

Storage

CONSTRUCTION OF THE DISTRICT OF COLUMBIA
STADIUM, AND MATTERS RELATED THERETO

Y 4

.R 86/2

D 63/PT. 12

89Y4
R86/2
D63/PT. 12

HEARINGS
BEFORE THE
COMMITTEE ON
RULES AND ADMINISTRATION
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS

FIRST SESSION

PURSUANT TO

S. Res. 212 and S. Res. 367

(Eighty-eighth Congress)

RESOLUTIONS AUTHORIZING AN INVESTIGATION INTO THE
FINANCIAL, BUSINESS, OR OTHER INTERESTS OR ACTIVITIES
OF PRESENT OR FORMER MEMBERS, OFFICERS, OR EM-
PLOYEES OF THE SENATE, WITH PARTICULAR EMPHASIS ON
THE ALLEGATIONS RAISED IN CONNECTION WITH THE CON-
STRUCTION OF THE DISTRICT OF COLUMBIA STADIUM, AND
MATTERS RELATED THERETO

PART 12
APPENDIXES



Printed for the use of the
Committee on Rules and Administration



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1965

44
5/08 8.
51.79/300



CONTENTS

Appendix 1. Summary by the Department of Justice of the Ellen Rometsch file and the letter of transmittal by the Acting Attorney General.....	Page 1099
Appendix 2. Summary by the Department of Justice of the investigation made by the FBI of allegations made by Don B. Reynolds in 1952 and 1953 and the letter of transmittal of the Attorney General.....	1103
Appendix 3. Summary by the Department of Justice of FBI interviews with Don B. Reynolds in January 1964, set out in the letter from the Attorney General.....	1112
Appendix 4. Report of the General Counsel to the committee March 2, 1965, concerning the report of the Department of Justice on the investigation by the FBI of the allegations made by Don B. Reynolds in executive session of the committee on December 1, 1964, including correspondence of the General Counsel and the chairman of the committee with Don B. Reynolds.....	1113
Appendix 5. Letter of Chairman Jordan to the Attorney General communicating the request of the committee that consideration be given to the possible indictment of any witness before the committee for perjury or any other crime.....	1119

APPENDIXES

APPENDIX 1

SUMMARY BY THE DEPARTMENT OF JUSTICE OF THE ELLEN ROMETSCH
FILE AND THE LETTER OF TRANSMITTAL BY THE ACTING ATTORNEY
GENERAL

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., December 7, 1964.

Maj. LENNOX P. McLENDON,
*General Counsel,
Committee on Rules and Administration,
U.S. Senate,
Washington, D.C.*

DEAR MAJOR McLENDON: Pursuant to your request, this Department's file concerning Mrs. Ellen Rometsch has been made available to the Committee on Rules and Administration for review. Therefore, you are aware that the file contains many unevaluated allegations, many of which were made by persons of dubious reputation and reliability.

I am certain you will agree that publication of the raw file in its entirety would serve to destroy the reputation of several individuals on the basis of allegations which may be false or which are wholly unrelated to the subject matter of the committee's inquiry.

I note that some of the women who admit being former call girls are now married and are no longer engaged in such activities. The two employees of a Senate committee, mentioned in the file, are both single men and there is no scintilla of evidence that they divulged official matters to call girls or that they compromised their Senate positions in any way. In addition, the file contains a summary of the results of a security investigation made by a friendly government and we have no authority to release the details and methods of that independent investigation.

At the same time, I recognize the obligation of the committee to explore all relevant charges which have been made in this matter. Accordingly, I have directed that a summary of the pertinent portions of the file be prepared, including the conclusion of the friendly government that no security violations occurred. That summary is enclosed herewith. Since you and members of the committee, representing both the majority and the minority, have reviewed the complete file, you are in a position to determine the adequacy of the summary for the committee's purposes.

For your further information, both the majority and minority leaders of the Senate have been advised of the contents of this file.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

SUMMARY OF DEPARTMENT OF JUSTICE FILE CONCERNING
ELLEN ROMETSCH

The Department of Justice file concerning Ellen Rometsch consists of six memorandums prepared by the FBI, dated respectively October 28, October 30, October 31, November 1, November 7, 1963, and February 20, 1964.

The original source of the information in this matter is employed as a decorator in a Washington, D.C. furniture store. He is described as having been the source of several other allegations which have been proven false and as having unsuccessfully sought to sell his story concerning cooperation with the FBI to various publications. His testimony before the Senate Subcommittee on Internal Security in 1951 and 1952 developed a number of discrepancies and exaggerations.

Mrs. A admitted to having sexual intercourse with persons in the executive, legislative, and judicial branches of Government but declined to identify the individuals involved. She said she did not want her new husband to know of her past prostitution activities. She named four other women, including Rometsch, whom she said had engaged in prostitution. Mrs. A said that she and three of the other women knew Robert G. Baker but has no knowledge indicating he had any relationship with them.

Mrs. A stated she might be termed a "madam." She stated she would not testify at any proceeding because she regards the matter as "politically inspired" and involving only private sex activities. She noted that if it concerned internal security she would be willing to testify.

Mrs. B advised she met Rometsch in 1961 and that Rometsch thereafter acquired expensive clothing which she kept at Mrs. B's apartment where she would dress before going out on a date. Rometsch never told Mrs. B where she went or with whom. At one time Mrs. B double dated with Rometsch and two employees of a Senate committee. Mrs. B then had three or four dates with one of these employees but has not seen him recently.

Myron Weiner, who has testified before the Rules Committee, stated he kept the names and telephone numbers of "a few girls" in the event "one of his customers" desired female company while in town.

Miss C advised she had been a party girl in 1962. With the exception of one Congressman she could identify none of the men she met. She recalls one individual who may be identical with a man who worked at various times for the GSA, the Maritime Commission, and a U.S. Senator, as one with whom she dated on several occasions.

Miss D advised she had been interviewed by a U.S. Senator who had told her there would be no objection to her being interviewed by the FBI. She first met Rometsch in April 1961, when both shared a cabin aboard a ship from Germany. Miss D said she once accompanied Rometsch to the office of Thomas Webb, who has been a witness before the Rules Committee, where she was interviewed for a job by Webb and Baker. After 15 minutes Baker departed. Miss D did not get the job and is now employed at the International Bank for Reconstruction and Development.

Miss D temporarily resided with Mr. and Mrs. Rometsch but left because she did not approve of Rometsch's dating practice. She was aware that Rometsch dated one of the two employees of a Senate com-

mittee previously described. Miss D recalled that on two occasions she had gone with Rometsch to the apartment of the original source of information in this matter. She believes Rometsch was opposed to the Communist regime in East Germany.

One of the two employees of a Senate committee advised he met Rometsch in 1961. He then saw her about once every 2 weeks. He first believed she was single. In early 1963 he learned she was married and Rometsch then told him she was separated and intended to get a divorce. His relationship with Rometsch ended in the summer of 1963. The employee of the Senate committee stated he had introduced Rometsch to members of the committee staff but not to Senators or Congressmen. He never gave her information concerning the committee and she never asked for any nor did she wish to be introduced to people on "higher levels."

The original source of the information in this matter first said that Rometsch may be attempting to obtain information for another government. He now says that he cannot recall Rometsch indicating any sympathy with Communists nor did she ever state "directly or by implication" that her purpose was to seek out Government officials to obtain information from them.

Miss E admitted prostitution activities at the behest of Mrs. A. On one occasion she was accompanied by Rometsch. Miss E cannot identify any men with whom she dated because they were introduced "for the most part by first name only." She went to parties in Myron Weiner's suite. She knows nothing of any espionage or intelligence activities.

A Washington, D.C., photographer knew Rometsch in 1960 and 1961 when he visited the Quorum Club. He knows of no improprieties by Rometsch, either moral or from a security standpoint.

West German authorities are satisfied that Rometsch has no intelligence connections and have closed their file in this regard. However, because of Rometsch's conduct they withdrew her husband's security clearance.

Myron Weiner, who was a witness before the Rules Committee, advised he used the services of party girls, including Rometsch, but denied he ever secured their services for anyone else. He gave them money for gifts. Weiner has frequently taken out Congressmen and Senators during which time one of the girls would act as Weiner's date. Weiner said he has never entertained any member of the White House staff and does not know any member of the Cabinet. Weiner met Baker through Thomas Webb and he tried to develop Baker's friendship but at no time did Baker ever do anything for him.

Wayne Bromley, who is scheduled as a Rules Committee witness, was said by Weiner to have brought large groups to Weiner's apartment, uninvited. Weiner said that Carole Tyler, who was a witness before the Rules Committee, came to Weiner's apartment on some occasions along with Baker and the female secretary of a U.S. Senator. Weiner represented Otis Elevator and attempted to get business for that company from North American Aviation and the Avco Corp. through Fred B. Black, Jr. He was told by Black that he could not help Weiner. Weiner never saw Black and Baker together.

To Weiner's knowledge, the party girls he knew never associated with Black or Baker. Weiner knew of no security breaches on the part of the women.

A former taxicab driver recalled driving Rometsch to various locations during the past 2 years. She made frequent trips to motels, hotels, and private residences.

Miss F furnished a sworn statement denying knowingly having entertained any Government officials or employees of the Congress or White House. She did not know Rometsch. Miss F said she was employed for 10 days in 1962 by the Quorum Club.

Mrs. G admitted being a former call girl but has dated no men since her marriage and has not arranged dates for call girls. She denied knowing any high Government officials in Congress, the White House, or the Cabinet.

Rometsch admitted her call girl activities. She had been out with Baker socially but never had intimate relations with him or with any Government officials including Congressmen, Cabinet members, or persons connected with the White House.

APPENDIX 2

SUMMARY BY THE DEPARTMENT OF JUSTICE OF THE INVESTIGATION MADE BY THE FBI OF ALLEGATIONS MADE BY DON B. REYNOLDS IN 1952 AND 1953 AND THE LETTER OF TRANSMITTAL OF THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL,
Washington D.C., December 8, 1964.

Maj. LENNOX P. McLENDON,
*General Counsel, Committee on Rules and Administration,
U.S. Senate, Washington, D.C.*

DEAR MAJOR McLENDON: This is in response to your letter of December 7, 1964, seeking the results of an FBI investigation with reference to charges made by Mr. Don B. Reynolds while employed by the Government.

In 1952 and 1953 Mr. Reynolds made a number of allegations with respect to certain immigrants then in the United States involving potential violations of law and other improper conduct on their part. These matters were investigated by the FBI, and, as a result of the investigation, the Department concluded that there was no merit to the charges. Hence it closed its files on the matter.

I am attaching summaries for use by the Committee on Rules and Administration reflecting the FBI investigation conducted at that time. As you know, members of the committee, representing both the majority and the minority, and of its staff have reviewed the complete file and are therefore in a position to evaluate the adequacy of the summaries for the committee's purposes.

I have had deleted from the summaries the names of persons charged by Mr. Reynolds with illegal or improper conduct in view of the result of the investigation and in order to avoid disseminating degrading or scandalous material concerning individuals with whose past or present activities the committee is not concerned. Should the names become pertinent to any inquiry the committee is conducting, I would, of course, make them available on a confidential basis. I wish also to emphasize that no hearing or other adversary proceeding was ever held with respect to the information obtained by the FBI and therefore that information was not tested in any such adversary proceeding.

I hope this information will be of some help to the committee.

Sincerely,

NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

SUMMARY OF DEPARTMENT OF JUSTICE FILE CONCERNING ALLEGA- TIONS MADE BY DON B. REYNOLDS

The Department of Justice file concerning allegations made by Don B. Reynolds consists basically of three memorandums prepared by the FBI, dated November 28, 1952, March 10 and May 29, 1953.

1103

On November 28, 1952, the FBI advised the Criminal Division it had received information from a confidential informant of unknown reliability "who is extremely concerned about certain individuals who are presently in the United States as displaced persons, some of whom formerly worked for the Department of State in Salzburg, Austria. Although the informant has no specific information or knowledge of any espionage activities on the part of these individuals, he stated that he is convinced they constitute a ring operating in the United States obtaining information for a foreign government." The Bureau advised the Criminal Division it was instituting an investigation.

FBI MEMORANDUM, NOVEMBER 28, 1952

The displaced persons whom Reynolds stated might be obtaining information for a foreign government were:

1. Mr. P, a young Rumanian who had been employed as a chauffeur for State Department employees in Berlin and Salzburg and who had also been utilized as a translator on visa matters by the consulate in Salzburg.

2. Miss B, a German woman who resided in Berlin in 1945 and then in Salzburg. Subsequently she came to the United States in 1948 where she worked as a governess and a telephone operator. At the time of Reynolds statement she worked for the German diplomatic mission in Washington, D.C.

3. Mr. O, Reynolds was not clear on Mr. O's nationality but he described him as arriving in Salzburg as an escapee from Russian-occupied Czechoslovakia. Mr. O was employed by the State Department as a translator for visa applications.

4. Miss K, Reynolds said this woman had been employed by the State Department in Salzburg in processing visa applications. While there she was closely associated with Mr. O.

Reynolds gave the grounds for his concern about these individuals as follows:

1. Mr. P arrived in the United States in 1952 in possession of expensive photographic equipment and an extensive wardrobe. He seemed to possess fairly large sums of money and purchased an Oldsmobile. Mr. P obtained a job at \$20 to \$25 a week in Silver Spring but was able to establish credit at large department stores and had a bank account of several hundred dollars. Mr. P associated with Miss B, Mr. O, and Miss K. Mr. P visited Mr. O in New York City, although Reynolds recalled there was animosity between them when both were employed by the State Department in Salzburg. Mr. P visited Miss K in Philadelphia where she worked for the Zoological Society. Mr. P had delayed forwarding his petition to enter the United States for 8 months.

2. Miss B had been visited by a Russian officer for approximately 4 hours when she still resided in Berlin. Reynolds said Miss B admitted this visit and she had explained it was in connection with an attempt to discover whether her father who was supposedly killed on the Russian front might still be alive. Reynolds said he subsequently learned Miss B's father died on the American front. Reynolds advised Miss B's father was an ardent Hitlerite and that her mother, although "half Jewish," was never disturbed and, in fact, received a double food ration. Reynolds had ascertained that the German

diplomatic mission paid between \$150 and \$175 per month for the type of clerical work Miss B performed. Yet Miss B managed to dress well and brought her mother to the United States. Miss B and Mr. P were well acquainted while in Berlin. However, Reynolds recalled Miss B failed to speak to Mr. P on an occasion when they met in this country. Reynolds subsequently learned that they were seeing each other and he believed they were endeavoring to conceal their intimate acquaintance for some unknown purpose.

3. Mr. O, when in Austria, used an alias although the State Department knew his real name. Mr. O explained he used the alias so the Russians could not trace him. Mr. O spoke many languages fluently and worked with Mr. P and Miss K in Salzburg. Reynolds advised that British intelligence arrested Mr. O in Austria as a German espionage agent but released him for lack of evidence.

4. Miss K was closely associated with Mr. O in Salzburg. Miss K seemed well informed about the whereabouts of displaced persons in the United States. Reynolds considered that Miss K might probably be a "control contact" for these persons.

FBI MEMORANDUM, MARCH 10, 1953

The FBI memorandum of March 10, 1953, stated that Reynolds had originally been interviewed on October 9, 1952, pursuant to a call from the secretary to a Congressman. At that interview Reynolds furnished the following personal background information:

1. He was then an Air Force major assigned to the Military Foreign Liaison Directorate of the Air Force Intelligence, Documents and Dissemination Control Branch.

2. He attended West Point from 1936 to 1940 and thereafter attended the Georgetown School of Foreign Service from 1940 to 1941.

3. He then entered the Air Force Intelligence Service where he served until 1946, at which time he entered the Foreign Service, Department of State, and from March 1946 until June 1951, served as vice consul at American embassies in Berlin, Salzburg, and Vienna. Also, he was consul and air attaché in Vienna.

4. In June 1951 he returned to the Air Force, and his office was in the Pentagon.

[Reynolds was reinterviewed by the FBI on May 26, 1953, following review of the results of investigation set forth in the Bureau's memorandum of March 10, 1953. In the May 26, 1953, interview Reynolds furnished the following personal background information:

1. He was appointed to West Point in 1936 and attended for about 1 year when he contracted pneumonia and was set back a grade. He then attended West Point until December 1939 "except for a 6-month period in 1938" and during Christmas leave of 1939 he married. At this time he was deficient in his studies and West Point advised him not to return to the Academy. Thereafter, he enrolled in the Georgetown School of Foreign Service where he received a B.S. in diplomacy in June 1941.

2. Reynolds stated that while at Georgetown he took a competitive examination for appointment as a State Department Foreign Service officer but failed with a very low mark.

3. In September 1941 he was made a second lieutenant, infantry, in the U.S. Army. Subsequently, he was assigned to Air Force

Intelligence and served within the continental limits of the United States during the period of World War II.

4. In 1945, after cessation of hostilities in Europe, he was assigned to Berlin. After "2 or 3 months" he was reassigned to Wiesbaden, Germany, from which station he requested "redeployment" in December 1945.

5. Immediately on his release from the Armed Forces, he was appointed vice consul with the State Department and, in April 1946, was assigned to the consulate at Berlin. He remained at this post until his return to the United States in 1948. Reynolds denied his return to the United States was occasioned by his black market activities and his immoral activities with German women. He stated he knew recommendations were made that he not be returned to Germany or any other embassy in Europe. He said the reasons for the recommendation were (a) that he was a troublemaker and (b) that his relationship with his wife was incompatible. As to (a) Reynolds said he was considered a troublemaker because he investigated homosexuals. As to (b) he was contemplating a divorce from his first wife.

6. In the fall of 1948, he was returned to the consulate at Salzburg where he stayed until late 1949 when he was assigned to the consulate at Vienna.

7. While at Vienna, John G. Erhardt was made U.S. Ambassador to Pretoria, South Africa, and he requested Reynolds accompany him as his political officer and personal attaché. In Pretoria he was responsible only to Ambassador Erhardt and this caused "hard feeling" among older Foreign Service officers there. Subsequently when Erhardt died, Reynolds was accused of forging the Ambassador's signature to his own efficiency rating. Reynolds added that he was completely cleared of this forgery charge after investigation.

8. Reynolds said he was then recalled to active military service and told to report to Wiesbaden. Instead he returned to the United States on leave and was assigned to the Directorate of Intelligence at the Pentagon.

9. Reynolds stated he intended to remain with the Air Force for an indefinite period and then return to the State Department for reassignment as a consular officer.

10. With reference to future plans, Reynolds advised he had a personal friend of long standing who was a Congressman. When that Congressman relinquished his position in Congress, Reynolds hoped to become a candidate for his position.

FBI MEMORANDUM, MARCH 10, 1953 (RESUMED)

In addition to information given by Mr. Reynolds concerning Mr. P, Miss B, Mr. O, and Miss K (discussed in the FBI memorandum of Nov. 28, 1952) Mr. Reynolds added the case of Mr. D, which appears in the March 10, 1953, memorandum.

Mr. D, a Rumanian who came to Salzburg in 1947 and was employed by the State Department as a chauffeur and translator for visa applications. According to Reynolds, Mr. D had been a "sub-lieutenant" in the Rumanian Army.

Reynolds gave his grounds for his concern about Mr. D as follows:

Mr. D left Switzerland with his wife in 1949 and came to the United States. In Salzburg, Mr. D had been very friendly with Mr.

O. Mr. D told Reynolds he met and cultivated the friendship of an employee of the Library of Congress and that she made classified documents available to him from the Library. Reynolds said Mr. D enlisted in the U.S. Air Force in 1950 but was really an agent of the CIA awaiting orders to return to Rumania. Reynolds said Miss K wrote him saying Mr. D was returning to Europe and he noted that if Mr. D's movements were that well known it is possible the CIA wanted his movements to be known. Mr. D knew Mr. P in Salzburg but they did not meet in Washington. Reynolds expressed concern because Mr. P had taken seminude photographs of the fiancée of a CIA undercover agent and thought that "possibly" Mr. D had furnished Mr. P with the identity of the girl so that he could obtain the photographs and have intimate relations with her which could be used for blackmail purposes at a later date.

Reynolds told the FBI that while overseas he had incurred the animosity of Foreign Service personnel because he had instituted an investigation into homosexual activities of high placed State Department officials and that, as a result, many were fired from their positions.

Reynolds told the FBI he had a great deal of information on Kurt Ponger and Otto Verber, then under indictment as espionage agents. He advised these men had been in Salzburg and associated there with Mr. O, Mr. D, and a previously unmentioned Mr. G.

[In his later FBI interview on May 26, 1953, Reynolds said the information previously given on Ponger and Verber was given to him by Mr. S. not previously mentioned, and that if FBI investigation failed to substantiate the information, this Mr. S had furnished him (Reynolds) with false information.]

FBI MEMORANDUM, MARCH 10, 1953 (RESUMED)

The files of the Washington Credit Bureau reflected Mr. P had no local credit accounts. A Silver Spring architect advised he was paying Mr. P \$80 a week and that Mr. P was taking an architectural course at Catholic University. The architect described Mr. P as an excellent employee and extremely thankful for being in the United States.

The architect said Reynolds had sponsored Mr. P's entry into the United States and wanted Mr. P to perform menial tasks around Reynolds' home. He said Reynolds took up selling silverware at night and taking Mr. P with him when he left his house. Then Reynolds would leave Mr. P at a drugstore and not return for hours. Mr. P told the architect this was a device by Reynolds to get away from home to engage in extramarital activities.

The architect's partner advised he listened in on a telephone call from Reynolds to Mr. P and heard Reynolds threaten to have Mr. P deported.

Mr. G, mentioned by Reynolds as knowing Ponger and Verber in Salzburg, said he had never heard of them until their names and pictures appeared in the Washington newspapers.

A person employed as an analyst, Foreign Service, Personnel Division, Department of State, was interviewed concerning Reynolds and Mr. P. She advised that she had met Mr. P in Reynolds' home in June 1952. She noted that Mr. P was treated very poorly by both Mr. Reynolds and his wife and Mr. P told her that he wanted to get

away from Reynolds and become independent. The analyst for the State Department advised that through Reynolds she had offered Mr. P the basement of her house in Washington to be used as a residence, if he would fix it up. She further stated that during her conversations with Mr. P she had learned that Reynolds had become very perturbed with him because of his refusal to assist Reynolds in engaging in extramarital affairs and that he had threatened to have Mr. P deported. After Mr. P had obtained the basement apartment in her home she was informed that Reynolds sought to permit him to use the basement for the purpose of entertaining women. When Mr. P refused Reynolds became indignant and again threatened to deport Mr. P. According to the analyst she considered Mr. P to be a person of integrity and a person with great personal loyalty and devotion to the United States. The analyst later advised that she had received information that Major Reynolds had recently reported Mr. P to the Security Division of the Department of State as a homosexual and as one who had associated with Department of State homosexuals overseas and therefore was a person who could furnish valuable information concerning State Department homosexuals.

A CIA report on Miss B reflects that she was born on June 8, 1924, in Germany and moved to Berlin in 1945 where she worked as a secretary in the Nazi Party Office for Commerce and Industry. It further reflects that her father had been missing since the battle of Stalingrad and that she also had a brother who was missing. Apparently little was known of her since she had lived a secluded life; however, there were allegations that she had relations with an American civilian official. The report further reflected a trip to Switzerland and then her application for entry into the United States.

Miss B advised she was born in Germany in 1924 and her father was missing since the Battle of Stalingrad in 1942. She escaped from the Russians in 1945 and went with her mother to Berlin. She met Reynolds in late 1945 when he approached her on the street offering food. After that Reynolds bought her food and clothing. She did not then know he was married and Reynolds asked her to marry him and gave her an engagement ring. She then had intimate relations with Reynolds.

Miss B said she never contacted the Russians about her father's death. The only contact she had with Russians was in the summer of 1946 when two Russians came to Reynolds' house asking about purchasing wristwatches. Miss B knew Reynolds was selling wristwatches and made trips to Potsdam to see Russians about watches. He also sold cigarettes while in Berlin.

Miss B said Reynolds arranged for a Congressman to sponsor her entry into the United States. While she waited for her visa in Switzerland, Reynolds sent her funds to live on. She still has a money order receipt for this money.

Miss B said she worked for the Congressman for about 3 months and then for the telephone company for almost 3 years. At the time of the interview she was employed by the German diplomatic mission as a secretary-typist at \$3,536 per year.

Miss B said that during the past 2 years Reynolds repeatedly threatened to have her deported. She believed it was because she would not resume their former relationship since she learned he was married. Reynolds told her the FBI was checking on her.

Mr. P stated he was born in Breslau, Silesia, Germany, on January 22, 1926. In 1944 he was drafted into the German Army and in April 1945 was captured by the Americans. He was released in July 1945 and arrived in Berlin in August. He located two cousins working for an American Air Force pilot who got him a job in the American car pool. About a year later he started to drive for Reynolds. He worked for him without salary, receiving only room and board.

Mr. P said Reynolds and the Air Force pilot would fly to France and England where they would buy liquor, perfume, and watches and fly them back in an Army plane for sale to Russians and Germans.

In 1949 Reynolds advised Mr. P by letter that he was serving as vice consul in Salzburg. He sent Mr. P money to travel there. Mr. P went to work for Reynolds as his chauffeur. Mr. P admits picking up girls for Reynolds who, due to his position, did not want to be seen on the streets.

Reynolds sponsored Mr. P's entry into the United States. He arrived in June 1952 and went to live with Reynolds and his wife. He stayed for 2 weeks and did household chores.

Mr. P related the story about Reynolds' silverware sideline describing it as an excuse to get out of the house. He advised that the architect's partner had listened on the telephone when Reynolds threatened Mr. P with deportation.

FBI MEMORANDUM, MAY 29, 1953

[This memorandum reflects the results of an interview of Reynolds by the FBI on May 26, 1953.]

Reynolds was requested by the interviewing special agents, to retell his original story, as previously furnished to the FBI, only this time to put it in the form of a signed statement under oath. Reynolds declined to execute a signed statement either under oath or otherwise. He said he wished all his statements to be regarded as being "off the cuff." Reynolds referred to article 24, articles of war, as a basis for his refusal. The special agents pointed out that article 24 pertains to self incriminations.

The oral interview of Reynolds which followed contained the following:

1. Mr. P was never assigned as his personal chauffeur in Berlin although he did on numerous occasions drive Reynolds in official U.S. Government cars.
2. He denied engaging in black market activities while in Berlin or flying with the Air Force officer to further such activities.
3. Mr. P never engaged in black market activities. Reynolds' own activities in the black market were confined to "the sale of a few wristwatches, a small amount of cigarettes, some jewelry, perfume, and cognac."
4. He did offer Mr. P a job in Salzburg and furnished the money for Mr. P's train fare to the Austrian border where he picked him up in his private car and drove Mr. P to Salzburg.
5. On approximately 15 occasions, Mr. P procured young Austrian girls for his (Reynolds') illicit relations. He denied he asked Mr. P to do this for him and that Mr. P did it on his own volition. On many occasions he rejected girls brought to his home for his pleasure by Mr. P.

6. He sponsored Mr. P's entry into the United States.

7. He got Mr. P a job as an errand boy with a Silver Spring architect.

8. Mr. P told him he had taken seminude pictures of a girl then engaged to a CIA agent. [Note here that the father of the girl told the FBI that his daughter never went out with Mr. P and that Mr. P never visited their home. The daughter was then married to a State Department employee in Athens, Greece, and had left the United States in August 1952.]

9. On the subject of deportation, he told Mr. P not to pattern his activities along the lines followed in Germany. He stated he advised Mr. P that when the Americans were in Germany they were there as conquerors and could do anything they felt like to the German people whereas in this country Mr. P was a visitor and had to behave himself or be subject to deportation.

10. He said that due to Mr. P's insolent attitude and because Mr. P's actions might reflect on him (Reynolds) as his sponsor, he had contacted a personal friend at Immigration and Naturalization Service in an effort to have Mr. P deported. The friend advised Reynolds this was not possible unless Mr. P was convicted of a crime involving moral turpitude or became a public charge.

11. He admitted Mr. P had told him that shortly before Mr. P came to the United States he had engaged in a wood export business between Austria and Italy and thus obtained the funds for his wardrobe, photographic equipment, and to support himself.

12. He related he met Miss B in 1945 on the street in Berlin and, shortly thereafter, became intimate with her. This relationship continued during 1945 and 1946 while he was with the Air Force and from 1946 to 1948 while he was vice consul in Berlin.

13. He admitted he might be in error about a Russian officer visiting Miss B for 4 hours at his (Reynolds') home in Berlin and said the Russian might have been there to contact Reynolds on the barter or sale of personal goods. He admitted knowing that Miss B's father disappeared at Stalingrad.

14. He got a Congressman to sponsor Miss B's entry into the United States and paid her living expenses while she waited in Switzerland for a visa. He said the consul at Zurich, Switzerland, had the alternative of issuing a visa to Miss B or losing his job due to Reynolds' influence with the Congressman and in the State Department.

15. He said Miss B came to the United States in 1948 and became a governess in the Congressman's home. He learned that Miss B and his (Reynolds') wife whom he was attempting to divorce had become friends and he feared his wife would use Miss B as a witness against him in the divorce proceeding.

16. He never gave Miss B a ring and never told her he intended to marry her. He gave her "tangible items" only so long as she "behaved herself" and submitted to his requests and desires.

17. He admitted that on numerous occasions he threatened Miss B with deportation. He said he told her he could have her deported through his connections unless she conformed to his wishes.

18. As to his original statement to the FBI that he was concerned that Miss B and Mr. P gave no sign or recognition when they met in Washington he recalled that they did recognize each other and acknowledged that they recognized each other. He admitted he was

disturbed to learn that Miss B and Mr. P were seeing each other frequently.

19. He had learned that the information he gave concerning Mr. D being a CIA agent was untrue. He intended to advise the FBI of this "error" but due to "inadvertence" never corrected his original statement.

20. He stated that "upon reflection" there was no significance to his allegation about Mr. P and the seminude photographs Mr. P had allegedly taken.

21. With reference to the employee of the Library of Congress making classified records available to Mr. D, he wanted to correct any implication he gave that she had handed over security records to Mr. D. What he really originally meant was that the employee might have given Mr. D books not readily accessible to Mr. D.

22. With reference to information he originally furnished the FBI that Mr. D was meeting Mr. P in Washington and was in contact with Mr. O in New York, he stated this was not something he really knew but was rather a "vague impression" he got from talking with Mr. D.

23. Concerning Mr. O, he stated he was in error when he told the FBI that Mr. P traveled to New York to visit Mr. O.



APPENDIX 3

SUMMARY BY THE DEPARTMENT OF JUSTICE OF FBI INTERVIEWS WITH
DON B. REYNOLDS IN JANUARY 1964, SET OUT IN THE LETTER
FROM THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., November 24, 1964.

Maj. LENNOX P. McLENDON,
*General Counsel,
Committee on Rules and Administration,
U.S. Senate,
Washington, D.C.*

DEAR MAJOR McLENDON: This refers to your letter dated November 17, 1964, in which you state that on September 1, 1964, Senator John Williams disclosed in the Senate that Don B. Reynolds had given him a written statement to the effect that he (Reynolds), Robert G. Baker, and Matthew H. McCloskey had carried into effect a plan by which approximately \$20,000 to \$25,000 was contributed to the Democratic Party campaign fund in 1960.

Mr. Reynolds was interviewed under oath on January 20, 1964. At that time he stated that none of the money he gave at any time to Baker related to the District of Columbia Stadium in any way. He added that he never made a contribution to the National Democratic Party and had never been solicited for such a contribution.

On January 22, 1964, Mr. Reynolds was again interviewed under oath. At that time he stated that he had been designated by the McCloskey Co. as their broker in obtaining a performance bond in connection with construction of the District of Columbia Stadium. He noted, however, that he, personally, had never talked to anyone representing the McCloskey Co. concerning this performance bond since all of his dealings were with Robert G. Baker. Mr. Reynolds said that when he received a statement from Hutchinson, Rivinus & Co. for the premium due on the construction bond he called Mr. Baker. According to Mr. Reynolds, Mr. Baker advised him to send a note to Mr. McCloskey stating he had received the bill from Hutchinson, Rivinus & Co. and would appreciate payment. Mr. Reynolds said he followed these instructions and that he then received the "gross premium" from the McCloskey Co. Mr. Reynolds added that subsequently he forwarded the "net premium" to Hutchinson, Rivinus & Co.

NICHOLAS DEB. KATZENBACH,
Acting Attorney General.

APPENDIX 4

REPORT OF THE GENERAL COUNSEL TO THE COMMITTEE MARCH 2, 1965, CONCERNING THE REPORT OF THE DEPARTMENT OF JUSTICE ON THE INVESTIGATION BY THE FBI OF THE ALLEGATIONS MADE BY DON B. REYNOLDS IN EXECUTIVE SESSION OF THE COMMITTEE ON DECEMBER 1, 1964, INCLUDING CORRESPONDENCE OF THE GENERAL COUNSEL AND THE CHAIRMAN OF THE COMMITTEE WITH DON B. REYNOLDS

U.S. SENATE,
COMMITTEE ON RULES AND ADMINISTRATION,
March 2, 1965.

To: Senate Committee on Rules and Administration, Hon. B. Everett Jordan, chairman.

From: L. P. McLendon, general counsel.

Subject: Report of Department of Justice and related matters.

The purpose of this memorandum is to collect in one document the essential facts with respect to the report of the Department of Justice forwarded to the committee by the Attorney General with his letter of February 25, 1965, and secondly, to record for the information of the committee certain other related facts.

1. On December 1, 1964, Don B. Reynolds testified in executive session with respect to "new matters" about which he had not previously testified, and which was brought to the attention of the committee staff under the circumstances hereinafter related.

2. In executive session on December 9, after consideration and discussion, it was unanimously decided to refer all of the foregoing testimony of Reynolds to the Department of Justice with the request that it be thoroughly investigated and a report made to the committee. Pursuant to this decision, the chairman communicated the committee's request by letter to the Attorney General on December 10, 1964, and received the Attorney General's letter, agreeing to comply with the request, on December 11, 1964.

3. On February 25, 1965, the chairman received a letter from the Attorney General transmitting the report of the Department of Justice consisting of 51 typewritten pages. This report is now before the committee in this executive session for appropriate action.

4. The attention of the committee is invited to certain aspects of this report:

(1) The report deals with 11 specific accusations made by Reynolds.

(2) It reports results of interviews with 70 individuals. Others were interviewed but not reported because information furnished by them was purely cumulative.

(3) It reports that a large volume of records were examined.

(4) It reports that although repeated attempts were made through Reynolds' attorney to arrange an interview with him for the purpose of reviewing his allegation made in executive

session on December 1, no such interview was ever arranged. Numerous excuses were given for not making an engagement or for not keeping an engagement made.

(5) As to each of the 11 accusations made by Reynolds, and covered by the report, in no case is the accusation supported or corroborated by any information obtained. It is to be noted that the numerous references by Reynolds in his testimony to sex parties and sexual misconduct are treated without divulging names and specific references to times and places. The report states:

"The FBI has investigated these allegations and they have been denied. We see no point in matching Reynolds' allegations with these denials in this report. The potential damage to private lives and public reputations cannot be justified on the basis of Reynolds' unsupported charges".

(6) In addition to other reasons, the referral of this investigative problem to the Department of Justice was justified because of the enormity of the task and this committee's lack of facilities to do the job, not to mention the enormous amount of time which would be required for the committee to make the investigation even if it were adequately equipped to do so.

(7) In considering all possible actions which might be taken by the committee concerning the subject testimony of Reynolds, it is proper, if not necessary, for the committee to consider the circumstances surrounding the giving of this testimony by Reynolds, as well as his conduct before and subsequently. Some of these facts and circumstances are enumerated as follows:

(1) Contrary to assertions made by Reynolds to the public press and otherwise, and repeated by Senator Williams on the floor of the Senate, Reynolds has never made a request directly to the committee to be permitted to testify after his testimony before the committee on January 9 and 17, 1964. The letter written and sent by him to the chairman, and appearing in the transcript, part 2, December 1, 1964, at page 190, makes no such request. Incidentally, it is known that Reynolds did not compose this letter, he merely signed it.

(2) After much publicity to the effect that public hearings would begin on December 1, 1964, and that Reynolds himself would be among the first witnesses called, the committee staff was unable to find him, notwithstanding that it had the active assistance of the FBI and IRS. It has learned that he visited California, but it was impossible to serve the subpoena on him at any point. In the meantime, according to testimony of Haupt, Reynolds reported that he was in Brazil and, on another occasion, in Europe. It was only after an appeal was made to Senator Williams for assistance that he made his appearance. On the day before Thanksgiving, November 26, he appeared at the committee's offices in company with Senator Williams, and consented to an interview but only in the presence of Senator Williams. This interview was held the day after Thanksgiving, November 28, and was attended by Reynolds, his attorney, Mr. FitzGerald, Senator Williams, and Messrs. Hugler, Alexander, and myself of the committee staff. It was at this conference when, for the first time, and

in answer to a direct question from me as to whether he had any other information pertinent to the subject matter of this investigation, that Reynolds replied that he did but he would not tell about it except in a public hearing. Discussion followed in which it was pointed out to Reynolds that there was a difference between personal knowledge and information obtained by hearsay. His counsel stated that he had no idea as to the nature of the additional testimony to which Reynolds was referring. It was agreed that his counsel would confer with him and advise me of the nature of any additional evidence which Reynolds was prepared to give, and that another interview would be set up prior to his appearance on December 1. About noon on Monday, November 30, in response to a telephone call by me, his counsel identified, in general terms, some subjects about which Reynolds could testify, and repeated that he would attend an interview provided that Senator Williams was present. At that late hour of the day it was impossible to arrange a conference of all those involved. The result was when Reynolds appeared on December 1, and was examined in executive session, he was permitted a free rein to testify at will with only a very limited number of questions directed to him. This evidence has been kept confidential, the transcripts have been in custody of the chairman and under lock and key, except for the one copy furnished to the Department of Justice.

(3) At the conclusion of his testimony in public hearings on December 1, he was asked by Senator Curtis: "Will you return and testify if requested?"

Answer: "Yes, sir."

Under date of December 4, 1964, the chairman received a letter from Reynolds, a copy of which is attached. On January 12, 1965, the foregoing letter was answered by me, a copy of which is attached. On January 15, a second letter was written to Reynolds, with a copy to his attorney, copy of which is attached. On January 26, a third letter was written to him, a copy of which is attached. In the meantime, a number of efforts were made to reach either Reynolds or his attorney by telephone. On January 26, a call to his office at Silver Spring went unanswered. On the same day, a person answering a call to Mr. FitzGerald's office stated that he would pass on to Mr. FitzGerald my message that the hearings would be held on February 2, and that Reynolds was expected to be present. On the 28th of January, I had a telephone call from Mr. FitzGerald concerning another witness. In the same conversation he said he had not heard from Reynolds, but that Reynolds would not be present on Tuesday, the second, that "he was out of the country." On Tuesday, February 2, Reynolds did not appear, although his counsel was reported present in the audience for a short period of time.

(4) On February 24, 1965, the chairman of the committee addressed a letter to Reynolds advising him of this meeting

today and that he was at liberty to attend and to testify with respect to the report of the Department of Justice, if he so desired, copy of this letter is attached. It was served by delivery of the original at his home in Silver Spring, Md., at 6:20 p.m., same day, to his wife who told Mr. Hugler she would read it to her husband when he "calls tonight." On the following day, copy of the same letter was delivered to his attorney, Mr. FitzGerald, in his office in Silver Spring. Mr. Hugler reported that FitzGerald indicated he did not think Reynolds would appear.

DON REYNOLDS ASSOCIATES, INC.,
Silver Spring, Md., December 4, 1964.

Senator EVERETT JORDAN,
Chairman, Senate Rules Committee,
Old Senate Office Building, Washington, D.C.

DEAR SENATOR JORDAN: It is my understanding that on December 4, 1964, Senator John J. Williams (Republican), of Delaware, advised the committee that he would no longer cooperate with the committee, but would continue to investigate Mr. Robert G. Baker and others on his own.

As you are aware, I have heretofore cooperated fully with your committee, at the suggestion of Senator Williams. I wish to state at this time that, although I shall continue to cooperate with Senator Williams, should he feel I might contribute to his inquiry, I stand ready and willing, now and at all times hereafter to cooperate fully with your committee and any of its attorneys, investigators, or staff members either in public or executive session.

Should it become necessary to extend the cooperation I offer herewith, I ask only that I be given sufficient notice (preferably 1 week) to permit my attendance in Washington without interfering with any plans I may make involving the care and treatment of my wife.

Very truly yours,

DON B. REYNOLDS.

JANUARY 12, 1965.

Mr. DON B. REYNOLDS,
Silver Spring, Md.

DEAR MR. REYNOLDS: This is in reply to your letter of December 4, 1964.

While no definite date has been set, I would like to alert you to the possibility that the Senate Committee on Rules and Administration will want you to appear before it during the week beginning Monday, January 25. As soon as a definite date has been set, I will communicate promptly with your counsel, Mr. FitzGerald.

It is requested that you have and bring with you at your next appearance before the Rules Committee the passbook issued by the Citizens Building & Loan Association at the time of your deposit of the check of McCloskey Co. in the amount of \$109,205.60. We would like to inspect this passbook prior to your appearance, and would

appreciate it if you could make it available to a member of the committee staff.

A copy of this letter is being mailed to your counsel of record, Mr. James F. FitzGerald.

Yours very truly,

L. P. McLENDON,
General Counsel.

JANUARY 15, 1965.

Mr. DON B. REYNOLDS,
Silver Spring, Md.

DEAR SIR: Please ignore my letter of January 12, advising that you might possibly be called for reappearance before the Senate Rules Committee during the week beginning Monday, January 25.

Chairman Jordan has announced today that there will be no hearings before the committee prior to the week beginning February 1.

As soon as a definite date has been fixed, you will be advised.

A copy of this letter is being mailed to your counsel of record, Mr. James F. FitzGerald.

Yours very truly,

L. P. McLENDON,
General Counsel.

JANUARY 26, 1965.

Mr. DON B. REYNOLDS,
Silver Spring, Md.

DEAR SIR: Following my letters of January 12 and 15, 1965, please be advised that the Senate Rules Committee will resume its public hearings for the purpose of taking further testimony and evidence in the "Baker investigation" on Tuesday, February 2, at 10 a.m., at 318 Old Senate Office Building.

I have tried, without success, to reach Mr. FitzGerald, your attorney, by telephone a number of times for the purpose of alerting you to this hearing date.

Yours very truly,

L. P. McLENDON,
General Counsel.

FEBRUARY 24, 1965.

Mr. DON B. REYNOLDS,
Silver Spring, Md.

DEAR MR. REYNOLDS: The Senate Committee on Rules and Administration will hold an executive session at 10 a.m. on Tuesday, March 2, 1965, in room 301, Old Senate Office Building.

On December 10, 1964, the committee unanimously voted to request the Department of Justice to investigate and make a report to the committee concerning the matters about which you testified in executive session on December 1, 1964.

The primary purpose of the meeting on March 2 is to receive and take appropriate action on the requested report of the Department of Justice.

Please be advised that you are at liberty to attend this meeting and be accompanied by your counsel and, if you so desire, you will be given an opportunity to testify in connection with any aspect of the report of the Department of Justice.

Yours very truly,

B. EVERETT JORDAN, *Chairman.*

The original of this letter was hand delivered to Mrs. Don B. Reynolds at her residence, 13122 Venetian Road, Silver Spring, Md., at 6:20 p.m., February 24, 1965, by the undersigned.

A copy of this letter was hand delivered to Mr. James F. FitzGerald, in the offices of the Citizens Building & Loan Association, 8485 Fenton Street, Silver Spring, Md., at 9:30 a.m., February 25, 1965, by the undersigned.

(Signed) EDWARD T. HUGLER.

APPENDIX 5

LETTER OF CHAIRMAN JORDAN TO THE ATTORNEY GENERAL COMMUNICATING THE REQUEST OF THE COMMITTEE THAT CONSIDERATION BE GIVEN TO THE POSSIBLE INDICTMENT OF ANY WITNESS BEFORE THE COMMITTEE FOR PERJURY OR ANY OTHER CRIME

U.S. SENATE,
COMMITTEE ON RULES AND ADMINISTRATION,
March 3, 1965.

HON. NICHOLAS DEB. KATZENBACH,
Attorney General,
Department of Justice,
Washington, D.C.

DEAR MR. KATZENBACH: I want to acknowledge receipt of your letter of February 25, 1965, transmitting the report of the Department of Justice on the investigation of the testimony of Don B. Reynolds given before the Senate Committee on Rules and Administration in executive session on December 1, 1964. The committee is indebted to you for the investigation and your report, and especially so because the committee could not have conducted a thorough investigation by its own limited staff.

The committee received the report in executive session yesterday and ordered it filed as a part of the committee's official proceedings, and further ordered its immediate release to the public.

The committee adopted a motion requesting the Department of Justice to consider referring the aforesaid testimony of Don B. Reynolds, the information obtained by the investigation thereof by the FBI, and any other pertinent information to a grand jury for the purpose of ascertaining whether Reynolds should be indicted for perjury. The committee also adopted a motion requesting the Department of Justice to review all of the evidence taken by the committee and to present to a grand jury the question whether any witnesses testifying before the committee at any time have committed perjury and to take such other appropriate action as may be warranted. These motions contemplate, of course, that authorized representatives of your Department will be afforded access to all of the records of the committee, including such testimony and record evidence received in executive sessions and which have not been released to the public.

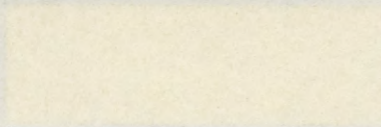
Thanking you again for your valuable assistance to the committee, I beg to remain,

Yours sincerely,

B. EVERETT JORDAN, *Chairman.*

1119

○





A11600 762940 ✓

