

UNITED STATES GOVERNMENT

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Memorandum

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

TO : The Director

DATE: 12/28/78

FROM : Legal Counsel *JM*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/10/92 BY 1048 DKA/rdm

SUBJECT: CONGRESSIONAL INQUIRIES REGARDING
ONGOING INVESTIGATIVE MATTERS

~~ASSASSINATION CONGRESSMAN~~

~~PURPOSE: *to be known by*~~
Peoples Temple members Leo Ryan

The purpose of this memorandum is to advise you of our policy regarding Congressional Committee requests when the information sought is relative to an ongoing investigation. (u)

DETAILS (u)

The FBI, in consultation with the Department of Justice, has generally refused to respond to Congressional inquiries where those inquiries involve ongoing FBI investigations. It has been our policy to furnish no documentation to a Committee in these situations (u) *pls*

In very few instances we have agreed to conduct oral briefings where those briefings would not interfere with or jeopardize ongoing investigative matters. We have used this technique for the intelligence oversight committees and it has been satisfactory to all parties. We have had a long-time investigation involving the "NUMEC" matter and have been instructed by the Department to furnish no documentation in response to Committee requests. In view of the strong Congressional interest in that matter, numerous oral briefings were conducted for Congressional Committees and representatives of the General Accounting Office (u) DE-2 EX-113 RECA 89-4286-1633

For your further information, the House International Relations Committee has furnished to representatives of the Legal Counsel Division a list of individuals that they wish to identify and interview. That list has been furnished

ENCLOSURE *JM*

- 1 - Mr. Moore
- 1 - Mr. Ingram
- 2 - Mr.

b6
b7C

4 JAN 16 1979 *JM*

DOC: djj (5)

(CONTINUED-OVER)

Memorandum to the Director
 Re: CONGRESSIONAL INQUIRIES REGARDING
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to the Criminal Investigative Division for review to determine whether we have interviewed any of these individuals. In addition, they requested the San Francisco Office to comment on these individuals with regard to their propensity for violence if interviewed by Committee staffers. That office has been advised not to comply with that request. (u)

Where we have a specific Congressional Committee Memorandum of Understanding, provisions are made to excise information regarding ongoing investigative matters. (u)

It should be noted that we have no such memorandum with the full Committee for this purpose. We have had a memorandum of understanding with the Subcommittee on International Organizations concerning the KCIA investigation. (u)

RECOMMENDATION: (u)

That the FBI decline to furnish specific information while this case is pending. (u)

Doc

APPROVED:

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JM

ADDENDUM BY LEGAL COUNSEL: JAM:bpr 12-28-78 (u)

This matter was discussed with the Director and Assistant Director Donald Moore on December 28, 1978, at which time the Director instructed that the Department be advised our policy is to decline to furnish specific information concerning pending investigations. The Director further instructed that Associate Director Adams advise Assistant Attorney General Heymann of the Director's decision in this matter. At 1:50 p.m. on December 28, I discussed this with Mr. Adams and requested him to so advise Assistant Attorney General Heymann. (u)

*Heymann advised
 + that we would
 confirm in writing
 JAM
 12/28 (u)*

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JM

FROM
OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
TO
OFFICIAL INDICATED BELOW

- Mr. Adams _____ ()
- Mr. McDermott _____ ()
- Mr. Bassett _____ ()
- Mr. Cochran _____ ()
- Mr. Colwell _____ ()
- Mr. Cregar _____ ()
- Mr. Joseph _____ ()
- Mr. Kelleher _____ ()
- Mr. Kent _____ ()
- Mr. Long _____ ()
- Mr. Mintz _____ ()
- Mr. Moore _____ ()
- Mr. Boynton _____ ()
- Mr. Bruemmer _____ ()
- Mr. Hotis _____ ()
- Mr. Howes _____ ()
- Mr. Steel _____ ()
- Tele. Room _____ ()
- Miss Devine _____ ()

- See Me _____ ()
- Note and return _____ ()
- Prepare reply and return for my signature _____ ()
- Prepare reply over my signature and send _____ ()
- Respond over your signature _____ ()
- Prepare memo for the Department _____ ()
- For your recommendation _____ ()
- What are the facts? _____ ()
- Hold _____ ()

Remarks: What has been our
past policy with respect to
in going investigations - ?
Committee could independently
bring prosecution.

memo LC to Director 12-28-78
DOC: de; (1) FBI/DOJ

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89-4286-1633

ENCLOSURE