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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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- Information pertained only to a third party with no reference to you or the subject of your request.
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47-56689-317, 318, 319, 320, 321

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WFO135 040105Z

RR HQ NY

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FEB 3 8 14 PM '78

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	_____
Adm. Serv.	_____
Crim. Inv.	_____
Fin. & Pers.	_____
Ident.	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Insp.	_____
Rec. Mgnt.	_____
Spec. Inv.	_____
Tech. Servs.	_____
Training	_____
Public Affs. Off.	_____
Telephone Rm.	_____
Director's Sec'y	_____

TR 40105Z FEB 78

FM WASHINGTON FIELD

TO DIRECTOR ROUTINE

NEW YORK ROUTINE (NY VIA FBIHQ)

BT

CLEAR

SITOL, BUREAU FILE 47-56689, NEW YORK FILE 47-11947, WASHINGTON FIELD FILE 47-10713, (OO:WASHINGTON FIELD)

b7c [REDACTED] BUREAU FILE 174-3711, NEW

YORK FILE 174-1804, WASHINGTON FIELD FILE 174-739, (OO:NEW YORK)

DISCUSSIONS WITH NEW YORK AGENTS DURING THE WEEK OF JANUARY 30, 1978, HAS INDICATED THE COS IS AWARE OF THE BUREAU'S INVESTIGATION REGARDING THE [REDACTED] MATTER b7c AND RELATED FEDERAL VIOLATIONS COMMITTED BY THE COS IN NEW YORK.

NEW YORK SHOULD BE ALERT FOR PRETEXT TELEPHONE CALLS AND VISITS BY COS MEMBERS ATTEMPTING TO LEARN THE STATUS OF THESE INVESTIGATIONS. THE PRETEXT TELEPHONE CALLS MAY POSSIBLY BE TAPED. ANY CONTACT WITH SUPPOSEDLY DISENCHANTED

100-7-5074

0-6

2 FEB 10 1978

ROUTE IN ENVELOPE

ROUTED TO:

84 FEB 23 1978

FEB 9 1978

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/15/82 BY SP2TAP/...

[REDACTED] b7c

174-3711

PAGE TWO WF 47-10713 CLEAR

MEMBERS DESIRING TO GIVE INFORMATION ABOUT FEDERAL VIOLATIONS COMMITTED BY THE COS SHOULD BE HANDLED WITH CAUTION AND THESE INTERVIEWS SHOULD BE CONDUCTED INSIDE THE NEW YORK OFFICE.

ADEQUATE SECURITY SHOULD BE AFFORDED ALL DOCUMENTS AND MATERIALS RELATING TO THE CAPTIONED INVESTIGATIONS AS MEMBERS OF THE COS HAVE ATTEMPTED TO INFILTRATE THE BUREAU IN THE PAST AND HAVE, IN FACT, INFILTRATED OTHER GOVERNMENT AGENCIES.

NEW YORK WILL NOTE TAMPA FBI AND SAC TAMPA HAVE RECEIVED NUMEROUS CALLS AND VISITS FROM COS MEMBERS.

ALL THE ABOVE DEALS WITH SENSITIVE INFORMATION CONCERNING THE COS. DISCUSSION OR DISSEMINATION OF THIS INFORMATION IS ON A NEED TO KNOW BASIS.

BT

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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For your information: _____

The following number is to be used for reference regarding these pages:

47-56689-323

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X FOR THIS PAGE X
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Airtel

2/10/78

To: SAC, Tampa (47-1773)

PERSONAL ATTENTION

From: Director, FBI (47-56689)

SITOL

b7c
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1
1 - Mr. Moore

Attached for SAC, Tampa are one copy each of the following documents:

1. Clearwater Sun newspaper article dated 11/6/77.
2. Telegram dated 11/14/77 to Attorney General Griffin Bell (cc to Director, FBI) from Kathy Heard, Church of Scientology, Clearwater, Florida.
3. Letter dated 1/17/78 to Kathy Heard from U. S. Department of Justice.
4. Two letters dated 11/14/77 and 12/15/77 to the Attorney General from John R. Parkhill.
5. Letter dated 1/17/78 to John R. Parkhill from U. S. Department of Justice.
6. Memorandum to Michael E. Shaheen, Jr., Counsel, Office of Professional Responsibility (OPR), Department of Justice (DOJ), from Benjamin R. Civiletti, Assistant Attorney General (AAG), Criminal Division, DOJ.

You are instructed to review the attached data in detail and thereafter submit a signed sworn affidavit responding to each and every instance wherein you are quoted as making a specific comment to a

Enclosures (7)

EX-124 REC-56 47-56689-30
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/30/78 BY SP2TAP/ahk
11/14/84

22 FEB 14 1978

SEE NOTE PAGE 2

- cc. Dir. _____
- AD Adm. _____
- Legal Coun. _____
- Plan. & Insp. _____
- Spec. Mgnt. _____
- cc. Inv. _____
- cc. Servs. _____
- Training _____
- Off. Liaison _____
- Ident. Div. _____
- Crime. Rec. _____
- Comm. Sec'y _____

MAIL ROOM TELETYPE UNIT

FBI/DC

Airtel to SAC, Tampa
Re: SITOL

reporter for the Clearwater Sun newspaper as reported in that newspaper on 11/6/77. You are also requested to set out in this affidavit the conversation you had with the two young ladies in your office on 11/7/77 who are reported to be members of the Church of Scientology at Clearwater, Florida, and any other conversations you had with individuals directly involved in this matter.

The instructions for you to submit an affidavit as outlined above is predicated upon a request by the Office of Professional Responsibility, DOJ, whose office in the Department has been delegated the responsibility of responding to the attached letters from a Church of Scientology attorney and a telegram concerning alleged statements made by you to the press. OPR, DOJ, has advised your comments as contained in the Tampa airtel to the Bureau dated 11/8/77 are not sufficiently specific enough for them to respond adequately to the allegations.

This matter should receive your preferred attention and a prompt reply is requested. Your affidavit should be submitted to FBIHQ marked to the attention of the Office of Professional Responsibility

NOTE:

The Bureau by communication dated 11/22/77 requested SAC Tampa for his comments and recommendations relating to an article which appeared in the Clearwater Sun on 11/6/77 as furnished to FBIHQ in a letter dated 11/14/77 from Attorney John R. Parkhill, Tampa, Fla. SAC Tampa by airtels dated 11/8/77 and 12/9/77 reported being contact by a reporter of the Clearwater Sun and having a conversation with two young ladies on 11/7/77 in his office who advised they were members of the Church of Scientology at Clearwater, Florida. SAC Tampa's explanations at that time were not clear for DOJ to respond now to the allegations. This communication is being submitted to SAC Tampa in order for him to clarify any statements he may have made to the press to members of the Church of Scientology. This matter has been coordi
with [redacted] CID, and [redacted] OPR, P

FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION

SUBJECT:

CHURCH OF SCIENTOLOGY/ L. RON HUBBARD

FILE NUMBER: 47-56689: SECTION 5

December 6 1977

FEDERAL GOVERNMENT

BRC:ALH:DJK:pa
145-12-2237

sb
CW

Mr. Patrick Tobin
Washington Representative
International Longshoremen's and Warehousemen's Union
417 Fourth Street, S.E.
Washington, D. C. 20003

Actual

Dear Mr. Tobin:

Your November 10, 1977, letter to the President has been referred to the Department of Justice for reply. You noted that Reverend Arthur Maren of the Church of Scientology has been in prison for civil contempt for most of four months. Noting that he has not been charged, tried, or convicted of a crime, you stated that you were "protesting this outrageous violation of Reverend Maren's Constitutional rights." Apparently you object to the immunity process, at least when those immunized might be characterized, in your words, as "political dissidents or religious workers." You also attached a copy of your testimony concerning The Grand Jury Reform Act of 1977 before the House of Representatives' Judiciary Subcommittee on Immigration, Citizenship and International Law.

John

We appreciate your letter and attachments. As you might expect, the Department of Justice is in fundamental disagreement with much of your letter.

EX-137 REC 13 47-56689-324 X2
I. REVEREND MAREN'S RIGHTS WERE NOT VIOLATED

Although you suggest that there has been an "outrageous violation of Rev. Maren's Constitutional rights," we heartily disagree.

21 MAR 31 1978

CC: [redacted] FBI

*forwarded to WFO, IP
12/2/77*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-29-82 BY [signature]

18
79 APR 17 1978

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[redacted]

We can best give the background of this matter by capitalizing the facts as related by the United States Court of Appeals for the District of Columbia in In re: Possible Violations of 18 U.S.C. 371, 641, 1503, No. 77-1704 (D.C. Cir., Sept. 2, 1977). The government is investigating the possible involvement of members of the Church of Scientology in surreptitiously copying documents in the United States Attorney's offices and obstructing the investigation of the grand jury. Rev. Maren was subpoenaed before the grand jury but refused to answer substantive questions put to him. "At no time did he claim the privilege against self-incrimination; indeed, he disdain[ed] that privilege as a defense." Id. at 3. The court of appeals rejected Reverend Maren's other claims:

Of course, a minister, like a newsmen, is free to seek court protection from official harassment. Appellant, however, no longer contends that the three questions (asked him before the grand jury) inquire into religious beliefs or information obtained in the course of his religious duties. Moreover, there can be no claim whatsoever that the questions are asked solely for purposes of harassment. We hold that under these circumstances appellant was not entitled to invoke the protection of the First Amendment, and the judgment of the District Court is therefore Affirmed.

Id. at 9.

After Reverend Maren lost his appeal, he did assert his fifth amendment privilege. He was then granted immunity pursuant to 18 U.S.C. 3560b1 et seq. Surely you cannot seriously contend that the grant pursuant to the statute is unconstitutional when the Supreme Court has held otherwise. Fastiger v. United States, 406 U.S. 441 (1972).

Therefore, we believe that not one of Reverend Maren's constitutional rights has been violated. Indeed, the matter has been scrupulously handled.

II. PUBLIC DUTY TO GIVE TESTIMONY TO GRAND JURY

Although you appear unwilling to grant the point, the giving of testimony before a grand jury is a public duty. United States v. Dionisio, 410 U.S. 1, 9-10 (1973). It is a "longstanding principle that 'the public . . . has a right to every man's evidence,' except for those persons protected by a constitutional, common-law, or statutory privilege" Brandenburg v. Hayes, 408 U.S. 645, 688 (1972). Certainly "[a] subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase." United States v. Bryan, 339 U.S. 323, 331 (1950).

There is a need for effective law enforcement. This public need has and should prevail against an individual's interest in being silent about a matter under investigation unless he is excused by a recognized privilege.

As you must realize, Reverend Maren need only testify fully and truthfully before the grand jury to purge himself of contempt.

Sincerely,

BENJAMIN R. CIVILETTI
Assistant Attorney General
Criminal Division

By:

ALFRED L. HANTMAN, Chief
General Crimes Section