Jon Wiener

THE JOHN LENNON FBI FILES

University of California Press Berkeley Los Angeles London

Introduction

When FBI Director J. Edgar Hoover reported to the Nixon White House in 1972 about the bureaut's surveillance of John Lennon, he began by explaining that Lennon was a "former member of the Beatles singing group." Apparently Hoover wanted to show that although he was no rock fan, at least he knew who Lennon was. When a copy of this letter mixed in response to my 1981 Freedom of Information Act (FOIA) request, the entire ext was withheld, as were almost 200 other pages, on the grounds that releasing it would undanger the national security. That seemed unlikely. So, with the help of the American Cavil Liberties Union (ACLU) of Southern California, I filed a lawsuit under the FOIA in 1983, asking the court to order the release of the withheld pages. Fourteen years later, after the case went to the Supreme Court, the FBI finally agreed to settle almost all the mutstanding issues of the case, to release all but ten of the documents, and to pay \$204,000 to the ACLU for court costs and attorney fees. The most significant 100 pages of the Lennon file are reproduced in this volume.

The Lennon FBI files document an era when rock music seemed to have real political torce, when youth culture, for perhaps the first time in American history, was mounting recious challenge to the status quo in Washington, when President Nixon responded by mobilizing the FBI and the Immigration and Naturalization Service (INS) to silence the man from England who was singing "Give Peace a Chance" at his first live concert in the United States since 1966. Lennon's file dates from 1971, a year when the war in Vietnam was killing hundreds of thousands, when Nixon was facing reelection, and when the "clever Beatle" was living in New York and joining up with the antiwar movement. The Nixon

administration learned that he and some radical friends were talking about organizing a national concert tour to coincide with the 1972 election campaign, a tour that would combine rock music and radical politics, during which Lennon would urge young people to register to vote, and vote against the war, which meant, of course, against Nixon.

The administration learned about Lennon's idea from an unlikely source: Senator Strom Thurmond. Early in 1972 he sent a secret memo to Attorney General John Mitchell and the White House reporting on Lennon's plans and suggesting that deportation "would be a strategy counter-measure" (see figures 1–3).

That was exactly the sort of thing John Dean, the counsel to the president, had suggested in his famous 1971 memo: "We can use the available political machinery to screw our political enemies." The word was passed to the INS, which began deportation proceedings a month later. The Nixon administration's efforts to "neutralize" Lennon—their term—to silence him as a spokesman for the peace movement, are the central subject of Lennon's FBI file.

Throughout fourteen years of FOIA litigation over the files, which began in 1983, the FBI maintained that its surveillance of Lennon was not an abuse of power but rather a legitimate law enforcement activity. It's true that in 1972 Lennon associated with antiwar activists who had been convicted of conspiring to disrupt the Democratic National Convention four years earlier. It's true that he spoke out against the war at rathes and demonstrations. But the files contain no evidence that Lennon committed any empiral acts; no bombings, no terrorism, no conspiracies. His activities were precisely the kind protected by the First Amendment, which is not limited to U.S. citizens

The story of the Lennon files is also the story of the fourteen-year legal battle to win release of the withheld pages, a story about the ways the Reagan, Bush, and Clinton administrations resisted the requirements of the FOLA. The basic issue here was not simply John Lennon. The basic issue was that government officials everywhere bke secrecy. By keeping the public from learning what they have done, they hope to avoid criticism, hinder the opposition, and maintain power over citizens and their elected representatives. Classified files and official secrets lie at the heart of the modern governmental bureanciacy and permit the undemocratic use of power to go unrecognized and unchallenged by citizens.

Democracy, however, is not powerless before this practice. In the fight against govern-

ETHERT ET WINGTON, MG HENRY M LACKBON MAN KAN LENNY LE MAN HENRY MENTEN

CONTROL FRANCISCO - A COURT CANADAS, AND STAFF DIRECTOR

United States Senate

COMMITTEE ON ARMED SERVICES
WASHINGTON, D.C. 20510

February 4, 1972

FEB 1 1972

Henorable W. Hijas Fimmonthe white mouse washington, B. s.

Sear Bil

Find attached a memorical and to be from the static of the External country subservative of the districts committe Find a memorial tree disconnective as well as the full Connective Committee

This appears to me to be an important matter, and I think it would be well for it to be considered at the highest live!.

The I can see, many headaches might be avoided if appropriate a tion be taken in time.

earth Earliest regards and best washed

Very truly

Strom Thermond

1.0

Bar Alexander

F.S. Also find attribute memorially entitled from M. Bornes, concerning the fice President about which I also talked with you. I sent the Vice President a way of this.

Figure 1. The Hurmond memo. Another copy was sent to Attorney General John Mitchell. Originally pubfield in Rolling Stone, July 34, 4975.

JOHN LENNON

John Lennon, presently visiting in the United States, is a British citizen. He was a member of the former musical group known as "The Beatles." He has claimed a date of birth of September 10, 1940, and he is presently married to a Japanese citizen, one Yoko Onu.

The December 12, 1971, issue of the New York Times shows that Lennon and his wife appeared for about 10 minutes at about 3:00 a.m. on December 11, 1971, at a rally held in Ann Arbor, Michigan, to protest the continuing imprisonment of John Sinclair, a radical poet.

Radical New Left leaders Rennie Davis, Jerry Rubin, Leslie Bacon, Stu Albert, Jay Craven, and others have recently gone to the New York City area. This group has been strong advocates of the program to "dump Nixon." They have devised a plan to hold rock concerts in various primary election states for the following purposes to obtain access to college campuses, to stimulate 18-year old registration; to press for legislation legalizing marihuana, to finance their activities; and to recruit persons to come to San Diego during the Republican National Convention in August 1972. These individuals are the same persons who were instrumental in disrupting the Democratic National Convention in Chicago in 1968.

According to a confidential source, whose information has proved reliable in the past, the activities of Davis and his group will follow the pattern of the rally mentioned above with reference to John Sinclair. David Sinclair, the brother of John, will be the road manager for these rock festivals.

Davis and his cohorts intend to use John Lennon as a drawing card to promote the success of the rock festivals and railies. The source feels that this will pour tremendous amounts of money into the coffers of the New Left and can only inevitably lead to a class between a controlled mob organized by this group and law enforcement officials in San Diego.

The source felt that if Lennon's visa is terminated it would be a strategy counter-measure. The source also noted the caution which must be taken with regard to the possible allenation of the so-called 18-year old vote if Lennon is expelled from the special.

Figure 2. Memo from Senate Internal Security Subcommittee staff accompanying the Thurmond memo.

IM/LX

March 6, 1972

Dear Strom:

in connection with your previous inquiry concerning the former member of the Beatles.

John Lannon, I thought you would be interested in learning that the Immigration and Naturalization Service has served motice on him that he is to leave this country no later than hiarch 15. You may be assured the information you previously furnished has been appropriately noted.

With warm regards.

Sincerely,

William E. Timmons Assistant to the President

Honorable Strom Thurmond United States Senate Washington, D. C. 20510

sec: Mr. Harlington Wood. Department of Justice - for your information sec: Tom Korologos - for your information

 $^{lpha \in T: VO_{ij}Ih}$

 $\label{thm:loss} Is \textit{space 3.} White \textit{House reply to the Thurmond memo. William E. Timmons \textit{was Nixon's assistant for congressional relations}$

ment secrecy, America has led the world. In 1966 Congress passed the FOIA, which requires that officials make public the information in their files to "any person" who requests it, unless it falls into a small number of exempted categories, including "national security." The Act was substantially expanded in 1974 in the wake of revelations of White House abuse of power during the Watergate scandal. The FOIA, in effect, created a notable challenge to the history of government secrecy; it provided a set of rules and procedures, officials and offices dedicated not to the collection and maintenance of secrets but rather to their release to the public. Journalists, scholars, and activists have used the FOIA to scrutinize the operations of government agencies and expose official misconduct and lying, including the FBI's illegal efforts to harass, intimidate, disrupt, and otherwise interfere with lawful political actions. The John Lemnon FBI files provide an example.

Before considering that history, it's important to acknowledge that the FOIA in many respects has been a spectacular success, as Americans have demonstrated an impressive appetite for government information. In 1990, for example, federal agencies received 491,000 FOIA requests and spent \$83 million responding to them. The Defense Department received the most, 118,000 requests, while the FBI received 11,000, and the CIA, 4,000. The FOIA further requires that agencies report the extent of their denials of such requests: the agency with the highest denial rate in 1990, strangely enough, was the Office of Ethics, which refused to release 75 percent of requested documents. In contrast, the Department of Health and Human Services denied only 2 percent of the requests it received. The staff at the FBI's Freedom of Information Section processing FOIA requests consists of eight agents and 245 support employees, 65 of whom work on national security declassification. In 1990, 421,000 previously classified pages were released; requesters filed 993 administrative appeals of decisions to withhold documents; 263 requests that had been denied were in litigation.²

The most fundamental justification for governmental secrecy is "national security." Thus the FOIA exempts from disclosure any material "which reasonably could be expected to cause damage to the national security." What constitutes a "reasonable expectation" is obviously the issue. Because of the long-standing belief in the legitimacy of keeping secret diplomatic and military information, the claim that releasing any particular document could reasonably be expected to damage "national security" has been difficult to refute, which opens the FOIA to abuse by officials with something to hide. How federal

officials have interpreted the national security exemption to the FOIA provides the most important test of government practice, and lies at the heart of the John Lennon FBI files litigation.

The original FOIA of 1966 had no provision for judicial review of "national security" information. The Act exempted material "specifically required by Executive Order to be kept secret in the interest of national defense or foreign policy." The law, however, contained no provisions authorizing courts to consider government decisions to withhold documents under the "national security" claim. In a 1973 Supreme Court ruling, Justice Potter Stewart pointed out this flaw: the FOIA provided "no means to question any Executive decision to stamp a document 'secret,' however cynical, myopic, or even corrupt that decision might have been." The Court went on to note that Congress could establish procedures to permit courts to review such decisions.

This use of the "national security" exemption to conceal government misconduct came to the fore in 1974, in the wake of the Watergate revelations of White House abuses of power. At that time the issue was framed in an apolitical way as a problem of "overclassification of national security information." Congress held extensive hearings documenting the problem and accepted the Supreme Court's suggestion, passing a series of amendments that significantly strengthened the FOIA, especially in relation to "national scentity" claims. The 1974 amendments instructed courts to determine de novo whether the national security exemption was being properly applied in particular cases. Courts were authorized to conduct in camera reviews of documents for which the government claimed the national security exemption. Most important, courts were empowered to overinle executive officials' decisions classifying documents under the "national security" claim. For the first time, courts could order the release of improperly classified documents. President Ford vetoed the legislation, objecting specifically to the provision empowering the courts to overrule executive branch classification decisions. This provision, he declared, was an unconstitutional infringement on executive power. Congress overrode Ford's veto, and the amendments became part of the FOIA. Nine years later, the ACLU of Califor- $_{\rm ma,asked}$ the court to overrule the Reagan administration's claims that parts of the Lennon FBI file had to be withheld to protect "national security."

Secret government files like Lennon's have a history. The Cold War provided a great impetus to government secrecy, which was justified as a necessary response to Soviet ef-

forts to "destroy our free and democratic system" at a time when their "preferred technique is to subvert by infiltration and intimidation," as the government explained in 1950 in the policy statement "NSC 68." Cold War presidents secretly authorized the FBI to monitor radical activists, who included not just potential spies or saboteurs but "writers, lecturers, newsmen, entertainers, and others in the mass media field" who "might influence others against the national interest," as the Senate's Church Committee explained after Watergate.⁵

But the federal government began spying on Americans long before the Cold War, as Daniel Patrick Moynihan observes in his book *Secrecy*. Most of the structure of secrecy now in place, he argues, has its origin in the World War I Espionage Act, passed into law in 1917 at the urging of President Woodrow Wilson. The former Princeton history professor declared in his 1915 State of the Union message that recent immigrants had "poured the poison of disloyalty into the very arteries of our national life," and he urged Congress to "save the honor and self respect of the nation. Such creatures of passion, disloyalty, and anarchy must be crushed out." Congress responded with the Espionage Act and, in 1918, the Sedition Act. which made it a crime to "utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States." It also made it a crime to "advocate any curtailment of production in this country of any thing . . . necessary or essential to the prosecution of the war."

In fact the first FBI files on people suspected of disloyalty date from before World War I. The bureau was created in 1908; it opened a file on Ezra Pound in 1911, after he published in the first issue of *The Masses*, a socialist magazine. It opened a file on Max Eastman in 1912 on the grounds that he was editor of *The Masses* and "a true believer in free love." It opened a file on Walter Lippmann the same year, noting that the recent Harvard graduate was secretary to the socialist mayor of Schenectady. Herbert Mitgang and Natalie Robins have shown that the FBI kept files on at least 150 of the country's leading writers, from Sinclair Lewis to William Faulkner to Ernest Hemingway to Norman Mailer and James Baldwin. Thus the insatiable appetite of Hoover's FBI for derogatory gossip and malicious trivia, evident in the Lennon file, was nothing new. But unlike other writers and artists the FBI watched, Lennon wasn't persecuted simply because of what he thought or wrote. The Nixon administration was after him because of what he did—and what he planned to do.

The Lennon files constitute a small but significant chapter in the history of the sixties, and of the Watergate era, and also in the history of bureaucratic secrecy and government abuse of power. They confirm Richard Nixon's place in the annals of rock 'n' roll as the man who tried to deport John Lennon, and thus they support the claim that rock in the sixties had some kind of political significance. Of course some have seen Nixon's pursuit of Lennon as a simple case of paranoia, in which the president and the New Left shared the same delusion. But the record shows there was a rationale behind Nixon's campaign to silence Lennon that was not simply nutty. Lennon's plan to mobilize young voters against the war may not have affected the outcome of the 1972 election, but it had a clear and reasonable logic behind it.

The Lennon FBI files include some comic and hilarious moments. The FBI at points looks more like the Keystone Cops than the Gestapo. But the campaign to "neutralize" Lennon wasn't a joke; it was a crime.

The experiences of exaltation and anger that rock music provided in the late sixties were not in themselves political experiences. Lennon knew that. He also knew that rock could become a potent political force when it was linked to real political organizing, when, for example, it brought young people together to protest the Vietnam War. The Lennon FBI files chronicle Lennon's commitment to test the political potential of rock music. They also document the government's commitment to stop him. The investigation of Lennon was an abuse of power, a kind of rock 'n' roll Watergate.

A NEW SONG "LACKING LENNON'S USUAL STANDARDS" The FBI also monitored and archived press coverage of targets of investigations. Lennon's Detroit file contains this newspaper clipping of a review of the John Sinclair Freedom Rally published in the Detroit News on December 13, 1971 (DE-3). In this one, the writer reports that the song "John Sinclair" "probably will become a million seller," even though it was "lacking Lennon's usual standards." The piece also complains that "Yoko can't even remain on key."

The ACLU cited this passage in court arguments as evidence that the FBI lacked a legitimate law enforcement purpose in investigating Lennon, arguing that the released information did not concern criminal activities. Singing off key, the ACLU argued, is not a federal offense.

(sani Lipping in Space Balow) followers down

RILL GRAY

FD:350 (Nay. 7-16-63)

is anyone went to the logical sincial raily Friday nicks in 1977 for the soic marpose of seeing a rare John Lennon performance. In 1972 and disappointed.

Lennon was the dr. ing. rard their berught many is any large property of the procedure of

pard that hroughly many it and

missillo the lating stating state per ple to Crisife Arens.

But almost eight hours of spectres by salical leaders, poetry by Allen Ginestration of the Cody and frivilin and blues by Steviic Monder preceded the former Beatle's appearance.

formed Beatle's appearance.

MIEN HE DID, it was brief
and on, importance and
spoiled the whole thing.
He brought Yoko.

Mrs. Lennon may be the
genius tias John keeps instining she is. Possibly, if he
keeps heavily hyping her,
someone might believe it.
But before a singer can be
judged, she must fave able
to carry a time. Yoko can't
even remain on key.

This was evidenced clearly.

even remain on key.

This was evidenced cleerly when she sang "O Sisters, O Sisters," A Women's Lib time she claimed she wrote for the "Sisters of Ann Arbor" the day before the rally.

STANDING beside her, Len-non managed not to wince. He even kissed her when it was

even kissed on the show was hardly worth the wait—three songs, all of which were suffamiliar to the crowd.

They were so new that Lengton had to read the lyrica from a music stand as he

sang.
His tribute to Sinclair,
which began "John Sinclair,
in the sits for meathing air,"
was played on steel guitar.

BECAUSE of the name attached to it, the song probably will become a million speirer and sessual trace activities Recorder's Court Judge Robert J. Columbo in anti-hero in the subculture. "Me gave him, (Sinclair) 18 (years) for two (marriuana

cigate's what circ can Judge Colombo do?") It was an interesting piece, but lacking Lennon's usual standards.

standards:

Lennon and Yoko were
dressed in matching black
leather jackets, unsipped to
reveal "Free John how"
Tahiris. Lennon wore small circular sunglasses. He was flippant and tried to give the
crowd the impression that
they weren't watching a
superstar, but simply the working-class hero.

PRECEDING the Lennons
were David Peel and the
Lower ESST-Side; positive
the worst act I've ever seen.
The greasy-looking peel sang
tike a deranged gorilla. The
lyrics of one song consisted
solely of repeating "marawanna" about 30 times.
The best rock 'n' roll of the

wanna" about 30 times.

The best rock in roll of the evening was provided by some local artists. Bob Seger (formet) with the System and Tegarden and Vandwinkle consoince for the evening's musical highlight.

Seger's "Looking Back" may be only a four-chord progression piece, but is well-performed, and the byrics should go down at the subculsure's hautonal anthem.

(indicate page, name of gamapaper, city and state.)

10a The Detroit News Detroit, Michigan

Dete:December 13, 1971

author: Bill Gray

Editor Martin Hayden Tillet

Cherecters

Classifications Submitting Office

Being lavestiquied

Copy Sent Bureau

24 8 M.3

CONFIDENTIAL

Re: Freedom Rally, University of Michigan, Ann Arbor, Michigan, December 10, 1971, Sponsored by Committee to Free John Sinclair

Source five advised December 13, 1971, rally was attended by an estimated 15,000 persons and terminated in the early morning hours of December 11, 1971, without any incidents. Source advised 10 off-duty Ann Arbor police officers patroled the area near the rally hall. Source advised the services of the off-duty police officers were obtained and paid for at a cost of \$150.00 by the WPP at Ann Arbor, Michigan. Source advised police officers patroled only on the outside of the rally hall and were not permitted to enter rally

Source advised the entire portion of the rally hall was patroled by so-called WPP Rangers, also known as The Psychedelic Rangers.

Source six advised December 13, 1971, University of Michigan facilities for captioned rally were obtained by unknown persons on or about November 30, 1971, at a cost of \$4,000.00, which was paid for in cash and in advance. Source advised approximately five well known rock bands and/or singers performed at the rally, including John Lennon and wife Yoko Ono. Lennon formerly with group known as the Beatles. Source advised Lennon prior to rally composed the following song entitled, "John Sinclair", which song Lennon sang at the rally. Source advised this song was composed by Lennon especially for this event:

- 4 - 3

PRIORITY HEADQUARTERS

MHCHAOS

JOHN LENNON/YOKC

08 1 - 48 2 FEB 72

ONO'S NEW PROJECT, AND INTERNATIONAL NEWS SERVICE CALLED QUOTE YES UNQUOTE, WHICH WILL INCLUDE VIDEO TAPES, FILMS, AND SPECIAL ARTICLES. PART OF PROJECT WILL BE CARAVAN ENTERTAINERS WHO WILL FOLLOW U.S. PRIMARIES AND RAISE FUNDS FOR LOCAL RADICAL GROUPS ALONG THE WAY. PROJECT ORGANIZERS WANT TO AVOID PUBLICITY AT PRESENT LEST LENNON WHO NOW U.S. ON ONE MONTH'S VISA BE BARRED FROM U.S.

Approved for Belease Date 4 SEP 1984

FROM U.S.

* Angus MacKenzie, Secrets: The CIA's War at Home (Berkeley: University of California Press, 1997), 30.

THE CIA "CHAOS" MEMO The CIA released this teletype dated February 8, 1972 (CIA-3). The heading has been withheld except for the word "MHCHAOS." "MHCHAOS" was a secret, illegal CIA program of surveillance of domestic political dissent, a violation of the CIA charter. The program was launched in August 1967 under Director Richard Helms. The CIA sent Operation CHAOS domestic intelligence reports on political dissent first to President Johnson and later to Nixon, as well as to Henry Kissinger and John Dean, comusel to the president. Under Nixon, the CHAOS program was expanded to sixty agents, who, according to Angus MacKenzie, "became the Nixon administration's primary

CIA Operation CHAOS was revealed in 1976 by Congresswoman Bella

Abzug's House Subcommittee on Government Information and Individual

Rights. The CIA director at the time was George Bush, who conceded in con-

gressional testimony that "the operation in practice resulted in some improper

Katherine M. Stricker, Information Review Officer for the Directorate of Operations of the CIA, answered questions about this document under oath in a

deposition conducted by Mark Rosenbaum of the ACLU. He asked, "Do you have any information . . . that Mr. Lennon had any connections with a foreign government or a foreign nation with respect to his political activities?" "I have no information," she answered. Nevertheless in her affidavit she wrote that the withheld information on this page "consists of detailed reporting from a sensitive and reliable CIA intelligence source concerning certain activities of John

source of intelligence about the antiwar leadership."

accumulation of material on legitimate domestic activities."

Lennon and his affiliation with a particular group."

1 igune 27. CIA-3.

A CIA REPORT — On February 23, 1972, the CIA distributed a memo describing "Foreign Support for Activities Planned to Disrupt or Harass the Republican National Convention" (CIA-2). The CIA released the memo in its entirety, according to CIA Information and Privacy Coordinator Larry R. Strawderman.

Lennon looms large in the ClA's report. The first section reports that the "Soviet-Controlled World Assembly for Peace and Independence of the Peoples of Indochina" was not asked to call for international demonstrations. The next point is that John Lennon, "a British subject," has provided financial support to Project "Yes," which paid the travel expenses of "a representative" of Rennie Davis to an antiwar meeting in Paris.

COUNT,

2 3 FEB 1972

SUBJECT: Foreign Support For Activities Planned to Disrupt or Harass the Republican National Convention

1. There are only limited indications thus far offoreign efforts to inspire, support or take advantage of activities designed to disrupt or harass the National Convention of the Republican Party in San Diego, 21-23 August 1972.

2. Some American participants at the Soviet-controlled Norld Assembly for Peace and Independence of the Peoples of Indochina, held 11-13 February 1972 in Paris/Versailles, attempted unsuccessfully to include a call for international demonstrations to take place at the time of the Republican National Convention. A representative of the San Diego · Convention Coalition (SDCC), one of the domestic action groups targetting on the Republican Convention, requested the American Delegations' Steering Committee at the World Assembly to include a specific call for international support of activities against the Republican convention in their proposal to the Action Commission of the World Assembly. This request, however, was dropped as too divisive by the Steering Committee, despite initial indications that the proposal would be taken to the floor of the Assembly. .

3. John LENNON, a British subject, has provided financial support to Project "YES", which in turn paid the travel expenses to the World Assembly of a representative of leading antiwar activist Rennie DAVIS. (DAVIS' representative is tentatively planning to assist im preparations for disruptive actions at the San Diego Convention.)

Project "YES" is an adjunct to another (LENNON-supported project, the Election Year Strategy Information Center (EYSIC), of which Rennie DAVIS is a key leader, which was set up to direct New Left protest activities at the Republican National Convention. In Paris Rennie DAVIS' representative to the World Assembly met at least once with officials of the Provisional Revolutionary Government of South Vietnam; it is not known if the Republican National Convention was a discussed.

Approved for Release

00552

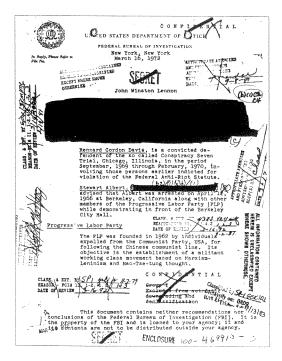


Figure 53a HQT page 4, mitial release

"FOLLOWING THE CHINESE COMMUNIST LINE" The New York FBI prepared for distribution to other agencies a letterhead memorandum, dated March 16, 1972, describing Lennon's political plans (HQ-7 page ±). The first paragraph was originally withheld as national security intelligence source information. It turned out to be a report that Lennon was part of a group planning "to coordinate New Left movement activities during this election year."

The paragraph on Stewart Albert identifies him incorrectly as associated with the Progressive Labor Party (PLP). The implication was clear: Lennon was associating with Communists. Although the First Amendment protected that kind of association, Albert in fact was not associated with the PLP – a rigid, doctrinaire organization opposed to the counterculture and to the New Left. Albert later described his arrest at that PLP demonstration as "a youthful indiscretion."

