

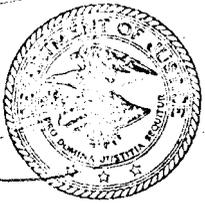
The original documents are located in Box 23, folder “Justice - General (4)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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Jan 10



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

January 9, 1975

Honorable William M. Bulger
State Senator
Boston, Massachusetts

Dear Senator Bulger:

The President has forwarded to me your telegram of January 2, 1975, expressing your deep concern for the rights of the students and parents of the Boston school system.

Because we believe that the parties to the litigation have fully and adequately presented the issues to the District Court and will do so before the Supreme Court if review is granted, we have decided that it is not necessary or appropriate for the United States to intervene in the case.

There are, of course, many Americans who legitimately are deeply troubled and concerned with the practical problems associated with the use of busing as a remedy to eliminate school segregation. However, I cannot over-emphasize this Department and indeed this Administration's unrelenting commitment to the rule of law. Accordingly, I believe it essential that governmental officials at all levels do everything within their power to emphasize to the people of Boston that the issues involved in the Boston school case can be settled only through the judicial process. Any actions outside the courtroom designed to frustrate a judicial decree or calculated to bring the judiciary into disrespect cut to the essence of those shared premises upon which our system of government rests.

Sincerely,

L. H. Silberman

Laurence H. Silberman
Deputy Attorney General



Justice

January 22, 1975

MEMORANDUM FOR:

Robert R. Snow
Special Agent in Charge
Technical Security Division
The White House

In order to facilitate delivery of papers coming from the Justice Department so that they can be delivered directly to my office, I would like to have Alan Cary Stancil cleared to come into the White House as the need arises.

Attached is a completed form, which was filled out by the office of Carla Hills, Assistant Attorney General, Civil Division, Department of Justice.

Philip W. Buchen
Counsel to the President

Attachment

EDaughtrey



WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
SSF 1888	US Secret Service Technical Security Division (1 page)	1/22/1975	C

File Location:

Philip Buchen Files, Box 23, Justice - General (2) / TMH / 11/16/2015

RESTRICTION CODES

- (A) Closed by applicable Executive order governing access to national security information.
- (B) Closed by statute or by the agency which originated the document.
- (C) Closed in accordance with restrictions contained in the donor's deed of gift.

THE WHITE HOUSE
WASHINGTON

11/14/74

Wa.

Re our conversation,
attached are 55 security
forms to be filled out
by Mr. Stancil & returned
to Secret Service.

Thank you

Kathuz



Thursday 11/14/74

3:30 Beverly Posey in Carla Hills' office called to clear a messenger to bring an envelope to Mr. Buchen. Asked if there might be a way they could get a clearance and use the same messenger so he could bring the material into the White House rather than drop the material at the S. W. gate and have a messenger go down to pick it up.

Talked with Jane Dannenhauer; she will send the form 55 to be filled out and sent to the Secret Service.

Suggests we get the form filled out by the messenger (curier) and then Mr. Buchen should write a memo (just a short one) saying that we need to save time and get the papers delivered directly -- and would like to have this courier cleared to deliver those papers directly to Mr. Buchen.

Memo to be written to Mr. Snow in Rm. 23 EOB.

Alan Stancil is the courier -- Dept. of Justice ID 9699 -- issued 7/26/63.

Form completed by Carla Hills' office.



Justice

January 23, 1975

MEMORANDUM FOR: Jack Marsh
FROM: Phil Buchen
SUBJECT: Lawrence Lunt

Checked with Justice. DOJ and State are having discussions. I would suggest that you call Congressman Steiger to advise him the matter is under consideration in the Departments and that, as soon as it may prove necessary or desirable for the White House to get involved, we will. Until all the pieces are put together, we should not take a position, I believe.

PWBuchen:red



THE WHITE HOUSE

WASHINGTON

January 23, 1975

Phil:

I would like to speak personally with
you about this sometime today.

Jack Marsh



SAM STEIGER
2ND DISTRICT, ARIZONA

125 CANNON BUILDING
WASHINGTON, D.C. 20513
202-223-4376

COMMITTEE:
INTERIOR AND INSULAR AFFAIRS
GOVERNMENT OPERATIONS

DISTRICT OFFICE:
5013 FEDERAL BUILDING
PHOENIX, ARIZONA 85023
602-251-4041

Congress of the United States
House of Representatives
Washington, D.C. 20515

January 22, 1975

The Honorable John O. Marsh, Jr.
Counsellor to the President
The White House
Washington, D. C. 20500

Dear John:

You will recall our past conversations about my concern for the plight of my friend Lawrence Lunt who has long been imprisoned in Cuba for activities said to have been conducted upon direction of the CIA. I know that you are also aware of the interest expressed by the Leadership here in the House and of various other Members of the Senate in resolving this situation and in support of the efforts of the Vatican. A letter advising you of this interest is attached.

Last Monday, I am told, the State Department received a communication from the Cubans offering to release Lunt upon condition that Lolita Lebron, a U.S. citizen sentenced to 56 years in prison for participating in the shooting incident of March 1954 in the House Gallery.

This, I understand, is not an offer in the nature of an exchange of prisoners, but rather an offer making Mrs. Lebron's release a condition precedent to their rescinding the remainder of Larry Lunt's thirty-year sentence.

The State Department, I understand, has referred the matter to the Justice Department who are currently objecting that a release of Mrs. Lebron would pervert the criminal justice system.

This matter can be speedily solved by the use of the President's powers of executive clemency in the form of commutation of sentence to the amount already served. This method of release by commutation has no overtures of forgiveness as does a pardon and does not involve the restoration of civil rights. Also, it does not involve the consent of Lolita Lebron and permit her to attach political considerations of her own as does the parole procedure.



January 22, 1975

-2-

John O. Marsh, Jr.

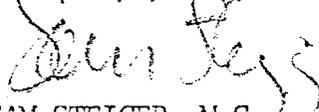
I cannot imagine that there would be serious Congressional criticism to release Mrs. Lebron upon these circumstances. She has now been jailed for over twenty years and her continued detention merely adds impetus to the efforts of the Puerto Rican nationalists.

I can understand why the Justice Department is so cautious, given the dramatic circumstances of this case, but apart from my concern for Larry, I would think it regrettable if this situation should be extended so as to provide an excuse for more disturbances in Puerto Rico -- to say nothing of our relations with Cuba. It would be a pity if the exercise of extreme caution and fear of Congressional criticism should rescind this offer and provide the Cubans and Puerto Ricans of a radical persuasion with an opportunity to make trouble.

From Larry's point of view, his situation as you know is quite desperate. He not only has a family of his own but his mother, I understand, is most gravely ill.

With many thanks for your continued assistance in this tragic matter, I am

Sincerely yours,



SAM STEIGER, M.C.

SS:pk
Enclosure



Congress of the United States

Office of International Affairs

Washington, D.C. 20535

February 27, 1974

The Honorable Henry A. Kissinger
Secretary of State
Washington, D.C.

Dear Mr. Secretary:

Congressman Sam Steiger has brought to our attention the tragic situation of his friend, Mr. Lawrence K. Lunt, and of the opportunity currently available to secure the release of this political prisoner.

It is our understanding that the Cuban Government, acting in response to a plea of the Holy Father which was made upon the request of Ambassador Lodge, has officially proposed that the remainder of Mr. Lunt's thirty year sentence, imposed for activities alleged by the Cuban Government to have been undertaken on behalf of the United States, be commuted upon the condition that the Portuguese Government also release Captain Rodriguez Peralta, a Cuban Army officer, convicted on similar charges for activities in Guinea (Bissau) and sentenced in 1972, to ten years imprisonment by a Portuguese Military Court. We are informed that, as the young Cuban officer has been severely wounded, the Cubans are anxious for his return and that they have reiterated this proposal, first made to the Holy See, to both Mr. Lunt's wife and to the Belgian Government.

It appears that Mr. Lunt's position is quite desperate in that, after nine years in prison, he is now over fifty years old and has a wife and three minor children. The prospects of twenty-one more years imprisonment in Cuba do not appear very encouraging; and therefore the successful negotiation of this proposed exchange may be his only opportunity for freedom. Moreover, we understand that his mother in Colorado is hospitalized and is in her final illness.

It is encouraging to know that the Department of State has recently undertaken to persuade the Portuguese Government to participate in this proposal for the sake of the overriding humanitarian considerations involved. We understand that the Portuguese Government has now informed our Embassy in Lisbon that it is currently considering the matter and that no definite decision has yet been made.



The Honorable
Henry A. Kissinger
Page Two

Thus, it is because of our government's obligation to this American citizen that we commend the Department of State for this undertaking and ask that the Portuguese Government be fully and adequately informed as to our concern and that of other Members of Congress. We hope that this matter will be successfully resolved in accordance with our country's friendship and mutual regard for its NATO ally, and that due notice be taken of the urgent humanitarian considerations that are involved. In that this situation has been permitted to drag on since the Cubans first proposed it in 1971, it seems that speedy and effective measures should be taken to resolve it while the opportunity still exists.

With all personal good wishes,

Sincerely yours,

Carl Albert

Carl Albert
Speaker of the House
of Representatives

John J. Rhodes

John J. Rhodes
Minority Leader

Thomas P. O'Neill, Jr.

Thomas P. O'Neill, Jr.
Majority Leader

Leslie C. Arends

Leslie C. Arends
Minority Whip

John J. McFall

John J. McFall
Majority Whip



Washington Star-News
Wednesday, Jan. 22, 1975

Cuba Offers Trade: 'Spy' for Prisoner

Associated Press

Cuba has proposed to the United States a prisoner exchange involving the re-

convictions of assault with intent to kill.

A heroine to many supporters of Puerto Rican

Justice

January 24, 1975

MEMORANDUM FOR: Warren Rustand
FROM: Phil Buchen
SUBJECT: Dinner for representatives of
the Federal Judiciary

Here is a list of selected representatives of the Federal Judiciary for inclusion (with spouses) to be invited to a White House dinner. In addition, I would suggest including Edward H. Levi, now Attorney General-Designate, whoever is then Acting Attorney General (now Laurence H. Silberman) and whoever may be Deputy Attorney General by then.

From the White House, I would suggest including, among others, the Counsel to the President and Deputy Counsel.

PWBuchen:ed





OFFICE OF THE DEPUTY ATTORNEY GENERAL

WASHINGTON, D.C. 20530

21 JAN 1975

MEMORANDUM FOR MR. PHILIP BUCHEN
THE WHITE HOUSE

Attached hereto are a list of the present members of the Judicial Conference of the United States and a list of others who might be considered for invitations to a judicial reception.

The Senate Judiciary Subcommittee on Improvement in Judicial Machinery and the House Judiciary Subcommittee on Courts, Civil Liberties and the Administration of Justice handle most legislation dealing with the Courts. Although the Senate Subcommittee handled the Omnibus Judgeship bill, Congressman Rodino is reported to be in control of it in the House.

A handwritten signature in cursive script, appearing to read "John T. Duffner".

John T. Duffner
Executive Assistant to the
Deputy Attorney General



MEMBERS OF THE
JUDICIAL CONFERENCE OF THE UNITED STATES (28 USC 331)

Chief Justice Warren E. Burger

District of Columbia Circuit

Chief Judge David L. Bazelon

Chief Judge George L. Hart, Jr., District of Columbia

First Circuit

Chief Judge Frank M. Coffin

Chief Judge Andrew A. Caffrey, District of Massachusetts

Second Circuit

Chief Judge Irving R. Kaufman

Chief Judge Jacob Mishler, Eastern District of N. Y.

Third Circuit

Chief Judge Collins J. Seitz

Chief Judge Michael H. Sheridan, Middle District of Pa.

Fourth Circuit

Chief Judge Clement F. Haynsworth, Jr.

Judge Charles E. Simons, Jr., District of South Carolina

Fifth Circuit

Chief Judge John R. Brown

Chief Judge Alexander A. Lawrence, Southern District of Ga.

Sixth Circuit

Chief Judge Harry Phillips

Judge Robert L. Taylor, Eastern District of Tennessee

Seventh Circuit

Chief Judge Luther M. Swygert*

Judge James E. Doyle, Western District of Wisconsin

Eighth Circuit

Chief Judge Floyd R. Gibson

Chief Judge James H. Meredith, Eastern District of Mo.

Ninth Circuit

Chief Judge Richard H. Chambers

Judge Jesse W. Curtis, Central District of California

Tenth Circuit

Chief Judge David T. Lewis

Chief Judge Frederick A. Dougherty, Western District of Okla.

Court of Claims

Chief Judge Wilson Cowen

Court of Customs and Patent Appeals

Chief Judge Howard T. Markey

* Chief Judge Luther M. Swygert will reach his 70th birthday
on February 7 and will be replaced by Judge Thomas F. Fairchild



Suggested (for consideration) Additional Invitees

Assoc. Justice William O. Douglas
Assoc. Justice William J. Brennan
" " Potter Stewart
" " Byron R. White
" " Thurgood Marshall
" " Harry A. Blackmun
" " Lewis F. Powell, Jr.
" " William H. Rehnquist

Retired Assoc. Justice Stanley Reed
" " " Tom C. Clark

Chief Judge, Tax Court, Howard A. Dawson, Jr.

Chief Judge, Court of Military Appeals, VACANT

Director, Federal Judicial Center, Senior Judge Walter E. Hoffman

Director, Administrative Office of the U. S. Courts, Roland F. Kirks

Chairman, Senate Judiciary Committee, James O. Eastland
Ranking Minority Member, Senate Judicial Committee, Roman L. Hruska*
Chairman, House Judiciary Committee, Peter W. Rodino
Ranking Minority Member, House Judiciary Committee, Edward Hutchinson

Chairman, Senate Judiciary Subcommittee on Improvement in Judicial Machinery,
Quentin N. Burdick

Ranking Minority Member, Sen. Jud. Subcommittee on Improvement in Jud. Machinery,
Roman L. Hruska*

Chairman, Subcommittee on Courts, Civil Liberties, and the Administration of
Justice, House Judiciary Committee, Robert W. Kastenmeier

Ranking Minority Member, Subcommittee on Courts, Civil Liberties, and the
Administration of Justice, House Judiciary Committee, Thomas F. Railsback



Justice

POWELL, JOHN

Material concerning John Powell, former Chairman of
the EEOC, is filed in the safe under

"Personnel -- Powell, John"



January 29, 1975

MEMORANDUM FOR THE EEOC FILE
FROM: PHILLIP AREEDA

We received various materials complaining about John Powell's administration of the EEOC.

I sent these materials to the Justice Department on January 22, 1975 for an impression from their more experienced observers of whether these materials suggested any criminal activity.

Jack Keeney and Larry Silberman suggested that there is enough material to warrant further inquiry, although not necessarily an FBI inquiry at this stage. They suggested that OMB be asked to broaden its inquiry already underway into matters of waste, irregularity in personnel accounts, etc. I sent Paul O'Neill a copy of the materials and he agreed to broaden their inquiry.

Justice also suggested that the Civil Service General Counsel's office has the capacity to examine ethical violations. I sent a copy of the materials to Dudley Chapman with a request that he ask the Civil Service Commission to make such an inquiry.



January 22, 1975

MEMORANDUM FOR:

LAURENCE H. SILBERMAN
DEPUTY ATTORNEY GENERAL

FROM:

PHILLIP AREEDA
COUNSEL TO THE PRESIDENT

I attach two memoranda (with their attachments) prepared by Jay French summarizing the various allegations that have been made against Chairman Powell of the EEOC.

It appears that some of these allegations may reflect personality conflicts within the Commission. Yet, some of the allegations, particularly those concerning "wasteful contracting" might imply the need for further inquiry when examined by Justice Department officials experienced in the detection of corrupt and illegal practices.

Could you advise me whether the enclosures suggest improprieties of sufficient dignity to warrant further inquiry. I would appreciate an oral and preliminary response as early as you find convenient.



Phil A:

Do you know
about these issues?

Shall we offer
to mediate the
dispute now, or is
it a matter that
should await Ed. Levi's
review first.

P

Justice





OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 4, 1975

Honorable Stephen S. Gardner
Deputy Secretary of the Treasury
Department of the Treasury
Washington, D.C.

Dear Mr. Gardner:

On January 14, 1975, Commissioner Donald C. Alexander sent me a copy of his December 19, 1974, memorandum to you concerning Internal Revenue Service participation in the Strike Force effort. The Commissioner's memorandum states that there are only two issues on which this Department and IRS differ in opinion: (1) whether the IRS should be required to centralize direction of its Strike Force manpower in Washington; and (2) whether IRS should be required to restore the 17 Audit representatives to the Strike Forces.

Commissioner Alexander proposes to solve these two problems by assigning the Strike Force representative to the IRS Regional Commissioner's office and appointing an Audit representative at each Strike Force location to assist Strike Force attorneys in making tax cases.

It is apparent from the memorandum that Commissioner Alexander misperceives both the nature and number of our disagreements with his actions concerning the Strike Force participation of IRS. As a result of these misperceptions, the solutions proposed are entirely unsatisfactory.

I. Centralized Direction of IRS
Strike Force Manpower

The Commissioner's proposed solution to the first stated problem confirms the real danger that the present system of permitting assignment of the Strike Force representative to the IRS District Director's staff may result in the Strike Force effort of the IRS going in 15 or 16 different directions. But the proposed solution would merely reduce the number of directions from 15 or 16 to 7. This is still an unsatisfactory result in



the case of a unified organized crime program carried out on a nationwide basis. In addition, the proposal is structurally unsound. For example, there are three Strike Forces whose territory encompasses two IRS regions. Thus, when the Chicago Strike Force representative, assigned to the Midwest IRS Region, attempts to assess the IRS program in Indiana, he will be assessing the work of the Central IRS Region. Likewise, when the Kansas City representative, assigned to the Midwest Region, attempts to carry out his responsibilities in Oklahoma or Colorado, he must go into the Southwest IRS Region. This is also true when the New Orleans Strike Force representative, assigned to the Southwest IRS Region, assesses the work in Mississippi, a part of the Southeast Region. The assessment of the work quality and progress in one region by an employee in another IRS region is obviously unworkable.

II. The IRS Audit Representatives

The proposed solution to the second problem area begs the question of our objection to the removal of the Strike Force Audit Representative. The Audit Representative's function on the Strike Force was to review the audit programs being conducted in the various IRS district offices. Only an experienced IRS Audit Supervisor answering to the IRS central office can review the quality of the work product and progress of an audit program. The proposal to make available an accountant to answer the Strike Force Chief's questions and to supply him with an accountant's expertise is no solution to the loss of the Strike Force full time Audit Representative. The Strike Force need for an Audit Representative is not keyed to audit expertise to help the Strike Force attorneys make tax cases. That help has always been available. Thus, the IRS proposal adds nothing to our present situation and does nothing to repair and reverse the deterioration of the IRS Strike Force effort.

III. Further IRS Actions Detrimental to the Strike Force Program

In addition to the two stated areas of disagreement, we further disagree with and object to the continuing downgrading of the Strike Force representatives from IRS. In this regard, the position description for IRS Strike Force representative calls for a full-time GS-14 supervisory-grade agent. In two Strike Forces, Pittsburgh and New Orleans, the full-time GS-14 agent has been replaced by a part-time GS-13 agent. This, of



course, lessens the incentive for qualified experienced IRS agents to apply for the Strike Force representative position.

A further problem area has just come to our attention. As a result of the recent IRS directive regarding the suspension of the Service's intelligence-gathering groups, the Miami Chief of IRS Intelligence has ordered the Intelligence Representative on the Miami Strike Force to cease any intelligence-gathering. This action effectively destroys the value of the single remaining IRS representative on the Strike Force and, following removal of the Audit Representative, has the effect of an IRS withdrawal from the Strike Force program in Miami. The action taken in Miami has profoundly disturbing implications for the Strike Force effort in other cities.

Another problem area arises from Treasury Department Order 221-3, dated December 24, 1974, which transferred the enforcement of the wagering excise and occupational tax laws to the Bureau of Alcohol, Tobacco and Firearms (BATF). That order provided, however, that the assessment, collection, processing, depositing or accounting for those taxes would remain in the IRS.

IRS and BATF, in a memorandum of understandings, have construed this retention of the audit function to be a retention of only those cases which were underway as of December 24, 1974.

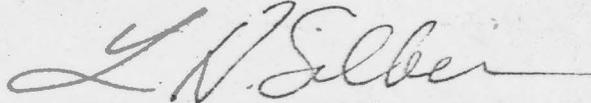
As a result of this memorandum of understandings, the IRS has ordered the cessation of wagering tax investigations by its Audit and Intelligence Divisions, except those in progress as of December 24, 1974. This action was taken despite the fact that BATF has admittedly no audit capability. The IRS action effectively destroys our ability to use wagering excise tax assessments, since BATF cannot accomplish the audit function and IRS will not. For example, we have a court-authorized wiretap in Chicago showing one million dollars a month in illegal untaxed wagers. We wished to move against the property of the gamblers for the two percent excise tax. IRS, as a result of the orders from headquarters, refuses to open an audit and BATF cannot handle the audit because it does not have the audit capability. The wagering tax statute is thus going unenforced and has been rendered useless in terms of Strike Force operations although it can be an important and highly useful tool against large gambling operations.



The continued deterioration of the IRS participation in the Strike Force effort calls for strong and immediate action. Unless action is taken and taken quickly, the IRS will be destroyed as an effective force in the organized crime drive.

I would appreciate your prompt attention to these matters.

Sincerely,



Laurence H. Silberman
Acting Attorney General

cc: ✓ Honorable Philip W. Buchen
Counsel to the President

Geoffrey C. Shepard, Esquire
Associate Director, Domestic Council



ITEM WITHDRAWAL SHEET
WITHDRAWAL ID 01241

Collection/Series/Folder ID : 001900267
Reason for Withdrawal : DR, Donor restriction
Type of Material : COR, Correspondence
Creator's Name : Levi, Edward
Receiver's Name : Jackson, Henry
Description : Senate Permanant Subcommittee on
investigations.
Creation Date : 02/14/1975
Date Withdrawn : 06/23/1988

Jackson Says DEA Probe Impeded

**By Jack Anderson
and Les Whitten**

The Justice Department has been accused of using Water-

partment is collecting information on Gallinaro.

Our sources, supporting Jackson, say Justice Department officials have been reviewing their files for information that

the expensive straw process, which would help to control illicit heroin trafficking.

They expect the United Nations to put up the money, thereby helping to bail out their

visited Turkey to persuade the government to control the new opium production.

The progress of these backstage negotiations has been reported to Washington by An-

THE WHITE HOUSE
WASHINGTON

Ken -
Could you become a master
of this subject - preparatory to
subsequent intervention by Phil Bachen
to resolve the dispute after Levi
gets on board and has a chance
to involve himself.

Phil A.



P.B
F.Y.I.
PA

THE WHITE HOUSE
WASHINGTON

February 25, 1975

MEMORANDUM FOR: PHIL AREEDA
FROM: KEN LAZARUS *KL*
SUBJECT: IRS Strike Force Participation

The attached correspondence which you referred to me is reflective of a congenital problem of the Strike Force effort with which I am already familiar.

There is no need for any action at the present time. After Ed Schmults is confirmed, the friction between IRS and Justice on this point may be resolved. Any further review should be postponed for at least a few months.

Attachments

197A
2/9



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

February 4, 1975

Honorable Stephen S. Gardner
Deputy Secretary of the Treasury
Department of the Treasury
Washington, D.C.

Dear Mr. Gardner:

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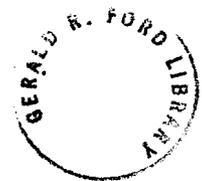
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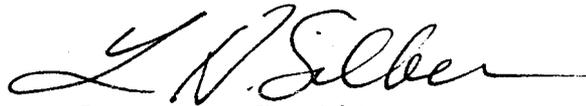
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Sincerely,



Laurence H. Silberman
Acting Attorney General

cc: ✓ Honorable Philip W. Buchen
Counsel to the President

Geoffrey C. Shepard, Esquire
Associate Director, Domestic Council



THE WHITE HOUSE

WASHINGTON

February 28, 1975

MEETING WITH ATTORNEY GENERAL EDWARD H. LEVI

Monday, March 3, 1975

12:15 p.m. (30 minutes)

The Oval Office

From: James E. Connor 

I. PURPOSE

To meet with Attorney General Levi in order to discuss several broad issues of mutual concern.

II. BACKGROUND, PARTICIPANTS, AND PRESS PLAN

A. Background: This is your first private session with the Attorney General. You previously saw him at the last Cabinet meeting on February 21st, and you were present at his swearing-in at the Justice Department on February 7th.

This is the first in a series of meetings with your new Cabinet officers. It is intended to enable you and the Attorney General to get to know one another better, and to enable each of you to indicate general policy areas and approaches you consider important.

B. Participants: Attorney General Levi, Don Rumsfeld and James Connor.

C. Press Plan: Announcement to the Press. Press photo opportunity at opening of meeting and David Hume Kennerly photo.

D. Discussion: The Attorney General suggests several items he would like to raise:

- ...Increasing the role of the Justice Department in policy formulation
- ...Gun control
- ...Aliens policy
- ...Problems with the federal judiciary
- ...The Florida Commission approach to judicial appointments.

White House staff suggested some other items you may wish to raise:

- ...FBI Oversight
- ...Crime Message
- ...Drug Abuse



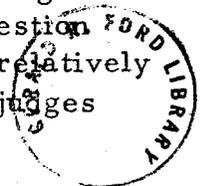
1. Role of the Department of Justice: The Attorney General is concerned that the Department has not been an effective contributor to the policy process in past Administrations. He may indicate that he would like the Department to play a broader role and that he will work to ensure that it is capable of being an effective part of the Administration.
2. Gun Control: In his confirmation hearings, Attorney General Levi committed to attempting to draft appropriate "Saturday Night Special" legislation, and he will be the chief Administration witness before the House Judiciary Subcommittee, which is currently holding hearings on gun control. Given his urban background, the Attorney General's views on gun control may differ from your own.

He does feel, for example, that your crime message ought to address the problem. He suggests it point out that the existing situation with regard to gun control is unsatisfactory and that the existing laws should be better enforced or new laws should be passed. How far the Attorney General would want to go is, however, unclear.

3. Aliens Policy: The problem of illegal alien immigration has recently received a great deal of attention because they may compete with U. S. citizens for jobs. The Immigration and Naturalization Service of the Justice Department is the major governmental agency involved. In addition, the Attorney General is Chairman of the Domestic Council Committee on Illegal Aliens which you established. Current DOJ policy is to press for legislation vigorously restricting immigration. The Attorney General indicated to me that he has some concerns with the policy and would like to raise them with you. I understand that John Dunlop has also raised some questions in this area. You might ask Mr. Levi to outline his concerns.
4. Federal Judiciary: The Attorney General may raise three problems with respect to the judiciary:

- .. the appointment process
- .. salary levels
- .. the need for additional judges

In the area of appointments, he may emphasize the need for ensuring the quality of the candidates for judicial appointment by working closely with the ABA in its rating system. On the salary question he may stress the point raised by Chief Justice Burger that relatively low judicial salaries are resulting in resignations of sitting judges



and turn downs by the most attractive potential nominees. Since judicial salaries are linked to Congressional salaries and thus to the entire question of Executive Level federal pay, you may wish to give him your views on the subject.

The question of additional federal judges has been an issue for the past five years. The federal case load has been rising steadily and the "Speedy Trial Act" which goes into effect July 1, 1975, will further compound the problem. The Attorney General may ask for your strong support in getting the Congress to move on the establishment of new judgeships.

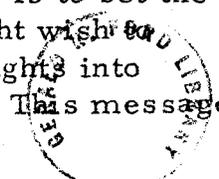
5. The Florida Commission: An extremely thorny problem has been raised by the attempt of Florida to initiate a new method of selecting Federal judges. This approach entails the creation of a Florida Judicial Selection Commission which screens judicial candidates and "nominates" five of them to the Florida Senators who then select one individual they recommend for appointment. The Commission is appointed in the following manner:

- .. each Senator appoints three Commissioners;
- .. the Board of Governors of the Florida Bar appoints three Commissioners

Under this arrangement the Senators would withhold their endorsement of candidates who did not come through this process. Since such a procedure substantially affects your authority to appoint judges, the Attorney General is concerned and wishes to inform you fully of the implications of the situation.

Staff has suggested that you may wish to explore with Mr. Levi the following items:

1. FBI oversight: The Attorney General testified on February 27th on operations of the FBI. The Attorney General has been concerned about the area, and you might wish to ask him to elaborate on the subject.
2. Crime message: Work was substantially completed by the Department of Justice on a proposed draft of a Presidential message on crime to the Congress. Since your purpose in this message is to set the proper tone in support of Justice initiatives, you might wish to encourage the Attorney General to inject his own thoughts into the creation of this message for your consideration. This message



will, in essence, set Justice policy through 1973, and it is therefore important for the Attorney General to be comfortable with the proposals. Moreover, he seems to have an intuitively good "feel" about an appropriate tone for the message.

3. Drug Abuse: The narcotics problem, particularly heroin addiction, seems to be on the increase again and may become a very visible public issue shortly. OMB is concerned with the management of the program, and in the relationship between the Drug Enforcement Administration of DOJ and the agencies involved. You may wish to indicate to the Attorney General that you are looking to him to stay well ahead of the issue for the Administration.

III. TALKING POINTS

1. Ed, this is the first of a series of meetings I intend to have with my new Cabinet officers. I want to focus on broad policy questions to get your views and to let you know my own.
2. I understand that there were several areas you wanted to raise. Let's start with them.
3. How did the FBI hearings go last week? What is your impression of their impact on the Congress, the public and the Agency?
4. I'm particularly concerned with our progress on the crime message. I hope you'll devote a great deal of personal attention to it because it will essentially be our policy now and through 1976.
5. I understand that heroin use seems to be on the rise again. Is the Drug Enforcement Administration fully equipped to handle the problem? We want to stay ahead on that issue and not react to it.
6. I want you to know that you will have access to me when you need it. I've asked Jim Connor to meet with you regularly. If you need quick answers or want to see me, let him know.

