EFFECTIVE USE OF THE FREEDOM OF INFORMATION ACT

Alex Charns
Durham, NC

Tricks, Tips and Trustworthy Methods Learned From Hundreds of FOIA Requests, and Three Lawsuits over Forty-Three Years . Plus, a FOIA case study uncovering the FBI's Sexual Blackmail of a Supreme Court Justice in 1967 and an Informant on the High Court .

Last piece of the puzzle



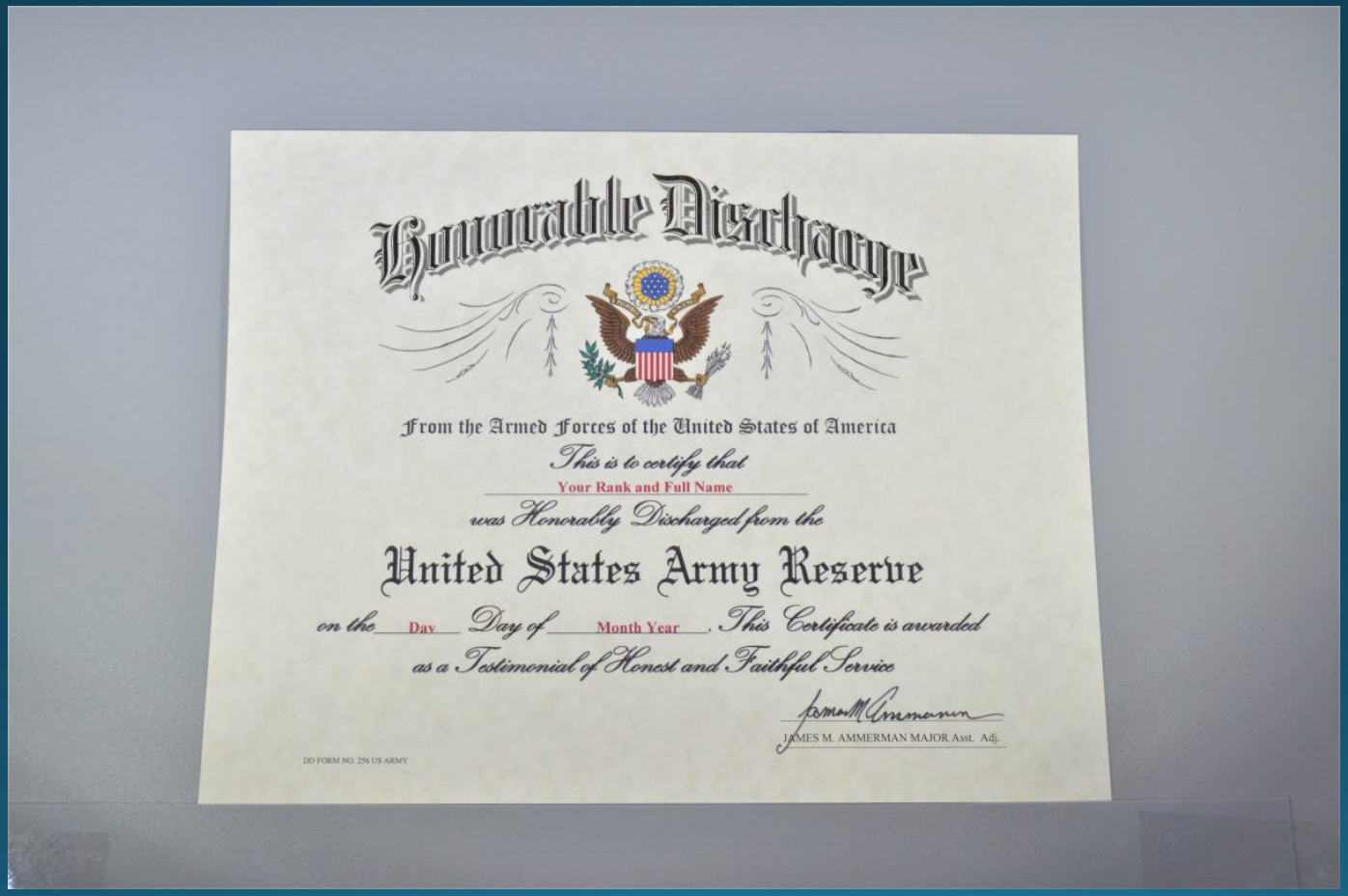
The smoking gun





Explosive Evidence

Sentencing Mitigation Evidence



Honorable Discharge

From the Armed Forces of the United States of America

This is to certify that

Your Rank and Full Name

was Honorably Discharged from the

United States Army Reserve

on the Day *Day of* Month Year *. This Certificate is awarded as a Testimonial of Honest and Faithful Service*

JAMES M. AMMERMAN MAJOR Asst. Adj.

DD FORM NO. 256 US ARMY


THE X FILES™

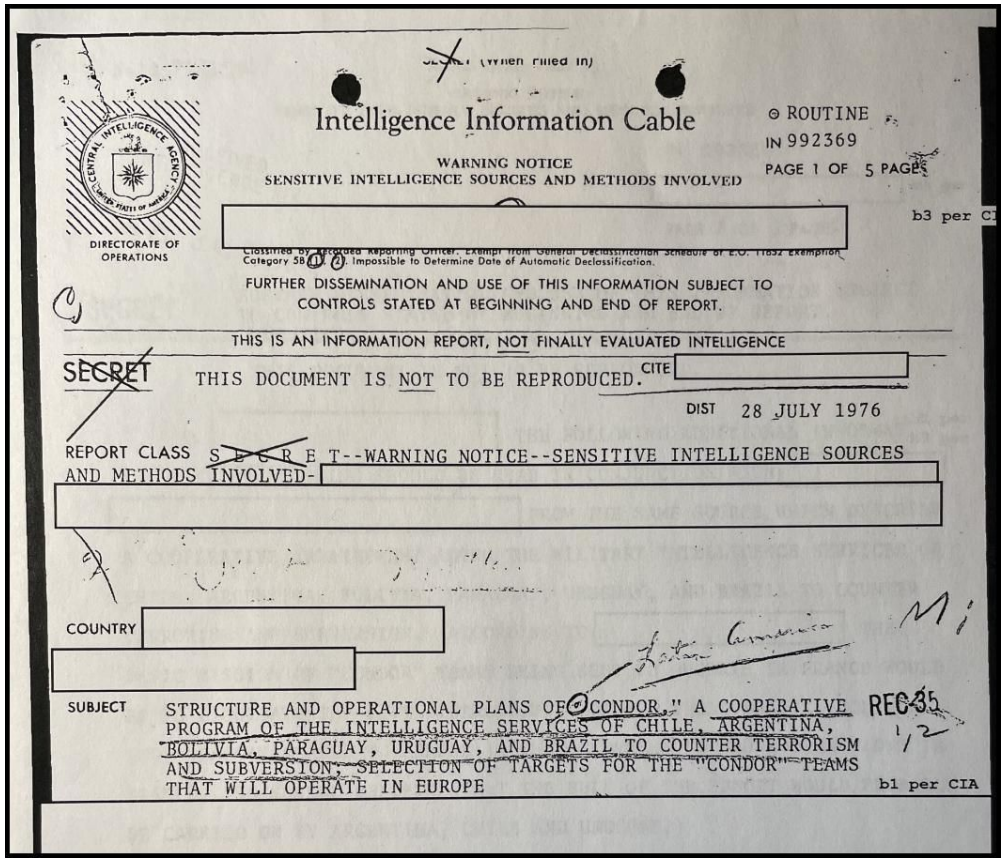
Jeffrey Epstein files

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
Civil Action# 17-cv-03956

Total Deleted Page(s) = 258
Page 3 ~ b3 - 1; b6 - 1, -2, -3, -4; b7C - 1, -
Page 4 ~ b6 - 2; b7C - 2;
Page 5 ~ b6 - 1, -2, -4, -5; b7C - 1, -2, -4, -
Page 6 ~ b6 - 2; b7C - 2;
Page 7 ~ b3 - 1; b6 - 1, -2, -3, -4, -5; b7C -
Page 8 ~ b6 - 2; b7C - 2;
Page 9 ~ b3 - 1; b6 - 1, -2, -3, -4, -5; b7C -
Page 10 ~ b6 - 2; b7C - 2;
Page 11 ~ b3 - 1; b6 - 1, -2, -3, -4, -5; b7C -
Page 12 ~ b6 - 2; b7C - 2;
Page 13 ~ b3 - 1; b6 - 1, -2, -3, -4, -5; b7C -
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Page 14 ~ b6 - 2; b7C - 2;
Page 15 ~ b3 - 1; b6 - 1, -2, -3, -4; b7C - 1,
Page 16 ~ b6 - 2; b7C - 2;
Page 17 ~ b6 - 1, -2, -4; b7C - 1, -2, -4; b7D
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Page 49 ~ b3 - 1; b6 - 1, -3, -4; b7C - 1, -3,
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CIA Operation Condor

- National Security Archive.



(When Filled In)

DIRECTORATE OF OPERATIONS

Intelligence Information Cable

⊙ ROUTINE
IN 992369
PAGE 1 OF 5 PAGES

WARNING NOTICE
SENSITIVE INTELLIGENCE SOURCES AND METHODS INVOLVED

b3 per CI

Classified by Designated Reporting Officer. Exempt from General Declassification Schedule of E.O. 11652 Exemption Category 5B (1) (2). Impossible to Determine Date of Automatic Declassification.

FURTHER DISSEMINATION AND USE OF THIS INFORMATION SUBJECT TO CONTROLS STATED AT BEGINNING AND END OF REPORT.

THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE

SECRET

THIS DOCUMENT IS NOT TO BE REPRODUCED.

CITE

DIST 28 JULY 1976

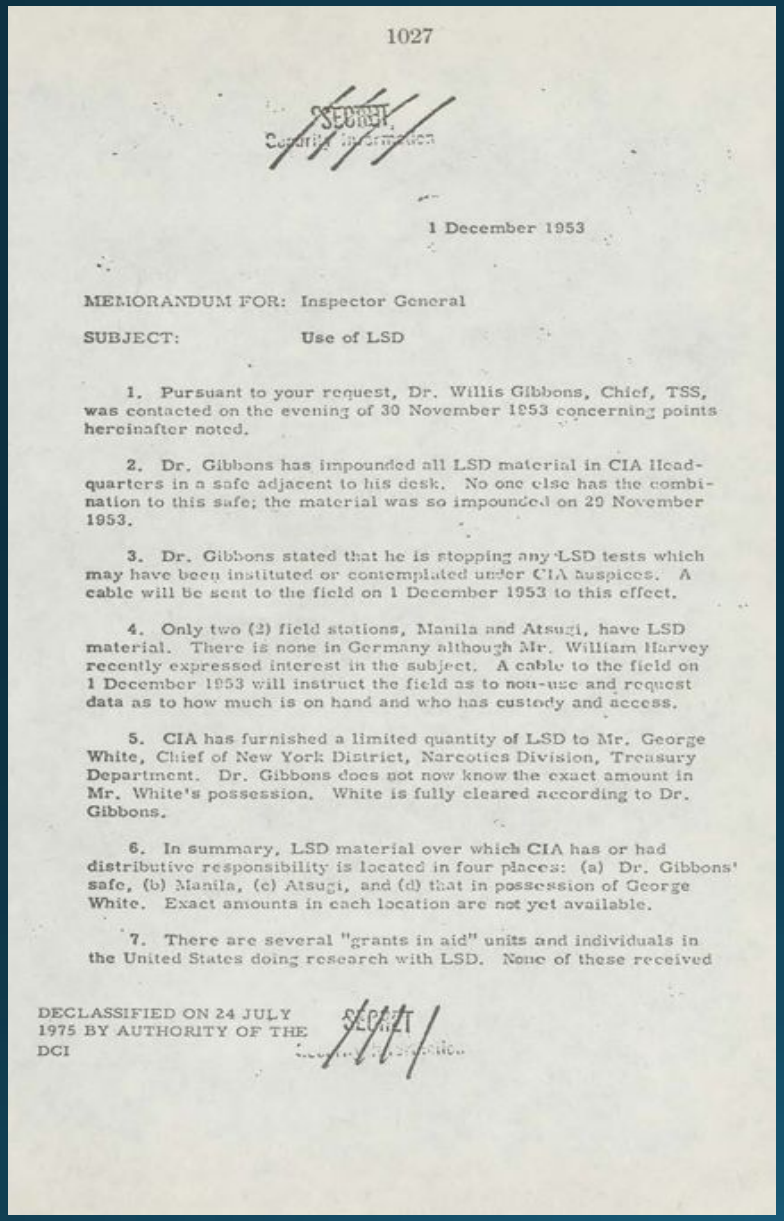
REPORT CLASS SECRET--WARNING NOTICE--SENSITIVE INTELLIGENCE SOURCES AND METHODS INVOLVED-

COUNTRY

SUBJECT STRUCTURE AND OPERATIONAL PLANS OF "CONDOR," A COOPERATIVE PROGRAM OF THE INTELLIGENCE SERVICES OF CHILE, ARGENTINA, BOLIVIA, PARAGUAY, URUGUAY, AND BRAZIL TO COUNTER TERRORISM AND SUBVERSION; SELECTION OF TARGETS FOR THE "CONDOR" TEAMS THAT WILL OPERATE IN EUROPE

REC-35

b1 per CIA



1027

~~SECRET~~
Security Information

1 December 1953

MEMORANDUM FOR: Inspector General

SUBJECT: Use of LSD

1. Pursuant to your request, Dr. Willis Gibbons, Chief, TSS, was contacted on the evening of 30 November 1953 concerning points hereinafter noted.

2. Dr. Gibbons has impounded all LSD material in CIA Headquarters in a safe adjacent to his desk. No one else has the combination to this safe; the material was so impounded on 20 November 1953.

3. Dr. Gibbons stated that he is stopping any LSD tests which may have been instituted or contemplated under CIA auspices. A cable will be sent to the field on 1 December 1953 to this effect.

4. Only two (2) field stations, Manila and Atsugi, have LSD material. There is none in Germany although Mr. William Harvey recently expressed interest in the subject. A cable to the field on 1 December 1953 will instruct the field as to non-use and request data as to how much is on hand and who has custody and access.

5. CIA has furnished a limited quantity of LSD to Mr. George White, Chief of New York District, Narcotics Division, Treasury Department. Dr. Gibbons does not now know the exact amount in Mr. White's possession. White is fully cleared according to Dr. Gibbons.

6. In summary, LSD material over which CIA has or had distributive responsibility is located in four places: (a) Dr. Gibbons' safe, (b) Manila, (c) Atsugi, and (d) that in possession of George White. Exact amounts in each location are not yet available.

7. There are several "grants in aid" units and individuals in the United States doing research with LSD. None of these received

DECLASSIFIED ON 24 JULY 1975 BY AUTHORITY OF THE DCI

~~SECRET~~

CIA MKULTRA

- National Security Archive

Exclusions. Exemptions. Redactions. “Do Not File” files.

July 20, 1967

who has been an informant of the Washington Field Office since [redacted]. He is considered reliable and has provided reliable information over the years has pro-

the Metropolitan Police Department, [redacted] according to records of the Department on 9/1/64 while [redacted] was arrested by the Metropolitan Police and charged with Disorderly. He elected to forfeit $10. fine. No record of [redacted] is available in the FBI's Identification Division. Records of the Department of Motor Vehicles show [redacted] has been issued a currently valid driver's permit. His date of birth was shown as [redacted] in DMV files. These files contain a photograph of [redacted].

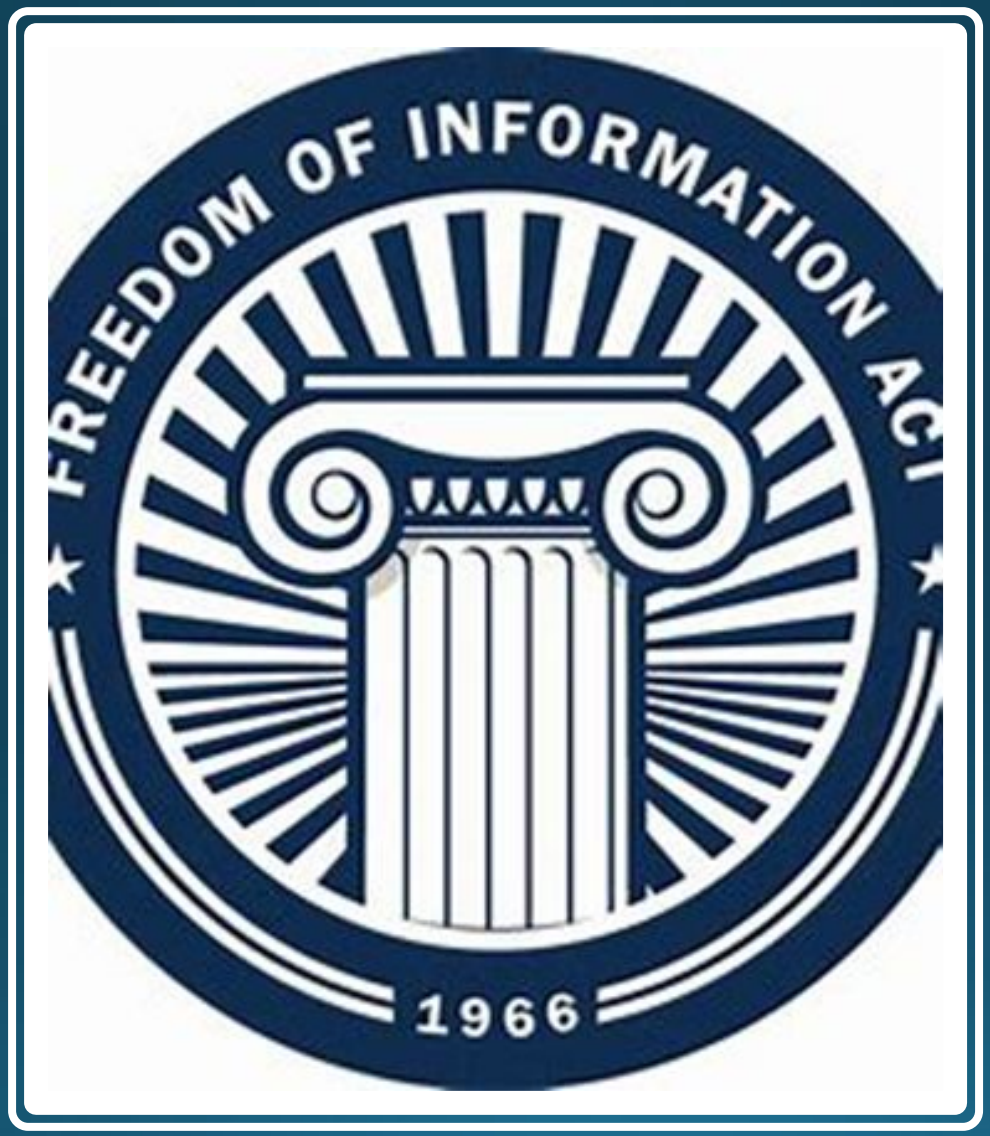
On that date, [redacted] advised a Washington Field Office agent that he had "balled" with Abe Fortas on several occasions prior to Mr. Fortas' becoming a Justice of the United States Supreme Court. Informant stated that to "ball" is to have a homosexual relationship with another male. Informant quoted as stating [redacted] said he had met Fortas through [redacted]. Informant stated [redacted] personally as a homosexual who had in fact been arrested in the past at a "gay" party.

Records of the Metropolitan Police Department show [redacted] was born [redacted] the FBI Identification Division contains a record under FBI Number [redacted] showing [redacted] was arrested by the Police Department in Washington on [redacted] and charged with Disorderly Conduct--Pervert Party.

Metropolitan Police Department records reflect additional arrests of [redacted] for Disorderly Conduct. He elected to forfeit $10. fine on each occasion. These records show his occupation as [redacted]

b2
b7C
b7D


THE TRUTH IS OUT THERE


FREEDOM OF INFORMATION ACT
1966

If the records you seek are held by the State of North Carolina or another state, state law covers that. In NC, it is the Public Records Act. Each state has its own law.



MAKE A FOIA REQUEST: 5 USC 552

Any federal executive agency. Search here: https://www.foia.gov/agency-search.html

ICE. Veterans Administration. U.S. DOJ. FBI. Dept. of Defense. State Dept. etc.

Not Congress, Federal Courts or the White House (except Executive Office of the President).

Time for Agency to Respond to a FOIA request



- Twenty business days for a “”response” to the request, not the release of the records. This time can be extended another ten business days. The actual time to release records depends on the first in/first out queue and the complexity of your request.

Obama Administration Spends a Record $36.2 Million Fighting FOIA

The Associated Press reported on the amount of money the Obama administration spent in its final year in power defending itself from lawsuits related to FOIA request denials. The administration also set records for the number of denials and "non-existent" records replies it sent out, making it harder for journalists and members of the public to get their hands on many records that should have been accessible.

https://www.newsmediaalliance.org/foia-best-of-2017/



Neither confirm nor deny. "Glomar" response.



No means yes or no or …

- How and why did the word "Glomar" come to be used to describe a type of FOIA response? On March 8, 1968, a Soviet Union submarine (known as K-129) sank in the Pacific Ocean – on board were 98 sailors who all perished. Also onboard the submarine were nuclear missiles. The Soviet Navy attempted for several months to find the ship, which was three miles below the surface, but was never able to locate it. At the same time, the United States recognized there might be a lot of valuable intelligence data on the ship if it could be located and raised. Once the Soviets gave up searching, the U.S. military located the ship approximately 1,800 miles northwest of Hawaii, which was hundreds of miles away from where the Soviets had been searching. Thus the Central Intelligence Agency (CIA) in partnership with the Department of Defense began a six-year long covert operation to raise the ship under the code name Project Jennifer, later to be revealed as Project Azorian. National Archives.

Exclusions

The (c)(1) Exclusion

Whenever a request involves access to records described in subsection (b)(7)(A) and the investigation or proceeding involves a possible violation of criminal law; and there is reason to believe that the subject of the investigation or proceeding is not aware of its pendency, and disclosure of the existence of the records could reasonably be expected to interfere with enforcement proceedings, the agency may, during only such time as that circumstance continues, treat the records as not subject to the requirements of this section.



The (c)(2) Exclusion



The second exclusion applies to a narrower situation, involving the threatened identification of confidential informants in criminal proceedings.

Whenever informant records maintained by a criminal law enforcement agency under an informant's name or personal identifier are requested by a third party according to the informant's name or personal identifier, the agency may treat the records as not subject to the requirements of the FOIA unless the informant's status as an informant has been officially confirmed.

The (c)(3) Exclusion

The third of these special record exclusions pertains only to certain law enforcement records that are maintained by the FBI.

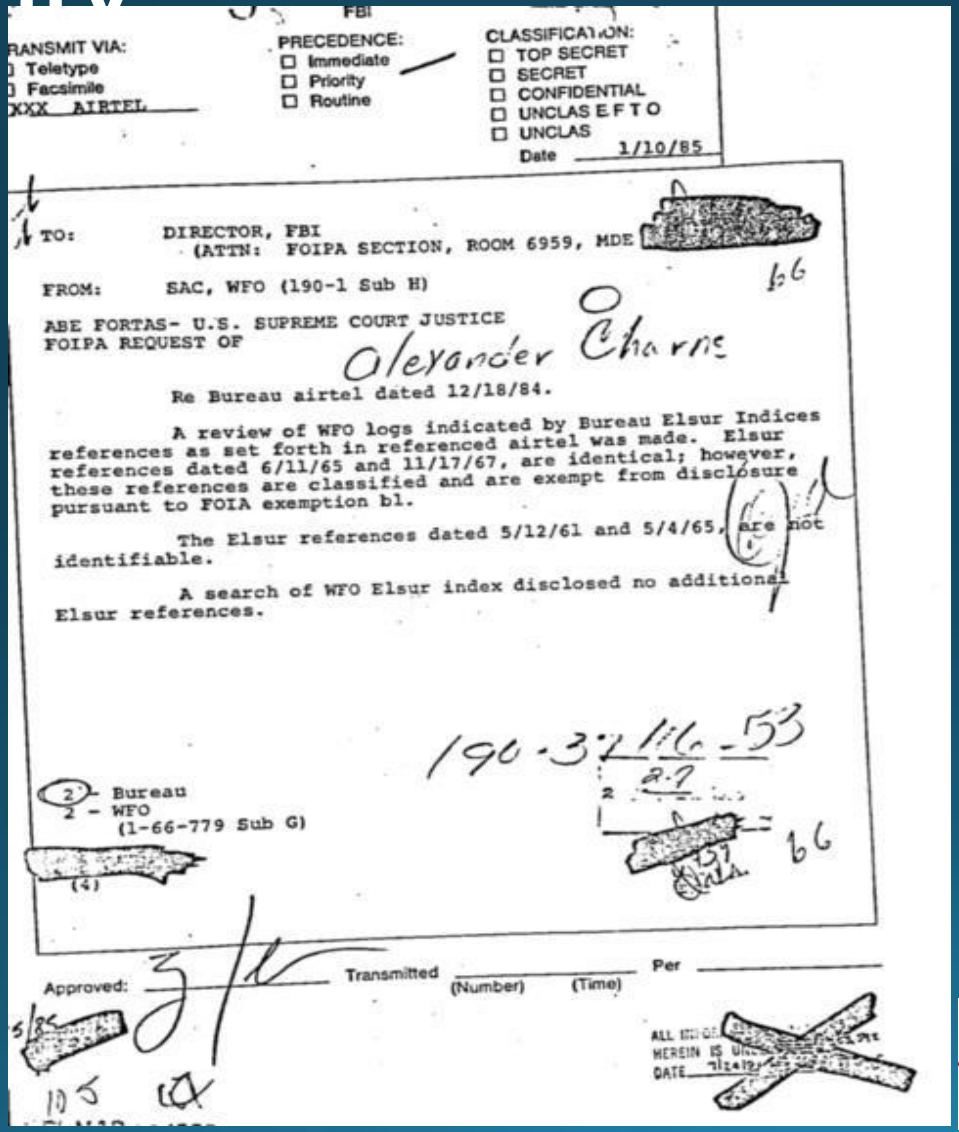
Whenever a request is made which involves access to records maintained by the Federal Bureau of Investigation pertaining to foreign intelligence or counterintelligence, or international terrorism, and the existence of the records is classified information as provided in Exemption 1, the Bureau may, as long as the existence of the records remains classified information, treat the records as not subject to the requirements of the FOIA.





NINE FOIA EXEMPTIONS

Exemption 1: Information that is classified to protect national security



FBI

TRANSMIT VIA:
☐ Teletype
☐ Facsimile
XXX AIRTEL

PRECEDENCE:
☐ Immediate
☐ Priority
☐ Routine

CLASSIFICATION:
☐ TOP SECRET
☐ SECRET
☐ CONFIDENTIAL
☐ UNCLAS E F T O
☐ UNCLAS

Date 1/10/85

TO: DIRECTOR, FBI
(ATTN: FOIPA SECTION, ROOM 6959, MDE [redacted]

FROM: SAC, WFO (190-1 Sub H)

ABE FORTAS- U.S. SUPREME COURT JUSTICE
FOIPA REQUEST OF Alexander Charns

Re Bureau airtel dated 12/18/84.

A review of WFO logs indicated by Bureau Elsur Indices references as set forth in referenced airtel was made. Elsur references dated 6/11/65 and 11/17/67, are identical; however, these references are classified and are exempt from disclosure pursuant to FOIA exemption b1.

The Elsur references dated 5/12/61 and 5/4/65, are not identifiable.

A search of WFO Elsur index disclosed no additional Elsur references.

190-37116-53

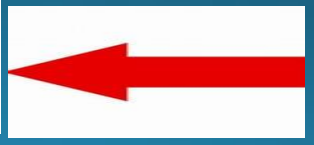
2 - Bureau
2 - WFO
(1-66-779 Sub G)

[redacted]

Approved: [redacted] Transmitted _____ (Number) (Time) Per _____

[redacted]

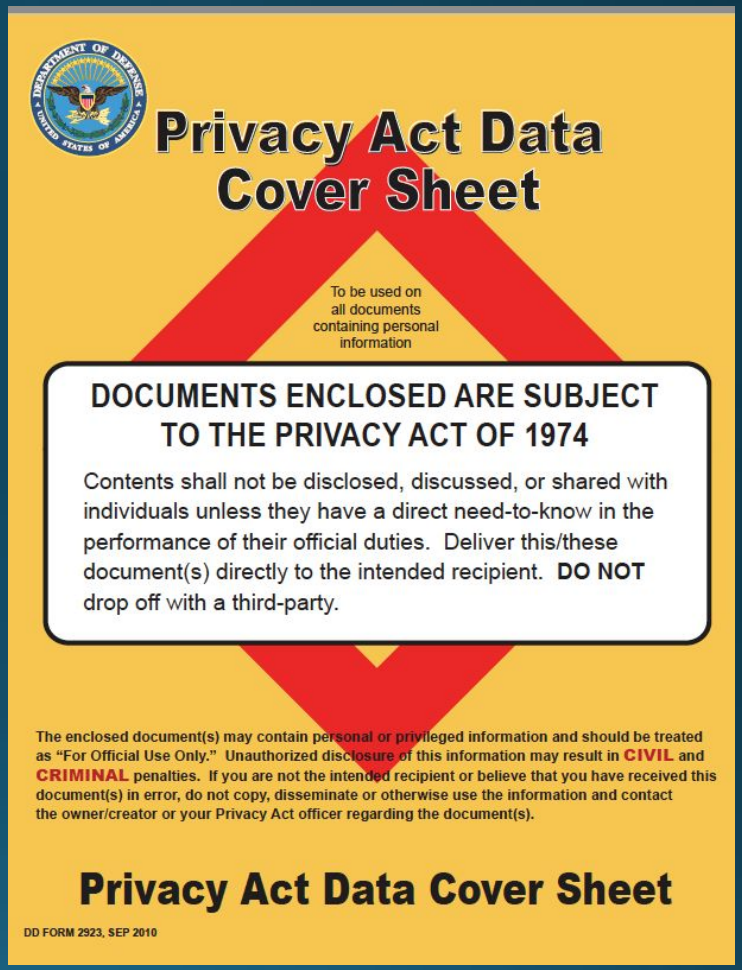
ALL INFORMATION HEREIN IS UNCLASSIFIED
DATE 7/24/12



Exemption 2: Information related solely to the internal personnel rules and practices of an agency.



Exemption 3: Information that is prohibited from disclosure by another federal law.



Privacy Act Data Cover Sheet

To be used on all documents containing personal information

DOCUMENTS ENCLOSED ARE SUBJECT TO THE PRIVACY ACT OF 1974

Contents shall not be disclosed, discussed, or shared with individuals unless they have a direct need-to-know in the performance of their official duties. Deliver this/these document(s) directly to the intended recipient. **DO NOT** drop off with a third-party.

The enclosed document(s) may contain personal or privileged information and should be treated as "For Official Use Only." Unauthorized disclosure of this information may result in **CIVIL** and **CRIMINAL** penalties. If you are not the intended recipient or believe that you have received this document(s) in error, do not copy, disseminate or otherwise use the information and contact the owner/creator or your Privacy Act officer regarding the document(s).

Privacy Act Data Cover Sheet

DD FORM 2923, SEP 2010

Exemption 4: Trade secrets or commercial or financial information that is confidential or privileged.



Exemption 5: Privileged communications within or between agencies, including those protected by the: 1. Deliberative Process Privilege (provided the records were created less than 25 years before the





Exemption 6:
Information that, if disclosed, would invade another individual's personal privacy.



Exemption 7: Information compiled for law enforcement purposes that:

7(A). Could reasonably be expected to interfere with enforcement proceedings

7(B). Would deprive a person of a right to a fair trial or an impartial adjudication





7(C). Could reasonably be expected to constitute an unwarranted invasion of personal privacy



7(D). Could reasonably be expected to disclose the identity of a confidential source



7(E). Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law



7(F). Could reasonably be expected to endanger the life or physical safety of any individual

Exemption 8: Information that concerns the supervision of financial institutions.





Exemption 9: Geological information on wells.

For deceased subjects, provide proof of death by certificate of death, social security data, newspaper account, or obituary.



New York Times
https://www.nytimes.com › obituaries
EX-JUSTICE ABE FORTAS DIES AT 71; SHAPED …

Find Your Federal Agency





https://www.foia.gov/



An official website of the United States government Here's how you know

UNITED STATES DEPARTMENT of JUSTICE

FOIA.gov

Thank you for visiting FOIA.gov, the government's central website for FOIA. We'll continue to make improvements to the site and look forward to your input. Please submit feedback to National.FOIAPortal@usdoj.gov.

Search for an agency

It's important that you identify the correct agency for your request. There are over 100 agencies and each is responsible for handling its own FOIA requests. You can start your request, learn more about an agency, or see an agency's contact information using the search bar below.

Search an agency name or keyword

Type name or keyword

Glossary

https://www.foia.gov/agency-search.html

37 results

Department of Defense
U.S. Strategic Command

Department of Defense
U.S. Special Operations Command

Department of Defense
U.S. European Command

Department of Defense
U.S. Southern Command

Department of Defense
Department of the Air Force

Department of Defense
U.S. Space Command

Glossary

6:47 PM
12/6/2025

Department of Defense

Make your FOIA request directly to the most relevant component:

- Armed Services Board of Contract Appeals
- Defense Commissary Agency
- Defense Contract Audit Agency
- Defense Contract Management Agency
- Defense Counterintelligence and Security Agency
- Defense Finance and Accounting Service
- Defense Health Agency

Agency mission

The mission of the Department of Defense is to provide a lethal Joint Force to defend the security of our country and sustain American influence abroad.

FOIA Reference Guide

FOIA Regulations

https://www.foia.gov/agency-search.html?id=33ce10bd-8c95-49fc-bfbb-3bd30b369cde&type=component

Appeals

Agency mission

The ASBCA is a neutral, independent forum whose primary function is to hear and decide post-award contract disputes between government contractors, the Department of Defense, the National Aeronautics and Space Administration, and the Central Intelligence Agency, as appropriate ("the government"). The ASBCA functions under the Contract Disputes Act (41 U.S.C. §§ 7101-7109), its Charter, or other remedy-granting provisions. Nearly all of the ASBCA's decisions from 2000 to present are publicly available and can be found at www.asbca.mil ("Decisions" banner). Unlike the federal courts, records held by the ASBCA are not publicly available for viewing but must be processed in accordance with the FOIA, 5 U.S.C. § 552. Regarding documents submitted to the ASBCA by third parties (contractor-appellant or the government) during the litigation before the ASBCA, those FOIA requests shall be directed to the appropriate government agency (not the ASBCA).

Average processing time for 2024

3 working days for simple requests

12 working days for complex requests

The records or information you're looking for may already be public.

Visit the agency's website to learn more.

To see what's been made available, you can visit an agency's FOIA library.

Continue the FOIA request process

Glossary

6:50 PM
12/6/2025

https://www.foia.gov/request/agency-component/33ce10bd-8c95-49fc-bfbb-3bd30b369cde/

An official website of the United States government Here's how you know

UNITED STATES DEPARTMENT of JUSTICE

FOIA.gov

Thank you for visiting FOIA.gov, the government's central website for FOIA. We'll continue to make improvements to the site and look forward to your input. Please submit feedback to National.FOIAPortal@usdoj.gov.

Learn about FOIA | Before you request | Search tool | Create a request | Agency FOIA data | CFO Council | Agency login

Request directions | Agency information

Department of Defense
Armed Services Board of Contract Appeals

- Contact information
- Your request
- Additional information

Make your request

Step 1 of 6

Contact information

This information is needed so the agency knows where to send the response to your FOIA request. Please note that not all of these fields are required.

Glossary

6:51 PM
12/6/2025

Dear _____:

This is a request under the Freedom of Information Act.

I request that a copy of the following documents [or documents containing the following information] be provided to me: [identify the documents or information as specifically as possible].

In order to help to determine my status to assess fees, you should know that I am (insert a suitable description of the requester and the purpose of the request).

[Sample requester descriptions:

a representative of the news media affiliated with the _____ newspaper (magazine, television station, etc.), and this request is made as part of news gathering and not for a commercial use.

affiliated with an educational or noncommercial scientific institution, and this request is made for a scholarly or scientific purpose and not for a commercial use.

an individual seeking information for personal use and not for a commercial use.

affiliated with a private corporation and am seeking information for use in the company's business.]

[Optional] I am willing to pay fees for this request up to a maximum of $_____. If you estimate that the fees will exceed this limit, please inform me first.

[Optional] I request a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in my commercial interest. [Include a specific explanation.]

Thank you for your consideration of this request.

https://www.nfoic.org/sample-foia-request-letters/#foireq

Request a Fee Waiver of Search Fees and Copy Costs

$$$

-Member of the media

-Publishing findings

-Info in public interest

Any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.

Fees

- For a typical requester, the agency can charge for the time it takes to search for records and for duplication of those records. There is usually no charge for the first two hours of search time or for the first 100 pages of duplication.



APPEAL EVERY DENIAL

- To obtain more info.
-Challenge the adequacy of their search.
- To preserve right to sue in federal court.

U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

M. Alexander Charns
Post Office Box 59
Durham, NC 27702

Re: Appeal No. A-2024-00750

Request No. 1616271-000

acharns@charnslaw.hush.com

VIA: Email - 03/01/2024

Dear M. Alexander Charns:

By letter dated January 31, 2024, you appealed from the action of the Federal Bureau of Investigation (FBI) on your Freedom of Information Act (FOIA) request for access to certain records concerning Abe Fortas. I note that your appeal concerns the adequacy of the FBI's search.

Subsequent to your appeal, this Office was informed that the FBI reopened your request under Request No. 1616271-001. If you would like to inquire about the status of this request or to receive an estimated date of completion, please contact the FBI's FOIA Customer Service Center directly at 540-868-1535. Accordingly, as there no longer is any action for this Office to consider on appeal, I am closing your appeal file in this Office.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office and speak with the undersigned agency official by calling 202-514-3642.

Sincerely,

X

Christina Troiani
Chief, Administrative Appeals Staff

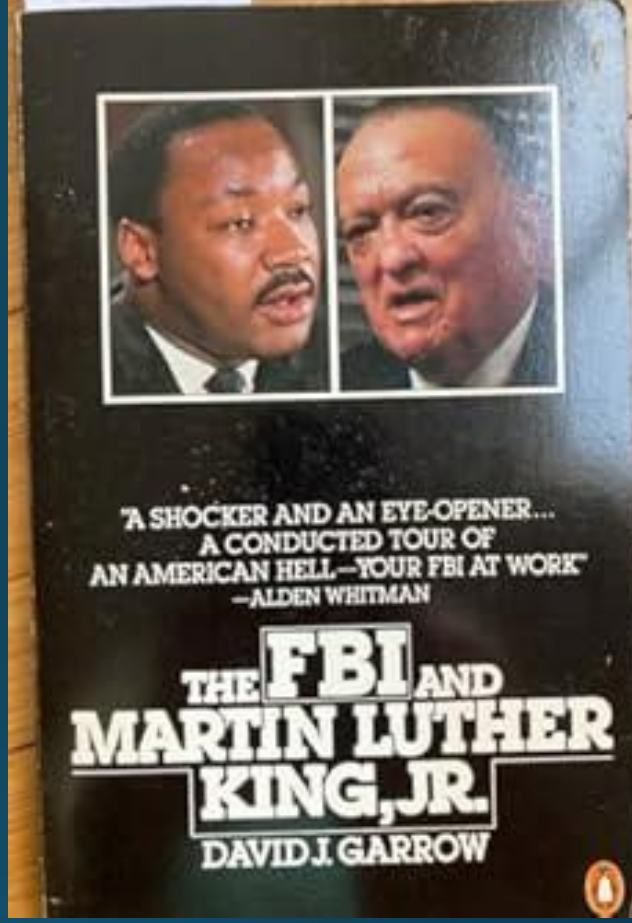
On-Line FOIA Requests: FBI



- https://forms.fbi.gov/fbi-efoia-request-form

The FBI used wiretapping, bugging, threats, poison pen letters and disinformation against Dr. MKL, Jr.

Did the FBI do the same against the liberal Earl Warren Court?





I believed the FBI spied on the Warren Court.

1983: A FOIA Request for all FBI files about the High Court.



On October 26, 1983, in my original Freedom of Information Act reqest for the F.B.I.'s files on Supreme Court Justices Earl Warren and William O. Douglas, I also asked for "any files or documents relating to present or past FBI surveillance of the United States Supreme Court, including attempts to influence its decision-making, attempts to gain copies of Court opinions prior to public release, the use of informants or sources within the Court including Justices, clerks, clerical, administrative, or other persons involved in carrying out the Court's day to day functioning to allow the Bureau access to the inner workings of the Court, in addition to any other F.B.I. programs directed at the Supreme court from 1/1/24 to the present time..." In my letters to you of February 6, 1984 and April 13, 1984, I inquired about whether you were searching for these documents. It has been almost seven months since my original request for this information and I have not had a response from your office about whether a search is currently underway. I look forward to your prompt responce. //

FBI: We have no file called Supreme Court.



- Consult an expert: Prof. David Garrow, winner of the Pulitzer Prize for his MLK biography "Bearing the Cross." He recommends asking for the FBI files on every deceased justice going back to the 1930s.

REQUEST YOUR OWN FILE IN A SEPARATE FOLLOWUP FOI REQUEST. REQUEST ALL SEARCH SLIPS.

- This allows you to see how the agency is processing your FOIA request.



4-22 (Rev. 7-1-83)

FEDERAL BUREAU OF INVESTIGATION
Records/Operations Sections

_____, 19___

- ☐ Name Searching Unit, 4543, TL# 115
- ☑ ~~Service Unit, 4554, TL# 295~~
- ☐ Special File Room, 5991, TL# 122
- ☐ Forward to File Review, 5447, TL# 143
- ☑ Attention [redacted]
- ☑ Return to [redacted] 6958 3762
  Supervisor, Room, TL#, Ext.

Type of Search Requested: (Check One)
- ☐ Restricted Search (Active Index - 5 & 20)
- ☐ Restricted Search (Active & Inactive Index - 5 & 30)
- ☐ Unrestricted (Active & Inactive Index)

Special Instructions: (Check One)
- ☐ All References (Security & Criminal)
- ☐ Security Search
- ☐ Criminal Search
- ☐ Main _____ References Only
- ☐ Exact Name Only (On the Nose)
- ☐ Buildup ☐ Variations
- ☐ Restricted to Locality of _____

66

Subject United States Supreme Court
Birthdate & Place _____
Address _____

Localities _____

R# _____ Date 8/6 Searcher [redacted]
Prod. _____ Initials [redacted]

FILE NUMBER	SERIAL
NR actv Instr ABN	
NP ✓ US Supreme Court	
NP ✓ 62-116144 actv NR Instr	
NP ✓ 83-2665	
NP ✓ 9-50769	
US Supreme Court Building (6 var)	
100-448092-4153	
US Supreme Court Rules Warrants Necessary (var)	
NP 62-35717-2436 actv	
NP ✓ United States Supreme Court 9-52994 inact	
United States Supreme Court Law Clerks (inact)	
NP 62-27585-74	
United States Supreme Building 174-1-53-339 (var)	

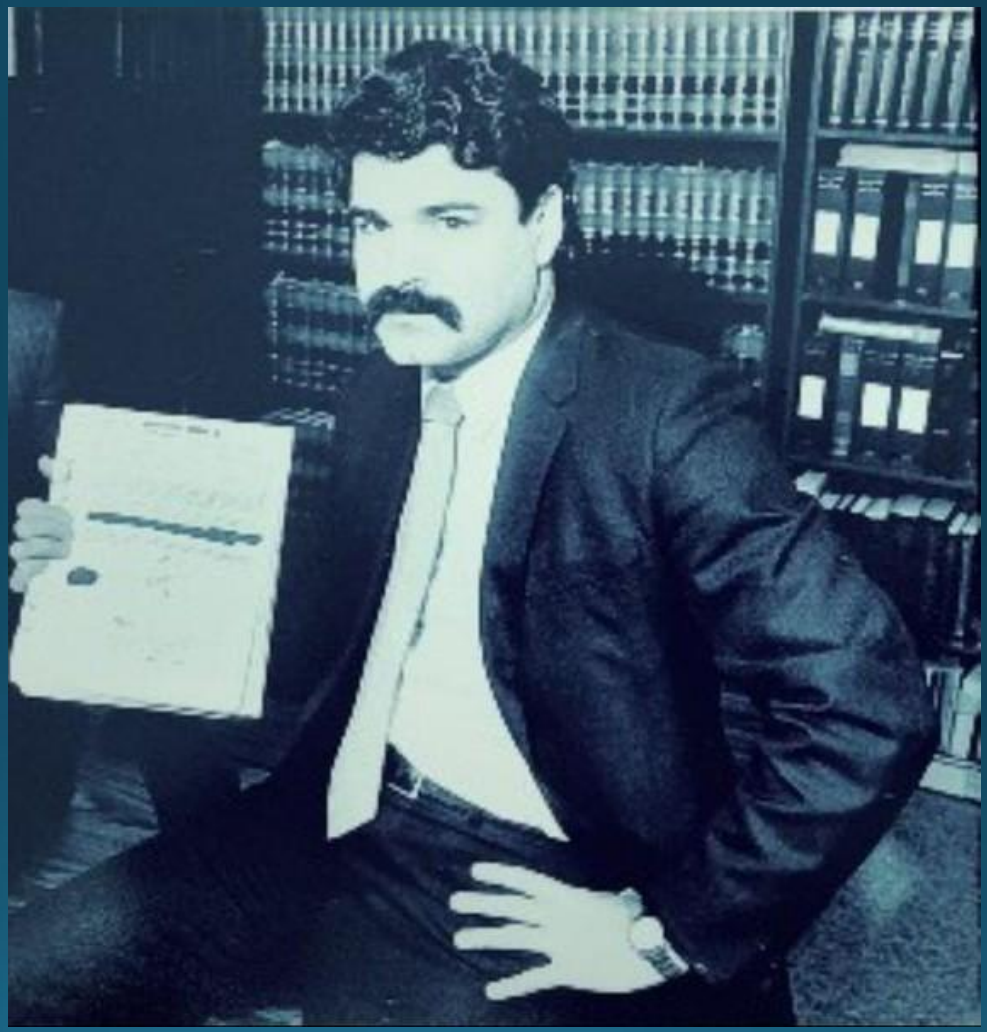
Other vars. not listed

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
DATE [redacted]

FBI/DOJ

I used the search slip to request the file called "Supreme Court" by its exact FBI file number.

Jackpot: More than 2,000 pages of records about FBI spying on the High Court.




The New York Times
F.B.I. KEPT A FILE ON SUPREM
COURT
Share full article
Special to the New York Times
Aug. 21, 1988

The Washington Post

Democracy Dies in Darkness

Opinion

Alexander Charns

HOW THE FBI SPIED ON THE HIGH COURT

THIRTY YEARS OF WIRETAPS AND OVER 2,000 PAGES OF PRIVATE FILES ON THE JUSTICES

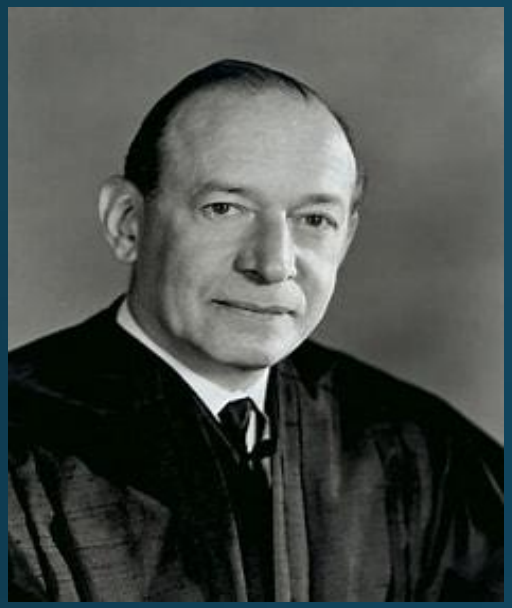
December 2, 1989

1966

- LBJ President
- Earl Warren, Chief Justice
- Nicholas Katzenbach, Attorney General
- Thurgood Marshall, Solicitor General

- Sen. Edward V. Long (D-Missouri) threatened to investigate FBI electronic surveillances in 1966. FBI third in command, Cartha DeLoach, had a talk with the senator to avoid this result. Sen. Long wrote a final draft of the FOIA before its passage in 1966.







- **Biggest threat ever to J. Edgar Hoover's power. Warrantless bugging case before High Court in 1966 could expose decades of illegal FBI surveillance.**

- Goals: Blame former AG Robert Kennedy, an adversary of LBJ.
- Need mole on Supreme Court.
- Justice Fortas was advisor and confidant of LBJ.
-

Bugging cases at the High Court in 1966: Lobbyist Fred B. Black, Jr. with ties to the Democrats, boxer and activist Muhammed Ali and Teamster leader Jimmy Hoffa.



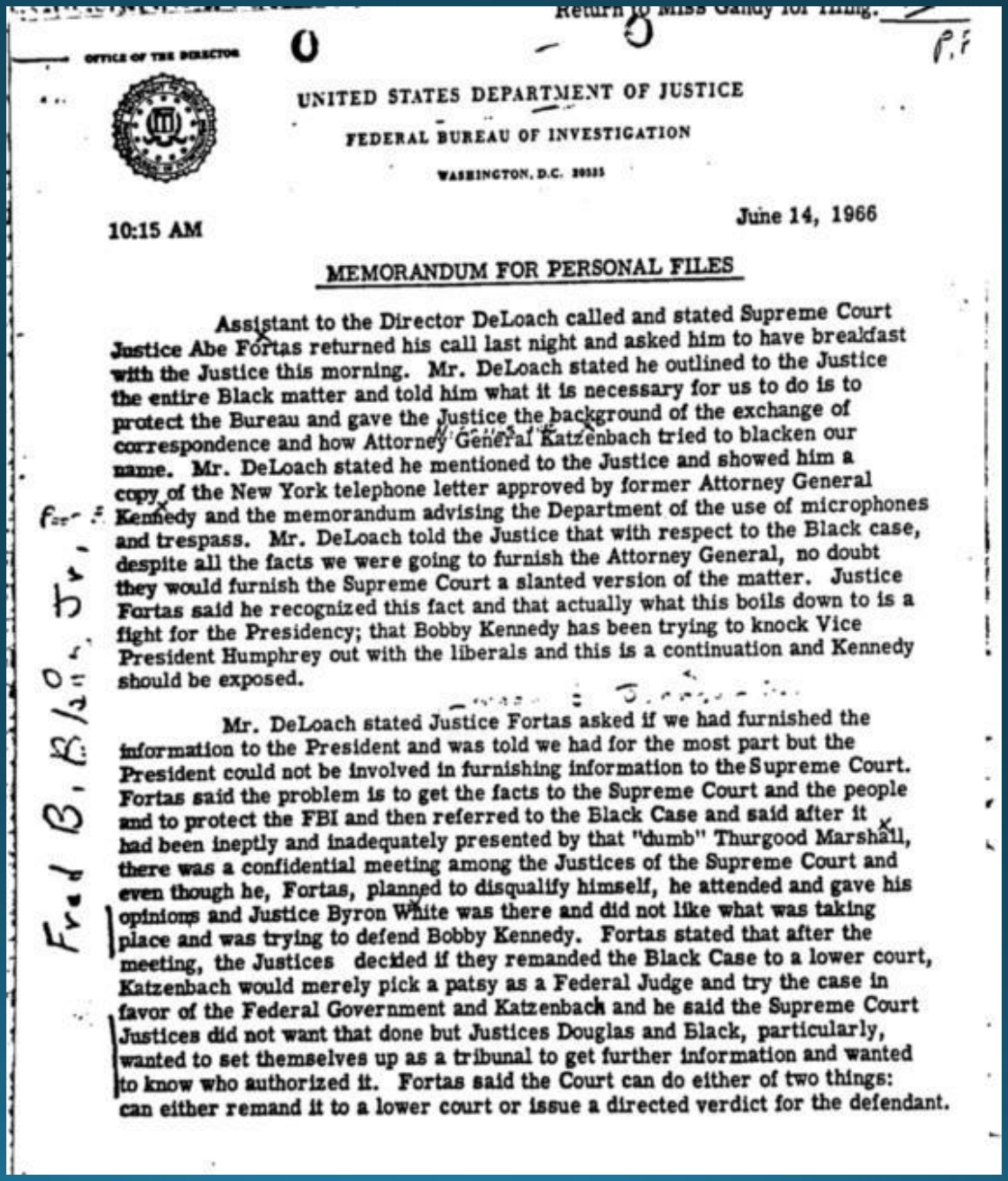






Spike Microphone = Fourth Amendment violation.

Challenging the scope of the search in litigation led to this Hoover Official and Confidential file, a type of "Do Not File" file kept in Hoover's office. It shows that Justice Fortas' service as an FBI informant against the High Court in the Black case was considered a "see reference" as to Fortas. Always request "see references."



OFFICE OF THE DIRECTOR

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

10:15 AM

June 14, 1966

MEMORANDUM FOR PERSONAL FILES

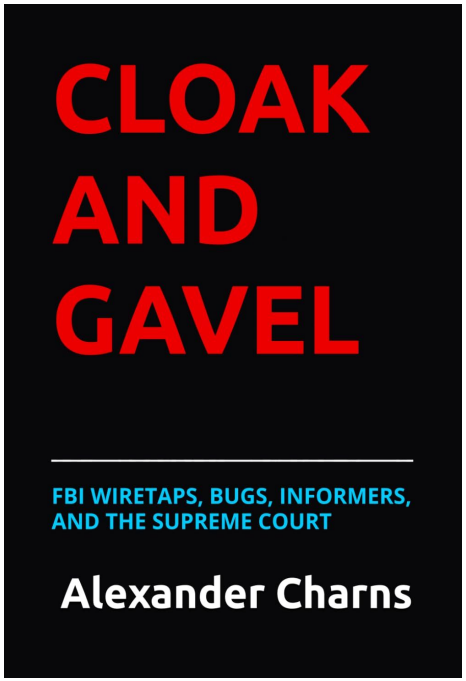
Assistant to the Director DeLoach called and stated Supreme Court Justice Abe Fortas returned his call last night and asked him to have breakfast with the Justice this morning. Mr. DeLoach stated he outlined to the Justice the entire Black matter and told him what it is necessary for us to do is to protect the Bureau and gave the Justice the background of the exchange of correspondence and how Attorney General Katzenbach tried to blacken our name. Mr. DeLoach stated he mentioned to the Justice and showed him a copy of the New York telephone letter approved by former Attorney General Kennedy and the memorandum advising the Department of the use of microphones and trespass. Mr. DeLoach told the Justice that with respect to the Black case, despite all the facts we were going to furnish the Attorney General, no doubt they would furnish the Supreme Court a slanted version of the matter. Justice Fortas said he recognized this fact and that actually what this boils down to is a fight for the Presidency; that Bobby Kennedy has been trying to knock Vice President Humphrey out with the liberals and this is a continuation and Kennedy should be exposed.

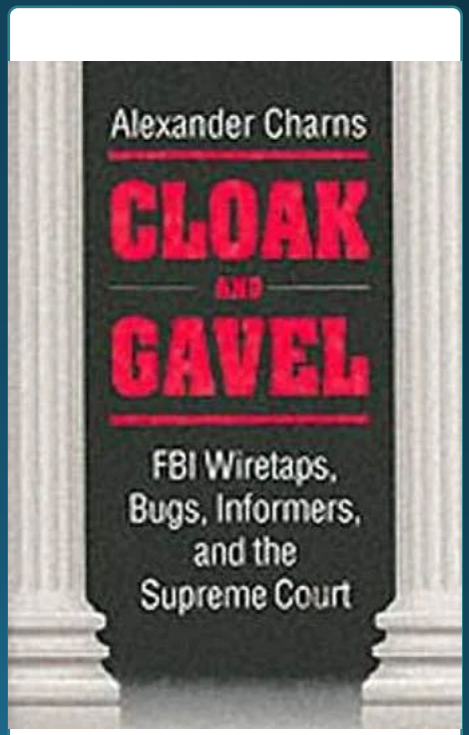
Mr. DeLoach stated Justice Fortas asked if we had furnished the information to the President and was told we had for the most part but the President could not be involved in furnishing information to the Supreme Court. Fortas said the problem is to get the facts to the Supreme Court and the people and to protect the FBI and then referred to the Black Case and said after it had been ineptly and inadequately presented by that "dumb" Thurgood Marshall, there was a confidential meeting among the Justices of the Supreme Court and even though he, Fortas, planned to disqualify himself, he attended and gave his opinions and Justice Byron White was there and did not like what was taking place and was trying to defend Bobby Kennedy. Fortas stated that after the meeting, the Justices decided if they remanded the Black Case to a lower court, Katzenbach would merely pick a patsy as a Federal Judge and try the case in favor of the Federal Government and Katzenbach and he said the Supreme Court Justices did not want that done but Justices Douglas and Black, particularly, wanted to set themselves up as a tribunal to get further information and wanted to know who authorized it. Fortas said the Court can do either of two things: can either remand it to a lower court or issue a directed verdict for the defendant.

Hoover survives the ruling in the Black case. The FBI is mentioned, but he is not thanks to the unethical machinations of Justice Abe Fortas.



1992


CLOAK
AND
GAVEL
FBI WIRETAPS, BUGS, INFORMERS,
AND THE SUPREME COURT
Alexander Charns


Alexander Charns
CLOAK
AND
GAVEL
FBI Wiretaps,
Bugs, Informers,
and the
Supreme Court

Litigation isn't over. There's more to find.



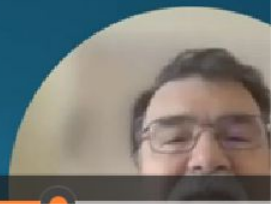

TEACHER
WEEK

FOIA **WHEEL-OF-FORTUNE** with Hoover Official & Confidential file Index of subject folders. FBI said it had no such index. Prof. Athan Theoharis, foremost authority on the Bureau had an index the FBI had released to him.

70. Foreign Influence in the Black Extremist Movement

71. XXXXXXXXXX

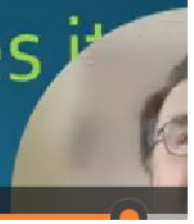
72. Foxworth, P. E.



HOOVER'S O&C Folder 71

Fortas, Abe
1234567891011

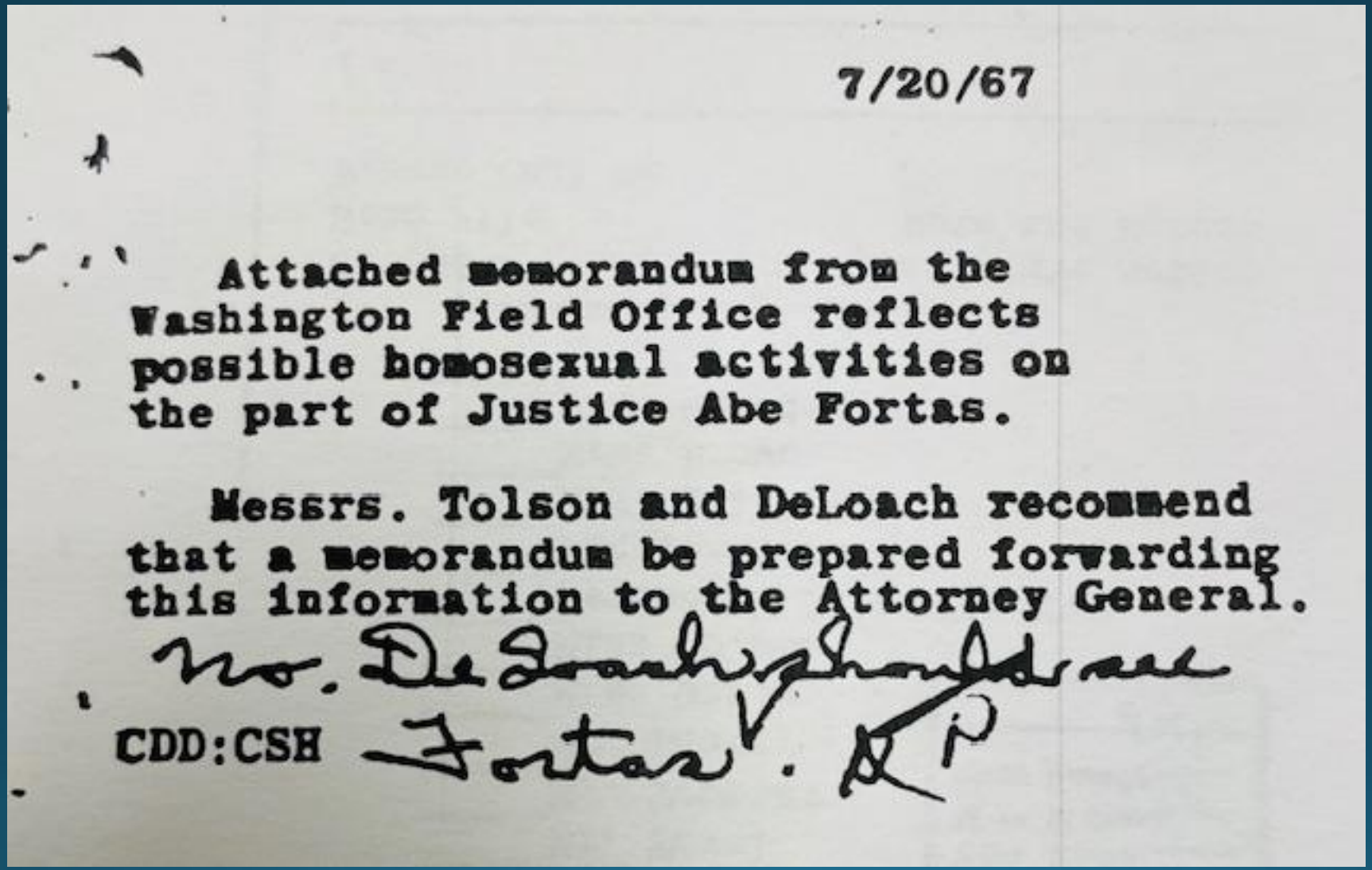
Attorney Paul M. Green figures it out.



A FBI employee handed me six pages of blackmail memos in the hallway of the courthouse prior to our hearing.



Thirteen Years of FOIA Litigation



7/20/67

Attached memorandum from the Washington Field Office reflects possible homosexual activities on the part of Justice Abe Fortas.

Messrs. Tolson and DeLoach recommend that a memorandum be prepared forwarding this information to the Attorney General.

Mr. DeLoach should see

CDD:CSH Fortas

July 24, 1967

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

MR. TOLSON:

Pursuant to the Director's instructions, I saw Justice Fortas at his home at 5:10 p.m. on 7/24/67. I told him we had received an allegation from a source of information reflecting participation in homosexual activities on his part. I stated that the Director wanted this matter discreetly and informally brought to his attention so that he would be aware of such an allegation. I mentioned that the FBI was taking no further action in connection with this matter and that the fact that the Director was making this available to him was strictly for his own personal protection and knowledge.

Abe Fortas

Justice Fortas was handed the attached memorandum so that he could read it personally. After reading this memorandum, he told me that the charges were ridiculous and absolutely false. He stated he had never committed a homosexual act in his life and while he might be properly accused of normal sexual relations while a young man and during his married life, he most certainly had never committed homosexual acts at any time.

With respect to the arrest record of one [redacted] who has been arrested on three different occasions by the Metropolitan Police for homosexual activity, Justice Fortas told me he wasn't surprised to learn of this inasmuch as he and [redacted] always felt a little suspicious toward [redacted] and has served in this capacity for the past five years. Justice Fortas stated that he and [redacted] in the past, have noted that [redacted] seems to be somewhat effeminate and that he never tried to date the girls [redacted] While not making any commitment, Justice Fortas stated that [redacted] arrest record could certainly prove most embarrassing to [redacted] and that

b6
b7C





DeLoach met with Justice Fortas at Fortas' home and showed him the memo.

SEXUAL BLACKMAIL

A Supreme Court Justice Compromised.

This secret is safe. It was filed away, hidden, locked away in Hoover's private office then in a "Special File Room." No investigation was ever done of this allegation of having sex with a teenage boy.

Washington, D. C.
August 25, 1965

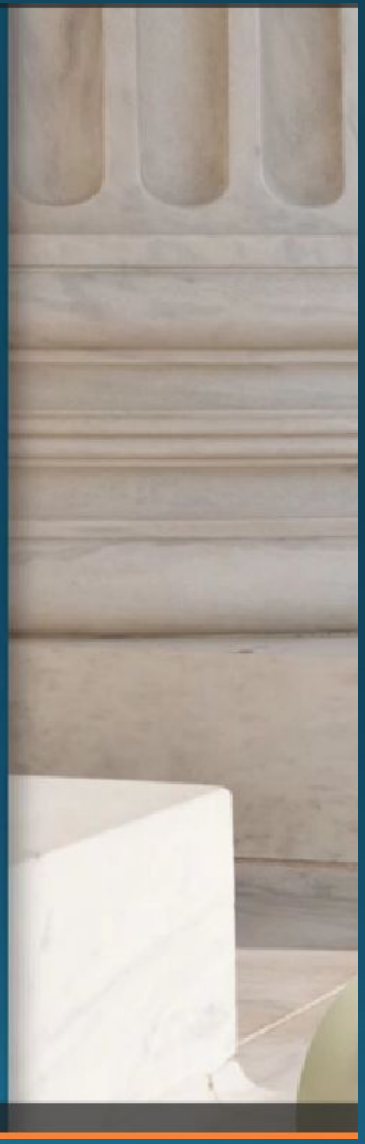
Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.

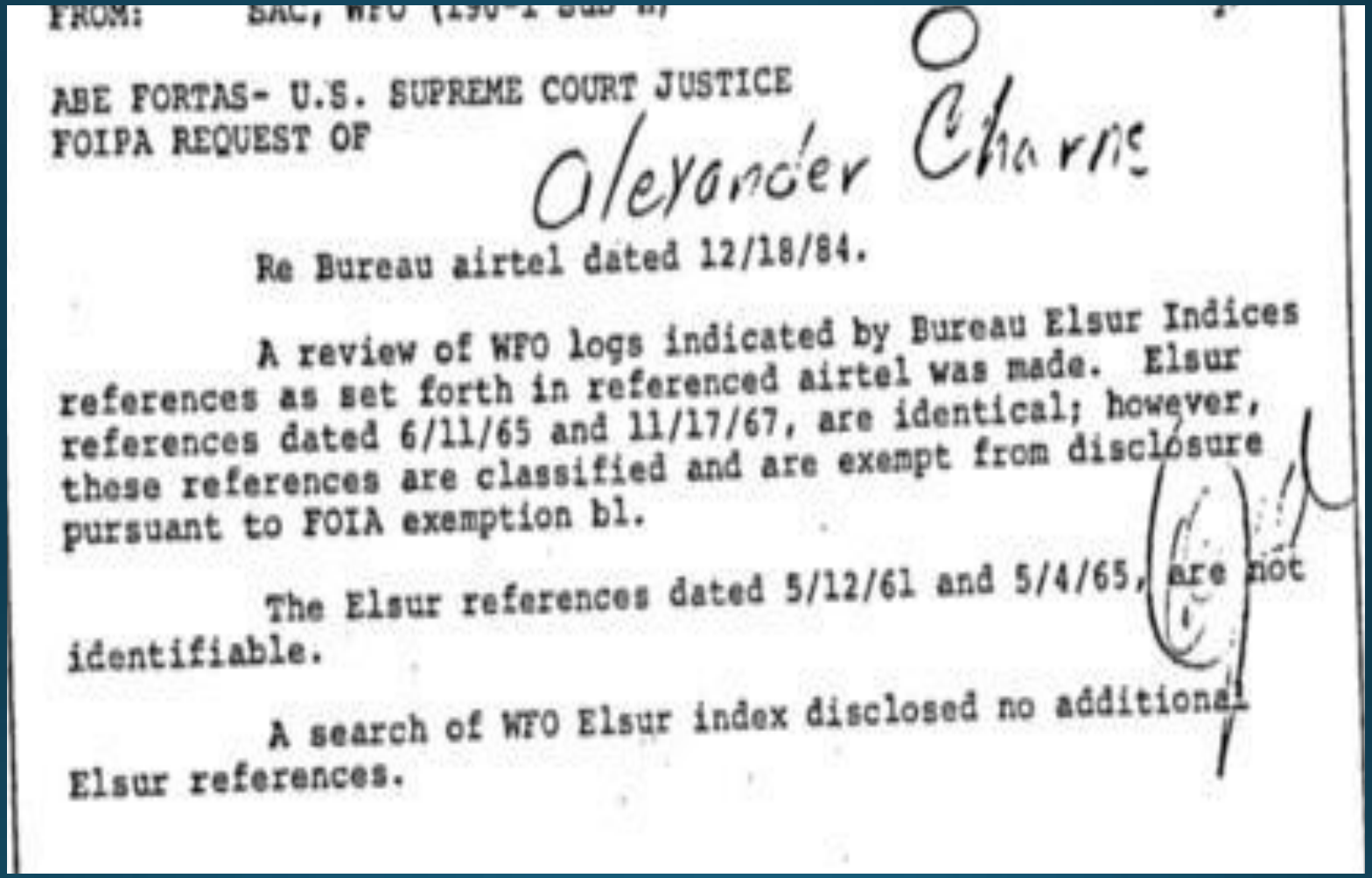
Dear Mr. Hoover:

On July 23, 1965, under the caption "Homosexuals in the Government," this office forwarded letterhead memoranda to the Bureau setting forth information received

Justice Fortas continued to rule on FBI cases after 1967

- The FBI blackmailed a sitting Supreme Court justice.
- This secret was safe for over three decades.
- The Senate didn't learn of it when Fortas was nominated to be chief justice then resigned in disgrace due to an unrelated financial scandal.
- The Senate Select Committee on Intelligence didn't learn of it.





FROM: SAC, WFO (190-1 Sub A)

ABE FORTAS- U.S. SUPREME COURT JUSTICE
FOIPA REQUEST OF Alexander Charns

Re Bureau airtel dated 12/18/84.

A review of WFO logs indicated by Bureau Elsur Indices references as set forth in referenced airtel was made. Elsur references dated 6/11/65 and 11/17/67, are identical; however, these references are classified and are exempt from disclosure pursuant to FOIA exemption b1.

The Elsur references dated 5/12/61 and 5/4/65, are not identifiable.

A search of WFO Elsur index disclosed no additional Elsur references.

Special Indices Searches: ELSUR

Remember: Ask for "see references"

- Main Files versus a see reference



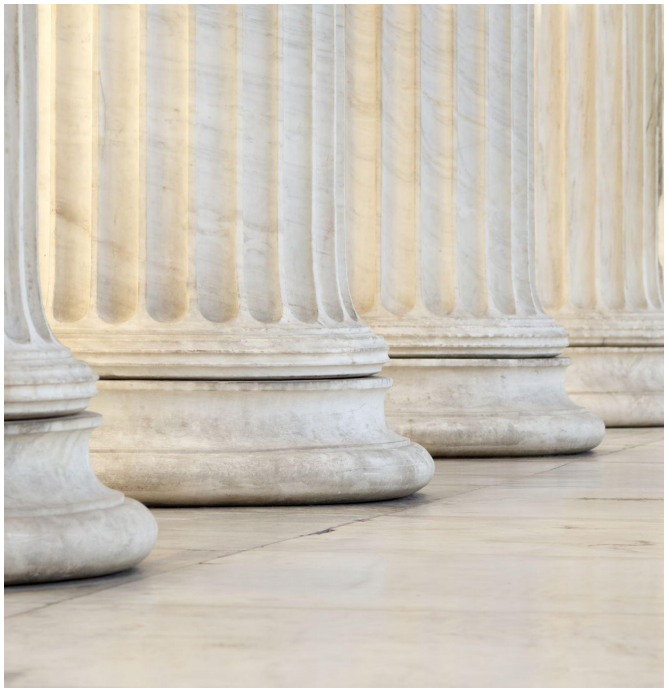
APPEAL DENIALS. LITIGATE.

Ask for "Search Slips"

- 1983 – FBI claims it has no file on the Supreme Court. A search slip proved otherwise.



Decades long FOIA journey

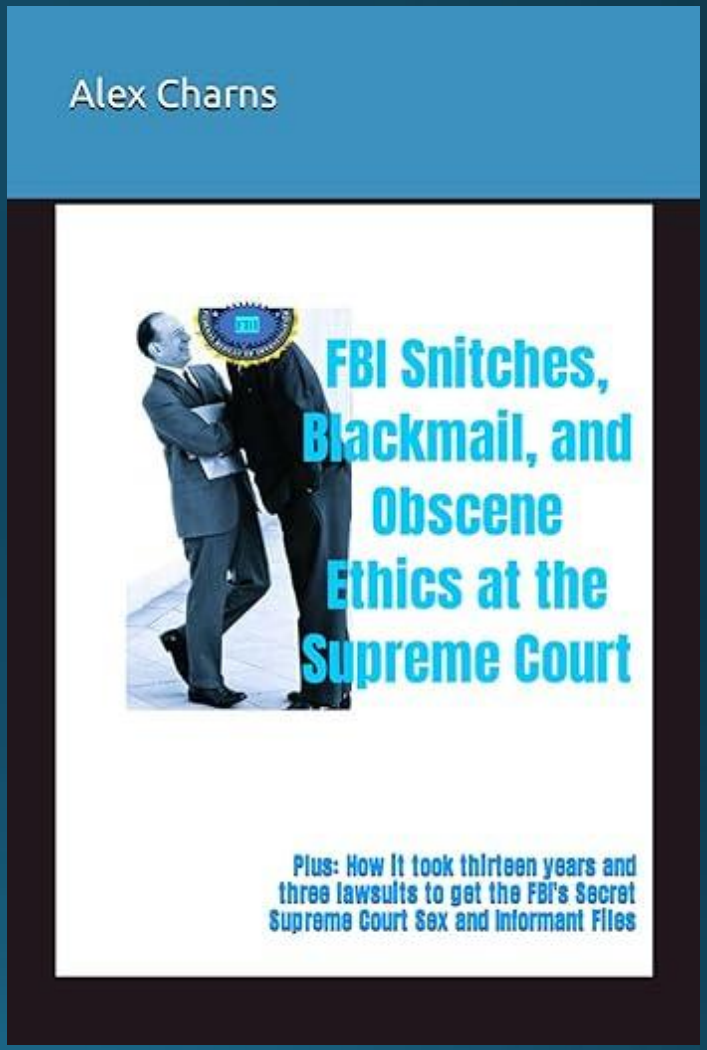


- Granted a fee waiver in the public interest.
- Told the FBI had no file on the U.S. Supreme Court.
- Requested my own 3,000 page file.

Located a search slip showing the FBI found a memo in a 2,300 page file entitled Supreme Court.

Rerequested the file using the exact FBI file identifier found on the search slip. .

Forty-Two Years of FOIA Requests. Thirteen Years of Litigation.



Ten of thousands of my FBI records are housed at UNC-CH and Villanova Law School.

https://finding-aids.lib.unc.edu/catalog/04866

SUMMARY

Creator:

Charns, Alexander, 1956-

Abstract:

Alexander Charns, a lawyer from Durham, N.C., wrote "Cloak and Gavel" (1992), a study of the relationship between the United States Supreme Court and the Federal Bureau of Investigation.

Photocopies of Federal Bureau of Investigation (FBI) files concerning the relationship between the United States Supreme Court and the FBI. Included are files on individual United States Supreme Court justices; circuit courts; government officials; the American Bar Association; wiretapping; protests and local politics; and the Jencks decision, which relates to testimony by government officials. Also included are photocopies of "official" and "confidential" of J. Edgar Hoover files and papers from a lawsuit filed by Alexander Charns against the FBI in order to gain access to restricted documents.

Extent:

20,000 items (60.0 linear feet)

https://www1.villanova.edu/villanova/law/library/specialcollections/alexanderchcarnscollection.html



Need More Help

https://nsarchive.gwu.edu/

National Security Archive

https://www.aclu.org/documents/foia-requests

ACLU

Email me:
acharns@charnslaw.hush.com

PLAY OFFENSE! Keep requesting. Appeal. Sue if need be.

- Alex Charns
- Charns Law Office
- Durham, NC
- 919-475-6958
- acharns@charnslaw.hush.com

