent booths the Bureau could possibly learn the [redacted] quickly and with considerable savings. It was recommended that the Laboratory conduct research and experiment with the assistance of Washington Field Office and New York to develop new or modify existing electronic listening and recording devices for use by security Agents on physical surveillance to overhear and/or record from an adjoining booth telephone calls [redacted]. The Director commented that this should be given top priority. He requested a report by September 1 or sooner.

b7E

The Laboratory has furnished the field with the best available equipment to accomplish the suggested coverage. Complete details of the latest equipment, which includes the Aurex and security kit amplifiers, Minifon wire recorder, Cubocorder tape recorder, set out. Three additional Minifon wire recorders, 14 each Magnenite and Warren tape recorders are presently on order for field distribution. The Laboratory follows a policy of advising the field through SAC Letters of new developments which have investigative possibilities. As soon as this equipment is generally distributed to the field complete details concerning maintenance, operation and application are made a part of the Manual of Technical Equipment.

SAC Letter 55-31 dated 4/19/55 solicited requests from the field for immediate and potential needs of technical equipment. At that time the field requested only two Cubocorder portable recording equipment units and one Minifon portable wire recorder. These requests are being handled as equipment is received.

1- Mr. Belmont

RKC/IBC/mok
(5)

NOT RECORDED
145 OCT 20 1955

OCT 21 1955

CONFIDENTIAL

~~CONFIDENTIAL~~

~~SECRET~~

ORIGINAL COPY FILED IN 65-12478

Memo to Mr. Parsons 8/24/55

Re: Espionage and Foreign Intelligence
Investigations - Physical Surveillance

~~CONFIDENTIAL~~

2. Since the approval of the Attorney General is required for technical surveillances, it is recommended there be no change for the present in the Bureau's policy with respect to the use of the "induction cell." (S)

Handwritten signatures and initials:
V. J. [unclear] [unclear] [unclear] [unclear] [unclear]

~~CONFIDENTIAL~~

Memo to Mr. Parsons 8/24/55
Re: Espionage and Foreign Intelligence
Investigations - Physical Surveillance

~~CONFIDENTIAL~~

Actual tests of presently available equipment by the FBI Laboratory in cooperation with the New York and Washington Field Offices has reflected that although the telephone booths are, of course, designed to afford privacy, the existing equipment available to the field will permit recording of the dial sounds and the telephone conversations in the majority of cases. There are two approaches to the problem.

In the first approach, microphone surveillance equipment only is used and the surveilling Agent hears or records only the actual sounds occurring in the subject's phone booth. Present Bureau policy prohibits the use of microphones without prior Bureau authority. From the latter part of 1947 until the middle of 1954, the field had authority to use a small microphone set (known as the Aurex) for microphone coverage without prior Bureau authorization; however, this authority was rescinded by No-Number SAC Letter 54-H. During the period mentioned, the Aurex listening equipment could have been used without prior Bureau authority for the telephone booth problem. Since telephone booths are frequently sound-proof, the microphone approach will be effective only in a minority of cases.

In the second approach, a so-called "induction coil" may be used to pick up both sides of the telephone conversation from the subject's telephone equipment. Use of this device constitutes a technical surveillance and under present policy requires prior approval by the Attorney General in addition to prior Bureau approval. Since the "induction coil" is not dependent upon sound-proof material, it is much more effective in accomplishing the desired coverage from one telephone booth to another than the microphone surveillance approach outlined above.

RECOMMENDATIONS: 1. That present policy requiring prior Bureau approval for microphone surveillances be modified to permit use of microphone and recording equipment to cover conversations and dial sounds from telephone booths without such prior Bureau approval, and that the Bureau be notified as soon after such use as possible.

no. approval
must be obtained
in advance unless you
can give me better justifi-
cation.

~~CONFIDENTIAL~~

SEARCHED
SERIALIZED

~~CONFIDENTIAL~~

DETAILS:

In a memorandum dated July 14, 1955, Mr. Belmont recommended to Mr. Beardman that the Laboratory conduct research and experiment with the assistance of Washington Field and New York to develop new or modify existing portable electronic listening and recording devices which can be used with security by Agents on physical surveillances to overhear and/or record from an adjoining booth telephone calls made by [redacted]. The Director commented "Yes, and give it top priority. Let me have a report by September 1 or sooner." (S)

b7E

It was pointed out in the referenced memorandum that on some occasions it might be possible for a surveilling Agent to occupy an adjoining phone booth and, if the Agent had technical means whereby he could overhear [redacted] conversation, "we could possibly learn the [redacted] quickly and with considerable savings." (S)

By Bureau Bulletin No. 4 dated January 12, 1944, Section G, the field was advised of the availability of the Aurex hearing aid complete with a microphone. It points out that this unit is small enough to be inserted in an individual's pocket and easily concealed whenever desired. It points out under caption "Possible Uses" that in one case the Aurex microphone was placed on an adjacent wall when it was impossible to install the microphone within the subject's room. This actual case is analogous to the situation posed in the referenced memorandum.

The use of the Aurex was emphasized at the Special Espionage School during 1947. Following this school, authority was granted for the use of the equipment without Bureau authority; however, the SAC should approve its use in each instance (SAC Letter 121, Series 1947, dated 9-16-47). This authority was rescinded June 29, 1954 (No Number SAC Letter 54-H).

By SAC Letter 53-52, Section L, dated 7-28-53 the field was advised that one complete security kit (Research Products Sound-D-Test) was being furnished each office. It was pointed out that these units are designed primarily for the microphone and telephone security surveys but can be used on a location where a small amplifier is needed for any type of monitoring activity.

~~CONFIDENTIAL~~

~~SECRET~~

~~CONFIDENTIAL~~

It should be pointed out that in some telephone booth installations the company has installed special sound-proof material to minimize sound transmission between booths. This type of installation is particularly prevalent in new hotel and office buildings. To penetrate such a booth it would be necessary to (1) install a technical surveillance on the interested telephone, (2) install a microphone within the booth, or (3) use an induction coil which under ideal conditions will pick up both sides of the telephone conversation. (S)

The referenced memorandum also pointed out that it is almost possible to determine a number by listening to the dialing. If the Agent could record such dialing, it might be possible to play it back later at a slower speed and thus decipher the number dialed. It was pointed out that there are many miniature listening and recording devices available commercially (such as the Minifon) and it was possible that such a device could be adopted for our use.

The audible recording of dial pulses and subsequently playing the recording back at a reduced speed to count the pulses is a technique long practiced by the Bureau sound-trained personnel. It was practiced with the 3D recorders and is presently being practiced with tape recorders on installations where it is not possible or feasible to install dial recording equipment. The same procedure can be followed with any portable recording equipment. (S)

The Bureau has 17 Cubcoders, can be disguised in a brief case and operations as suggested by the referenced memorandum. The field advised of this recorder by SAC Letter 53-27 dated 4-14-53, by SAC Letter 53-63 dated 9-8-53, and again by SAC Letter 54-29 dated 6-8-54.

By SAC Letter 53-27, Section G, dated 4-14-53 the Minifon wire recorder and its concealment possibilities were described to the field. It was pointed out that the Laboratory was following this development closely and at that time it was not believed that the Minifon was sufficiently rugged or consistent for field application. Agent personnel was alerted to be on guard against the possible surreptitious recording of their conversations by individuals unfriendly to the Bureau. The field was advised by SAC Letter 53-63, Section H, dated 9-8-53 that the Bureau possesses a Minifon portable recorder.

~~CONFIDENTIAL~~

SEARCHED
SERIALIZED
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FILED

~~CONFIDENTIAL~~

In June, 1955, the Bureau purchased three more Minifon units and an additional three units of an improved model are now on order. One unit each is presently assigned to the Laboratory, Los Angeles, San Francisco and New York.

The Laboratory now has one each Magnemite and ~~portable~~ portable tape recorders which can be disguised in brief cases and used in situations similar to those listed in the referenced memorandum. There are 14 each of these recorders on order at present. These will be distributed to the field as soon as they are received.

The Laboratory has followed a policy of advising the field through SAC Letters of new developments which have investigative possibilities. As soon as the equipment is generally distributed complete details concerning the maintenance, operation and application of the equipment are made a part of the Manual of Technical Equipment. The use of the equipment in the field is then left to the discretion and ingenuity of field personnel.

By SAC Letter 55-91 dated 4-10-55 the field was solicited for requests for immediate and potential needs of technical equipment. The field requested only two Cubecorder portable recording equipment units and one Minifon portable wire recorder. These requests are being handled as equipment is received.

The Bureau policy is and has been that prior Bureau authorization is required for the installation of microphone surveillances. Technical surveillances require the Attorney General's approval in addition to that of the Bureau. By SAC Letter No. 121, Series 1947, dated 9-13-47, SAC's were permitted to authorize the use of hearing aids when the equipment was worn on the person of a Special Agent and thereby in the control of the Agent. This authority was reissued by No Number SAC Letter 54-H dated 6-23-54. Without prior Bureau authority it will not be possible to apply the suggested techniques which must be employed during the course of a physical surveillance without advance indication on the part of the subject as to which phone will be used.

~~CONFIDENTIAL~~

~~SECRET~~

Office Memorandum • UNITED STATES GOVERNMENT

~~CONFIDENTIAL~~

TO : L. V. Boardman

DATE: 9-29-55

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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.~~

FROM : A. H. [redacted]

DECLASSIFICATION AUTHORITY DERIVED FROM: 18193
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-18-2011

213-30669

SUBJECT: [ESPIONAGE AND FOREIGN INTELLIGENCE
INVESTIGATIONS - PHYSICAL SURVEILLANCES]

Classified in [redacted]
Declassify on: OADR

- Tolson
- Boardman
- Nichols
- Belmont
- Harbo
- Mohr
- Parsons
- Rosen
- Tamm
- Sizoo
- Winterrowd
- Tele. Room
- Holloman
- Gandy

EXECUTIVE CONFERENCE

As a possible aid in providing coverage of [redacted] who use public telephone booths, the Laboratory has suggested the use of an "induction coil" in conjunction with a miniature recorder.

b7E

We are furnishing details concerning this suggestion to Washington Field and New York and instructing that any use of this technical equipment to monitor such phone calls must be limited to coverage of calls made by subjects where Bureau approval has been obtained for technical surveillance. Prior to authorizing the field to conduct a technical surveillance, we secure the approval of the Attorney General. In obtaining the Attorney General's approval, we have always stated that we intended technical coverage of the subject's telephone, listing his home address and telephone number and including any other address to which the subject may move.

RECOMMENDATION

That we interpret the approval of the Attorney General for technical surveillance of a subject covering his home address and any other address to which he may move, to be broad enough to cover the situation where the subject uses a public telephone booth wherein this new technique may be employed. A letter containing technical details and instructions to Washington Field and New York is attached hereto for approval.

Enclosure

- Tickler - Mr. Belmont
- Mr. Boardman
- Mr. Torrillo
- Mr. Wannell
- Mr. Peasinger
- Laboratory

66-3554
NOT RECORDED
145 OCT 14 1955
17

6 OCT 17 1955

CWP:ntw
(7)

26 53 2 17 64 22

REC'D ESPIONAGE

10-6-55

APPENDIX I
The Executive Conference consisting of Mr. Tolson, Mr. McGuire for Nichols, Belmont for Boardman, B. J. Brown, Mohr, Parsons, Tamm, Hennrich for Belmont, Holloman and Nease on October 6, 1955, unanimously recommended approval of the above recommendations and recommended the attached letter be sent to the field.

ORIGINAL COPY FILED IN 100-1-1555-13478

~~SECRET~~

Mr. Tolson

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December 27, 1956

The Executives Conference

JUNE

~~INTENSIFICATION PROGRAM -~~
~~CONTACT CASE PROGRAM~~

2/18/93 #323,413 7306,696
Classified by SP5c/ble
Declassify on: OADR

The following were present at the Executives Conference held on December 26, 1956: Messrs. Nichols, Belmont, Boardman, Mohr, Parsons, Hargett, Trotter and Nease.

As a result of the contact case regarding [redacted] (mentioned below) the Director instructed that the Contact Case Program be re-evaluated.

Reason for and Objectives of the Contact Case Program:

Contact Case Program was instituted based on knowledge Soviets and satellites utilize, or attempt to develop for intelligence purposes, individuals who contact establishments or officials on legitimate business. Also realized active or inactive intelligence agents visit or contact these establishments. Contact Case Program established to ascertain who is in contact with these officials and establishments and to penetrate their intelligence networks. Basic objectives of Program are (1) to determine if contact represents a security risk and (2) to determine the informant or double agent potential of each case.

Contact cases are opened on information received from surveillances, lookouts, technicals, mail coverage and informants. These investigations usually are not prolonged and procedures have been adopted which are designed to get to crux of situation through most direct means. In early stages of Program, experience showed a number of these cases would relate to teachers and school students. There is no way to determine at outset whether contact is teacher or student; however, instructions have been issued that immediately upon learning that an investigation relates to a student or teacher, no further investigation should be conducted. Likewise, if it is readily apparent a contact does not represent a security risk or informant potential case is immediately closed.

- Tolson
- Nichols
- Boardman
- Belmont
- Mason
- Mohr
- Parsons
- Rosen
- Tamm
- Nease
- Winterrowd
- Tele. Room
- Holloman
- Gandy

65-63478

Enclosure

RIS: smyl (7)

- 1 - Mr. Tamm
- 1 - Mr. Nease
- 1 - Mr. Belmont (detached)
- 1 - Mr. Branigan (detached)
- 1 - Mr. Shroder (detached)

RECORDED - 96

66-2654-12533

INDEXED - 96 EX-166

SENT DIRECTOR
12/28/56

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6 FEB 7 1957

ORIGINAL FILED IN 65-63478-4097

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Executives Conference Memorandum
Re: [Intensification Program - Contact Case Program] (S)

~~SECRET~~

[65-63478] (S)

[Interviews with Contacts:] (S)

Contacts with Soviet and satellite establishments are interviewed, where necessary, to resolve a question of possible security risk or to definitely establish an individual's informant potential. These interviews are authorized at the Bureau in selected cases only after a careful evaluation of all facts. Individuals interviewed are not approached as subjects of investigation but are contacted in an effort to solicit their cooperation and to explain Bureau's jurisdiction. As indication of selectivity used in authorizing interviews in contact cases it is noted that out of 10,105 cases only 2,779 interviews were conducted. Of these, 2,600 were cooperative. (S)

Referring to the case involving [redacted] it is



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[Results Obtained from Contact Case Program:] (S)

As a result of investigating contact cases valuable sources, informants and double agents have been developed. Significant intelligence data uncovered has been disseminated to appropriate agencies. Program has also resulted in identification of communists and security index subjects in contact with establishments. It has resulted in a number of individuals being placed on the security index. Individuals employed in key facilities and members of Armed Services who contact these establishments have (S)

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Executives Conference Memorandum

Re: [Intensification Program - Contact Case Program] (S)

65-63478 (S)

~~SECRET~~

been identified. In addition, this coverage has acted as a deterrent. Soviet officials have made several statements indicating they are aware we investigate visitors to their establishments. The case involving [redacted] is one example of what this coverage has accomplished. (S)

[redacted]

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In addition, our coverage of the Soviet Military, Air and Naval Attache's Office reflected that an unknown individual had visited the Office during August, 1954. Subsequent investigation reflected this individual to be [redacted] a (S)

[redacted]

After carefully considering the various phases of the Contact Case Program the Conference felt that the most probable source of complaints and possible embarrassment to the Bureau lie in interviews conducted in the Program. The Conference is of the opinion that although existing controls and policies of the Program are adequate even more circumspection should be exercised in authorizing interviews in these cases. The Conference feels that interviews should be authorized only after the merits of each case are completely analyzed and the foreseeable results outweigh the possibility of a complaint or other repercussion. It is (S)

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Executives Conference Memorandum

Re: [Intensification Program - Contact Case Program] ~~(S)~~ ~~(S)~~

65-63478 ~~(S)~~

believed that in borderline cases, even though we might run the risk of not developing important information, no interviews should be conducted. ~~(S)~~

The Conference unanimously agreed that the Contact Case Program is producing worth-while positive results and should be continued. The Conference suggested that this would be an opportune time to send a letter to all field offices reiterating the controls, policies and objectives of the Contact Case Program, and to point out the continued necessity of insuring that these investigations do not degenerate into "routine" investigations. ~~(S)~~

RECOMMENDATIONS:

1. That the attached letter be sent to all field offices reiterating the controls, policies and objectives of the Contact Case Program. In addition, attached letter points out the essence of insuring that the investigations of these contacts do not degenerate into routine handling. ~~(S)~~

OK H

2. That more circumspection be exercised in authorizing interviews in contact cases. These interviews will be authorized only after the merits of each case are fully explored and the foreseeable results outweigh the possibility of a complaint or other repercussion. No interviews will be authorized in borderline cases. ~~(S)~~

OK - H

However I think this project has grown like "Topsy" & similar to our "mail covers" & "Phone Taps" until I feel to call a halt. It should be the duty of the Exec. Directors to be constantly alert & not wait until an avalanche of criticism hits us.

H. ~~(S)~~

2/18/93 ~~SECRET~~
#325017 + 306696
Classified by *SJS/cil/bca*
Declassify on: OADR

MR. TOLSON

9/24/58

Executives Conference

JUNE

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 08-18-2011

TECHNICAL SURVEILLANCES

b7E

On 9/24/58, the Executives Conference, consisting of Messrs. Tolson, Holloman, Nease, Tamm, Rosen, Parsons, Trotter, Mohr and Belmont, reviewed the number of technical surveillances in operation and the question of the method of counting these technical surveillances.

As of today we have a count of 72 technical surveillances, covering [redacted]

[redacted] There has been a marked reduction in the last few years in the number of technical surveillances used on individuals and organizations [redacted]

As reflected by the attached memoranda, in a limited number of instances we have been counting as one technical surveillance the coverage of [redacted]

In some instances involving the technical surveillance coverage of an individual (for example, Gibby Needleman and Clarence Vetterli, both espionage suspects), we have coverage both at the home and the office, and such coverage on each individual is counted as one technical surveillance. (X)

ORIGINAL COPY FILED IN 66-8160-23-28 X1

AHB:CSH (6)

Enclosures

- Tolson _____
- Boardman _____
- Belmont _____
- Mohr _____
- Nease _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- Clayton _____
- Tele. Room _____
- Holloman _____
- Gandy _____
- W.C. Sullivan _____

cc Mr. Clayton, Mr. Tamm, Mr. Belmont, Mr. Baumgardner

6 NOV 24 1958

MAIL ROOM

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WHERE SHOWN OTHERWISE~~

EX-132
REC-8

66-2554-12673

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~~SECRET~~

J. Edgar Hoover
W. F. Tolson

~~SECRET~~

b7E

If we count as a separate technical surveillance each location of [redacted] and each location of an individual (such as Needleman, that is, both his home and his office), we would have 95 technical surveillances as of today. (S)

EXECUTIVES CONFERENCE CONSIDERATION:

The Executives Conference considered this from the standpoint that the Bureau wants to maintain an unequivocal position in any public statement which the Bureau may make concerning technical surveillances.

On this basis, the Conference unanimously recommended that, where it is necessary to [redacted]

[redacted] shall be counted as a separate technical surveillance. (S)

Where [redacted]

[redacted], we will regard the coverage as one technical surveillance. (S)

The Conference further unanimously recommended that where we have authority to place technical surveillance on an individual, such technical surveillance shall be regarded as a single surveillance, even though it may cover the individual at his home and at his place of business also. (S)

If the Director approves these recommendations, and these principles are applied to the currently existing technical surveillances, we would count 92 as of today. This would be reflected as in the attached list. It will be necessary, therefore, to discontinue 12 (S)

~~SECRET~~

Mr. Tolson

~~SECRET~~

of these technical surveillances, to reduce the number to 80. These 12 will be selected on the basis of those least vital to the accomplishment of our responsibilities, and they will be discontinued immediately if this course of action is approved. (C)

J. Conrad

J.

~~SECRET~~

Mr. Tolson

July 20, 1959

The Executive Conference

JUNE

MICROPHONE SURVEILLANCES

On 7-20-59 the Executive Conference considered the question of seeking approval from the Attorney General (AG) before instituting microphone surveillances. Present at this conference were Messrs: Tolson, DeLoach, Holloman, McGuire, Malone, Sizoo, Conrad, Bowles and Clayton.

It was pointed out to the conference that this matter was discussed 3-30-54 with then Assistant AG Olney, who doubted the AG could authorize a microphone surveillance where trespass was indicated. As a result of this discussion with Olney, he agreed that the AG should furnish Bureau with a memorandum backing us in the use of microphone surveillances, including trespass where necessary. We did receive such a memorandum dated 5-20-54 in which the AG clearly approved use of microphone surveillances with or without trespass in security matters. Concerning criminal matters, the AG advised he recognized that in fulfilling the Bureau's important intelligence functions, considerations of internal security and the national safety were paramount and therefore such considerations might compel unrestricted use of this technique in the national interest. The terminology "national safety" was interpreted to include criminal cases.

The attention of the conference was also drawn to the discussion between Mr. Nichols and then Deputy AG Rogers on 4-27-54 concerning the Director's feeling that it would be better if we submitted requests to the AG for authority to make microphone surveillances as we do in wire tapping cases. At that time, Mr. Rogers stated he thought the memorandum from the AG backing the Bureau's use of microphones to be a much better procedure than to have to go to the AG for authorization each time in view of the time lag that might be involved. Rogers advised that he, accordingly, would prefer to have it handled in that manner.

Executive Conference Consideration:

The Executive Conference considered whether the existing policy with reference to installation of microphone surveillances should be changed at this time or whether we should re-present this matter to the AG for reaffirmation of Departmental policy as set

66-8160

- 1 - Mr. Tamm
- 1 - Mr. Clayton

- 1 - Mr. Tolson
- 1 - Mr. DeLoach
- 1 - Mr. McGuire
- 1 - Mr. Malone
- 1 - Mr. Sizoo
- 1 - Mr. Conrad
- 1 - Mr. Bowles
- 1 - Mr. Clayton
- 1 - Mr. McNerney

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HEREIN IS UNCLASSIFIED
DATE 1/15/90 BY 5180

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HEREIN IS UNCLASSIFIED
DATE 2/18/93 BY g.scj/bee

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11-2389

- _____ Tolson
- _____ Belmont
- _____ DeLoach
- _____ McGuire
- _____ Mohr
- _____ Parsons
- _____ Rosen
- _____ Tamm
- _____ Trotter
- _____ Sullivan
- _____ Tele. Room
- _____ Holloman
- _____ Gandy

JUL 27 1959
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(6)

Executive Conference Memorandum
Re: Microphone Surveillances
66-8160

out in the AG's memorandum of 5-20-54. It was the belief of the Executive Conference that the language of the AG's 5-20-54 memorandum covered both Security and Criminal matters; that we are adequately protected by this opinion of the AG, supported by that of Mr. Rogers in his discussion of this matter with Mr. Nichols on 4-27-54. The Executive Conference unanimously agreed that as long as Mr. Rogers continues as AG this matter not be represented but that we proceed as in the past on the strength of the 5-20-54 memorandum.

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THE DIRECTOR

~~SECRET~~

July 28, 1965

THE EXECUTIVES CONFERENCE

JUNE

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WHERE SHOWN OTHERWISE.

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JAMES LEE
INTERNAL SECURITY - CHINA

The Executives Conference consisting of Messrs. Belmont, Mohr, Casper, Clayton, Conrad, Felt, Gale, Rosen, Sizoo, Trotter, Waikart and Walsh met on July 27, 1965. Mr. Felt reviewed the technical surveillance presently maintained on Lee's residence in New York City and recommended discontinuance.

(U)
(U)
Lee is editor and owner of the "China Daily News," a New York Chinese language newspaper, which is pro-Red China and anti-United States. Lee and [redacted] are Security Index subjects, are in frequent contact with [redacted] suspected couriers for the Chinese communists. Because of long affiliation with Communist China, subject is regarded as suspect in Chinese Communist Intelligence activities. Coverage includes the technical surveillance on Lee's residence installed February 25, 1965, [as well as similar coverage of the [redacted] residence.] There is no live informant coverage of the subject. [Coverage to date has produced extensive information concerning contacts and activity patterns of both Lee and [redacted]. Information concerning the contacts between the Lees and [redacted] is also obtained from the technical surveillance on the [redacted].] No positive espionage information has been obtained. (S)

The majority of the conference were opposed to discontinuing this coverage. It was pointed out that Communist China offers a great threat to the security of the United States. The recent China-Soviet split indicates that the Chinese communists will now make greater effort in their intelligence activities against the United States. The installation is a relatively new one and the Bureau must resolve every doubt in favor of being as fully informed in Red China intelligence activities as possible. (S)

(U)
Mr. Felt voted for discontinuance, arguing that no positive espionage-type information has been developed to date and further that partial coverage of Lee can be obtained through the current technical surveillance on the [redacted] residence. (S)

RECOMMENDATION:

That the technical surveillance of Lee be continued. AUG 10 1965

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3/11/93
Classified by [redacted]
Declassify on: OADR
05 RMB/KSR
4-26-95

REC-35 66-2554-72801
SEC. 0 - 2025AVM

Respectfully,
[Signature]
On the Conference

Clyde A. Tolson

6 AUG 17 1965
Mr. Clayton 1 - Mr. Casper
WMF:bhg (5)
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100-399836
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#323013 + 306696 2/18/93

Classified by *SP5/BJE*

Declassify on: OADR August 3, 1965

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. DeLoach	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

THE DIRECTOR

THE EXECUTIVES CONFERENCE

JUNE

(U) [REDACTED]
ESPIONAGE

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WHERE SHOWN OTHERWISE.

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(U) The Executives Conference consisting of Messrs. Belmont, Mohr, Casper, Clayton, Conrad, Felt, Gale, Rosen, Sizoo, Trotter, Waikart and Walsh met on July 27, 1965, and among other things considered a technical surveillance presently maintained on a contact of the subject in New York City. (S)

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(U) Information has been received from [REDACTED] that [REDACTED] is an illegal agent operating in the United States on behalf of the [REDACTED] [REDACTED] travels continuously throughout the United States and to Europe ostensibly to purchase religious articles for resale in this country and information has been received that he establishes contact with his [REDACTED] principal on these trips abroad. (S)

(U) Originally we were not able to locate [REDACTED] however, [REDACTED] identified [REDACTED] of Queens, New York, and said that she or her address were being used, knowingly or unknowingly, as a mail drop for [REDACTED] Technical surveillance was installed on [REDACTED] residence on October 31, 1963. Through this coverage we were able to locate the subject and we have since arranged for technical coverage of the subject's home. (S)

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(U) Information has been received from the technical surveillance on [REDACTED] that the subject has an amorous interest in her and also that he visits her apartment when she is not present. For the most part, information obtained is of a social nature. A portion of the information could be obtained from the technical coverage of the subject. (S)

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(U) This surveillance assists in keeping us advised of subject's activities and movements. On one occasion his new residence was established through this source. (S)

66-2554-12808

(U) The majority of the conference voted to retain this technical surveillance, pointing out we have definite indications [REDACTED] and a highly placed source advised [REDACTED] may be used as a mail drop. It was argued that the interests of the Bureau require that we take every possible step to insure that our information is as full as possible about the movements and contacts of this subject. (S)

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1 - Mr. Clayton
L - Mr. Casper

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DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-21-2011

(U)

Executives Conference Memorandum

Re: [redacted] (S)

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(U)

Mr. Felt voted that the technical surveillance be discontinued, pointing out that while coverage of [redacted] was very valuable, the preponderance of social data now being obtained, much available from another source, would indicate the surveillance could be discontinued. (S)

We will be guided by the Director's decision.

I share Felt's
View

H

Respectfully,
For the Conference

Clyde A. Tolson

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#323,013 + 306696
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HEREIN IS UNCLASSIFIED
DATE 2/18/93 BY sp5-cj/bw

THE DIRECTOR

February 6, 1967

THE EXECUTIVES CONFERENCE

JUNE

FILE PROTECTED BY...
IN CIVIL...
DATE 12-9-77
SERIAL 62-117455

SPECIAL INDICES OF ELECTRONIC SURVEILLANCES

On February 2, 1967, Executives Conference, consisting of Messrs. Tolson, DeLoach, Mohr, Wick, Callahan, Casper, Felt, Gale, Tavel, Trotter, Mr. Malley for Mr. Rosen, Mr. Sizoo for Mr. Sullivan, and Mr. Beaver, considered proposal of Mr. Sullivan and Mr. Gale to consolidate the special indices of electronic surveillances now maintained in Special Investigative and Domestic Intelligence Divisions and to transfer these indices to Files and Communications Division.

A survey was conducted by Mr. Felt who advised indices were established in October, 1966, at the Director's instructions because of Department's insistence Bureau provide rapid determination whether any person subject to prosecution had been overheard, present, or referred to in the course of any conversations covered by FBI electronic devices. Originally Department indicated there would only be selected cases to be reviewed and for this reason indices were established in two sections, one covering criminal matters and the other covering security matters. Subsequently Department requested all names submitted be searched through both criminal and security files. Index in Special Investigative Division contains almost 60,000 cards and Domestic Intelligence Division contains over 200,000 cards. Also, because of technical surveillances currently in operation in security field, more than 300 new cards are being added each week to indices in Domestic Intelligence Division. Special Investigative Division not adding any new cards as they now have no microphones.

REC 27 66-2554-12860

Conference unanimously agreed that indices should be consolidated to provide more efficient and more economical operation. 6 FEB 17 1967

Mr. Felt recommended combined special index be handled by Files and Communications Division. He pointed out that regardless of where special indices are maintained considerations of cost, personnel, access, available space and security would be essentially the same. Searches against these indices are primarily for General Investigative and Special Investigative Divisions. On the other hand while bulk of existing cards and all cards now being filed are of security nature Domestic Intelligence Division has practically no use for indices because of limited number of prosecutions in security field. While other special indices are maintained such as Security Index, Identification Division Card Index and

- Mr. Beaver
- Mr. Casper

CONTINUED - FEB 17 1967

FEB 23 1967 MAIL ROOM
WMP:bhg 2 (5)

TELETYPE UNIT

ORIGINAL FILED IN

Executives Conference Memorandum
Re: Special Indices of Electronic Surveillances

Laboratory File Index, Mr. Felt maintained index in question was not comparable because it serviced various divisions and was therefore a records function.

Mr. DeLoach emphasized inadvisability of maintaining separate indices or "separate chief clerks offices" in different locations in the Bureau. He stated it had been demonstrated time after time that this only promoted inefficiency. To maintain such indices in an investigative or "operational" division, rather than in the Files and Communications Division, where he felt such indices rightfully belonged, could only promote a lack of coordination. He stated four different divisions were using these indices and it should not be incumbent upon an investigative or "operational" division to handle such functions. He argued duty more properly belonged to "service" division, i. e., Files and Communications Division.

Mr. Gale pointed out that a great many checks of the index are made for the Department in non-Bureau cases. Mr. Sizoo argued that checking of this index is analogous to searching general indices because objective is to determine whether or not information in Bureau files concerning individual in question. If material possibly relating to inquiry is located, same is referred to substantive supervisor for handling. He pointed out if move to Files and Communications, only function Records Section would perform is mechanical clerical function of checking index. The supervisor must outline exactly names to be searched and on receipt of results must review file, handle any correspondence with field and insure any dissemination to Department is completely accurate.

Mr. Tolson pointed out he felt security of the index was primary consideration because cards contained names of individuals who had been overheard or referred to in technical or microphone surveillances. He felt there should be close Agent supervision not possible in Files and Communications Division where each Agent supervises 200 or more employees.

Mr. Mohr advised that in many cases we have only phonetic spellings of names. He pointed out this would dictate need for constant close supervision by Agents using index, not possible in Files and Communications Division where several hundred employees are under one Agent supervisor. On this point, Mr. Gale pointed out that phonetic spellings are not in issue because Agent supervisor indicates on search slip exact spellings to be checked and clerk would make mechanical check exactly as is done now. Mr. Tavel argued that check of special index not comparable to check of general indices where identifying data appears on index card and correspondence with field not necessary to clarify every possible identical reference.

Mr. Tavel strongly opposed the proposal and said that with 1200 clerical employees in Files and Communications Division, not possible to restrict access

Executives Conference Memorandum
Re: Special Indices of Electronic Surveillances

there as at present in Domestic Intelligence and Special Investigative Divisions where only two clerks are handling. Mr. Tavel pointed out instances where Bureau personnel were subpoenaed, making it essential to confine access to such material to absolute minimum. This was disputed by Mr. Gale who pointed out that all subpoenas in cases involving electronic devices are confined to original logs and field employees who handled them.

The minority consisting of Messrs. DeLoach, Gale, Malley, Sizoo, Wick and Felt voted to move the consolidated indices to Files and Communications Division. The majority of the conference, consisting of Messrs. Tolson, Mohr, Callahan, Casper, Conrad, Tavel, Trotter and Beaver voted that these indices be maintained by Special Investigative Division.

*I share view
of majority
H.*

Respectfully,
For the Conference

Clyde Tolson



MR. TOLSON ^{323,013 +} ^{306,696} ¹¹⁻¹⁶⁻⁷¹
~~323,013 +~~ ~~306,696~~ ~~11-16-71~~

THE EXECUTIVES CONFERENCE JUNE

(U) ~~TECHNICAL SECURITY~~
NEW FBI BUILDING

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

(U) The Executives Conference, consisting of Messrs. Tolson, Felt, Rosen, Mohr, Bland (for Bishop), Miller, Callahan, Casper, Conrad, Dalbey, Staffeld (for Cleveland), Ponder, Bates, Tavel and McDaniel (for Walters), on 11-15-71 considered action to afford proper security during construction of the new FBI building to prevent surreptitious planting of listening devices. This matter was previously considered by the Conference on 6-17-71 at which time it was unanimously recommended one Laboratory expert and four technically trained Special Agents be assigned to provide such security. The Director commented that the matter first should be taken up with General Services Administration (GSA). GSA has now advised they are unable to furnish such security pointing out their personnel are not qualified to recognize surreptitious electronic devices. (S)

(U) Mr. Conrad advised based on the FBI's own experience, personal on-the-scene coverage is the only sure protection and since surreptitious planting of listening devices can be made at any time, security personnel must be present throughout the 24-hour day, seven days per week. He pointed out the FBI [redacted] while the building was under construction. This activity was made possible only because no security personnel were assigned until building reached an advanced stage and by that time we had already installed several devices. No access was possible after assignment of security personnel. (S)

(U) Laboratory proposes three Agents would be the absolute minimum for day shift coverage at this time. There are 190 men now working at various areas on different floors to carry out the operations of the contractors during the day shift. As work progresses the number of men and areas to check will increase considerably. For nights and weekends the bare minimum would be one Agent per shift. Mr. Conrad advised this minimum coverage could be handled by five Agents if four are assigned to a six-day week. The fifth man would be the Laboratory expert who would provide on-the-scene supervision and direction. The sixth day for the other four Agents would be a 12-hour shift on weekends. The same coverage without the six-day week would require additional manpower. (S)

WMF:crt (4)
1 - Mr. Casper (Sent Direct)

66-2554-
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ORIGINAL FILED IN 66-2554-112

(U) Executives Conference Memorandum
Re: [Technical Security,] New FBI Building

~~SECRET~~

(U) Night differential pay, plus the extra cost of regularly scheduled overtime (as contrasted with usual fringe overtime benefits), would total \$12,972.96 per year. This would go to the four Agents working the six-day week. The fifth Agent would receive the usual fringe overtime but would be available at all times for needed supervision. (e)

(U) All members of the Conference agreed that the proposed protection is vitally necessary. The men assigned will conduct an irregular roving patrol of building premises for purpose of detecting any unusual or suspicious construction activity. Their presence would constitute an effective deterrent against surreptitious attempts at penetration, and measures could be taken by the Agents to resolve any questionable situation noted. (e)

(U) The Conference was in unanimous agreement that approval be granted for assignment of one Laboratory expert and four Special Agents with technical training, as proposed above, to provide security for the new FBI building against surreptitious penetration during construction. (e)

O.K.
1/8

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