

APPENDIX¹

Office of the Attorney General

Washington, D. C. 20530

NOV 11 1975

November 10, 1975

Honorable Richard S. Schweiker
 United States Senate
 Washington, D.C. 20510

Dear Senator Schweiker:

1975 NOV 12 PM 12:49
 SELECT COMMITTEE ON
 INTELLIGENCE ACTIVITIES

At the hearing before the Select Committee on Intelligence Activities, you asked me to comment on a specific provision from the FBI Manual of Rules and Regulations. As I told you at the hearing, through some misunderstanding, I had not seen that provision until almost immediately before the afternoon session of the Committee began and indeed while I was at the witness table. I did not have an opportunity to check the specific provision or to know about its origin. My statement that I was sure it did not represent present policy represented my firm belief.

I note that according to the press reports that a Bureau spokesman later in the day informed a reporter that the statement is still in the manual and that it does represent Bureau policy. I am writing this letter to you, with a copy to Senator Church, because I would not wish to mislead the Select Committee in any way.

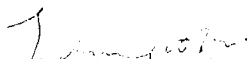
I do believe, however, some further explanation is in order. First, the Bureau informs me that the provision has not been interpreted to mean that an investigation should not take place and that "any interpretation that an investigation would not be instituted because of the possibility of embarrassment to the Bureau was never intended and, in fact, has never been the policy of this Bureau." I am told that "what was intended to be conveyed was that in such eventuality FBI Headquarters desired to be advised of the matter before investigation is instituted so that Headquarters would be on notice and could direct the inquiry, if necessary."

¹ See discussion on pp. 122-24.

Second, the manual provision dates back to March 30, 1955.

Third, I am informed by the Bureau that "immediate steps are being taken to remove that phraseology from our Manual of Rules and Regulations."

Sincerely,


Edward H. Levi

cc: Senator Church

