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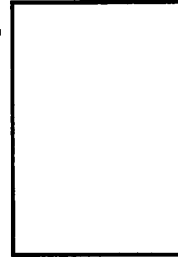
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION



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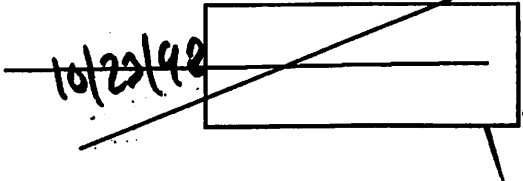
FM BERN (89-6) (P)

TO DIRECTOR (89-4286) IMMEDIATE 413-K14

BT

~~UNCLAS E F T O~~

RYMUR



REBUCAB, DECEMBER 6 AND 8, 1978. (u)

(S) LEGAT HAS HELD EXTENSIVE DISCUSSIONS WITH

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(S) TO TRY TO FIND WAY IN WHICH INFORMA-
(U) TION CAN BE OBTAINED REGARDING SWISS BANK ACCOUNTS. (S)

(U) POSSIBILITIES DISCUSSED ARE: (S)

(U) (1) FORMAL REQUEST PURSUANT TO U.S.-SWISS TREATY ON MUTUAL
ASSISTANCE IN CRIMINAL MATTERS. (S)

(U) (2) U. S. GOVERNMENT'S HIRING A SWISS LAWYER TO FILE CIVIL
CLAIM TO RECOVER COST OF RETURNING BODIES TO U.S. (S)

(U) (3) U. S. AMBASSADOR TO SWITZERLAND MAKING PERSONAL APPEAL
TO SWISS MINISTER OF JUSTICE AND POLICE TO REQUEST UNION BANK OF
SWITZERLAND FOR INFORMATION. (S)

(U) OPTION TWO HAS DISADVANTAGE THAT, EVEN IF IT COULD BE PROVEN
U.S. GOVERNMENT HAD A VALID CLAIM TO THE FUNDS, THE ONLY THING WE
(U) COULD ULTIMATELY GET WOULD BE FUNDS, BUT NOT INFORMATION. (S)

*not relayed
- being handled
by Dad civil on
1.2.78
16*

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PAGE TWO BER 89-6 ~~UNCLAS E F T O~~

(U) OPTION THREE HAS DISADVANTAGES: (1) THAT IT MIGHT NECESSITATE THE USE OF GREAT POLITICAL PRESSURE WHICH COULD USE UP CONSIDERABLE GOOD WILL AND (2) IF THE SWISS MINISTER AGREED, HE COULD NOT COMPEL THE BANK TO COMPLY WITH A REQUEST. THE UNION BANK OF SWITZERLAND HAS THE REPUTATION OF BEING VERY, VERY INTRACTIBLE, AND IT IS BELIEVED THEY MIGHT WELL REFUSE TO FURNISH THE INFORMATION ON A VOLUNTARY BASIS. ~~(S)~~

(S) OPTION ONE HAS THE DISADVANTAGE THAT THE PRESENCE OF FUNDS IN SWITZERLAND CANNOT BE DIRECTLY LINKED TO THE CRIMINAL ACT OF MURDER OF A U.S. CONGRESSMAN. HOWEVER, LEGAT, AND THE DEPUTY CHIEF OF MISSION AND POLITICAL/ECONOMIC COUNSELOR, U.S. EMBASSY, BERN, AGREE THAT THIS IS THE MOST DESIRABLE COURSE OF ACTION IF AT ALL POSSIBLE. ~~(S)~~

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(U) LEGAT IS AWARE OF POSSIBLE CHARGES OF INVESTIGATING A RELIGIOUS ORGANIZATION; HOWEVER, IN ORDER TO ESTABLISH THE BASIS FOR A FORMAL REQUEST PURSUANT TO U.S.-SWISS TREATY ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, THE INVESTIGATION MUST BE BROADENED SO THAT THE FUNDS IN SWITZERLAND CAN BE LOGICALLY LINKED TO AN INVESTIGATION OF CRIMINAL ACTIVITY WHICH IS COVERED BY THE TREATY. ~~(S)~~

(U) FOR EXAMPLE, AN INVESTIGATION MIGHT BE CONSIDERED FOR ITSP OR FBW BASED ON TRANSFERS OF FUNDS WHICH ARE SUSPECTED TO HAVE BEEN ~~(S)~~

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EMBEZZLED FROM A TAX EXEMPT RELIGIOUS FOUNDATION INTO A PRIVATE BANK ACCOUNT.

(U) HOWEVER, SUCH AN APPROACH MUST BE DISCUSSED WITH, AND AUTHORIZED BY, THE U. S. ATTORNEY IN SAN FRANCISCO. THE BUREAU, TOO, MAY WANT TO DISCUSS THIS APPROACH WITH THE DEPARTMENT OF JUSTICE.

(U) IF THE U. S. ATTORNEY IN SAN FRANCISCO AUTHORIZES SUCH AN APPROACH, LEGAT IS PREPARED TO ASSIST BY DRAFTING A FORMAL REQUEST AND OBTAINING PRIOR SWISS APPROVAL OF THE DRAFT. IN THAT CASE, LEGAT NEEDS TO KNOW UNDER WHICH STATUTES THE U. S. ATTORNEY DESIRES TO MAKE THE REQUEST AND A GENERAL STATEMENT OF RESULTS OF INVESTIGATION WHICH WOULD SUPPORT SUCH AN INVESTIGATION.

(S) THE SUBMISSION OF A FORMAL REQUEST ALSO HAS THE ADVANTAGE THAT AS SOON AS ASSURANCES HAVE BEEN GIVEN THAT THE U.S. WILL FILE SUCH A REQUEST, LEGAT CAN ASK THE SWISS TO BLOCK THE ACCOUNTS PENDING RECEIPT OF THE FORMAL REQUEST.

(S) [REDACTED]

IN THE INTERIM, LEGAT HAS ARRANGED WITH THE [REDACTED]

[REDACTED]

[REDACTED] HOPING THAT THE

(U) BANKS WILL TAKE INTERNAL ACTION SHOULD AN ATTEMPT BE MADE TO WITHDRAW THE FUNDS.

(S)

(S)

(S)

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PAGE FOUR BER 89- ~~UNCLAS E F T O~~

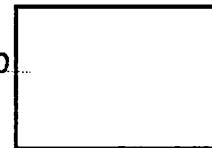
FOR INFORMATION OF SAN FRANCISCO, IN TWO TELEPHONE CALLS WITH FBIHQ EVENING OF DECEMBER 14, 1978, LEGAT ADVISED THAT THE PUBLIC AFFAIRS OFFICER (THE PAO), U. S. EMBASSY, BERN, HAD RECEIVED AN INQUIRY FROM A MAJOR U.S. NEWS MAGAZINE REGARDING TERRI BUFORD, ALLEGED DEFECTOR FROM THE PEOPLE'S TEMPLE, AND MARK LANE, LAWYER, WHO REPORTEDLY WERE EN ROUTE TO BERN, SWITZERLAND, TO WITHDRAW MONEY FROM BANKS. THEY WERE BEING CLOSELY FOLLOWED BY CHARLES GARY, ALSO FORMER LAWYER OF PEOPLE'S TEMPLE, WHO APPARENTLY WOULD ATTEMPT TO PREVENT WITHDRAWAL OF THE FUNDS. ~~(S)~~

(U)

THE PAO LATER RECEIVED ANOTHER CALL FROM A CALIFORNIA NEWS-PAPER WHICH STATED THAT LANE HAD BEEN IN PARIS AND WAS ALREADY IN SWITZERLAND. THE CALLER STATED THAT ONE OF THE ACCOUNTS WAS AT THE SWISS BANK CORPORATION IN KRIENS, SWITZERLAND. ~~(S)~~

(U)

~~(S)~~ UACB, LEGAT IS MAKING THIS INFORMATION AVAILABLE TO REQUEST OF BUREAU: (u)



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1. RETRANSMIT TO SAN FRANCISCO. (u)

2. COORDINATE WITH U. S. DEPARTMENT OF JUSTICE.

LEADS: (u)

SAN FRANCISCO: (u)

1. DISCUSS WITH U. S. ATTORNEY AND ADVISE LEGAT OF DECISION. (u)

2. ADVISE LEGAT, BY RETURN CABLE, OF ANY INFORMATION DEVELOPED REGARDING ADDITIONAL SWISS BANK ACCOUNTS. (u)

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