UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STUDENT NON-VIOLENT COORDINATING COMMITTEE, and FAY BELLAMY, CORDELL REGAN and ROBERT ZELLNER on behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

COMPLAINT

UNITED STATES OF AMERICA, ATTORNEY GENERAL OF THE UNITED STATES, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION, DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY, SECRETARY OF DEFENSE, SECRETARY OF THE ARMY, SECRETARY OF THE NAVY, SECRETARY OF THE AIR FORCE, DIRECTOR OF THE NATIONAL SECURITY AGENCY, SECRETARY OF STATE, SECRETARY OF THE TREASURY, COMMISSIONER OF INTERNAL REVENUE SERVICE, RICHARD M. NIXON, NICHOLAS KATZENBACH, JOHN MITCHELL, RICHARD HELMS, JAMES ANGLETON, HOWARD OSBORN, CARTHA DE LOACH, JAMES B. ADAMS, ROBERT WANNALL, WILLIAM C. SULLIVAN, ALLEN H. BELMONT, ROBERT SHACKELFORD, CHARLES D. BRENNAN, FRED J. BAUMGARDNER, GEORGE C. MOORE, and unknown past and present officers and agents of the United States,

Defendants.

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1. This is an action for money damages and injunctive relief arising under the First, Fourth, Fifth, Sixth, Ninth and Fourteenth Amendments to the Constitution

of the United States: 5 U.S.C. § 552, 552a(e)(j) and (7), 702 and 703; 18 U.S.C. § 2520; 26 U.S.C. § 7605; 28 U.S.C. § 2671, et seq.; 42 U.S.C. §§ 1983, 1985, 1986 and 1988; 47 U.S.C. § 605; and 50 U.S.C. § 403. Jurisdiction is conferred by 5 U.S.C. §§ 552(a)(4), 552a(g)(1) and 702; 28 U.S.C. §§ 1331(a), 1332, 1343(1), (2) and (4), and 1346(b): and 39 U.S.C. § 409. Pendent jurisdiction over claims arising under state law is also invoked.

2. The amount in controversy, exclusive of interest and costs, exceeds $10,000.

Class Action Allegations

3.(a) The first cause of action herein is properly maintainable as a class action under Rule 23(b)(1) (A) and (B),(2),+(3) of the Federal Rules of Civil Procedure.

(b) The class on whose behalf the first cause of action is brought is all persons who at any time between 1960 and the present have been, for a period

of 90 days or more, full-time paid staff members of the plaintiff Student Non-Violent Coordinating Committee (hereinafter referred to as "SNCC").

(c) Plaintiff Fay Bellamy is Chairperson of SNCC and resides in Atlanta, Georgia; plaintiff Cordell Regan is its Treasurer and lives within the Southern District of New York; Robert Zellner is its Secretary and lives in New Orleans, Louisiana. They have been members of SNCC since its formation in 1960 and are also members of the class on whose behalf this action is brought and they sue as representatives of all of such class members, estimated to number 750. Their claims are identical to the claims of the class: that by injuring SNCC the defendants have also injured each member of the class and have impaired his and her constitutional and other rights; they assert no other claims; they will fairly and adequately protect the interests of the class.

(d) The questions of law and fact common to the class are the questions arising from the defendants' actions against SNCC. There are no questions of law or fact which affect only individual members of the class. Individual members of the class have no interest in controlling prosecution of this action and have not commenced any other litigation concerning the instant controversy. There are no difficulties likely to be encountered in the management of this as a class action.

(e) It is desirable to concentrate the litigation in this forum. Plaintiff Cordell Regan, Treasurer of SNCC, and numerous members of the class are located here, as are plaintiffs' counsel and much of the conduct of the defendants about which plaintiffs complain took place here.

Parties To The Action

4. Plaintiff SNCC is an unincorporated association with members throughout the United States. Its principal office is in Atlanta, Georgia. It was founded in 1960.

5.(a) The following public officers of the United States are sued in their official capacities: Attorney General; Director of the Federal Bureau of Investigation; Director of Central Intelligence; Secretary of Defense; the Secretaries of the Army, Navy and Air Force; Director of National Security Agency; Secretary of State; Secretary of the Treasury; and the Commissioner of Internal Revenue Service. Reference herein to "defendants" or "defendant Public officers" includes the present Public Officers and their predecessors in office at the relevant times. The United States of America is sued as a defendant.

(b) The following defendants are present or former officers of the United States, sued in their individual capacities: Richard M. Nixon, formerly President of the United States; Nicholas Katzenbach and John Mitchell, former attorneys General of the United States; Richard Helms, former Director of Central Intelligence; James Angleton, former Chief of Counter-Intelligence Staff of the Central Intelligence Agency; Howard Osborn, former

Director of Office of Security of the Central Intelligence Agency and the following officers of the Federal Bureau of Investigation (hereinafter collectively "individual FBI defendants"): Cartha De Loach, former Assistant to the Director; James B. Adams, Deputy Associate Director (Investigation); Robert Wannall, William C. Sullivan and Allen H. Belmont, present and past Assistant Directors of the Domestic Intelligence Division; Robert Shackelford, Charles D. Brennan and Fred J. Baumgardner, present and former section chiefs of Internal Security of the Intelligence Division; George C. Moore, former section chief of the Racial Intelligence section of the Internal Security of the Intelligence Division. The claims against the individual defendants are not necessarily limited to their tenure in the noted offices.

(c) The defendants "Unknown Past and Present Officers and Agents of the United States" are sued in their official and individual capacities.

(d) In their actions alleged herein, the defendants named in paragraphs 6(b) and (c) acted as officers or employees of, or in an official capacity on behalf of, an agency of the defendant United States of America and acted within the scope of his or her office and employment or under color of official authority.

As And For A First Cause Of Action

7. Since it was founded in 1960, SNCC has participated actively in the movement of black persons and others for the establishment, recognition and protection of the civil rights of all persons in the United States and especially black persons, and has advocated changes in the political, social and economic structure of the United States in order to protect and extend those rights. In pursuit of such objectives, SNCC has expressed its views on matters of public importance; it has petitioned federal, state and local governments for a redress of grievances and has urged and assisted others to exercise their civil rights and to demand and organize for such changes. In 1960 persons sympathetic

to the objectives and activities of SNCC organized themselves into an unincorporated association known as "Friends of SNCC" which was located in the Southern District of New York and which was engaged primarily in raising funds for the activities of SNCC and in securing publicity and other organizational assistance for SNCC in the northeastern part of the United States. Subsequently other similar organizations were organized in other locations in the United States.

8. Shortly after the founding of SNCC in 1960, the defendants agreed, expressly and by adherence to a common design, to engage in a conspiracy to interfere with, disrupt and prevent SNCC from engaging in the foregoing activities; to neutralize and undermine its public effectiveness and importance; to deter and intimidate persons from joining or associating with SNCC; systematically to spy upon the organization; and to advance the conspiracy by actions of thetype alleged herein. Pursuant to the conspiracy, the defendants have engaged in the actions alleged in paragraphs 9 through and other actions presently unknown to plaintiffs.

9. As part of the conspiracy, the defendants in 1960 made SNCC a target of covert, sustained and systematic programs implemented chiefly by the Federal Bureau of Investigation, known as COINTELPRO and COMINFIL, designed to disrupt, misdirect, discredit, neutralize and destroy the targeted organizations and persons associated with them by the methods set forth herein and other, similar methods.

10. In late 1963 or 1964, the defendants Sullivan, Belmont, Baumgardner and others agreed to and did intensify and expand the COINTELPRO and COMINFIL programs against SNCC. The expanded and intensified program was known by the acronym CIRM.

11. In or about August, 1967, the defendants Sullivan, Belmont, Baumgardner, Brennan, Moore, with other defendants, agreed to and did still further expand

and intensify the FBI programs against SNCC.

The expanded and intensified program was known as the "Black Nationalist" COINTELPRO program and was initiated by instructions dated August 25, 1967 from FBI Headquarters to 23 FBI field offices and dated February 29, 1968 to 41 FBI field offices, partially redacted copies of which are attached hereto and incorporated herein by reference.

12. The defendants entered into and adhered to the aforesaid conspiracy and engaged in the actions alleged herein with the intent and purpose of depriving SNCC and its members and associates of rights, privileges and immunities secured by the Constitution and statutes of the United States; and have so acted with an unlawful purpose, maliciously, in bad faith and knowing or having reason to know that the conspiracy and actions were unlawful.

13. The defendants so acted because SNCC was composed principally of black persons and was oriented principally to the black community, and so acted with the

animus, intent and purpose of depriving SNCC and its members and associates of the right to enjoy the equal protection of the laws and privileges and immunities under the law because of SNCC's racial composition and orientation.

14. The aforesaid conspiracy and the defendants' specific actions alleged herein were not related to any lawful purpose. To the extent, if any, that the defendants pursued legitimate purposes, their actions were unnecessarily broad in scope.

15. The defendants caused numerous secret government agents and informers to join or otherwise associate with SNCC, to report to defendants on SNCC discussions and activities, to purloin and surreptitiously copy SNCC documents, and, under the direction and with the knowledge of defendants, to participate actively in SNCC affairs, share in the determination of its policies, and hold positions of authority, all in an attempt to provoke or exacerbate dissension

within SNCC and hostility to the organization by others, and otherwise to interfere with and disrupt its activities.

16. The defendants sought to and did interfere with SNCC's efforts to secure contributions and grants for its activities from individuals, churches, foundations and other institutions. To that end, the defendants sent anonymous letters or letters purporting to be from other or fictitious persons urging rejection of SNCC requests for funds and asserting illegality or impropriety in SNCC's handling of funds, among other methods.

17. The defendants enforced, and caused and encouraged others to enforce, federal, state or local laws selectively against SNCC members and associates because of their association with SNCC and selectively alerted law-enforcement authorities of possible violations of law by SNCC members and associates because of their SNCC association.

18. The defendants Secretary of the Treasury and Commissioner of the Internal Revenue Service, in concert with other defendants, ordered tax examinations and investigations of SNCC and of organizations and persons associated with SNCC with the purpose and effect of harassing the organization and discouraging association therewith.

19. The defendants regularly sought to harass and harm SNCC members and associates because of their association with SNCC. To that end, the defendants disseminated to the public and press critical or derogatory characterizations of and information concerning such persons, including personal matters; disseminated derogatory or personal information about SNCC members and associates to their family, friends and associates by anonymous telephone calls and letters and otherwise; contacted and informed employers, landlords and business associates of their association with SNCC and of their SNCC activities with the purpose and effect of causing

said persons to fire, evict or otherwise cease doing business with SNCC members and associates.

20. The defendants regularly subjected SNCC members and associates, because of their association with SNCC, to investigations of their personal lives, associations and activities and to intensive surveillance, including continuous physical observation; interception and opening of correspondence without judicial warrant; interception of oral and wire communications without judicial warrant; interviews of friends and associates; and the like.

21. The defendants, including the individual FBI defendants, included SNCC members and associates, because of their association with SNCC, on a series of lists, including the Security Index, the Rabble Rouser Index, the Key Activists list, the Key Black Extremist Lists, the Black Nationalist Photograph Album and ADEX, used by the defendants and state, local and foreign agencies for targeting persons for intensive surveillance

and harassment.

22. The defendants targeted SNCC members and associates because of their SNCC association for summary and indefinite internment without court order or other protections of the Constitution in the event of a national emergency.

23. With the purpose and effect of intimidating and deterring persons from associating with SNCC, the defendants interviewed persons with regard to any association with SNCC; and conducted these interviews in a manner to suggest that persons should not associate with SNCC with the intent to ensure that the parents and other acquaintances of those interviewed would know of the interviews.

24. The defendants sought to create enmity and hostility within SNCC and between SNCC and other groups. To that end, the defendants used secret agents and informers as set forth in paragraph ; sent anonymous or fictitious

letters making controversial accusations against SNCC or its members; sent critical or disparaging letters to other groups purporting to be from SNCC and to SNCC purporting to be from other groups; surreptitiously established or dominated organizations to compete with or criticize SNCC;

25. The defendants surreptitiously sought to dissuade persons from supporting SNCC and to provoke hostility to SNCC by the public by the methods set forth in paragraph 24 and also by anonymously mailing reprints of critical articles to members or potential supporters of SNCC; by encouraging media sources to publish reports and articles critical of SNCC and providing them with information to use to that end; by leaking derogatory information about SNCC to the press; by surreptitiously drafting, printing and distributing leaflets and other material critical of SNCC or which would bring SNCC into disrepute; by encouraging other groups to criticize

SNCC and providing them with information to do so; by routinely characterizing SNCC in a critical manner in the course of interviews; and the like.

26. The defendants provided persons politically opposed to SNCC's goals or plans with information useful in defeating or undermining those goals or plans, including information about SNCC's strategies and planned activities and information obtained by defendants' use of the methods set forth in paragraphs

27. The defendants Helms, Osborn and others, caused and ordered the Central Intelligence Agency to engage in the United States in a systematic program of surveillance of all aspect of SNCC activities and infiltrated SNCC with informants and undercover agents.

28. The defendants Helms, Angleton and others caused the Central Intelligence Agency to undertake programs, including Operation CHAOS from 1967 to 1974, of surveillance against SNCC members domestically and as they travelled abroad

and of disrupting and preventing SNCC delegations from exchanging ideas and information with persons in other countries.

29. The defendants have maintained, in retrievable form, the information obtained by them as a result of their systematic surveillance of SNCC as alleged in paragraphs to . They did so with the purpose and intent of using said information in their aforesaid conspiracy and activities against SNCC and did so use the information derived from said surveillance.

30. As part of their surveillance of SNCC, the defendants sought systematically to determine the identities of members, financial contributors, subscribers to SNCC publications and persons attending SNCC functions; spied upon meetings not open to the public and meetings from which government agents would have been excluded if their presence had been known; obtained internal SNCC documents and otherwise obtained information as to which the SNCC

and its members had reasonable expectations of privacy.

31. The defendants used the following methods in their surveillance of SNCC without judicial warrant or other lawful authority: (a) systematic physical surveillance of SNCC members, offices and meetings; (b) surreptitious entry into premises; (c) the purloining and surreptitious copying of documents; (d) mail covers and openings; (e) the use of secret government agents and informers; (f) the knowing receipt of purloined and surreptitiously copied SNCC documents and the knowing receipt of information obtained by persons fraudulently representing their identities and purposes; (g) inducing others, including without limitation banks with which the SNCC has maintained accounts and hotels hosting SNCC conferences, to provide information about and access to records concerning SNCC in violation of contractual and other obligations of confidentiality;

(h) improper dissemination of tax records and improper tax investigations; (i) requests for information to local and state agencies, foreign governments and others, including, upon information and belief, requests to use surveillance methods of the type set forth in (a) through (h) and paragraph 32.

32. Without judicial warrant or other lawful authority, the defendants planted electronic listening devices in SNCC offices and used electronic, mechanical and other devices to intercept oral and wire communications to which SNCC, its officers, agents, members and associates were parties. Said electronic surveillance was trespassatory, was unlimited in scope and duration and was undertaken without probable cause that a crime had been committed or that evidence thereof would be obtained by the electronic surveillance. The defendants disclosed the contents of the intercepted and overheard conversations and communications to one another and to others, and used the contents of those communications.

33. The information concerning SNCC and its members and associates presently maintained by the defendants is not relevant and necessary to accomplish a purpose required to be accomplished by statute or by executive order of the President of the United States.

34. The information presently maintained by the defendants describes how SNCC and its members and associates exercised rights guaranteed by the First Amendment to the Constitution of the United States. The defendants are not expressly authorized to maintain said information by statute or by the individuals about whom the information is maintained. Nor is the defendants' maintenance of said information about SNCC and its members and associates pertinent to or within the scope of an authorized law enforcement activity.

35. In planning and carrying out many of the acts alleged herein, the defendants and their agents acted

jointly and in collaboration with officials of various state and local governments. Additionally, the defendants routinely communicated to state, local and foreign agencies information concerning SNCC with the purpose and effect of those agencies undertaking surveillance and disruption activities against SNCC and its members.

36. The defendants Nixon, Katzenbach and Mitchell and Kleindienst had knowledge of the conspiracy and actions alleged herein and had the power and duty to prevent or aid in preventing the other defendants and others from engaging in same but nonetheless neglected or refused to do so.

37. The defendants purposefully and fraudulently concealed their actions, with the result that plaintiffs were not put on notice that a cause of action might exist and, to the extent that they were so put on notice, could not with due diligence have discovered the facts upon which to base a cause of action, until a time within the applicable statute of limitations.

38. The defendants' activities were part of a single course of action and conduct continuing until a time within the applicable statute of limitations.

39. As a result of the defendants' actions alleged herein, persons were intimidated and deterred from becoming SNCC members or otherwise associating or supporting with SNCC, with a consequent loss to SNCC of the benefits of said persons' association, support and financial contributions; and SNCC's activities and efforts were impaired, interfered with and disrupted.

40. By reason of the damage they inflicted upon SNCC, the defendants injured the individual plaintiffs and the other members of the class on whose behalf this suit is brought.

41. Each of the defendants' actions, and said actions cumulatively, deprived SNCC and its members of their rights to freedom of speech, press and association

as guaranteed by the First Amendment to the Constitution of the United States; of liberty and property without due process of law, of the equal protection of the laws and of equal privileges and immunities in violation of the Fifth and Fourteenth Amendments and 42 U.S.C. §§ 1983, 1985 and 1986; and were tortious under state law.

42. Each of the defendants' surveillance actions against SNCC, and said actions cumulatively, additionally deprived SNCC and its members of their rights to associational and personal privacy under the First, Fourth, Fifth, Ninth and Fourteenth Amendments to the Constitution of the United States and their rights against unreasonable searches and seizures under the Fourth Amendment; and were in violation of 5 U.S.C. § 552a(e)(1) and (7).

43. The tax investigations alleged herein were additionally in violation of 26 U.S.C. § 7605.

44. The actions of the Central Intelligence Agency and of defendants Helms, Angleton and Osborn alleged herein were additionally in violation of 18 U.S.C. § 2520.

45. All or some of the illegal activities carried on by defendants as above described still continue against SNCC, its members and associates.

46. As a result of the defendants' actions, plaintiff SNCC has been damaged in the sum of $25,000,000.

47. As a result of the damage to SNCC and the deprivation of their constitutional and other rights, each of the individual plaintiffs and each member of the class they represent have been damaged in the sum of $20,000.

48. The defendant United States of America is liable for the damages sustained by plaintiffs and the class members as a result of the above-described negligent and wrongful acts of the other defendants herein.

On or about plaintiffs and the class presented

their claims for damages against the United States to each of the defendant Public Officers. Upon information and belief, defendant Public Officers will fail to make final disposition of same within six months.

49. Plaintiffs and the class have no adequate remedy at law and are suffering and will continue to suffer irreparable injury unless defendants are restrained by order of this court.

50. A jury trial is demanded on all issues triable by jury.

As And For A Second Cause Of Action

51. On or about , the plaintiff SNCC made requests pursuant to the Freedom of Information Act, 5 U.S.C. § 552, for copies of all documents mentioning, concerning or containing information about SNCC to various federal agencies.

52. The FBI [and others] have failed to act upon said requests within the time permitted by the Act.

53. Other agencies have refused to release certain documents responsive to the request and have deleted portions of the documents released. The decisions of the [list agencies] were affirmed after final administrative review. Administrative appeals from the decisions of [list agencies] have not been acted upon within the time permitted by law.

54. All administrative remedies have been exhausted.

55. Pursuant to 5 U.S.C. § 552(a)(3) and (b), SNCC is entitled to the release without deletions of all documents responsive to its request in the possession of the aforesaid agencies.

WHEREFORE, plaintiffs pray for judgment as follows:

A. On The First Cause of Action:

1. Declaring unlawful the actions of the defendants complained of herein, and permanently enjoining the defendants, their agents, successors, privies and all persons acting in concert with them from continuing the same.

2. Awarding damages as follows: compensatory damages in the sum of $25,000,000 to plaintiff SNCC and $20,000 to each individual plaintiff and each member of the class, payable jointly and severally by defendants United States of America [list other individual defendants].

3. Punitive damages in the amount of $10,000,000 to the plaintiff SNCC and $10,000 to each plaintiff and member of the class, payable in equal shares by defendants Richard M. Nixon, Nicholas Katzenbach, John Mitchell,

Richard Helms, James Angleton, Howard Osborn, Cartha De Loach, James B. Adams, Robert Wannall, William C. Sullivan, Allen H. Belmont, Robert Shackelford, Charles D. Brennan, Fred J. Baumgardner, and George C. Moore.

4. Declaring unlawful the defendants' maintenance of any records about SNCC and its members except those records determined to be relevant and necessary to accomplish a purpose required to be accomplished by valid statutes or executive orders of the President if any, and requiring the destruction of any such records presently maintained after first providing plaintiffs with a copy of same.

5. Awarding costs, disbursements and attorneys' fees.

6. Granting such other and further relief as may be just and proper.

B. On The Second Cause Of Action:

1. Enjoining the defendants Attorney General of the United States, Director of the Federal Bureau of Investigation, Director of the Central Intelligence Agency, Secretary of Defense, Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, Director of the National Security Agency, Secretary of State, Secretary of the Treasury, and Commissioner of Internal Revenue Service from refusing to disclose without deletions all documents in their possession mentioning, concerning or containing information about SNCC

2. Awarding plaintiff SNCC costs, disbursements and attorneys' fees.

3. Granting such other and further relief as may be deemed just and proper.

EXHIBIT 15

SAC, Albany

August 25, 1967

Director, FBI

PERSONAL ATTENTION TO ALL OFFICES

COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS
INTERNAL SECURITY

Offices receiving copies of this letter are instructed to immediately establish a control file, captioned as above, and to assign responsibility for following and coordinating this new counterintelligence program to an experienced and imaginative Special Agent well versed in investigations relating to black nationalist, hate-type organizations. The field office control file used under this program may be maintained in a pending inactive status until such time as a specific operation or technique is placed under consideration for implementation.

The purpose of this new counterintelligence endeavor is to expose, disrupt, misdirect, discredit, or otherwise neutralize the activities of black nationalist, hate-type organizations and groupings, their leadership, spokesmen, membership, and supporters, and to counter their propensity for violence and civil disorder. The activities of all such groups of intelligence interest to this Bureau must be followed on a continuous basis so we will be in a position to promptly take advantage of all opportunities for counterintelligence and to inspire action in instances where circumstances warrant. The pernicious background of such groups, their duplicity, and devious maneuvers must be exposed to public scrutiny where such publicity will have a neutralizing effect. Efforts of the various groups

2 - Atlanta
2 - Baltimore
2 - Boston
3 - Buffalo
2 - Charlotte
3 - Chicago
2 - Cincinnati
3 - Cleveland
2 - Detroit
2 - Jackson
3 - Los Angeles
2 - Memphis
2 - Newark
2 - New Orleans
2 - New York
2 - Philadelphia
2 - Phoenix
2 - Pittsburgh
2 - Richmond
2 - St. Louis
2 - San Francisco
2 - Washington Field Office

(53)

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AUG 28 1967
COMM-FBI

Letter to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS

to consolidate their forces or to recruit new or youthful adherents must be frustrated. No opportunity should be missed to exploit through counterintelligence techniques the organizational and personal conflicts of the leaderships of the groups and where possible an effort should be made to capitalize upon existing conflicts between competing black nationalist organizations. When an opportunity is apparent to disrupt or neutralize black nationalist, hate-type organizations through the cooperation of established local news media contacts or through such contact with sources available to the Seat of Government, in every instance careful attention must be given to the proposal to insure the targeted group is disrupted, ridiculed, or discredited through the publicity and not merely publicized. Consideration should be given to techniques to preclude violence-prone or rabble-rouser leaders of hate groups from spreading their philosophy publicly or through various mass communication media.

Many individuals currently active in black nationalist organizations have backgrounds of immorality, subversive activity, and criminal records. Through your investigation of key agitators, you should endeavor to establish their unsavory backgrounds. Be alert to determine evidence of misappropriation of funds or other types of personal misconduct on the part of militant nationalist leaders so any practical or warranted counter-intelligence may be instituted.

Intensified attention under this program should be afforded to the activities of such groups as the

Particular emphasis should be given to extremists who direct the activities and policies of revolutionary or militant groups such as
and

At this time the Bureau is setting up no requirement for status letters to be periodically submitted under this program. It will be incumbent upon you to insure the program is being afforded necessary and continuing attention and that no opportunities will be overlooked for counterintelligence action.

This program should not be confused with the program entitled "Communist Party, USA, Counterintelligence Program, Internal Security - C," which is directed

Letter to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST - HATE GROUPS

against the Communist Party and related organizations, or the program entitled "Counterintelligence Program, Internal Security, Disruption of Hate Groups," which is directed against Klan and hate-type groups primarily consisting of white memberships.

All Special Agent personnel responsible for the investigation of black nationalist, hate-type organizations and their memberships should be alerted to our counterintelligence interest and each investigative Agent has a responsibility to call to the attention of the counterintelligence coordinator suggestions and possibilities for implementing the program. You are also cautioned that the nature of this new endeavor is such that under no circumstances should the existence of the program be made known outside the Bureau and appropriate within-office security should be afforded to sensitive operations and techniques considered under the program.

No counterintelligence action under this program may be initiated by the field without specific prior Bureau authorization.

You are urged to take an enthusiastic and imaginative approach to this new counterintelligence endeavor and the Bureau will be pleased to entertain any suggestions or techniques you may recommend.

EXHIBIT 16

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan

DATE: February 29, 1968

FROM : G. C. Moore

SUBJECT: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST-HATE GROUPS
RACIAL INTELLIGENCE

PURPOSE:

To expand the Counterintelligence Program designed to neutralize militant black nationalist groups from 23 41 field divisions so as to cover the great majority of black nationalist activity in this country.

BACKGROUND:

By letter dated August 25, 1967, 23 field offices were advised of a new Counterintelligence Program designed to neutralize militant black nationalists and prevent violence on their part. Goals of this program are to prevent the coalition of militant black nationalist groups, prevent the rise of a leader who might unify and electrify these violence-prone elements, prevent these militants from gaining respectability and prevent the growth of these groups among America's youth.

CURRENT DEVELOPMENTS:

In view of the tremendous increase in black nationalist activity, and the approach of summer, this program should be expanded and these goals should be reiterated to the field. Attached airtel also instructs the field to submit periodic progress letters to stimulate thinking in this area.

REC 18

Attached airtel also reminds the field that counterintelligence suggestions to expose these militants or neutralize them must be approved by the Bureau.

8 MAR 11 1968

ACTION:

That attached airtel expanding this program, defining goals and instructing periodic progress letters be submitted be sent Albany and the other listed field offices.

Enclosure

FBI

Date: 3/4/68

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

To: SAC, Albany PERSONAL ATTENTION

From: Director, FBI

COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST-HATE GROUPS
RACIAL INTELLIGENCE

Title is changed to substitute Racial Intelligence for Internal Security for Bureau routing purposes.

PERSONAL ATTENTION FOR ALL THE FOLLOWING SACs

2 - Atlanta
2 - Baltimore
2 - Birmingham
2 - Boston
2 - Buffalo
2 - Charlotte
2 - Chicago
2 - Cincinnati
2 - Cleveland
2 - Denver
2 - Detroit
2 - Houston
2 - Indianapolis
2 - Jackson
2 - Jacksonville
2 - Kansas City
2 - Los Angeles
2 - Memphis
2 - Miami
2 - Milwaukee
2 - Minneapolis
2 - Mobile
2 - Newark
2 - New Haven
2 - New Orleans
2 - New York
2 - Omaha
2 - Philadelphia
2 - Phoenix
2 - Pittsburgh
2 - Portland
2 - Richmond
2 - Sacramento
2 - San Diego
2 - San Francisco
2 - Seattle
2 - Springfield
2 - St. Louis
2 - Tampa
2 - WFO

RECEIVED FROM

Airtel to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST-HATE GROUPS

BACKGROUND

By letter dated 8/25/67 the following offices were advised of the beginning of a Counterintelligence Program against militant Black Nationalist-Hate Groups:

Albany
Atlanta
Baltimore
Boston
Buffalo
Charlotte
Chicago
Cincinnati
Cleveland
Detroit
Jackson
Los Angeles
Memphis
Newark
New Orleans
New York
Philadelphia
Phoenix
Pittsburgh
Richmond
St. Louis
San Francisco
Washington Field

Each of the above offices was to designate a Special Agent to coordinate this program. Replies to this letter indicated an interest in counterintelligence against militant black nationalist groups that foment violence and several offices outlined procedures which had been effective in the past. For example, Washington Field Office had furnished information about a grade school to appropriate authorities in the District of Columbia who investigated to determine if the school conformed to District regulations for private schools. In the process WFO obtained background information on the parents of each pupil.

The a pro-Chinese communist group, was active in Philadelphia, Pa., in the summer of 1967. The Philadelphia Office alerted local police, who then put leaders under close scrutiny. They were arrested on every possible charge until they could no longer make bail. As a result, leaders spent most of the summer in jail and no violence traceable to took place.

The Counterintelligence Program is now being expanded to include 41 offices. Each of the offices added to this program should designate an Agent familiar with black

Airtel to SAC, Albany
RE: COUNTERINTELLIGENCE PROGRAM
BLACK NATIONALIST-HATE GROUPS

nationalist activity, and interested in counterintelligence, to coordinate this program. This Agent will be responsible for the periodic progress letters being requested, but each Agent working this type of case should participate in the formulation of counterintelligence operations.

GOALS

For maximum effectiveness of the Counterintelligence Program, and to prevent wasted effort, long-range goals are being set.

1. Prevent the coalition of militant black nationalist groups. In unity there is strength; a truism that is no less valid for all its triteness. An effective coalition of black nationalist groups might be the first step toward a real "Mau Mau" in America, the beginning of a true black revolution.

2. Prevent the rise of a "messiah" who could unify, and electrify, the militant black nationalist movement. might have been such a "messiah;" he is the martyr of the movement today.
and all aspire to this position.
is less of a threat because of his age. could be a very real contender for this position should he abandon his supposed "obedience" to "white, liberal doctrines" (nonviolence) and embrace black nationalism. has the necessary charisma to be a real threat in this way.

3. Prevent violence on the part of black nationalist groups. This is of primary importance, and is, of course, a goal of our investigative activity; it should also be a goal of the Counterintelligence Program. Through counterintelligence it should be possible to pinpoint potential troublemakers and neutralize them before they exercise their potential for violence.

4. Prevent militant black nationalist groups and leaders from gaining respectability, by discrediting them to three separate segments of the community. The goal of discrediting black nationalists must be handled tactically in three ways. You must discredit these groups and individuals to, first, the responsible Negro community. Second, they must be discredited to the white community,

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both the responsible community and to "liberals" who have vestiges of sympathy for militant black nationalist simply because they are Negroes. Third, these groups must be discredited in the eyes of Negro radicals, the followers of the movement. This last area requires entirely different tactics from the first two. Publicity about violent tendencies and radical statements merely enhances black nationalists to the last group; it adds "respectability" in a different way.

5. A final goal should be to prevent the long-range growth of militant black nationalist organizations, especially among youth. Specific tactics to prevent these groups from converting young people must be developed.

Besides these five goals counterintelligence is a valuable part of our regular investigative program as it often produces positive information.

TARGETS

Primary targets of the Counterintelligence Program, Black Nationalist-Hate Groups, should be the most violent and radical groups and their leaders. We should emphasize those leaders and organizations that are nationwide in scope and are most capable of disrupting this country. These targets should include the radical and violence-prone leaders, members, and followers of the:

Offices handling these cases and those of , and of , should be alert for counterintelligence suggestions.

INSTRUCTIONS

Within 30 days of the date of this letter each office should:

1. Advise the Bureau of the identity of the Special Agent assigned to coordinate this program.

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2. Submit a very succinct summary of the black nationalist movement in the field office territory. Include name, number of members and degree of activity of each black nationalist group. Also state your estimate of each groups propensity for violence. This is for target evaluation only, not for record purposes. Second, list Rabble-Rouser Index subjects who are militant black nationalists and any other militant black nationalist leaders who might be future targets of counterintelligence action because of their propensity for violence. Include a minimum of background information on each person listed; a few descriptive sentences should suffice.

3. List those organizations and individuals you consider of such potential danger as to be considered for current counterintelligence action. Briefly justify each target.

4. Submit any suggestion you have for overall counterintelligence action or the administration of this program. Suggestions for action against any specific target should be submitted by separate letter.

5. Submit, by separate letter, suggestions for counterintelligence action against the targets previously listed as field-wide. These should not be general, such as "publicize travel to communist countries," but should be specific as to target, what is to be done, what contacts are to be used, and all other information needed for the Bureau to approve a counterintelligence operation.

Thereafter, on a ninety-day basis, each office is to submit a progress letter summarizing counterintelligence operations proposed during the period, operations effected, and tangible results. Any changes in the overall black nationalist movement should be summarized in this letter. This should include new organizations, new leaders, and any changes in data listed under number two above. Suggestions for counterintelligence operations should not be set out in this progress letter. Use the following captions:

1. Operations Under Consideration, 2. Operations Being Effected, 3. Tangible Results, and 4. Developments of Counterintelligence Interest. These 90-day progress letters are due at the Bureau the first day of March, June, September, and December, excepting March, 1968.

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The effectiveness of counterintelligence depends on the quality and quantity of positive information available regarding the target and on the imagination and initiative of Agents working the program. The response of the field to the Counterintelligence Program against the Communist Party, USA, indicates that a superb job can be done by the field on counterintelligence.

Counterintelligence operations must be approved by the Bureau. Because of the nature of this program each operation must be designed to protect the Bureau's interest so that there is no possibility of embarrassment to the Bureau. Beyond this the Bureau will give every possible consideration to your proposals.