

TUESDAY, DECEMBER 2, 1975

U.S. SENATE,  
SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS  
WITH RESPECT TO INTELLIGENCE ACTIVITIES,  
*Washington, D.C.*

The committee met, pursuant to notice, at 10:10 a.m., in room 318, Russell Senate Office Building, Senator John Tower presiding.

Present: Senators Tower, Hart of Michigan, Mondale, Huddleston, Morgan, Hart of Colorado, Goldwater, and Schweiker.

Also present: William G. Miller, staff director; Frederick A. O. Schwarz, Jr., chief counsel; and Curtis R. Smothers, counsel to the minority.

Senator TOWER. The committee will come to order.

Senator Church, is unavoidably detained today, and therefore I will preside.

Today and tomorrow we shall continue our examination of domestic intelligence activities. Our focus should continue to be the activities of the Federal Bureau of Investigation because of the Bureau's pre-eminent role in domestic law enforcement and intelligence gathering.

Again I must emphasize the limited scope of the committee's charter, and therefore, today's inquiry insofar as its impact upon the Bureau. For example, in previous sessions we examined the Bureau's use of mail openings, electronic, and other means of surveillance, surreptitious entry, individual and organizational bank records, income tax returns, and other sources of intelligence information.

It is clear that under proper judicial scrutiny, as mandated by the Congress and the courts, limited invasions of individual privacy involving any or all of the foregoing could be properly undertaken in aiding the Bureau's law enforcement commission.

The focus of our inquiry has been and will continue to be the use of these and other techniques without the sanction of judicial authority, and for purposes often unrelated to law enforcement, as it has been traditionally defined in our country. I stress that the mandate of this committee is to examine the intelligence-gathering activities of governmental agencies and does not in any way encompass an assessment of the overall FBI law enforcement effort. We make no attempt at overall assessment.

With respect to those FBI activities that have come to be known as domestic intelligence, our inquiry has revealed a further bifurcation of the Bureau's areas of concern. As previously discussed by the committee's counsel in our last session, approximately 20 percent of the Bureau's budget is devoted to intelligence activities. This is divided between so-called domestic intelligence and counterespionage activities.

We have accepted and we support the Bureau's position that a further budgetary breakdown, detailing precise expenditures for each category, might adversely affect the national interest by revealing the exact amount of expenditures for counterespionage. Therefore, while the nature and extent of these activities is less than precise from a budgetary standpoint, this inquiry nevertheless represents a critical area of our investigation.

Testimony and other evidence received by the committee to date indicate that a variety of techniques, not limited to those just cited, were employed against individuals and organizations without even the cover of legislative or judicial authority. The impact of these abuses on individuals and on legitimate political, social, religious, and philosophical interests represents a dangerous corrosion of our constitutional guarantees.

In counsels' survey of this issue during our last session, we examined a range of activities extending from information gathering to disruption of the lives of individuals and organizations. We witnessed intelligence functions at their admitted worst, and a few of the so-called Counterintelligence Programs against Dr. Martin Luther King.

Today we turn to an in-depth review of intelligence methods, through an examination of the Bureau's most widely used technique, informants. The concept of informing is usually distasteful. However, the informant technique is a valid and recognized one in the intelligence field, and often leads to very solid results. Additionally, the Bureau's use and employment of this technique and its abuse, is partially due to the absence of clear guidelines concerning intelligence informants, and the lack of appropriate constitutional guarantees.

The legitimate concern of the FBI in investigating criminal conduct and preventing criminal activities can never justify an informant's or law enforcement agent's operating outside of the law, without regard to the rights of others. When an informant is used to penetrate an organization to provide intelligence information, the possible impact of this influence, or his influence on that organization, cannot be ignored. Surely the infiltration of informants into groups and organizations who seek to bring about political, socio-economic, or other changes in our society represents, at the very least, a chilling effect upon the freedom of citizens to gather and to debate and to work for such changes.

The fact that an informant, in carrying out his role, may hinder or alter the advancement of legitimate objectives sought by members of organizations, is a matter with which we must all be concerned.

Furthermore, the Bureau's use of informants in large numbers and in circumstances where the propriety of having an informant is dubious in the first place, poses an additional item of concern. As I have already noted, the Bureau's use of the informant is part of the FBI's catalogue of techniques for carrying out its work.

Our hearing today will focus first on the roles actually played by two informants, one who infiltrated the Ku Klux Klan, another who infiltrated Vietnam Veterans Against the War. The other witnesses from the Bureau are here to discuss the policy considerations presented by the need for informants and the proper role of informants in the FBI's mandated investigative and intelligence functions.

The first witnesses today, and will the staff bring them forward, please and have them seated at the witness table—the first witnesses today will be Mary Jo Cook and Gary Thomas Rowe. Mr. Rowe will be wearing a hood so that he cannot be physically identified. He believes that physical identification will be inimical to his personal safety. He now resides at a location not to be disclosed, under an alias, which has been given to him by the government. It was at his request that we allow him to testify today hooded so that he cannot be physically identified.

Now for some preliminary matters to be entered into the record.

I recognize the chief counsel of the committee, Mr. Schwarz.

Mr. SCHWARZ. Mr. Chairman, just before the witnesses, I would like to put in some general facts. First the chart, which is exhibit 8,<sup>1</sup> indicates statistically how absolutely essential the use of informants is to the Bureau's intelligence activities. Based upon a representative sample of cases collected this spring by the General Accounting Office, it was found that in 83 percent of the cases, intelligence cases, informants were a prime source of information. You can contrast that with the findings that in only 5 percent of the cases was any form of electronic surveillance used, and in only 1 percent of the cases were surreptitious entry or mail openings used. That contrast demonstrates how absolutely vital to the Bureau's intelligence activities the informant program is.

The second group of statistics I would like to enter into the record relates to the number of informants, first, today, and through time in the past. As of June 30, 1975, there were 1,040 domestic intelligence informants. That is not to include persons who are informants in connection with criminal matters. That 1,040 can be further subdivided into so-called subversive informants and so-called extremist informants, the definitions of which were discussed before. In essence, extremists are persons in the racial area, blacks, Klan, American Indian, and subversives are everybody else who are pursued in the intelligence field.

In addition to actual informants, of whom there are 1,040, there are today 554 potential informants.

In the past these figures have been higher. For example, in 1971 there were, instead of today's 1,040, 1,731 actual informants, and of course, as we brought out in the hearing 2 weeks ago, there were in the early seventies up to 7,000 so-called ghetto informants.

The final clarification before hearing from the witnesses is that in addition to informants, there are, in Bureau terminology, confidential sources. The difference, as I understand it, between an informant and a confidential source is that an informant is paid and directed by the Bureau, whereas a confidential source is not paid and is either not directed, or directed to a lesser extent.

Some examples in the Bureau manual of confidential sources, specific examples, are bank officers and telephone company employees. Obviously there are others, and the numbers of those are great.

I have no further opening statistics, Mr. Chairman.

Senator TOWER. Thank you, Mr. Schwarz.

<sup>1</sup> See p. 367.

Ms. Cook and Mr. Rowe, will you rise and be sworn, please?

Do you solemnly swear that the testimony you're about to give before this committee is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROWE. I do.

Ms. COOK. I do.

Senator TOWER. The witnesses are represented by counsel today.

Would counsels please identify themselves for the record?

Mr. GEERDES. Franklin Geerdes for Mr. Rowe.

Mr. LENCHEK. Allen Lenchek for Ms. Cook. Ms. Cook is also represented by Ms. Ann Garfinkel.

Senator TOWER. The Chair now recognizes the counsel to the minority of the committee to pursue a line of questioning.

**TESTIMONY OF MARY JO COOK, INFORMANT AGAINST VIETNAM VETERANS AGAINST THE WAR IN BUFFALO, 1973-74; ACCOMPANIED BY ALLEN LENCHEK, COUNSEL, AND ANN GARFINKEL, COUNSEL; AND TESTIMONY OF GARY THOMAS ROWE, INFORMANT AGAINST KU KLUX KLAN IN BIRMINGHAM, ALA., 1960-65, ACCOMPANIED BY FRANKLIN GEERDES, COUNSEL**

Mr. SMOTHERS. Thank you.

I will begin the inquiry with examination of Ms. Cook; and Ms. Cook, if you will, I would like to begin by starting with your first affiliation with the Federal Bureau of Investigation.

It is my understanding that your contact began in the summer of 1973. If you could just briefly, for the committee, explain how that contact came about.

Ms. COOK. Yes. I was living with a man who was working for the Bureau and had been working for the Bureau for about a couple of months as an informant. He asked me—I observed his activities, we discussed his activities, and then he subsequently asked me if I would consider becoming an informant.

Mr. SMOTHERS. Which group was he informing for?

Ms. COOK. He was informing for the FBI.

Mr. SMOTHERS. And on whom was he informing?

Ms. COOK. The Vietnam Veterans Against the War, Winter Soldiers Organization (VVAW-WSO).

He took me to a meeting. After we returned from the meeting, we discussed in more detail how he felt about being an informant, what he did, why he did it; and when I said that I would be open to talking about being an informant with the FBI, he set up a meeting, and then the FBI came to my house to discuss it with me.

Mr. SMOTHERS. An agent came to visit you to discuss your becoming an informant?

Ms. COOK. Yes.

Mr. SMOTHERS. What was the nature of that discussion?

What were you asked to do, if anything?

Ms. COOK. The major understanding that I got from the meeting was that VVAW-WSO was an organization primarily of veterans who were possible victims of manipulation. They had been through the Vietnam war. They had legitimate readjustment needs, and the

Bureau was afraid that they could become violent or could become manipulated in a cause or social concern, and they wanted me to go in there and participate in the organization and make sure that the veterans didn't get ripped off.

So I was to be, you know—they used words like, “be a voice of reason, be a big sister, be sort of a guiding force in the organization and keep things calm, cool, and collected.” That sounded like a legitimate thing to do, so I agreed to work for the FBI.

Mr. SMOTHERS. In addition to maintaining reason and keeping things calm and cool, what other functions were you assigned by the FBI?

Ms. COOK. Well this whole scenario that was presented was called being an informant, so I was to go to meetings, write up reports or phone in reports on what happened, who was there, in some way to try to totally identify the background of every person there, what their relationships were, who they were living with, who they were sleeping with, to try to get some sense of the local structure and the local relationships among the people in the organization.

So I'd go to a meeting, identify the people who were present and identify them as individuals, and then identify the substance of the meeting.

Mr. SMOTHERS. You identified the attendees by name?

Ms. COOK. Yes; or by physical description if I didn't know the name.

Mr. SMOTHERS. Did you identify friends of persons who were associated with the organization?

Ms. COOK. Yes; I did.

Mr. SMOTHERS. Did you provide information on these persons' places of employment?

Ms. COOK. Yes; I did.

Mr. SMOTHERS. And you said you provided information on their personal relationships.

Ms. COOK. Yes; I did.

Mr. SMOTHERS. How did you come to gain this kind of information?

Ms. COOK. Much of it would be initially, it would be gathered at a meeting. People would joke and in personal conversations they would drop information about themselves. As I got to know them as personal friends later, then much more information—I had access to much more information.

Mr. SMOTHERS. Did you report back to the Bureau all the information gained?

Ms. COOK. No; I did not report back to the Bureau all information gained. Initially when I worked for the Bureau, I did. I had little say; I was alien to the situation. They said “go into this,” so I had no way of really knowing what was important and what wasn't important, so in a sense I was a vacuum cleaner for information, just gathering it. And as I became more familiar with the context within which I was working, I was able to make decisions about what was important information and what was not.

Mr. SMOTHERS. Was this on your initiative, or were you given guidance as to what to exclude?

Ms. COOK. This was on my own initiative.

Mr. SMOTHERS. Did you report information on the political views of these persons?

Ms. COOK. Yes; I did.

Mr. SMOTHERS. Ms. Cook, how many people were involved in this reporting process? How many people did you report on?

Ms. COOK. I figured that there were about 50 core people in the organization in the local chapter in Buffalo, and if you look at it in concentric circles, there were perhaps 250 people in the Buffalo community whose names I identified as being leadership one way or the other in the social issues that they were active in, and then perhaps 400 people nationally when you take a look at the national VVAW-WSO and all the organizations that I came into contact with, and then when you add to that the mailing lists that I turned over and the names that came into my hands as being active or interested members of VVAW-WSO, that may be as many as 1,000 names.

Mr. SMOTHERS. With respect to the value of what you have given the Bureau, was there any formal process of identifying what was important, as opposed to the trivia or end result of your communications?

Ms. COOK. Could you repeat the question?

Mr. SMOTHERS. What I'm really asking is what system, if any, was communicated to you regarding the importance of certain kinds of information? Was it determined on the basis of some guidance by the Bureau? Was it determined based on the amount of information you got? Was there any way that was described to you as to what was important?

Ms. COOK. OK. Beyond the general guidelines, identifying people who were present and being aware of people with a propensity for violence, there were no guidelines as to what information was important or wasn't important. My financial arrangement with them was on the basis that I would turn over all information gathered. They would think it over; they would decide what was of value to them and what wasn't of value to them and pay me accordingly, but not necessarily identifying what they considered essential. They rarely gave me information. They didn't define my context and then ask me to go into it. They just said, "We want you to go in there. We're not going to tell you anything about it. You figure it out."

I figured that was fair.

Mr. SMOTHERS. And your pay was based on the Bureau's assessment of the value of the information which you turned over?

Ms. COOK. Yes.

Mr. SMOTHERS. How long were you involved in the effort of informing against the Veterans Against the War?

Ms. COOK. From June 1973 through November 1974. That's approximately 1½ years.

Mr. SMOTHERS. Did there come a time when you were either dissatisfied with or raised questions about your activities as an informant?

Ms. COOK. Yes.

Mr. SMOTHERS. When did this occur?

Ms. COOK. This occurred very, very much so after July of 1974. I had come here to Washington, attended the only large demonstration I've ever been in. The Bureau had asked me not to go. It advised me not to go. I came and I saw people, people I had met in the course of my activities, with blood running down their heads.

I came back from Washington very upset and I started talking with the FBI about all of the contradictions that I was starting to see. I

didn't understand what my involvement was any more. So I started asking them: "I don't see the reason for my continuance. It seems to me that you don't understand what I'm telling you. These people don't need me functioning in their midst, and if you can't give me assurances that the information that I'm giving you which you seem to strip the context away from isn't going to be used against these people, then I cannot continue." And they couldn't. They tried to give me assurances. They brought someone from Washington to talk to me and he talked to me in humanist philosophical terms about why I should continue and about how everything was fine and good, but I was very dissatisfied with those conversations and I insisted on quitting. I gave them a month's notice and I quit.

Mr. SMOTHERS. This person from Washington who talked to you in philosophical terms, do you recall the substance of that conversation? In his efforts to get you to remain as an informant, what kinds of reasons were advanced?

Ms. COOK. Mostly they were trying to assure me that the FBI was part of—our conversations were really far-ranging. We discussed all sorts of social issues, from poverty to the space program to ecology. They tried to assure me that things were going fine, that the status quo was really fine.

I was involved with a group of people who had really bad, really desperate needs as veterans, who didn't have social programs that were sufficient for them. I was also involved in welfare rights and I was constantly meeting people who lived with a degree of poverty that provoked them and irritated and frustrated them, and they tried to self-help programs.

So here I have on one hand a man telling me that things are fine and that my work for the Bureau is part of making sure that dissidents—they had no sympathy for the poverty and the consequences of that poverty that I was viewing firsthand and living with day to day.

So that we were really very much miles apart in our discussions about what was fine and what was not fine in America. And they could not give me any assurances that this information would not be used against people. I could no longer trust that their interest in these people—they were just not sensitive to what the real needs of these people were.

Mr. SMOTHERS. And wasn't it shortly after this that your role as an informant was terminated, that you indicated that you no longer desired to work in this capacity?

Ms. COOK. Yes.

Mr. SMOTHERS. Let me just raise one final area of inquiry with you.

In our previous discussion, you indicated that there came a time when you had become involved in the Attica Defense Project, representing the Vietnam Veterans Against the War. And as a part of that you had become involved in things like the jury survey effort. My question is, did you communicate to the Bureau any of your efforts in this regard as they related to the Attica Defense Effort?

Ms. COOK. Yes, I did. I was put in the position, I was told not to bring to the FBI's attention any information that legally they shouldn't have. But I'm not a lawyer and most average citizens cannot make decisions about what is legally significant and what is not legally significant. There are many instances where I passed information

thinking that I could legitimately pass that information, and I now understand that that information—legally the FBI should not have had that information, and I feel badly about that, but I also know that I was put in the kind of position where I was required to make professional decisions and I could not make a professional decision.

Mr. SMOTHERS. Ms. Cook, did the information passed include correspondence between you and Attica defendants?

Ms. COOK. Yes.

Mr. SMOTHERS. Mr. Chairman, that concludes my examination of the witness at this point. I would like to put into the record at the witness' request, the witness' statement, four pages, dated today's date, and that will be a part of the record of these proceedings.

Senator TOWER. Without objection, it is so ordered.

[The statement of Mary Jo Cook follows:]

#### STATEMENT OF MARY JO COOK

In June 1973, I agreed to work in a program for veterans. A flexible apprenticeship in social work developed that finally paid, from month to month, as much as my 1972 State University teaching fellowship. As the first-born in a family of fourteen people, a "big sister" program appealed to me. The outline of the job included evaluating emotional stability, rationally defusing hair-brained schemes, and protecting potential victims of manipulation. My assignment was Vietnam Veterans Against the War/Winter Soldier Organization (VVAW/WSO), the Buffalo chapter.

I became an informer not fully realizing what that meant. In 1975, I feel bitterly the mockery that has been made of my values and the idealistic commitment I made. A 1984 female Big Brother is a monstrous violation of my identity as a sister.

Being an informant was a serious exploitation of my familial identity. I grew up in a very large and very Catholic family. I am a big sister to my eight brothers and three sisters. A big sister sets an example, assumes adult responsibility at an early age, and is allowed the freedom and duty of constructive criticism. I was trained to be a leader both in my community and in my home. This was a collective decision which met the needs of my family and tried not to be insensitive to my needs as a person. In my family, being a sister is a serious and loving commitment to other human beings. I made this commitment to VVAW/WSO unaware that the FBI had no intentions of honoring it.

The more I understood and defined VVAW/WSO as a process, the more I became aware that the FBI's response to this process was inimical. The picture painted for me by the FBI of a group of "crazies" was replaced by my experience of VVAW/WSO as an extended family, a community of people engaged democratically in a self-help program. I became confused and then alarmed that a real involvement in the democratic process was not regarded as a positive thing. I resigned from the FBI in November 1974 certain that VVAW/WSO was a legitimate and valid organization. This resignation was a matter of moral principles and patriotic duty.

Perhaps the most exciting thing about VVAW/WSO as an organization was that it gave people a real feel for democracy. It was a place where people developed their ideas by putting them into practice. Your voice, your vote and your hands made a difference as you sought with others to find new and better ways of solving problems. This process was a bulwark against violence, the legacy to which the nation in its silence has abandoned veterans.

Veterans have always been a group with special needs; for those needs there should be programs. If the self-interest of the individual and the mutual interest of a community have a meeting point, then a program is both possible and necessary. A program is a volunteer activity; only input from veterans can determine the exact nature of the readjustment needs at this time. The special program that I worked in did not concern itself with the consent of the participants; it was a secret program for their own good. But the fact that Big Brother was keeping a eye on things did not result in more concrete programs based on real needs. The program was itself a recognition of special needs and a refusal to search for answers, because real programs are too costly an investment in some-

thing as unpredictable and fragile as a human being. The idea was to contain the problem, not solve it.

Containment is certainly less embarrassing than programs which would become an open forum on military conduct in Vietnam. If such programs do not take place, then both the American people and the veterans that have served them will suffer, one from ignorance, and the other from isolation.

The Vietnam veterans that I know are interested in changes in the military, changes in their communities, and special programs for those among themselves who need help in rebuilding a life that is honestly worth living. My father's re-adjustment as a veteran who had not seen combat, but had lived through the depression hand-to-mouth, was accomplished because he believed that his hard work in the pursuit of happiness would be fruitful. My father's vision and experience of America was exciting, and his children grew up believing that America was a magic land in which all good things were possible. For Vietnam veterans, vision and experience have also united: the nightmare that began for them halfway around the world is found deeply rooted at home.

The nightmare that many veterans weave of the American Dream is a very intense part of their experience as Americans. In a genocidal war which deprived them of heroism with honor, they came to grips with the inherent fascism of a war of containment which would subject a civilian populace of color to years of death and terror—all in the name of democracy. It is our national dishonor that democracy can inspire death, but not the average citizen to vote with an educated interest.

Senator TOWER. Gentlemen, I would remind you that we operate under the 5-minute rule for questioning of these two witnesses and the Chair recognizes Senator Hart. If you will suspend, Senator Hart, I think we will go ahead and hear from Mr. Rowe, and then proceed with the Senator's questions.

Mr. SCHWARZ. Mr. Rowe, were you an informant in the Klan?

Mr. ROWE. Yes; I was.

Mr. SCHWARZ. From when to when?

Mr. ROWE. From approximately 1959 to 1965.

Mr. SCHWARZ. In 1955 did you surface in connection with a murder-case?

Mr. ROWE. Yes; I did.

Mr. SCHWARZ. Whose murder and what role did you play in that case?

Mr. ROWE. I was in the automobile the evening that Mrs. Viola Liuzzo was killed by a Klansman.

Mr. SCHWARZ. And this was the situation in connection with the Selma march where a woman from Detroit was killed while she was riding in a car after the march?

Mr. ROWE. Correct.

Mr. SCHWARZ. And you surfaced and testified at pretrial which ultimately resulted in the conviction of the persons who had committed that murder.

Is that right?

Mr. ROWE. That is correct, sir.

Mr. SCHWARZ. Now I want to go back, Mr. Rowe, to how you came to that point and what you did as an informant before performing that service. Had you served in the Government prior to being a Klan informer, in military service?

Mr. ROWE. Yes.

Mr. SCHWARZ. You had been a marine?

Mr. ROWE. Yes.

Mr. SCHWARZ. How old were you when you became a marine?

Mr. ROWE. I joined the Marine Reserves at 14½ years of age.

Mr. SCHWARZ. And the FBI recruited you to infiltrate the Klan? Is that right?

Mr. ROWE. That is correct, sir.

Mr. SCHWARZ. What kind of information did you report back to the FBI about the Klan?

Mr. ROWE. Any and everything that I observed or heard pertaining to any Klansmen.

Mr. SCHWARZ. Now did that include information relating to Klan planned violence or actual violence?

Mr. ROWE. Yes, sir.

Mr. SCHWARZ. Did it also include information relating to political matters?

Mr. ROWE. Yes, sir.

Mr. SCHWARZ. What is an example of that?

Mr. ROWE. Sir, an example of that is that we had a former FBI agent running for mayor of Birmingham. I was instructed to attend meetings, observe who was there, whether the people were Republicans or Democrats, as I could best describe them and give their names, and if they were in fact active political people.

Mr. SCHWARZ. Now in addition to reporting back political information relating to violence, did you report back information relating to the social life of the members of the Klan?

Mr. ROWE. Yes, I did.

Mr. SCHWARZ. Including the most intimate details of their social life, their personal life?

Mr. ROWE. That's what I was instructed to do, sir.

Mr. SCHWARZ. You were instructed to do that by the Bureau and you did that?

Mr. ROWE. That is correct, sir.

Mr. SCHWARZ. Did you also go to meetings of civil rights organizations and report back what was being said at those meetings?

Mr. ROWE. Yes, I did.

Mr. SCHWARZ. Did you report the same information to the Bureau and to the Klan about the civil rights organizations?

Mr. ROWE. Basically the same information, yes.

Mr. SCHWARZ. You were a member of something called the KBI, or the Klan Bureau of Investigation. Is that right?

Mr. ROWE. That's correct.

Mr. SCHWARZ. So you were, in effect, informing on the civil rights organizations to both the Bureau and the Klan?

Mr. ROWE. That is correct.

Mr. SCHWARZ. Turning to the subject of violence, what instructions, if any, were you given at the outset of your employment by the FBI with respect to participation in violent activity?

Mr. ROWE. Sir, I was instructed under no conditions should I participate in any violence whatsoever.

Mr. SCHWARZ. Now did those instructions subsequently change?

Mr. ROWE. Yes, they did.

Mr. SCHWARZ. Describe the change, will you, please?

Mr. ROWE. Sir, I was contacted by my contact agent and he stated to me, he says, "I know there's a lot of crap going on that you aren't reporting." He says, "I know what's happening. I don't understand why you don't see it." I said, "Well, it isn't happening in the open

meetings. I can tell you that. I give you every night a written report of our meetings." And I said, "There's absolutely nothing pertaining to violence discussed in these open meetings. However, I see a group that stayed after the meeting's over. I see a certain group remaining, and they don't come out when we do."

The agent stated that I should try to get closer to members of this certain group and find out who they were and try to get closer to them.

Mr. SCHWARZ. Did you do that?

Mr. ROWE. Yes; I did.

Mr. SCHWARZ. And then did you begin to participate yourself in the violent acts?

Mr. ROWE. Yes, I did.

Mr. SCHWARZ. And did you tell the FBI that you would participate in violent acts?

Mr. ROWE. Before I participated in the acts, yes; I did.

Mr. SCHWARZ. What were some of the acts that you participated in, the violent acts?

Mr. ROWE. Sir, the major one was the Birmingham Freedom Ride.

Mr. SCHWARZ. I'll come to that in a moment, but did you also participate in acts of beating people with chains at a county fair?

Mr. ROWE. Yes. There was a county fair in Alabama and I personally gave the FBI several days' notice, a good week notice, that this was going to occur. My instructions were to hang in, to go and see what happened.

Mr. SCHWARZ. Did the FBI ever tell you when you went to these violent events that you should stand back and not participate, or did they say you were on your own and do whatever you think is necessary?

Mr. ROWE. Sir, they said, "We have to by law instruct you that you are not to participate in any violence. However, I know you have to do this. We know it's something that you have to do and we understand it, and we need the information. That's the important thing: get the information."

Mr. SCHWARZ. To get the information was it necessary, in your judgment, to participate in the violent acts themselves?

Mr. ROWE. Some of the information, I think, yes, and some of it I would say, no, sir.

Mr. SCHWARZ. In connection with the Freedom Riders incident that you mentioned, did you inform the FBI about planned violence prior to that incident?

Mr. ROWE. I gave the FBI information pertaining to the Freedom Riders approximately 3 weeks before it happened.

Mr. SCHWARZ. What did you tell them?

Mr. ROWE. I stated to him I had been contacted by a Birmingham city detective who in turn wanted me to meet with a high ranking officer of the Birmingham Police Department to have a reception for the Freedom Riders.

Mr. SCHWARZ. You mean the Birmingham policemen set up the meeting of the Freedom Riders and you told the FBI that?

Mr. ROWE. Yes.

Mr. SCHWARZ. And then they were beaten?

Mr. ROWE. They were beaten very badly, yes.

Mr. SCHWARZ. Did the Birmingham police give you the time that they promised to give you, to perform the beating?

Mr. ROWE. We were promised 15 minutes with absolutely no intervention from any police officer whatsoever. The information was passed on to the Bureau. We had our 15 minutes. Approximately 15 minutes after the Freedom Riders were attacked, a police officer ran over to me and stated, "Godammit, godammit, get out of there. Get 'em out of here. Your 15 minutes are up and we're sending the crew."

Mr. SCHWARZ. In that fight did you have your neck cut?

Mr. ROWE. Yes, sir, my throat was cut very severely.

Mr. SCHWARZ. Were any arrests made?

Mr. ROWE. Absolutely none, sir.

Mr. SCHWARZ. Did you ever ask the Bureau why no arrest was made?

Mr. ROWE. Yes. As a matter of fact, I quit very shortly after working of the Freedom Riders, right up and own city hall. You could wasn't something done?" There were 1,000 men at least on that morning of the Freedom Riders, right up and down city hall. You would look over from the bus station and see city hall and you would see as many as 100 police officers walking. They couldn't help but see us. We had baseball bats, we had clubs, we had chains, we had pistols sticking out of our belts. It was just unbelievable. Not one officer in the Birmingham Police Department asked us what was going on.

Mr. SCHWARZ. But that was the problem with the Birmingham Police Department. What about the FBI? Did you ever discuss with them why they didn't do anything?

Mr. ROWE. Yes, sir. I was told by the FBI—they said: "Well, who the hell are we going to report it to? The police department was involved in it. The police department helped set it up. We are an investigating agency, not an enforcement agency. All we do is gather information." That was my answer.

Mr. SCHWARZ. Now sometime after that were you told that the FBI had declared war on the Klan, and given the name of something called COINTELPRO.

Mr. ROWE. That is correct, sir.

Mr. SCHWARZ. And what were you told to do under the COINTELPRO?

Mr. ROWE. Sir, under COINTELPRO I had been instructed to disrupt, discredit, or disorganize that organization, to the best of my knowledge.

Mr. SCHWARZ. What did you do in that connection?

Mr. ROWE. I was instructed to give information if I found out who was sleeping with who, if someone was sleeping with another Klansman's wife. I was trying to pass the word around to the different people so as to cause dissension in their homes, try to break up their homes. I was also instructed to attend church services in the regular church services and see if any political activities were going on, or mention the church services as opposed to the Klan meetings. Many Klan meetings were held in churches.

Mr. SCHWARZ. You were also instructed personally yourself to attempt to break up marriages by sleeping with wives of members of the Klan?

Mr. ROWE. Yes, I was. My instructions were to try to sleep with as many wives as I could. That's probably the best information we could gather.

Mr. SCHWARZ. That's all I have, Mr. Chairman, except that thereafter you did help solve the Liuzzo murder by providing information to the FBI as to the solution of that crime?

Mr. ROWE. Yes; I did pass information.

Senator TOWER. Senator Hart?

Senator HART of Michigan. I'd better confess that when you were inside the Klan, I was one among many who had praise of Mr. Hoover and the Bureau because they seemed to know every Communist cell and half a dozen agents, and why weren't they doing the same thing about the Klan?

Now in their defense, my notion was that they would have somebody in a crowd in order to be able to report planned violence, and as a result, prevent the violence which was occurring. I was too dumb to realize that your presence in there did not prevent violence, and indeed, maybe contributed to it.

Ms. COOK, as I get it, you concluded that the aims of this Buffalo chapter of Vietnam Veterans Against the War had as its aim the ending of our involvement in Vietnam?

Ms. COOK. Yes.

Senator HART of Michigan. Amnesty for resisters, upgrading certain military discharges, and getting better health care and drug treatment for Vietnam veterans. Is that right?

Ms. COOK. Yes, that's right.

Senator HART of Michigan. Did you ever see, and if you did, did you ever report to the Bureau, any activities or efforts by that chapter or other Vietnam veterans to overthrow or destroy our Government by force or violence?

Ms. COOK. No, sir.

Senator HART of Michigan. And you said that as a lay person you were not in a position to judge what information appropriately could be passed on to the FBI, and as a result you passed on whatever and all that you got, leaving it up to the Bureau to make the judgment as to what was and wasn't appropriate?

Ms. COOK. Yes, sir.

Senator HART of Michigan. Did anyone ever indicate that they only wanted information about violence, or the threat of violence?

Ms. COOK. Did anyone ever indicate that they only wanted information about violence?

Senator HART of Michigan. Yes.

Ms. COOK. No. Violence was definitely the priority, but they would never say, "only gather information about violence."

Senator HART of Michigan. And in the period of a year, or a year and a half in your service as an informant, you provided the Bureau with about 1,000 names of various members?

Ms. COOK. That's my estimate.

Senator HART of Michigan. During this period in which you were an informant, did you also report on groups and individuals outside the Vietnam Veterans, such as other peace groups or individuals—not members of Veterans Against the War, but individuals who were opposed to the war—with whom you came into contact because they were cooperating with the Vietnam Veterans Against the War in connection with protest demonstrations and petitions?

Ms. COOK. There were a lot of groups that were very sympathetic to the aims of the Vietnam Veterans Against the War, Winter Soldier Organization. So that I ended up reporting on groups like the United Church of Christ, the American Civil Liberties Union, lawyers—the National Lawyers Guild, and liberal church organizations. Many groups went into coalition with Vietnam Veterans Against the War.

Those people were reported on as part of the normal course of my work.

Senator HART of Michigan. So as the expression goes, you were looking out, not just inward, at the veterans. You were looking outward, and included in that estimate of 1,000 names were some of those names, individuals associated with these outside groups who were associated in concert with the effort to end the war?

Ms. COOK. Yes. If I understand the question correctly, yes.

Senator HART of Michigan. Let me make it clear. You mentioned the ACLU and clergy groups and so on associated with the efforts to end the war. Were some of the 1,000 names that you submitted to the Bureau members of those other groups, the ACLU and clergymen?

Ms. COOK. Yes.

Senator TOWER. Senator Goldwater?

Senator GOLDWATER. Yes, Ms. Cook. I think the answer you gave to Senator Hart's last question might be the answer I'm seeking. You turned in information on about 1,000 names. How many of those did you identify as actual veterans?

Ms. COOK. I had a running proportional estimate of how many veterans there were per chapter or per meeting that I would go to. It's easy to identify when the subject is veterans' concerns, how many people are veterans. But as to estimating how many of those thousand, that ballpark figure of veterans themselves, I would say probably under 50 percent. Perhaps 35 to 40 percent might be veterans, but that's off the top of my head.

Senator GOLDWATER. During the meetings that you attended, was there any discussion of how the group was financed?

Ms. COOK. Yes. There would be financial reports given as the normal course of the general membership meeting. All finances came as donations from the individuals involved out of their paychecks, and that information was something that the FBI wanted. They wanted to know if there was any foreign money coming into the organization and there was no evidence whatsoever of foreign money.

Senator GOLDWATER. No evidence of money coming from other organizations like the ACLU and so forth?

Ms. COOK. The only time I ever heard of any money coming into the organization from an outside source was that I understood that back before I joined the organization in 1973, that there were some liberal movie stars or organizations that donated money for either discharge and upgrading projects or something along that line. There was one detail like that that I heard as part of a speech at an April 1974 meeting, but the context of that remark was that all funding from other American sources had ended because money was drying up rapidly, so that the organization had to fund itself very definitely out of the pockets of its membership.

Senator GOLDWATER. That's all I have, Mr. Chairman. Thank you.

Senator TOWER. Senator Mondale.

Senator MONDALE. Ms. Cook, you indicated that you would be paid by the FBI based upon their evaluation of the value of the information that you submitted.

Ms. COOK. Yes.

Senator MONDALE. Approximately how much money did you receive from the FBI during that period in which you informed?

Ms. COOK. Approximately \$300 a month, which is the same amount of money that I received from a teaching fellowship at the university.

I understood that that was—\$300 was the limit for a category, for my category of informant.

Senator MONDALE. What was your category?

Ms. COOK. They told me I existed in a category but they never defined what that was.

Senator MONDALE. Approximately how much did you receive totally from the FBI?

Ms. COOK. I would think totally I received something like \$5,000 during the time that I worked for them. I think that's a good approximate figure.

Senator MONDALE. Can you tell from how you were paid what kinds of information were preferred?

Ms. COOK. I could tell sometimes. Like, for instance, when I was attempting to become a full-time operator and only on a partial basis for the FBI, I quickly learned that by moving away from the community of VVAW-WSO, to do support work, that I would be paid less, and that that information was considered less significant.

There was one point in the summer where I attempted to stay on the committee that did political defense work to work on a local welfare fraud case. That summer, that month, I got paid less money, so I had to go back doing the active Attica work to in fact get the full amount of money.

Senator MONDALE. So when they made this contact with you and asked you to help guide the Vietnam Veterans Against the War into a sort of peaceful way, as well as informing, when you did try to participate in that way, you received very little. When you informed, you received up to your quota.

Ms. COOK. You can't really separate them off. There was no way that—like one of the things I was supposed to do was go to as many regional and national meetings as possible to be able to get a good sense of how the local chapter fit into the national context of the national organization. You went to such meetings as an elected representative. It was a very democratic process, so that there was no way that I could go to the national meeting and fulfill the request of the FBI to go to regional or national meetings without actually becoming part of the elected leadership of the chapter.

Senator MONDALE. But did they pay your expenses?

Ms. COOK. They would pay my expenses.

Senator MONDALE. Was that over the \$300?

Ms. COOK. I would think the actual limit was \$325, so the expenses would have to fit within the \$325.

Senator MONDALE. Did I hear you say that you were attempting at one time to be taken on full-time?

Ms. COOK. At one time earlier when I was first approached I did.

Senator MONDALE. But you wanted to be full-time?

Ms. COOK. I preferred working—it was more exciting working as an informant than working as a teller in a bank, yes. I was working as a teller in a bank, and I found working as an informant a much more satisfying lifestyle and involvement than working as a teller in a bank.

Senator MONDALE. But you couldn't do that on \$300 a month?

Ms. COOK. I'm personally bankrupt, so no, you can't do it on \$300 a month. I'm in debt up to my ears.

Senator MONDALE. But I thought you said earlier you were trying to get into some kind of full-time, permanent status from the FBI.

Ms. COOK. I preferred working for them. I had a teaching fellowship in 1972 with the State University of New York, and I taught composition and attended graduate school there.

That was the amount they paid to graduate students, \$300 a month. You are expected to live on that. I thought I could live on that. As inflation kept going, I found that I could not live on that. But most graduate students are expected to live on \$300 a month.

Senator MONDALE. Were there other informants whom you were aware of?

Ms. COOK. The man that I had been living with was an informant.

Senator MONDALE. Did he inform on the veterans?

Ms. COOK. Partially. He had connections with the veterans club on the campus who had many members of VVAW-WSO but he gradually moved into different areas.

Senator MONDALE. Were there other informants in this veterans group of whom you were aware?

Ms. COOK. No.

Senator MONDALE. Were they aware at all or suspicious of you, that you might be an informant at these meetings?

Ms. COOK. They constantly talked about harassment, feeling that, you know, some of their mail had been opened. They thought that they were being followed, that their lines were being tapped.

The FBI occasionally would go to people and talk to them, talk to their employer. One man that happened to work at a place where the FBI met was fired 3 weeks after I told the FBI that he had to change our meeting place because it wasn't secure.

Could you restate your question?

Senator MONDALE. I was just wondering to what extent they were suspicious that there might be informers around, and what effect that may have had on their activities.

Ms. COOK. They were generally suspicious, they were generally worried. But they didn't ever indicate that they thought that I was an informant, and I never told them I was an informant, and when I finally did tell them I was an informant, they were almost in a state of shock. There was a kind of confusion.

I was a trusted person. I was someone who had developed, you know, pretty human relationships with them, and I was a friend. They considered me a friend and I quit the FBI because I became a friend and had come to like those people very much.

Senator TOWER. Senator Schweiker?

Senator SCHWEIKER. Thank you, Mr. Chairman.

Ms. COOK, what kind of information did the FBI pay the most for? In other words, since it was some kind of a scale of value, what was worth the most to them, what kind of information?

Ms. COOK. I can only make general conclusions about that. I know that the work that I did in political defense earned me a full-time living, and that that work in political defense was fully within my participation in VVAW-WSO as an organization. But beyond trying to pinpoint the exact information, it was more or less—all I can say is it was political information and I would never be able to tell if information given by the individuals was particularly significant to them because they would never tell me something like that.

Senator SCHWEIKER. When you were working as an informant, and would work with groups or people that interacted with the Vietnam Veterans Against the War who weren't members of that specific group, such as some of the church groups that you mentioned, were you to report on their activities and political views as well as people in the outside groups that interacted with the VVAW or not?

Ms. COOK. If they were agreeing to work with VVAW-WSO on a common project, then the kind of positions and the way in which they would vote on a particular issue would be very relevant.

Senator SCHWEIKER. So if the United Church of Christ were to agree to a joint project of some kind or work with them, then they would be fair game too?

Ms. COOK. The United Church of Christ's position on unconditional amnesty was of interest to the FBI, yes.

Senator SCHWEIKER. Mr. Rowe, in your job, were you to determine and report on the positions on the issues of candidates for public office? Was it part of your job or part of the information that you supplied to include where candidates for political office stood on issues?

Mr. ROWE. Yes, that is correct. I was instructed to do this, and I did do it.

Senator SCHWEIKER. Was this a matter of all the positions that candidates took or just positions that relate to civil rights?

How would you define the kind of information that they were interested in on political candidates?

Mr. ROWE. Sir, I was instructed to obtain information of any description that I could report. I had no boundary line. I was instructed to cover and monitor everything.

Senator SCHWEIKER. On a political candidate? All of his views?

Mr. ROWE. Yes, sir, that's correct.

Senator SCHWEIKER. In previous questioning, you have cited one or two cases where you had warned that violence was about to occur and nothing was done, and you felt that something should have been done. Were there other instances where you knew from what you had heard or told the FBI that violence was about to occur, and that you were trying to not only inform them, but warn them to seek to prevent it in some way? Were there other instances besides the one or two you mentioned?

Mr. ROWE. Yes, sir, there were several of them.

Senator SCHWEIKER. In view of that, what did you feel their purpose was in terms of violence? In other words, what do you infer from the fact they let the violence proceed anyway? What really was their objective, as you saw it?

Mr. ROWE. Sir, that's a question that's very difficult for me to answer because I really don't know at this time. I had that question myself and I asked that question but all my reply was I was serving my country well and it was information that had to be obtained or they wouldn't be there.

That was my reply to that.

I think that myself, I have the greatest respect for the field agents in the FBI. I think that the problems that you're trying to find out and I'm trying to help you with come up from higher echelons.

I think that they were just telling me something that someone else told them to do. I think they were simply following instructions.

Senator SCHWEIKER. On the matter of intervening before violent activities, did you feel that what you reported pretty well went on up the chain of command, that it did not just stop with your contact of-ficer? Did you get the feeling that it went pretty well up into the hierarchy in terms of that policy?

Mr. ROWE. Certainly. Up until yesterday I had no way of knowing. I briefly saw several reports that I had turned in through the years indicating that they did in fact get back here to Washington in ample time to have these things stopped, and apparently nothing was done about them.

Senator SCHWEIKER. So it raised the question, and I gathered this is part of the reason that you decided to not continue your activities, of what the real purpose of your activity was when you saw violence that might have been prevented by some kind of action by someone in the Department. When it wasn't done, you felt that actually violence and stopping violence really wasn't part of the function that you were engaged in, even though that's what you thought you were engaged in. Is that about right?

Mr. ROWE. That's basically the answer, sir.

Senator SCHWEIKER. Do you think that informants, if used properly, can prevent violence, if people want to prevent violence? In other words, given what you know now, would it be possible to prevent violence if the policies of the FBI would be toward preventing violence?

Mr. ROWE. Sir, if I may explain to you, I obtained the name of a preacher during my 5 years in the Klan organization because I would see things that I felt they were fixing to go on and I would say, "come on, it's not worth the hassle. We can do it another time. Don't get involved because we're going to blow the damn thing open," and all this type of information.

I was just simply trying to deter these things. I had met with some of the higher echelons of the Jefferson County Sheriff's Department, the Birmingham Police Department, and movements of violence with 2, 3, several days' notice, and I was just concerned. I would say, "look, you really think this is the answer?" And they would say, "this is what we need to get done. We've got to stop this right now. American people have to keep these people out of here."

Senator SCHWEIKER. I just have one quick question. As I understand it, because you were with the Klan and wanted to keep people in the Klan, the Birmingham Police Department gave you complete access to the intelligence files of the police department. You were pretty well allowed to see what you needed to see to promote the Klan's activities by the Birmingham Police Department. Is that correct?

Mr. ROWE. That is correct, sir.

Senator SCHWEIKER. That's all I have, Mr. Chairman.

Senator TOWER. Senator Huddleston.

Senator HUDDLESTON. Thank you, Mr. Chairman.

Ms. COOK, what instructions were you given by the FBI relative to the secrecy of your mission as to how you were supposed to keep from the public or other individuals that you were in fact an informant?

Ms. COOK. I think I was generally instructed that I was not to tell anybody. I didn't take it that seriously because I went home and I told my eleven brothers and sisters, I told my parents, and I told a few girl friends. I did not tell anyone in the political organization that I infiltrated.

Senator HUDDLESTON. But that would have been a violation of instructions you received?

Ms. COOK. I was told that the reason for me to remain in secret, the reason why I was supposed to keep my work secret, was for my own protection. I didn't see that telling my family about the work that I was doing for the FBI was going to be any violation of my protection or any danger to me.

Senator HUDDLESTON. Would that same attitude have prevailed during discussions between your friend and yourself about his involvement as an informant, assuming that he had the same instructions?

Ms. COOK. You mean did our instructions mean that we shouldn't mutually discuss our work?

Senator HUDDLESTON. Right. Or his work prior to your becoming an informant. You apparently discussed your friend's role, which led you to become an informant.

Ms. COOK. I suppose he shouldn't have discussed it with me except that he trained me. He constantly talked with me about the activity, the work that I was doing, what his perspective was on it, and then we came to really severely disagree about what we were supposed to be doing.

Senator HUDDLESTON. Now, you indicated that you became quite disenchanted with your role after your Washington experience. Prior to that instance in Washington, had any of the information that you had furnished the FBI been of such a nature that would have led them to believe that there would be violence at that particular demonstration?

Ms. COOK. Although I was finally disenchanted with the FBI, none of the information that I provided the FBI about the coming demonstrations for universal unconditional amnesty or ending the war, none of that information suggested that there would be violence.

Senator HUDDLESTON. Did any of it suggest that this organization was in fact being manipulated by Communist influences?

Ms. COOK. No.

None of it suggested there was any manipulation of any kind.

Senator HUDDLESTON. Did any information suggest that they were engaging in illegal or violent operations?

Ms. COOK. No.

Senator HUDDLESTON. You indicated that part of your disenchantment, too, was that information you furnished was being used against these people.

What did you mean by that?

Ms. COOK. I mean going to someone's employer and telling them that the person that is working with them is a Communist and a dangerous person and ought not to be employed, and people being fired. People were very afraid that the FBI was watching them because the FBI did not agree with their policies, and when the FBI would come to their door to talk to them, they didn't want to talk with the FBI. The fact that their employers were being talked to and that their political views were being discussed with their employer with an eye toward terminating their employment—that worried them, it upset them.

Senator HUDDLESTON. You did not feel it was justified on the basis of their participation or activity in the Vietnam Veterans Against the War?

Ms. COOK. Definitely not.

Senator HUDDLESTON. In your judgment, did the FBI have an exaggerated concern about this organization as far as it being a threat to the United States?

Ms. COOK. Yes; and nothing I could say could change that.

Senator HUDDLESTON. They persisted in that attitude, despite the fact that the information you had given them tended to lead in the other direction.

Ms. COOK. Yes.

Senator HUDDLESTON. Do you have any idea what happened to the information they collected on the 1,000 persons you estimate you supplied to them? Was it set up in files? Is it still maintained?

Ms. COOK. My information was that they say that most of the information I gave them was going to be kept at the local level, except that I got several telephone calls relayed to me through Gary from Washington, based on the reports I was turning in, so that I knew that information wasn't just remaining at the local level. It was going to Washington, and decisions were coming from Washington. Other than that, I don't know where the information went.

Senator HUDDLESTON. Mr. Rowe, certainly on the event of Mother's Day, 1961, there was complicity with the Birmingham police officials in the violent actions that occurred. Were there ever instances in your experiences where police officials collaborated in or were accomplices to violent and illegal acts?

Mr. ROWE. Absolutely, sir. We on several occasions rode around in Birmingham police automobiles surveilling some of the churches.

Senator HUDDLESTON. Rode around in the automobiles?

Mr. ROWE. In the automobiles; yes, sir. There were as many as three to five Klansmen on the police department.

Senator HUDDLESTON. Was the FBI made aware of this?

Mr. ROWE. Yes, sir, absolutely, on many occasions.

Senator HUDDLESTON. Were there any instances where the FBI reported that fact to the Attorney General or any other legal official with the U.S. Government?

Mr. ROWE. Sir, I really wouldn't know. I wouldn't be in a position to answer that. I really don't know. I was just involved with my contact agent.

Senator HUDDLESTON. You didn't see the result of any action along that line?

Mr. ROWE. Absolutely none.

Senator HUDDLESTON. Just one other question.

You switched from being a nonparticipant in violent actions in the Klan, to a participant when the FBI changed to so-called COINTEL PRO which involved disruption. During this phase of your participation, were there serious efforts to prevent violent actions from occurring?

Mr. ROWE. Sir, to the best of my personal knowledge, only in one or possibly two instances. I know of one incident that they did prevent violence, but that was the only one. There were many that they could have prevented, but they did not.

Senator HUDDLESTON. In the May 21 incident, the FBI did send additional agents into Birmingham prior to that march, did they not?

Mr. ROWE. That is correct.

Senator HUDDLESTON. But as far as you know, none of them made any efforts to prevent the violence from occurring?

Mr. ROWE. Sir, if I may, at the time of the incident itself, along with the Birmingham incident I observed, I observed several FBI, in fact, taking movies of the beatings at the bus station.

Senator HUDDLESTON. And they did nothing to stop it?

Mr. ROWE. No.

Senator TOWER. Senator Hart of Colorado.

Senator HART of Colorado. Mr. Rowe, during the period we are discussing here, you attended a number of civil rights rallies or meetings. Is that correct?

Mr. ROWE. Yes, sir.

Senator HART of Colorado. And at the time that you were gathering information for the FBI about Klan activities, you were also in effect gathering information for the Klan about civil rights activities; is that correct?

Mr. ROWE. That is correct, sir.

Senator HART of Colorado. Were there ever occasions in this double agent capacity when information you gathered in your capacity as an FBI informant, information that had to do with civil rights groups or activities, was passed on to the Klan to the detriment of those civil rights groups?

Mr. ROWE. Sir, I don't believe I understand the question, but if I understand it correctly, I at no time used any information that I knew of or was aware of and passed it on to the Klan; absolutely not.

Senator HART of Colorado. I'm sorry, I missed the last part of that. You didn't use that information in what way?

Mr. ROWE. I passed on absolutely nothing to the Klan that I learned or obtained from various agents in the Bureau. I'm not sure what you are asking.

Senator HART of Colorado. I'm merely trying to find out if in covering or attending the civil rights meetings on the one hand for the FBI as a Klan informant, were you also gathering information about the civil rights activities for the Klan in a way that would encourage the Klan to act adversely to those civil rights groups?

Mr. ROWE. No, sir.

Senator HART of Colorado. One other question.

We've had considerable testimony in the last few weeks about the Federal Bureau of Investigation in relationship to Dr. King. [See

footnote, p. 21.] Part of their animosity to Dr. King sprang originally from late 1962 in which he gave an interview critical of the FBI, and I think that interview appeared in the Atlanta Constitution in November of 1962. He said, among other things, agents of the FBI in Albany, Ga., are siding with segregationists. This apparently agitated the Bureau considerably, and in early 1963, Bureau memorandums indicate that at the direction of Mr. Hoover, Mr. DeLoach and Mr. Sullivan tried to contact Dr. King to set him straight about the fact that the Bureau is not siding with segregationists and so on.

In one memorandum, January 15, 1963, when their attention to Dr. King first began, a DeLoach memorandum says, "It would appear obvious"—after Dr. King refused to talk to him—"It would appear obvious that Reverend King does not desire to be told the true facts. He obviously uses deceit, lies, and treachery as propaganda to further his own cause."

This memorandum and other memorandums go ahead to indicate Dr. King didn't know what he was talking about, that he was lying about the Bureau's involvement with the Klan and other groups.

Now, from that began the Bureau's harassment, if you will, of Dr. King that continued for a number of years, ending only with his death. It seems to me that from what you have told us here today and from other information gathered by the staff, that in fact Dr. King was right and the Bureau was either deceiving itself or just not telling the truth internally when it indicated that Dr. King was lying about the Bureau's own involvement with Klan activities. Is that correct?

Mr. ROWE. Sir, that's very difficult to answer, but I believe that you're on the right track; yes.

Senator HART of Colorado. Thank you very much.

Senator TOWER. I should inform my colleagues that there is a record vote in progress on the Senate floor.

Ms. Cook, you have testified that the FBI urged you to remain as an informant after you had informed them of your decision to terminate. Did they at any subsequent time ask you to return to your role as an informant?

Ms. Cook. I believe that the telephone call that I received in February 1974 was that kind of a telephone call. I had been working in a plant for 3 months. I had been fired twice. Within 2 days of my second firing at that plant, the FBI called and asked me a couple of questions as to whether or not the local chapter would be leaving the national organization, indicated that if the chapter would resign, that there would be no longer any necessity for an informant, and I refused to tell them the political position that I was going to take in relationship to that, and I said, "I don't want to talk to you any more," and I hung up.

It was my feeling that the coincidence of my losing my job and their calling me was perhaps more than a coincidence.

Senator TOWER. Ms. Cook, in addition to the \$300 or \$400 a month that the FBI paid you, did they provide you with any other financial incentives to perform as an informant, any other kind of assistance, job assistance or anything?

Ms. COOK. Well, they did get me a job. They got me the job at M. & T. Bank. They also got the man that I was living with a job at a gun supply store where the agents bought their guns. As part of work-

ing for M. & T. Bank, I went into teller training, and part of that training taught me how to identify weapons, how to identify a person who just walks in and leaves. I didn't see the significance of that kind of training—I mean, I see the significance for a bank, but I would assume that my getting a teller's position when I went through that kind of training also did not hurt the purposes of the Bureau in hiring me also.

Senator TOWER. Mr. Rowe, how often did you report to the FBI? Was it once or twice a week or daily or what?

Mr. ROWE. Certainly when I first entered the organization, I was reporting on an average of one to three times a week. Just prior to leaving the organization, I was reporting as many as seven times a day.

Senator TOWER. Seven times a day?

Mr. ROWE. Yes; telephonically.

Senator TOWER. Mr. Rowe, in 1961, Dr. Martin Luther King charged that the FBI was cooperating with violence-prone local police. Mr. Hoover strongly challenged this allegation. In your view, did the Freedom Riders incident represent an aberration, or was it indicative of the general policy of refusing to prevent violence, even when the FBI was warned or advised in advance of the occurrence?

Mr. ROWE. I believe my answer to that would be that there were a couple of times that violence was prolonged. I can't say it was stopped, it was prolonged, but in general, the Birmingham Police Department and the sheriff's office of Jefferson County were definitely involved in the violence. I was there and I was a witness to it, and nothing was done about it.

Senator TOWER. Are you aware of any other similar instances in which the local police were involved?

Mr. ROWE. Yes, sir; I am.

Senator TOWER. So this was indicative of something that occurred fairly generally, then, and the Freedom Riders is not an isolated incident?

Mr. ROWE. No, sir, it's definitely not isolated.

Senator TOWER. Thank you, Mr. Rowe.

Senator Hart?

Senator HART of Michigan. On this business, I'm still not sure what benefit could accrue to the FBI, with its informants contributing to violence. There were instances where you advised the FBI in advance of planned violent activity by the Klan, right?

Mr. ROWE. Yes, sir.

Senator HART of Michigan. How many times would that advance information prevent the anticipated violence? Anytime?

Mr. ROWE. Yes, sir. Actually—

Senator HART of Michigan. Usually?

Mr. ROWE. Not normally, but on several occasions it did, yes, sir. But not as often as they could have, in my belief. I believe that each and every instance that I reported to the Bureau, with the advance knowledge that they had, someone in this country could have been there to prevent that. I believe that. That's all I can say.

Senator HART of Michigan. Can you give us an estimate as to how many such reports of anticipated violence you gave the Bureau?

Mr. ROWE. Sir, well in the high dozens.

Senator HART of Michigan. In the high dozens. How many times were those planned violent activities prevented?

Mr. ROWE. Two to my knowledge that I can actually testify to, and I understand from another agent, one other time. But I can testify as to two times.

Senator HART of Michigan. Was there any difference in the type of report that you made in those two cases and the several dozen other cases?

Mr. ROWE. No, sir; absolutely not.

Senator HART of Michigan. And were the two cases where your report did result in the prevention of violence toward the end of your association with the Bureau?

Mr. ROWE. No, sir. I would have to say along the middle, almost in the middle of the time.

Senator TOWER. You have testified that there were several instances in which local police were cooperating with the Klan in acts of violence.

Mr. ROWE. That's correct, sir.

Senator TOWER. And the FBI had been forewarned of some of these instances that this violence would occur, and that they would occur at a certain time.

Mr. ROWE. In every instance that I was aware of, yes.

Senator TOWER. To your knowledge, did the FBI do anything to circumvent the local police in an effort to prevent this violence from occurring?

Mr. ROWE. Sir, I think maybe I should just state it briefly and see if I can answer the question. On one occasion, the Klan was on the way to Tuscaloosa, to the university, at a time when Governor Wallace was going to have his stand in the doorway to prevent integration of the university, I along with several other Klansmen were arrested outside of Tuscaloosa, Ala. by the highway patrol and elements of the FBI. They seized various types of weapons from us. We were incarcerated that afternoon in the Tuscaloosa County Jail. We remained in jail throughout the evening until Bobby Shelton came down and arranged the release for approximately 35 of us. The weapons were confiscated, and the release was on our own recognizance, but we would have to have a hearing on it. The next morning I received a call from Robert Thomas who was the Exalted Cyclops, like the president of the Klan, and he said to me that he wanted me to go to Tuscaloosa with him. I went to Tuscaloosa, went to the courthouse. We spoke with the judge. The judge took us over to the district attorney. The district attorney says, "is it all right if we release the boys' weapons to them now," and the judge says yeah. He slapped me on the shoulder personally, and then he turned around and shook my hand, and he said, "I want to congratulate you for being an outstanding goddam American. We need some more people down here like that. But I want you to be careful because somewhere in your group you have a goddam snitch." That's exactly what the judge said to me, he said, "because I had to put you boys in jail last night. If I didn't the troops would probably come into Alabama, and I don't want that." He says, "take your weapons and use them well." He returned our weapons to us. I then returned to Birmingham, advised the agents what had

transpired, that I had the weapons back in my possession, and the agents were aghast. They said, you can't have these weapons back in your possession. They are locked in our vault. And I said, "well, you'd better come down and look because in the trunk of my automobile—" the agents came out, took the serial numbers of the weapons to confirm the fact that we had been given our weapons back, and that's the last of the incident I ever heard.

Senator TOWER. So the FBI then apparently went to the State police to try to prevent this violence.

Mr. ROWE. That's what I believe, yes.

Senator TOWER. So there was a level of cooperation there.

Mr. ROWE. Limited, yes, sir.

Senator TOWER. And what other instances were there of local police cooperation? What others specifically can you name that you know of?

Mr. ROWE. Sir, on the same occasion when we were incarcerated in Tuscaloosa, there was a State investigator. A couple of Klansmen were very upset, very nervous, highly nervous during interrogation, and they gave us a quick interrogation as to why we were coming up to Tuscaloosa with all these weapons. A State investigator called me outside the room and said, "go back in there and tell that goddamn Klansman to keep his mouth shut, that something may come up about the bombing and you tell him to shut up. I may have to ask him some questions." I related this information to the Bureau the same night.

On another occasion, the chief deputy of the Jefferson County Sheriff's Department contacted me, and I in turn, on each occasion, contacted higher authorities of the Klan when they wanted something done. I at no time left this to my discretion. I left it to the higher echelon of the Klan. The agreement was set up with the cooperation of the Jefferson County Sheriff's Department. There was a country club on the outskirts of Birmingham called the Sand Ridge Country Club. This country club was set up where the Klansmen were—there were approximately 35 Klansmen involved, along with approximately 20 county deputies, and the chief deputy. We went out to this club on Saturday night. We were supplied evidence to place in this club. They told us, all you do at a quarter to midnight, you get this stuff in the various places, and they described where the various places were. We left the merchandise. At 12 o'clock the prearranged agreement was that they had two female deputies there also. When the female deputy got up to dance with her escort, that was the signal for the raid. At that point, everybody participated in the raid. They arrested several people that night, took them away, and subsequently padlocked the country club. That is the last time we heard of this. This was reported to the FBI approximately a week and a half, two weeks prior to its taking place.

Senator TOWER. Thank you, Mr. Rowe. I believe there are no further questions.

I want to thank you, Ms. Cook, and you, Mr. Rowe, for your cooperation with the committee, and your very significant and helpful testimony.

Thank you very much.

The committee will stand in recess for 3 minutes while we bring forth the other witness.

[A brief recess was taken.]

Senator TOWER. The next witnesses to appear before the committee are Mr. James Adams, Assistant to the Director-Deputy Associate Director (Investigation), responsible for all investigative operations; Mr. W. Raymond Wannall, Assistant Director, Intelligence Division, responsible for internal security and foreign counterintelligence investigations; Mr. John A. Mintz, Assistant Director, Legal Counsel Division; Joseph G. Deegan, section chief, extremist investigations; Mr. Robert L. Shackelford, section chief, subversive investigations; Mr. Homer A. Newman, Jr., assistant to section chief, supervises extremist informants; Mr. Edward P. Grigalus, unit chief, supervises subversive informants; Joseph G. Kelley, assistant section chief, civil rights section, General Investigative Division.

Gentlemen, will you all rise and be sworn?

Do you solemnly swear the testimony you are about to give before this committee is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ADAMS. I do.

Mr. WANNALL. I do.

Mr. MINTZ. I do.

Mr. DEEGAN. I do.

Mr. SHACKELFORD. I do.

Mr. NEWMAN. I do.

Mr. GRIGALUS. I do.

Mr. KELLEY. I do.

Senator TOWER. It is intended that Mr. Wannall will be the principal witness, and we will call on others as questioning might require, and I would direct each of you when you do respond, to identify yourselves, please, for the record.

I think that we will spend just a few more minutes to allow the members of the committee to return from the floor.

[A brief recess was taken.]

Senator TOWER. The committee will come to order.

Mr. Wannall, according to data, informants provide 83 percent of your intelligence information. Now, will you provide the committee with some information on the criteria for the selection of informants?

**TESTIMONY OF JAMES B. ADAMS, ASSISTANT TO THE DIRECTOR—  
DEPUTY ASSOCIATE DIRECTOR (INVESTIGATION) FEDERAL  
BUREAU OF INVESTIGATION; W. RAYMOND WANNALL, ASSISTANT  
DIRECTOR, INTELLIGENCE DIVISION; ACCOMPANIED BY  
JOHN A. MINTZ, ASSISTANT DIRECTOR, LEGAL COUNSEL DIVI-  
SION; JOSEPH G. DEEGAN, SECTION CHIEF; ROBERT L. SHACKLE-  
FORD, SECTION CHIEF; HOMER A. NEWMAN, JR., ASSISTANT TO  
SECTION CHIEF; EDWARD P. GRIGALUS, UNIT CHIEF; AND  
JOSEPH G. KELLEY, ASSISTANT SECTION CHIEF, CIVIL RIGHTS  
SECTION, GENERAL INVESTIGATIVE DIVISION**

Mr. WANNALL. Mr. Chairman, that is not FBI data that you have quoted. That was prepared by the General Accounting Office.

Senator TOWER. That is GAO.

Mr. WANNALL. Based on a sampling of about 900 cases.