

**Interview of Judge William H. Webster
Former Director of the Federal Bureau of Investigation
on March 9 and 11, 2006
By William M. Baker**

Edited for spelling, repetitions, etc. by Sandra Robinette on April 28, 2006. Edited for corrections by Judge Webster by Sandra Robinette on December 16, 2006. Edited for Mr. Baker's corrections by Sandra Robinette on December 18, 2006.

Baker: My name is William M. Baker and I am interviewing Judge William H. Webster, Former Director of the Federal Bureau of Investigation, for the Society of Former Special Agents of the Federal Bureau of Investigation Oral History Program. Today is March 9, 2006, and this interview is taking place at the offices of Millbank and Tweed at 1850 K Street, Washington, Northwest. This is Tape A. I will now read in the copyright release.

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Judge, with that little formality out of the way, may I please say “Happy Birthday” to you.

Webster: Thank you, Bill. (chuckle)

B: It’s very close to your birthday of March 6, in 1924. And I wonder if to start the interview we might set the framework and you might give us a little bit of recollection of your family days and your early education in St. Louis and life at Webster Groves.

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W: All right, Bill. Well, it's a long way to think back but I have many good memories of my childhood. I was born actually in St. Louis. My mother and father were living in an apartment in University City and shortly thereafter moved to Webster Groves which is a suburb, of one of ninety-eight incorporated municipalities around the main city of St. Louis, where I grew up, was educated, and spent a good part of my life until I was married.

It's a wonderful little town of about 20,000 people. Hasn't changed much over the years. They call themselves the "queen of the suburbs." But it had the advantage of community which is something that's very close to my heart. I think that the great values that we treasure - liberty, freedom - all of those things spring upward from communities. And many, many people don't have that opportunity to feel it in, in an up-close personal way.

Webster Groves was that little town. Had its own churches, its own Red Cross, its own clubs and its own projects... where people took an active part. My mother was head of the blood bank during World War II and volunteers were everywhere. And we had a good athletic team. Wonderful academic record at that high school. Eighty-five percent of our class, which was the largest class in its history, went on to college. And to a great many colleges and universities around the country. And so, it was your kind of classic Midwestern environment.

I walked to school, both in grammar school and high school. And looking back on it, it was good thing. It was two miles to school. My father would look up from his newspaper and say, "Isn't it time for you to leave?" And then I'd be on my way, usually at a trot because I'd be behind. And about half way to school, he'd drive by and wave at me. (chuckle) When it rained, sometimes he'd provide a ride, but not otherwise.

B: That's great.

W: Yes.

B: I know tennis is an athletic passion of yours now. In those early days, what sports did interest you?

W: Well, tennis interested me but not as much then. You have to remember, I was a child of the Depression. I was five years old when the Stock Market crashed. We were never in want, but there were a number of things that we couldn't really afford to do. And so I didn't get --. I played a lot of sandlot sports --

B: Uh, huh.

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W: -- growing up when we made neighborhood games of one kind or another. Football, baseball.

When I was a senior I made the wrestling team at Webster Groves High School. But that was a sport in which we were pretty much outclassed by some of the city schools which were a lot larger and tougher than we were. But it was worthwhile and I enjoyed it.

I was a member of the Riding Club. That was one of the things that my mother and father could afford for me to do. You could take horseback riding lessons for a dollar an hour which is a lot different from now. It seemed like a lot of money at the time. But I got to be pretty good at riding.

B: How did you move from Midwestern to Amherst? What was the evolution there for your college education?

W: Well, the focus of the activities that I spent time on were the school newspaper and I was president of the debating club. We had a crack champion debate team statewide and we went to several other states and that was one of the activities where I really managed to do pretty well. I was a member of the National Forensic League, a Student Senator to the National Student Congress in Lexington, Kentucky, and things of that kind. I had an early interest in government.

As far as Amherst was concerned, I hadn't really planned it out. I thought that as a general strategy I would probably go to a Midwestern school. My father called them "freshwater schools;" he favored "freshwater schools," and then go to law school probably on the East Coast. But this was 1941. My mother who was always wiser than the rest of us said she didn't like what seemed to be going on in Europe and thought maybe I ought to get my time away from home first.

So I hadn't thought about that very much or where would be a great school to attend. Partly a combination of knowing the record of former alumni and those who were still in college, we selected Amherst. A small liberal arts school with a great reputation. And I applied for it. I got on a train and went there. Had never seen it. It was the only college where I applied for admission. Fortunately I was accepted and had an absolutely wonderful experience. So you asked me how did I get there. By good sheer luck and my mother's sage advice.

B: And then, of course, these were tumultuous times. You got through the Depression as you described, but all of a sudden now we're in one of the world's ugliest conflicts.

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W: Pearl Harbor occurred. Learned about it when I was a freshman at college, walking on a Sunday afternoon into the library, which I didn't do all that often, but that's when I heard about Pearl Harbor.

B: What did that do? Did that interrupt your education or how did --?

W: Well, it didn't interrupt it in a sense that one day I was in college, the next day I wasn't. It changed things because we all knew that we were going into the service as soon as we were needed. And most of us went off to join the Reserve programs. And I joined the Naval Reserve program which was called the V-12 Program. We accelerated our education, gave up summer, worked through, and by 1943, I was in the middle of my junior year and the Navy sent me to Williams College, our arch rival--

B: Oh yes.

W: -- where we, where the navy officer trainees were sent. And the marines went to Dartmouth and the air force, including Ted Williams, were assigned to Amherst.

B: So you just went up the road and to the left.

W: And to the left. (chuckle) And I was there for two semesters. And in January of '44, I was sent down to go into midshipman school. Fortunately they selected me three or four days later and I was sent to Columbia University which had, I thought, the finest midshipman training school in the Reserve program. And had a great experience there, and then off to active duty.

B: Now the war years are behind you. At least that war. And you had a commission. You served as an officer. Any memories from that service that helped to shape or gave you what you look back on now as experience you could draw upon later in life?

W: Well, I drew on it and later in the Korean War when I was called back for two more years. Had a total of five and one-half years in the Navy. And I have many good memories. Many good friends. The ones that are still alive. Lost a lot, of course, over the years.

But when I was asked to come back to Washington to lead the FBI, people kept asking me --. I was a lawyer by profession. I was a Federal judge. They'd say, "Well, what equipped you to take over the FBI?" I said, "Well, I think that the thing that helped the most were my years in the Navy." I learned about discipline. I learned about honor. I learned about tradition. I learned about --. Through the words like being "fore-handed," getting out ahead of problems and so on. And leadership issues.

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W: I commanded some small ships in World War II and was Executive Officer of a much larger ship in the Korean War. And I think that all those experiences let me think that I had the basic capability to do that work when I came to Washington that I probably might not have thought I had without it. Because I loved the Navy and it's still very close to my heart.

B: Now, the war is over and you went back then to law school. Is that right?

W: Right.

B: So you were still in the Reserves?

W: I was still in the Reserves. I was in the Organized Reserves and I had been in practice, law practice for about a year when the North Koreans invaded South Korea and President Truman ordered a good part of the Reserves up and I was included in that deal. The Organized Reserves got the first call.

B: And that was about the same time as a very other important issue in your life.

W: Yes.

B: Your marriage.

W: I was married on May 5, 1950, to a wonderful girl I'd known all my life, although she'd moved to California with her father who was a colonel in the Army Reserves. In World War II, he built hospitals and military installations on the West Coast.

But we got back together in 1948 or '9, and were married in 1950, and then along came the call-up in the Fall of 1950, the year we were married. So I returned her to California and then took a ship out to join my ship in Pearl Harbor and she came out. Her name was Drue. She came out to be with me, before we sailed, before we sailed overseas and then stayed out there. After I sailed to the Far East, she got a job in the Royal Hawaiian Hotel, in the camera shop. And one of her roommates from the University of California at Berkeley came out and lived with her.

And things were so much different then than they are now. We have people who've been called up who've got laptops out in Fallujah, other dangerous places, and they're in constant touch with their families.

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W: I sailed for Japan and Korea in the summer of 1951, or it was actually the early spring, just in time for the Chinese Communist spring offensive. Then I had actually two telephone conversations in the nine months that I was gone, although we wrote to each other every day and somebody saved those letters and I have them all at home. We each had a camera. We sent pictures back and forth. But it wasn't like the days now when you have instant communication.

B: No. Now that we get through the Korean War and came to a truce and then were you --. How did that work? Were you still in the Reserves? Or did you give up your commission at that time?

W: No, I didn't give up my commission. I kept my commission in the Reserves, inactive duty I guess we'd call it. And as a matter of fact later on that was challenged because almost ten years later I was a United States Attorney and got orders for an honorable discharge, because I wasn't able to take the cruises and I protested saying I was eligible for retirement. And a high ranking officer in the Navy, the Undersecretary of Navy, sent me a letter saying, "You're absolutely right. Your orders are cancelled."

And then the emergency in Berlin, the Berlin airlift started. They started calling the troops back again, but they didn't take me. They didn't take me back, so I was all right. After my release from active duty in 1952, I rejoined the firm I was with and started a family right away.

B: And you had Drusilla Lane?

W: Drusilla Lane Webster was the first child. Seems a long time ago. She's fifty-three years old now. And has three kids, three kids of her own. (chuckle)

And we had a very good life in St. Louis. I was active in politics. I was head of the Young Republicans in St. Louis County and active in the Big Brother, Big Sister organization. Lot of things of that kind. Wonderful friends. And the law practice was pretty good to me. But then I was approached to see if I might be interested in being the United States Attorney when they were having problems with labor racketeering in those days.

B: And by then had Bill, Jr., been born?

W: Bill had been born and so had Katie.

B: Okay. And so the family's --

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W They were all --. I guess she was just barely, she was born in 1960. I was appointed the United States Attorney for Eastern Missouri by President Eisenhower and served until the next election when President Kennedy was elected. My firm wanted me back and I tendered my resignation so that he could find, or place one of his own choice. Several months later that's what happened, and I went back to the practice of law. I had been a partner in the firm since 1956.

B: So your first exposure to criminal law then was as US Attorney, would you say?

W: Oh yes.

B: Yes.

W: Well, I had, like everyone else in those days, every young lawyer in those days --

B: *pro bono*?

W: We had appointments, *pro bono* criminal appointments, court appointed, we didn't have public defenders. You did your duty and did the best you could for those accused of crime when you got asked.

B: And, so you're back at the law firm but now we're approaching 1971 which is another crucial day. I know there are many.

W: That's right. But actually it was 1970 when I was nominated.

B: Okay.

W: I had a call from the Chief Judge of the Eighth Circuit, the US Court of Appeals for the Midwestern States, from the Canadian Border to the South, including Arkansas. And he was concerned at that point in time, that too many of our young people were losing their confidence in the judicial system. They were burning down ROTC buildings. There were things that were going on and he thought I could make a contribution.

I was easily seduced. (chuckle) And I thought about it and I was appointed by President Nixon to the District Court, Trial Court, and served for three years and then was elevated to the US Court of Appeals. Served there for five years. And then, Director Hoover had died --

B: -- in 1972, yeah.

W: 1972. And Clarence Kelley took over.

B: 1978.

W: In 1978. The Attorney General was a former Court of Appeals Judge, Griffin Bell of Atlanta, great man. We were representing the judiciary along with others at an Anglo-American Exchange in England and, during an intermission, we were walking around. He was telling me what a tough time he had finding somebody, the right person, to take over the FBI after Clarence Kelley was scheduled to retire. He said, "Would something like that be of interest to you?" And he remembers, and I think I remember too, he says I said, "Griffin, don't do me any favors." (chuckle)

So that passed and then it came back again. He had selected Judge Frank Johnson who agreed to do it but then his health failed and his doctors told him that the FBI was like a moving iceberg and he wasn't going to get well if he kept trying to take on that assignment. So he withdrew and it was back in my lap again.

And I was sitting by invitation with the US Court of Appeals in New York and so I didn't want to talk about it at that time. And then Judge Bell came back at me at Christmas of 1977. And by that time I thought I probably ought to know what were the problems and was I the kind of person that could maybe make a contribution. The FBI had been under fire. There were the so-called "black bag" jobs that --

B: I want to get to those --

W: Okay. And I took myself to the public library because I didn't want anybody knowing that I was even thinking about this and did a lot of research. I had worked with Special Agents when I was US Attorney. I had known a number of them. One of my best friends then and now was a Special Agent in Pearl Harbor, chasing spies at the time that I came out to join my ship there and he had an apartment right next door to ours. His name is Richard Burrell. When my ship left for the Far East, I left him and his lovely wife took care of Drue the nine months that I was away. I thought he was a sterling example of what a Special Agent would be like.

W: So I didn't have any question about the character or discipline in the FBI. It was just something I hadn't thought about in terms of the scope and size of the operation. Whether this was something I really could do. But I did my research and I concluded, well, at that particular point in time, if I were looking for somebody, maybe I would be looking for somebody like me who came from a nonpolitical background. I said I'd given up politics for the US Attorney and the bench and so on and I'd be looking for somebody like that. And so I agreed to come down and talk to Griffin Bell about it. And I did.

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B: Did Judge Wade McCree have some advice for you also?

W: Yeah. He did. I'll come to that --

B: Okay.

W: We were supposed to have a very secret meeting. The Attorney General sent his car out for me, but when I got there, it was on the front page of the paper that it was rumored that I was being considered for this. And Clarence Kelley hosted me during half the day and the other half was with Griffin Bell. I had a long legal pad of questions that I went through and met a very fine Special Agent named Homer Boynton who was assigned to do the Public Affairs and Congressional relations at the Bureau. And he was with me a good time. I was impressed.

And every time I met a new Special Agent, it reinforced my view of what a great organization, great people would be there. Because I knew that whatever I could do, I couldn't do by myself and I had a sense that while we had a lot of things to deal with, I had the right kind of people to work with.

I had refused to see the President because I didn't know how to say "no" to Presidents. So by the end of that day, I told Griffin Bell that if he wanted me, I'd come back to meet the President. Which I did. I had a very nice meeting with President Carter.

B: Was that at the White House?

W: At the White House. Before I had that meeting, I had lunch with Chief Justice Berger who had been very good to me as a young judge. I'd served on a number of important judicial committees and got to know him very well. And he wasn't sure about this opportunity. He had a great deal of respect for the Bureau. His daughter worked there. But he, he said, "Is it a dead end? What's going to happen after ten years, you know?" And I said, "I don't know. (chuckle) I guess something will be there. Always has been." But the minute that I decided to --

B: That's an interesting point because unlike Director Hoover's reign, after his death, it was a mandatory ten-year term.

W: That's right. Everyone talks about this great ten-year protection that the FBI Director gets and why don't they have that for the CIA and these other places? The statute says "shall serve not more than ten years" and I understood that. That was for me a plus rather than a minus.

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W: But I came back from the Chief Justice's lunch and was a little uncertain about whether I was doing the right thing. I stopped off to see my good friend Judge Wade McCree who was then the Solicitor General of the United States --

B: Okay.

W: I stopped off to see Judge McCree at the Justice Department on my way to meet the Attorney General and go with him to meet the President. I went in and I said, "Wade, I'm a little uncertain right now. Got the willies. I'm not sure this is the right thing to do." Told him about my conversation with the Chief Justice. And Judge McCree said, "Now, Bill, let me tell you something." He said, "This is not a duty. You don't have --. What you're doing now on the Court of Appeals is very important. But, you know, at this particular time in our country, if I wanted to make a patriotic gift to my country, I can't think of anything more important that needs to be done." And all at once my hesitation and uncertainty vanished and never came back.

I went on over to meet with the President. And I had a good meeting. He didn't appoint me right away. He wanted to know at the end if he could have the option of appointing me Director of the FBI. I said to myself, "Is this a one-way street." (chuckle)

B One navy man to another.

W: Yeah. But I said, "Why certainly." Admiral Stansfield Turner had just been appointed to head the CIA and he and I had been classmates at Amherst. Very good friends. So there were things about it that I knew would fall into place with Griffin Bell as Attorney General and so on. I knew I'd have a running chance to do a good job.

At this point in time I was chairman of the Business Law Section of the American Bar Association. It was the largest section of the ABA with 60,000 members. It was busy and we went on to a midwinter meeting at the Arizona Biltmore, when I got the word from Griffin Bell, that the President had decided to name me. He was considering one or two other judges, particularly Judge McGarr.

Judge McGarr from Chicago and I were friends and we had a lot of jokes about getting a common psychiatrist at a good rate. And so on. But anyway, the nomination came after that and they wanted me fast. They pushed the confirmation process. And so I reported for duty in February of 1978.

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B: Now you must have had some preconceptions. Describe those first months on the job because here you are taking over an agency that had just gone through the Nixon years and the spill-out of the Church Committee. And there was an awful lot of pressure on you as the new Director. I'd like to try to get a flavor for those months.

W: Well, there was some pressure. But, you know, looking back on it, most people of good will really wanted me to succeed. Really wanted to see the Bureau back on top in the ways that it had been in the past. And were willing to give the Bureau a chance because they were, the ones who knew me were willing, to hold out the hope and to give me every opportunity to get the momentum going again.

And so it, it wasn't --. Of course, there were a lot of issues. You mentioned the Church and Pike Committees. Reports had been really fairly devastating both as to the FBI and the CIA. When I went to call on Vice President Mondale as a part of going through the process, the first thing he did was hand me copies of those two reports and said, "Read these." (chuckle)

B: Oh, boy. (chuckle)

W: Which I did. I was working at two different levels. Well, probably three different levels. One was trying to make sure that I had the support and understanding of the Congress. The Oversight Committee, Judiciary Committee, and so on, very interested in what we were going to do.

Making sure that the public had a good and fair look at the FBI. I knew I would be its primary spokesman and could tell a story of good, of real achievements of the Bureau.

And the third one was of equal importance. It was to build support and confidence within the Bureau with people, people mostly who did not know me. Maybe didn't even know much about me. And that involved a process of visiting. We had fifty-nine field offices and we started out to be out there and responsive and to listen to the good comments and advice and recommendations that were coming from the field.

There were issues of importance, different kinds of issues of importance to the American people. There were those who were concerned whether we were outside the law or whether we were servants of the law.

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W: And I had to address that issue, which I did at the time I was sworn in, which was really quite an experience for me. We, we had the ceremony at the Bureau rather than at the White House. The President was there. The Vice President too, which was unusual. Retiring Director Kelley. Attorney General Bell. Heads of the Judiciary Committees. And trying to sum up my hopes, I pledged myself and the Bureau that we would do the work the American people expected in the way that the Constitution demanded.

B: The quote that I became very familiar with, and, but it was a constant message --.

W: I repeated that. I repeated it over and over because I wanted everyone to know of our commitment to do it that way. And I wanted to avoid if possible the limiting kinds of charters that some people were talking about. I embraced the idea of a charter. We really didn't have a charter. When the FBI had been created many years before it was practically a one sentence statute. The Statute said that "the Attorney General could have a Bureau of Investigation."

You find that of course over the years the FBI had certain specific assignments but somehow their demands for a charter were really limiting and I thought would be demoralizing and not necessary. And I said all along that we wanted an affirmative charter. What people expected of us. Not what we couldn't do, but what they expected us to do. And we had our own representatives working on that charter with the Congress.

B: Was that John Hotis and John Mintz?

W: John Hotis and John Mintz. Both of them experienced lawyers. Career Special Agents. John Mintz was advising me. John Hotis had gone to law school and got his master's and doctor's degree from Yale University. And both of them were brilliant advocates of reasonable guidelines.

Attorney General Levi, before Griffin Bell, had established a series of guidelines and all the succeeding Attorney Generals reviewed those guidelines to see what needed to be done.

But the charter of the FBI was something I was really interested in because I wanted it to be affirmative. And it was. We launched it one day and all the leaders of Congress came down to support it. They had a change in government at that point in time and when I talked to the new Attorney General, William French Smith, who was a great Attorney General, he said, "There was so much overreacting in those days, I don't think we need it." And I said, "Well, you don't mind if I pretend we have it, do you?" (chuckle) Cause I liked it. It could be our guide for how we do things." "No, go right ahead." So that's what, what we did.

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W: And there was another area where we were badly in need of change. And that was diversity. We've got to realize that Clarence Kelley had many good ideas but it was tougher for him to get them implemented because of the times. I was more fortunate because I could push harder for them and make sure that they happened and, the help came not only from people where I would expect it, but also from some of the people who had reputations of being more conservative and they were called "Hooverites." They didn't want change and so on, the people thought. But we really had some very good help there. Gotta have a name.

B: McDermott?

W: John McDermott was one of those door busters of the past who was very, very uncertain about different kinds of change. But when I said we're going to have to do something about diversity, we called it affirmative action then, he asked around, "Does he mean it?" And somebody who got to know me said, "He doesn't say it if he doesn't mean it." "Well, then we'll make it happen."

And they put together one of the finest retreat conferences I've ever attended. With leaders from the African-American community, from the Asian community, from the Hispanic community, from women, and we set our sails. I think we had about eighty women in the FBI at that point. When I left, we had close to eight hundred.

B: Yeah.

W: We doubled, more than doubled the number of African-Americans, and the same was true of Hispanics. We were off to a slower but very good start with Asian-Americans. With the help of people who cared about us.

I had a great conversation with Judge Leon Higgenbottom, who has passed away since then, on the US Court of Appeals for Third Circuit. And he called and he said, "Bill, when I went to a meeting about the FBI as a kid, I asked how I could enlist and I was told you need not apply." He said, "I know those times have changed." He said, "Let me tell you when you're dealing with minorities, don't let go of them. Don't let them wonder when they last heard from you. Stay close to them because they will be quick to think you're not serious about this, you're just going through the motions."

So we put that into play. We made sure that when we were talking to recruits, minority recruits, potential recruits, that we stayed in touch and that they always knew we were serious. And we were.

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W: I'm just using a few examples. In a way we were building a different kind of reputation. We needed members of the minorities. It was not a question of just doing the right thing. We had need for people who could operate in the community and carry out unique responsibilities. We were also starting to do some more sophisticated investigative work in the undercover field.

How to get at organized crime, how to get at terrorism, how to get at a whole political corruption, a whole range of things.

B: If I could, Judge, --

W: Yes?

B: -- I will get to those because

W: All right.

B: -- they're, they're very important.

W: You want to come back to that?

B: Yes. You had mentioned earlier, and I thought this might be a good time, to discuss the "black bag" jobs and the Squad 47 in New York because you inherited that also. That had been looked at by Justice and all of a sudden, you were able to seize it back to the Bureau. And I think we'd be interested in how that occurred.

W: Griffin Bell turned over forty-eight Agents to me for discipline. He didn't tell me to discipline, but for consideration for discipline, as a result of a number of Department-led inquiries and so forth.

And it was an education for me when I looked in to see how this happened. That people were making warrantless entries usually because they were checking out groups that in those days we called terrorist groups or subversive groups who were attacking our government, trying to undermine our system over here. The Weather Underground. There were Black Panthers who were debatable. But there were those in that organization who were not wishing us well. And we had a whole series of these groups. And Bureau Special Agents were trying to find out more about them. Who were involved, what their plans were. And they were making warrantless searches, entries into their facilities and wiretapping without warrants.

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W: At that time it had been assumed that they had the authority to do this. The President under Article 2 of the Constitution has the responsibility for protecting our national security. It was assumed that the instruments of law enforcement delegated to the Attorney General could be utilized.

There was a Supreme Court decision called the Keith Decision which came down in 1972. It said that none of those authorities applied to domestic surveillance. They required a warrant. Simple as that. They left open the question of things we're dealing with these days and that is international terrorism, international espionage, matters of that kind. But they said that for domestic cases you need a warrant.

It wasn't handled very well I am sad to say. But I started looking at the people who appeared to be breaking those rules. I asked, "After the Supreme Court decision, what kind of educational programs did we provide?" The answer was, "We sent out one teletype." Said "Due to Supreme Court decision, this date, cancel the following investigations." No explanation, no guidance, no training. I said, "What did the Department of Justice do?" Answer was, "Nothing."

So I concluded that it wasn't fair to the people who thought they were following the law, had not been told the rules had changed under the Supreme Court decision, and it was not the right thing to do. That we would make sure that everyone was familiar with the new rules and, indeed, most of them by the time I got there, were aware of them.

And I turned down all but a few supervisors who had broken other rules that were in place at the time. And I did discipline them. And after that we made sure that when there were restrictions on our activity, that we would be in full compliance. Matter of fact, just as I came on board, the Congress was about to pass the Foreign Intelligence Surveillance Act (FISA).

B: We're going to take a break here.

Continuation of the Interview of
Judge William H. Webster,
Director of the Federal Bureau of Investigation
On March 11, 2006
Interviewed by William M. Baker

B: This is Bill Baker. I'm interviewing Judge William H. Webster, Former Director of the Federal Bureau of Investigation for the Society of Former Special Agents of the Federal Bureau of Investigation Oral History Program. Today is March 11, 2006, and this interview is taking place at the beautiful country home of Judge Bill and Lynda Webster at Washington, Virginia, and this is Tape B and we have already signed a copyright release and background form.

We ended the interview on Thursday, March 9, discussing the "black bag" job issue which confronted Judge Webster at the FBI shortly after he took charge.

Judge, are you ready to continue then with our interview?

W: Yes, indeed.

B: You ended your interview talking about Congress and I can play it back again if you'd like.

W: Yes, we were about to talk about the period in which Congress and the White House were approaching an accommodation on when warrants for electronic surveillance would be required in national security cases. As I mentioned last time, the Keith Decision said that domestic cases required a warrant, but left open the question of national security involving foreign espionage and so forth in this country.

The accommodation that was worked out was the creation of a special court consisting of Article 3 or duly appointed Federal judges who would hear the applications in a very secure room in the Department of Justice. All the records would be kept separate and apart from the regular Federal court system and set a standard for granting those warrants.

Coming off the bench as I did to go on with the FBI in 1978, I was not at all convinced that the Constitution required some action of this kind or that the President through his Attorney General could not authorize warrants, and authorize electronic surveillance in national security cases.

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W: But I came to understand that this accommodation gave the Congress, in their oversight role, a measure of confidence to what was taking place was justified by the circumstances. And recall that the Foreign Intelligence Surveillance Act, or as it is more commonly known as FISA, in recent times that we've become again aware of FISA as a result of the warrantless authorizations for sweeps abroad by the National Security Agency.

B: It certainly is a hot issue today just as it was when you first confronted it.

W: That's right. When the law was passed, I made it a point of making sure that our people who wanted warrants from that special court really did their homework and that the affidavits were complete, full, and fully justified the granting of the warrants. And, we were so successful at that, that for over a year as I remember no application was rejected by this special court.

And then at one point they came to me and said that "We're a little concerned that people will think we're not doing our duty. Do you have a warrant we can turn down?" (chuckle) And it was half in jest but half serious.

And the opportunity to deal with that issue came up when we tried to get a warrant for a physical search as distinguished from an electronic search from the FISA court. They studied the problem and special counsel concluded that the statute did not at that time give them the authority, so they turned us down. That was our first turndown. Later that statute was amended to permit warrants to be issued for physical searches.

The whole idea behind the FISA statute was to keep the existence of these investigations as secret as possible. But at the same time to make sure that they fully complied with Federal law and Constitutional requirements. And I think that in the main that it has been a very good law for that purpose. It's been well served. People understood it.

But the issues surrounding NSA sweeps more recently, NSA sweeps in terrorism cases, surface the question of whether it was too restrictive for investigation of that magnitude to work effectively. As we speak, they're still debating how best to deal with that question.

B: Well it certainly put in place a legal platform to move forward without the ambiguity that existed and confronted you and those other Agents.

W: That had caused so much trouble for the Agents trying to do their job and then finding out that the law didn't permit them to do it as they had done it.

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B: You know, putting that aside because we now have addressed it for a change, you've been confronted with so many important cases and events during your tenure as Director and I wanted to just tickle your recall a little bit.

You were certainly there when President Reagan was seriously wounded during an assassination attempt. It was known, well known, and well publicized the Chief of Staff Alexander Haig was alleged to have cried out, "I'm in charge. I'm in charge." Whereas you were very deliberate and calm and, in command of the FBI's response. Could you, could you go back to that timeframe for us?

W: Surely. The shooting occurred outside the Washington Hilton Hotel following an appearance by President Reagan, not too long after he had assumed the Presidency. By a pure coincidence, of course, the annual meeting of the Special Agents in Charge was being held in Williamsburg, Virginia. It was an important gathering which we did once a year, usually outside of Washington. We had a command center there which would permit these field commanders to function and for the Headquarters people to do whatever needed to be done if something should occur, as it was likely to do since it was a nationwide conference.

We had an airplane there. One of our airplanes. And I remember someone said, "You suppose we'll be criticized for taking an airplane down there?" And I said, "If anything happens, we'll be criticized if we don't have the means to get our people back where they need to go." And it was used for the daily exchange of dispatches that came in and went out doing our business.

When the shooting occurred, we immediately put the command center in full play. I directed Bud Mullin who was in charge of our criminal investigations, and the field commander, the Special Agent in Charge of the Washington Field Office to return to Washington immediately using the airplane that we had on standby.

I went in as soon as I could by commercial aircraft out of Newport News which extended the courtesy of landing me in Washington. They were going to Baltimore.

What is interesting is that investigation begins some of the things that we learned about as we went along. We had been having problems with privacy on our telephones in the FBI vehicles, and I was being briefed from the airport to Headquarters. At the same time, Vice President George Bush was flying home on Airforce II. And both of our communications were intercepted --

B: Continuing on, on new tape and continuing the Oral History interview of Judge William H. Webster, we were just discussing Judge Webster's response to the attempted assassination of President Ronald Reagan and the fact that communications at that time in FBI cars were not secure. Please go ahead Judge.

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W: As I was saying, those reports, both mine and President George Bush on Air II were intercepted by an amateur in Chicago and rebroadcast which led, of course, to our continuing effort to provide better privacy in the future.

I attended the arraignment in Federal Courthouse that night of John Hinckley, Jr. and we made every effort to be sure that we had covered all the bases. I did not want there to be a need for another Warren Commission investigation. I wanted the evidence collected, the people interviewed, and everything in proper place so there would never be any doubt as to what were the circumstances, whether there were others involved and so forth. And I think it came out that way.

The President as you know, was more badly wounded than he realized, and it was a scare for all of us who were concerned about the country. But he came through it well and I had to take a Special Agent over to meet him and take his testimony or interview him, as soon as he was able.

As a side comment, the President was wounded by a bullet that Hinckley had used that was designed and sold as a bullet for predators. It contained explosive devices inside the bullet which would cause them to explode.

There was an amusing story at the hospital because when the President was wired up with pipes and tubes down his throat, he had needed to use a notepad to ask questions. He heard a nurse probing in his throat and then saying, "This is it." And he grabbed his notepad and he wrote on it, "What is it?" So when I went over to see him, I took one of the unspent bullets mounted in a little bell jar with a little message on it that said, "This is it."

B: Excellent, excellent. (chuckle)

W: Years later when I was reading the biography of those years written by Michael Deaver. He was one of the three personal advisors, closest counselors --

B: -- to the President of the United States.

W: In his book, he recalled going to the President's home and seeing the bell jar in place.

B: You know, if I could, you mentioned that at the time of the assassination attempt you were gathered with your top field and Headquarters executives. Let's spend a minute on that because when you came on board there was a structure in place, but you tweaked that structure to meet the current demands and actually did some reorganization as far as position and authority directly under your command.

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B: In other words, eliminating the position perhaps of Deputy Assistant Director. And let's talk about your senior staff and your leadership in running the FBI for a moment or two.

W: All right. Before we do that, if I may, I want to close out the investigation which I said was conclusive. But one of the things that made it important was that in 1980, I had made terrorism one of the top four priorities of the FBI. Before that, under Director Kelley, we had identified white collar crime, foreign counterintelligence, and organized crime as the three top priorities. I added terrorism because we were experiencing a good many terrorist incidents involving aircraft and explosives. And we can come back to that later.

B: Sure.

W: It was very important that our response to this kind of an attack on the President be, be done in the best possible manner. When President Kennedy was assassinated, the laws were very unclear about jurisdiction. There was even difficulty getting President Kennedy's body released from the Texas state coroner to be returned to Washington. And although the FBI found a way around some jurisdiction on which to predicate an investigation, it wasn't at all clear that it would work again in the future.

And Congress passed a bill on assassinations or attempted assassinations and identified a class of public officials who were to be included in a list of people whom the FBI had express jurisdiction - President, Vice President, several other key officials. And the FBI did respond, I think, in a very effective way to its planning to deal with that particular kind of situation.

There was an earlier attempt on President Ford's life. I believe two attempts. And then the more serious one was this shooting of President Reagan. So it was important that we --

B: -- clarify it?

W: -- that we exercise our responsibility and exercise it in a professional way. And I believe we did.

Now, you asked me a question about reorganization of the Bureau. I read a number of the studies that have been made in the books that have been written about the Bureau during that period. I recall one by Sandy Unger that spent a good deal of time coming to the conclusion that the Bureau management had become kind of top heavy in terms of the way the field responded and the exercise of perhaps a disproportionate control by those in the Administrative Services Division which had gotten huge.

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W: I had had a very fine and distinguished deputy on board when I came on board, Jim Adams, who later retired and went to Texas to be head of the Department of Public Safety and the Texas Rangers and had a very distinguished career after that.

But with his leaving, I concluded that it was important for me to be more actively engaged in what was taking place in the Bureau. That the word Director meant something more than an official looking, overlooking everything else. Not that I would do the investigations, but that I had to be in a position to receive the information and be part of the decision making rather than having it go entirely through the career professionals.

So between those two factors, I separated some of the responsibilities in the Administrative Services Division and created another group of the Divisions which provided service not only to the FBI but also to state and local law enforcement which was a very important part of our function. And this group I called Law Enforcement Services.

B: John Otto was the --

W: John Otto. Was the name. We established three Executive Assistant Directors. One who was head of investigations.

B: Yeah.

W: One who was head of administration and another, Law Enforcement Services.

B: Uh, huh.

W: And the latter group included the laboratory and the training at Quantico for the National Academy and the Fingerprint Identification and those things which were important to state and local operations.

And the Administrative Division still had a lot to do but it didn't have as much as it had before. Those three were Executive Assistant Directors and under them were the separate divisions that fell within their responsibility.

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W: And so that assured me the opportunity to be responsive to the different things that were taking place. We had an Executive Conference of all the Assistant Directors and that included people that were immediately involved in my responsibilities but not a part of a division. All Congressional and Public Affairs, which I considered to be extremely important. We can come back to that and I can tell you why. And the Legal Counsel Division and one or two other areas where they were operating essentially out of my office.

B: Well, I know you considered Congressional and Public Affairs very important especially at a time when we were rebuilding our credibility with both the Congress and the public through the media. I refer humorously --. You didn't like the title of it. You said it sounded like clearing your throat, but (chuckle), but, it did perform a strong function under your leadership, didn't it?

W: Well, I believed then and I believe now that that's one of the most important appointments a Director can make because this office was going to be spokesman for and contact with the two groups that were most concerned about how we were doing our job, the Congress and the press, the media. And it was very clear to me based on the history of the Bureau that those two groups must be satisfied that we were being responsible and truthful in our, in connection with their oversight responsibilities. The public one and the private one through the press.

And if the press believed my representative, they would be more likely to believe me. Conversely, if they didn't like my representative, and thought he was going to be duplicitous or disingenuous, they would rationally assume that I must be the same way because I selected him.

B: Uh, huh.

W: And I was very fortunate, in the nine years I served in the FBI, to have had three very professional, very competent leaders in that Division and I attribute a good part of my success in getting along with the Congress and the press to the kind of people they were and the job that they did.

We had a not too good reputation in that area going in and it was important that we turn that around quickly. And we did.

Homer Boynton was the first of these and he had a very good relationship with Attorney General Griffin Bell and also with key members of the press.

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W: After Homer was Roger Young, who similarly was a very credible person and one that I had also enjoyed very much working with. He was a graduate of Dartmouth College and the University of Pennsylvania Law School and a career Special Agent. His ability to get along well with people of all levels of government, background as was characteristic also of Homer Boynton.

And then Roger's successor, Bill Baker --

B: -- sitting here I might add for clarity --

W: (chuckle) -- yeah, be careful what I say. I identified Bill during some of the sessions that we had at Quantico when we were dealing with new training for counterterrorist activities and the creation of a hostage rescue team and a number of other things that required that field commanders come back and participate. And I think I had to twist his arm a little bit to come back from --. Was it Portland?

B: Yes, sir.

W: -- that he really enjoyed. He had a great career before that and I finally persuaded him to come back and I not only was fortunate enough to have had him for several years in the FBI but he followed me, at my request, to the CIA which didn't have anywhere near the credibility problem with the press and the Congress that the Bureau had had in earlier years. And he was able to do an equally good job for the CIA.

I think the Director needs to have a few people around who really represent the Bureau to the public, as distinguished from managing a particular organization or particular department. And I often asked them to travel with me when I was in other parts of the country and the world.

That particular Division had a real job to do especially in the early days because people were waiting to catch us in not being candid making representations. And they also were responsible in helping me prepare the speeches and public statements that were made. And it was important that they be accurate. I didn't like to take things back. All of them were very good about trying to make sure that, particularly the press, did not feel that we were not responsive and getting to know each other better would help on the credibility side.

We set up periodic coffees in my conference room, every six weeks or two months or so with no agenda. People in the press in Washington could be very cynical about why they were being called in, whether they were being fed information that they were supposed to go out and advertise the good deeds of the department or the agency. And we never had an agenda.

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W: We got into discussions and we took the questions that were important to them. And it was important that I be ready for those things when they came up. I really look back on what was done both with the media and with our being responsive to Congress as one of the keys to the success that we were able to enjoy during those years.

B: That's a good segue to the next issue which is that work from Congressional and public affairs was based on the good work done around the field by the FBI.

During that period we had a series of undercover operations that were extremely significant in demonstrating the Bureau's proficiency in going after the criminal enterprise. And, if I could, I'd like to jar your memory with some of those cases. I probably don't have to. They're deeply embedded in your mind, but we had UNIRAC which was a longshoreman organized crime on the docks from Boston to New Orleans. Why don't we start with that one and then you take it?

W: Well, we were introducing some techniques that had only been used in a series of planned proactive efforts to get inside unlawful activity and develop the evidence to make the cases to take it apart. And UNIRAC was one of those examples of labor racketeering. We used Agents in place in the racketeering organizations that were trying to control and dominate the labor movement. And it was very successful. In fact, if my memory is not mistaken and I don't think it is, a young Agent by the name of Louis Freeh played a significant role in that particular --

B: Exactly.

W: Again, I had the pleasure of giving him a medal at one of the Department of Justice ceremonies years later when these things had come to fruition. It was a good investigation. What else?

B: Well, I think BRILAB was another important case with union officials and pension funds.

W: Exactly. More of the same but, getting more skillful at defining this. There were a lot of legal issues that had to be worked out. And the courts, in general, backed us in the methodologies that we developed. Deception is permissible as long as it doesn't result in entrapment. And we would find people, not only Special Agents, but we had cooperating witnesses, informants who supplied us with information that would be useful in developing cases. And this was not an anti-union undertaking at all. It was an effort to --

B: -- corruption --.

W: -- to deal with corruption inside the movement and to restore it to its important role in American society.

B: Well, through that we came up with "Jimmy 'the Weasel' Fratiano." We stay away from identifying sources unless they've been identified publicly and he certainly was. And then also we get to Jackie Presser. So if I could get some of your recollection on that sensitive issue.

W: Yeah, we had a problem with informants cooperating with us, who over time themselves rose into higher positions in the organization. And Jackie Presser was one of those who was well on his way to the top of the Teamster hierarchy. And when the Congress began to conduct some of their inquiries, he was singled out as one of the people that they wanted to talk to.

We had stopped using him as an informant believing that it was inappropriate to use the president of a major union as an informant both from their point of view and from our point of view. And so we wished him well and gone on. But when they began to, to zero in on, wanted to examine him, he was, of course, concerned that his role would be exposed and he was very anxious not to have it exposed. And we did everything that we could to get the committees to not go there.

B: Well, I recall at your direction, you had me go up to a Senator who I will not name who was about to appear on *60 Minutes* and reveal Jackie Presser's relationship. And because the FBI kept good records, I was able to show that Senator that he had been thoroughly briefed and was aware of that relationship in confidence and he called off his segment with *60 Minutes*. So that was a case of preventative effort.

W: Yeah, and it was very important. And it was a problem that we had to deal with because Presser indicated if he were going to go before the Congress, he would deny any involvement with the FBI. And I was of the view and I am still of the view that we could not accept that. We had an obligation to the Congress. And he was told that if he did go and if he lied, we would have to tell the Congress that he had lied.

B: Well --

W: It didn't happen. But it came pretty close.

B: Those two cases were a strong, presented a strong record of our ability to confront tight-knit organized crime. I'd like to discuss next perhaps the case most known in the United States, ABSCAM.

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W: Sure. Well, ABSCAM, I think, has become a classic for people who have studied criminal law and law enforcement and where things like undercover had application and also potential problems.

I hadn't been in the FBI too long when a case out of New York and New Jersey began to get attention at the upper levels. And it involved an undercover operation designed to get at people who were responsible for stealing art work.

B: Judge, continuing with our ABSCAM.

W: Yeah. We set up a fencing operation using Special Agents as the fence. And word got out that this particular fence was buying stolen art and so the thieves were bringing their art work in and we were proceeding on what was essentially at that time a property investigation, stolen property investigation. And then, some of the people who were bringing thieves in, we got to calling them "middlemen," who thought they were dealing with a crooked fence but did not know they were dealing with the FBI.

This was a very effective operation but some of these people began to see how else they could make money using their knowledge of other crooked individuals. We were, we were --

B: The thing could, you as a former Judge --

W: Yes.

B: -- your deep understanding of entrapment and predisposition issues allowed you to personally direct some of the scope of this.

W: This was one I probably spent more time on personally watching and directing than just about any other thing we went into because we were suddenly dealing with issues of public corruption. These same "middlemen" were then offering to bring us people who could help the mythical sheik that was buying, because the rumor in the street was that Arabs were trying to buy stolen art. So then what else could they do for the wealthy sheik?

And then the word was put out that the sheik was not sure, he might have to leave his country. He wanted to be sure he could be safely received in the United States, allowed to stay, and a range of other things of that kind.

And they began to introduce the agents of the mythical sheik to, this is they, the "middlemen," to lower-level political figures who felt they could be helpful. Primarily in Camden, New Jersey, and Philadelphia and some other places which had a reputation for that sort of thing.

W: And from there it quickly spread to “middlemen” offering up Congressmen who would engage in illegal activities for money. Here we had to be careful because Congressmen unfortunately always have to be looking for money to run their campaigns. And we wanted to be very sure that they knew exactly what they were doing and that what they were doing was criminal. And so as we began, we began, we moved the inquiry into the area of public corruption and before long we had several Congressmen who participated in this and ultimately one Senator.

I approved every interview of elected officials, Congressmen. And I had to be persuaded that the “middlemen” were bringing them for an illegal purpose, that the Congressman most likely knew what that purpose was and was willing to participate in it.

But we couldn't be sure. So I set up some requirements that I wanted done on every one of those meetings that took place. And incidentally we arranged to have another prominent lawyer, who became a prominent lawyer, his name was Tom Puccio, who was with the Department of Justice. He sat in on closed-circuit television with all the meetings and was in a position to make a pretext phone call anytime he felt that the person, acting the part of the special representative of the sheik, was getting anywhere close to issues of entrapment.

The general rule in the United States is that it's not an objective standard, it's whether the jurors or judges who make the findings of fact believe that that person was predisposed to engage in crime. We did not want to entrap anyone either because they misunderstood or by persuading them to engage in crime. We were trying to ferret out those who were predisposed to do so.

So the protective rules that I put in place were: (1) the sheik's representative made it clear to the “middlemen” the sheik didn't want to sell anybody on helping him. Bring only the people they already knew and wanted to do these things and were willing to do them for cash. And that was all translated into language that was not as academic as I may be sounding now but it was really made clear to the “middlemen.” “Don't bring anybody here who doesn't want to deal with us.”

The second one was, if they came, those involved in the interview were to talk dirty. That is, they were to talk about what they were doing in ways that made in clear beyond any question that it was a criminal activity.

And the third one, which paid off for us, as did the others, was that anyone who came who decided he wanted to leave, he should be allowed to leave. The undercover agents should not try to sweeten the deal or persuade him to remain, but to put nothing in his way if he wanted to get out because he suddenly realized this was not what he thought it was. We didn't want that to be an issue in a courtroom later on. And he was to be allowed to leave.

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W: With those procedures in place, we proceeded to identify those who were engaging in criminal activity. I knew it was an extremely sensitive thing and, as a matter of fact, I felt my own career in the FBI might very well be on the line. But I didn't feel that we could wall-off the Congress from investigations of criminal activity whenever we had evidence that some members of Congress were predisposed to engage in crime. And so the important thing was that we should do it right.

Ultimately, one Senator was indicted and convicted. And was persuaded by his colleagues to resign rather than to be impeached, in exchange for which they promised to conduct an investigation of the ABSCAM investigations. Incidentally, the ABSCAM name stood not for "Arab Scam," but stood for "Abdul Enterprises," which was the name we used when we were in the original art theft investigation.

B: That's a good point.

W: I think I'm right about the numbers, but I believe that we had fourteen petitions for *certiorari* denied by the Supreme Court on the convictions that we obtained. We won every case.

B: And that involved Congressmen also.

W: These were all Congressmen.

B: Yes, yes. One Senator and --

W: ... and the others were Congressmen. But the effort to take the cases to the Supreme Court was rejected fourteen times. Unusual number I thought. And we took as a clear vindication that we were not doing something that the American people would not want us to do or in ways that they would not want us to do it. And it had a very salutary effect on Congress, taking charge of its own people and taking steps to be sure that the handling of money and dealings of that kind. They stiffened up their ethical requirements.

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W:: At the same time that the ABSCAM investigation was going on, I had authorized another highly sensitive investigation called GREYLORD. I had so much trouble with the ABSCAM name that I said that we've go to start using names like Winston Churchill used. So the first one of these was given the name GREYLORD. By that time, no one questioned whether we knew what we were doing or were doing it in a lawful Constitutional way, except perhaps some of the defendants.

But there were over a hundred indictments in that case and it involved corruption in the state courts in Cook County, which is Chicago. Had been going on for years and years and no one knew how to deal with it. And this investigation effectively cleaned up and, in a way, heightened the protection of the judicial system in the Chicago area. But I, when I authorized it, I knew that if anything went wrong with ABSCAM, the ABSCAM cases, that it might very well blow back upon the GREYLORD cases. We utilized the services of a state court judge and one other former FBI Agent who was a lawyer, Terrence Hake. But this state court judge, his code name was "Winston," carried a transmitter in his cowboy boots and was party to these open, almost open, glaring instances of bribery of Cook County officials including judges.

I did not want to turn the FBI into a Gestapo organization. But there were times when the use of the undercover operation was the only way to get effective firsthand evidence of the criminal activity that's taking place.

If I may, I think we might talk a little bit about organized crime because undercover work had very effective use in that area at considerable risk to the lives and safety of the Special Agents who participated in the organized crime investigations.

B: Very much so. And I wanted to discuss the Commission Case in New York eventually or when you're comfortable --

W: Yes.

B: -- with addressing that. A huge case involving a prosecutor who's well-known today. Giuliani.

W: I will go back a little bit --

B: Please.

W: -- because for a long time, for reasons that are not entirely clear, the FBI during the period of J. Edgar Hoover resisted focusing on organized crime.

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B: Uh, huh.

W: I was the United States Attorney in Eastern Missouri in 1960 and I called in the SAC of the St. Louis Office and asked him to tell me about organized crime in our area. And the official answer he gave me was, "There is no such thing as organized crime. Only loose familial relationships." That was the official attitude. Until --. And that was even after the period of the --?

B: Appalachia cases.

W: Appalachia. The Appalachian raids that took place on some of the New York and Upstate crime figures. By the time I came to Washington there was no doubt that organized crime had become a very serious problem. They controlled a number of industries, were in place in a number of industries. That's why they were so thick in labor. So many of them had grown up with labor leaders and organizations and were able to infiltrate those organizations. We needed to have a serious effort to deal with them.

There was a so-called Commission, I believe, of five of the major organized crime families which we had finally identified and knew who they were and many of their leaders.

B: If we could, a compliment to you. You authorized the Organized Crime Information Service System which was a way to gather this data from all over the world really and make sense out of it within that section.

W: We were doing something that we hadn't done before because we hadn't recognized that we really had a problem. And, this was extremely useful. We had several Special Agents who infiltrated the organized crime apparatus and, there again, we had to be very careful about what we could authorize them to do. In some crime families, they had what they called "made members" and then they had "associates." And you couldn't be a "made member" without having committed a crime. Often the crime of homicide, to show your loyalty and so on.

We had to have some pretty fancy footwork among our undercover Agents who could always find an excuse not to do those things which we could not permit them to do. We did allow them, as we said, "to carry the bag" in an extortion-type case, so they could be somewhere where they could be technically in part of a conspiracy and could otherwise have been prosecuted. But we would not permit them to engage in strong-arm tactics or anything of that kind. And through them and from paid confidential informants we gathered the information to put O.C. members away.

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W: By the time I left the FBI to go to the CIA, we had penetrated all of the key organized crime families and had had significant convictions. There was still work to do, but, the O.C. members knew that they didn't have a free ride in the areas where they were operating.

B: But it certainly was a period of some, some high-quality undercover work and, and, as you mentioned, some dangerous undercover work like Agent Joe Pistone, acting undercover.

W: Absolutely. And they were remarkable people, human beings, to be able to do that.

B: Out of these cases though, there were some leaks and you had to address with that sensitivity too. In ABSCAM there were some leaks and BRILAB, in another case which we called PENDORF. You had to deal with the Department of Justice. Probably Phil Heymann and others to talk about polygraphs and that sensitivity of identifying those leakers.

W: Well, I'm not sure how complete my memory is in those cases. The Bureau's attitude about the polygraph during much of my time was pretty much focused on using it in investigative work. This clearly was investigative work. There was minimal or no use of the polygraph for vetting purposes, that is testing someone to be employed or for an appointment. We got to be pretty good at using it in the investigative work, but there were still many who questioned whether it was a good thing or not.

I took a polygraph examination myself because I wanted to see how intrusive I felt it was and whether it was something that we should resist using. And I was convinced that although it was not a perfect tool, it was the best that we had for certain situations where we were trying to test the credibility of a witness or a suspect. And we had to observe all of the rules that were laid down with respect to whom we could examine or under what circumstances we could examine them knowing that it had only limited use in a courtroom but it would help us get to the place where we knew we had the right suspects and so on.

It could be used in a courtroom basically in those days only if the individual had consented to its use before he was polygraphed. And even then there was a period when we knew that it was not infallible. But it was still the best that we had. And so it was our job to do it as fairly and as completely as we could when we used it.

* * *

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B: This is Bill Baker continuing the interview of Judge William H. Webster, Former Director of the FBI, as part of the Oral History Project of the Society of Former Agents. It is now 4:15 pm and we're continuing the interview at Judge Webster and Lynda Webster's country home in Washington, Virginia.

We took our break discussing a lot of organized crime and public corruption cases and at this time, Judge, I thought we'd address another extremely important issue and that is the espionage and the intelligence issues in our foreign counterintelligence program.

W: All right. As you were saying that, I realized that perhaps one of the things we hadn't mentioned, it's a fairly good lead-in to this, but we hadn't really talked about the FBI's role in mobilizing against global issues. Particularly, you were talking about organized crime and how we worked in a very cooperative way with the Italian intelligence sources and especially with the Minister of Interior at that time, Baron Oscar Luigi Scalfaro, who later became long-time President of Italy.

They were finally engaged in their own dealings with the Mafia and at considerable risk to the magistrates who were to try those cases, they built a fort for them where they lived for over a year while those cases were tried. And we had long and important relationships with those who were in that effort. Some were killed in line of duty but it was one of the areas in which we first became aware that all crime is not local and the various types of criminal activity have their seeds in foreign disputes, foreign rivalries. We saw that with terrorism. We saw it in a number of ways in which those relationships were exported to the United States.

W: One of the areas of problem issues was our specific responsibility to protect the Nation from hostile intelligence activities by those on the other side of freedom. And particularly the activities of the then Soviet Union and their satellite countries whom they used when they couldn't function themselves.

We held them pretty severely to a twenty-five mile radius of New York City and Washington, DC. More in New York they were hiding under the cover of delegates to, representatives to the staff of the United Nations and other things. And we wouldn't allow them to leave more than that distance from the city. But they were engaging the services of people who were then in the Czech service, Polish service and other satellite countries, which I might add at the end of the Cold War quickly shifted to support for the United States. I take nothing from some of their very brave activities, particularly in Iraq, to show their good faith in working with us.

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W: But at that time, they were skillful collectors of intelligence on behalf of the Soviet Union. We noticed them particularly in the area of “technology transfer,” where, due to some very interesting and helpful activity by the French intelligence service dealing with high-ranking KGB officials, we became aware of their program to steal our technology in the United States. The inventory list that they had supplied, or the “wish list” that they were given, enabled us to track their activities over here and in many cases roll them up. And so that was one of the important activities of our Counterintelligence Division.

B: Sure.

W: We had traditional postings outside where we could observe, physically observe the movements of people of that kind. It was amazing that we could identify people who labored, sat outside, then went in. Some came out rolled up in oriental rugs and were taken elsewhere. But in the main, we did a pretty good job of figuring out who was engaging in these unauthorized contacts. And we would get enough information on them that others perhaps could --

B: Continuing on Tape 3 of the interview of Judge Webster, this is Bill Baker. There's no break, and we're talking of foreign counterintelligence and our FBI surveillance techniques. Judge.

W: We have to remember when we talk about those days, as they seem so long ago, that we were poised in a fight or struggle which might be of life and death to one side or the other. That we were trying to find out whatever we could about the activities against us, primarily by the Soviet Union and satellite countries, and that this was of vital importance to our national security.

We did a range of things which later became public such as the tunneling under the new Soviet Union building in Washington just as we discovered what the Soviets had done more successfully to our new building in Moscow. We identified a number of Soviet agents particularly in the area of technology transfer trying to leap-frog and steal our technology and use it for their own military purposes, in many parts of the country.

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W: And we used our own informants against them. We made considerable use of the FISA statutes for electronic surveillance. We were especially concerned about those in positions of great trust in our own government who were prepared and willing to betray their country. That involved identifying people who were involved in these contacts, tracking them, monitoring their activities to discover what kinds of information they were lifting out of the files of our most secret agencies, institutions and then bringing down the case.

Many of the Soviet agents were protected by diplomatic immunity which was one of those things that in the world we lived in we tended to honor. If they were captured, we couldn't imprison them. We could simply expel them, send them home, often with some capacity to trade or obtain release of dissidents or other people that we wanted to help.

B: Uh, huh.

W: But that meant that they had a rather steady supply of people to work these cases. Same was true on our side of course. If they were working for the United Nations, they had a disagreement as to whether or not diplomatic immunity applied. My best recollection is that our government came down on our side that they were not protected. Could arrest them. Potentially imprison them although the reality is that in many of those cases we gave them up for the release of some of our own people or those who were being persecuted inside the Soviet Union.

At various times we had things that became to known as the "Year of the Spy," when we uncovered several more people. They were people who had connections largely with the military services in one way or another. We had those, such as the --

B: The Walker--

W: Walker family and the Navy.

B: Yeah.

W: John Pollard, working for Israel.

B: Pelton.

W: Pelton. Pelton was found with sheer dogged determination. He knew a lot about underwater activities of importance to us. Highly classified.

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W: Long after he had left the NSA we still retained the transcripts of his calls into the Soviet Embassy wanting to come in to see them. We pinpointed the time when a man later identified as Pelton went in the Embassy. We didn't see him come out because he was rolled up in a rug and transported in a commercial van out to another location. But we had those tapes and when Colonel Vitaly Yurchenko came in, a defector, a Soviet defector --. That's another story in itself because --

B: Sure was.

W: -- because he redefected later on. But when he came in he gave us some very valuable information about the presence of moles and spies and one of them he identified as being from the NSA. And he had a first name. He knew him as "Robert." Didn't mean anything to people who worked the case.

Armed with that we talked to people at the agency. Long-timers. Listened to the tape. And they said, "That's Pelton." And that was the beginning of an investigation. Pelton was arrested and convicted.

There were others that we kept under very tight surveillance, watching them. Observed them picking up "dead drops." Of course, long after I had left the FBI and the CIA, there was the arrest of Aldrich Ames.

B: And, Hanssen later.

W: And then later arrested Robert Hanssen from the FBI and --

B: -- filled in a lot of those puzzles.

W: Director Freeh asked me to conduct the investigation of the internal security of the FBI, which I did. The Attorney General signed onto that investigation and we learned a lot more about ways in which hostile intelligence services overcame the fortress that the FBI thought it had at Headquarters. And that resulted in the change of a number of things including the use of polygraphs for vetting, which we refused to do for a long, long time.

Generally, it should have beefed up the security of the agency. There were many other valuable penetrations. The identification of Felix Bloch, who was the attaché, the number two person in the U.S. Embassy in Vienna. He was observed making an exchange of documents with Soviet agents in France. There was no conviction but we stopped the activity.

B: Well a period of incredibly good work and good work between the FBI and the CIA --

W: You open up a very important subject here. I think that maybe we ought to talk about it and that is the relationship between the FBI and the CIA.

In highly professional agencies filled with professional pride, there often is a rivalry that's healthy and then gets out of hand for one reason or another. In this case it was largely prompted by the Church and Pike Committee reports in the early 1970s. Following some considerable disagreement after World War II as to whether the FBI should have external responsibility or the Agency, the CIA, took over externals. The Church and Pike Committee reports discouraged active cooperation saying that the CIA should operate abroad and the FBI should operate in the States.

That translated itself into some general feelings that were not entirely healthy between the FBI and the CIA. We would hear things, that the FBI referred to CIA officers as "children of privilege" coming largely from elite Eastern schools, and the corresponding appellation that the CIA referred to the FBI as the "long gray line of Fordham." (chuckle)

B: Right.

W: And, as I said, rivalries can be a good thing but not carried too far. I had the advantage, when I came on board to the FBI, of having had as a classmate a good friend who was Director of Central Intelligence. That was Stansfield Turner. And we made a point of being seen publicly doing things together such as early morning tennis and things of that kind, that we hoped would signal that it's not only all right, it's a good thing to get to know each other better.

There were always many people in each agency that wanted to see that happen, just as there were some that didn't feel that they were ready for it to happen. But I think that in trying to find ways in which we could, within the restrictions imposed by Church and Pike Committee reports, find ways to make sure that the information got where it should go. Didn't always work.

There were cases --. There was a spy we were interested in named Edward Lee Howard who was an employee of the CIA and who had not performed well. He was relatively new, about to be sent to Moscow. They made a decision to terminate him. As you know, it is dangerous when you dealing with someone with a lot of important secrets, and they turn on you as Howard did in this case.

W: In Howard's case, the Agency was having trouble with him psychologically. That information was not passed along to the FBI looking for possible problem people. Finally he was located in New Mexico. We didn't have enough information for proper electronic surveillance so late in the game because the FBI had not been brought into the investigation the CIA was conducting and hoping to handle it itself. Officers on both sides have learned it's important to share information.

Howard ultimately escaped to the Soviet Union. Both the CIA and the FBI had some egg on their faces for the way they had been handling the case and we have been trying over time to improve on those relationships that are vitally important area in counterintelligence.

B: Yes. That was the spy-who-got-away type. But the corrective action that came from that --. A closer training in the Washington Field Office between CIA intelligence gatherers and FBI counter surveillance Agents where they actually worked together in training.

W: Yes, that's true. Post Howard case, I had moved to CIA and my successor, Director Sessions, and I signed a memorandum of understanding in which the CIA committed itself to notify the FBI every time it knew of action by one of its employees that suggested possible breach of intelligence responsibilities and trust.

Although there was much left to be desired as we went along, the Aldrich Ames case was a model of cooperation. The FBI had been told immediately when they started their investigation to see if they could identify why ten agents were executed in Mexico by the Russians. I felt better about that even though it didn't produce results until years later. Once again, they decided to get together and work more closely which resulted in the apprehension of Aldrich Ames.

B: Let's, if we could, switch to another international topic. That would be counterterrorism. Sometimes related, sometimes not. But always of importance. And you had mentioned earlier in the tapes how you had elevated that to one of our top priorities for investigation, but perhaps in light of current events, it's even important looking back to recall how you addressed counterterrorism as Director.

W: Well, we were experiencing in 1978, approximately one hundred incidents that could properly be classified as terrorist incidents. In many ways they were different than the kind of events of 9/11 and subsequent and similar large incidents in the world. But they were nevertheless life-threatening, caused loss of life, were considered seriously disruptive. And we set out to bring that number down.

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W: The most obvious response to these events --. And by the way, many of them were inspired by foreign rivalries, rivalries with each other that found their way to our country. They were not managed overseas as was 9/11, but were just an extension of those hatreds and rivalries. Between the Serbs and the Croats, the Irish problem.

B: Sure.

W: The whole issues of Israel and Palestine. There were many of these. The Turks and the Armenians. We had a whole series. They added up to a hundred incidents a year.

And what was missing was good intelligence. That was the first thing we set out to address. Of course we trained more people on how terrorist incidents occur, how to detect them, how to move against them, minimize damage. All the other things that make cases for criminal prosecution.

We had to improve our intelligence capability and we made a conscious effort to do that. And we were successful. And many of these cases were either preempted or minimized by our getting advance notice.

I remember sometimes it wasn't all that advanced because I remember the time that we got to a bomb in the Canadian terminal in the Los Angeles Airport twenty minutes before it was timed to go off. But we got there.

And we drew the numbers down. To go to the end of the story but come back, we drew the numbers down from a hundred a year to, I believe, that number was five or six in my last year as Director. And the next year there were no international incidents in the United States.

Those were important steps. We used undercover operations to get inside terrorist groups and to predict, to learn what their activities were so that we could, could thwart them. This may be a good opportunity to talk about Tom Norris, Special Agent.

B: Yes.

W: I might say also, well, maybe it's just a step ahead. We created the Hostage Rescue Team which was designed to deal with situations which were within our capability if we expanded our mobility and our relief training. And it did not require military intervention which the President would have to approve.

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W: And I was trying to get, tried and tried over a period of time to get a memorandum of understanding with the White House as to when it would waive what was called "the *posse comitatus*" statute which says the military could not engage in police activities in the United States except when waived by the President. We were trying to find out precisely what would be required before the President would do this. So we would --. How to know when we could appropriately turn to the military and be ready to have a smooth hand-off.

We did work out with the military on how we would do this in the event that the President would waive but we were unsuccessful in getting the White House to define, probably for political reasons, to define when a certain set of conduct would result in waiving of *posse comitatus*. Perhaps they felt they didn't want a signal to violent groups. But we weren't able to.

So we made the final judgment that we needed an organization of our own that was capable of moving in the places where the average SWAT team was too small to be effective. We had already trained regional SWAT teams. That is --

B: Sure.

W: -- SWAT teams in an area how to combine forces and to work together. But when the job got to be bigger than four or five Agents from a field office could handle. But we didn't yet have what we now know as the Hostage Rescue Team.

B: But in 1983 you actually traveled to Fort Bragg, didn't you? To observe.

W: To observe. Yes. We wanted to see how they would bring down terrorist incidents. And we studied their methods which were primarily designed to be used abroad in foreign situations where they could do it.

They were very good, but there was, there was an aspect of trouble making. It seemed to me that, for the military, the objective was to end the hostage situation whereas in our country we were concerned with dealing with American citizens. We tried above everything else to save them and to rescue them, rather than simply worrying about ending the problem.

B: In other words, I think you raised the question, no handcuffs. When you looked at the Delta Force, you realized --

W: They had no handcuffs.

B: -- they had no handcuffs.

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W: Right. And this is (chuckle), this is something we designed around. We wanted one which was more compatible when dealing with American citizens than with a method that would perhaps work in other parts of the world.

So we had an elite group and it was headed by a Special Agent who was a lawyer and he, Danny Coulson. Who set up a very strong operation. Each person handpicked, but knowing what their limits of their activity were and how to stay within the requirements of the Constitution. Federal law. And supplied them with air mobility. They could rappel from helicopters. They could do a whole range of skills that other Agents would not be readily trained for and could be effective in a problem that was bigger than the local SWAT team could handle. So that was the purpose of it. It has since been doubled since the more recent troubles but we had fifty.

Fifty people. I'm switching a little here because we're talking about how we dealt with some of the terrorist incidents.

We got wind of a plot to assassinate Prime Minister Rajiv Gandhi of India during an official visit to the United States. Found that certain hostile groups in the United States were looking for a hit man to perform the assassination. And so we took advantage of that intelligence and produced a Special Agent to be the hit man. And the Agent --

B: There's a little history there.

W: There's a lot of history. I'll come back to it only to say that the Agent had one eye that made him look anything but like a Special Agent. He was a member of the Hostage Rescue Team. We sent him in where he was able to convince the plotters that he was the right person to do this job and he was there long enough to identify the players. We rolled up the operation. Prime Minister Gandhi was very appreciative. I personally took this Special Agent into the Indian Embassy in Washington, D.C., so the Prime Minister could express his gratitude

The history is that at the time this man joined the FBI... His name is Tom Norris. He had been a SEAL, and he had served in Vietnam as a paratrooper.

B: Of course, yeah.

W: Had been shot. Lost his eye in the process. But the interesting thing was that he requalified as a paratrooper with one eye. But he really wanted to join the FBI. And he was fully qualified in all other respects.

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W: We had a serious discussion about whether he could be a Special Agent. Whether as some argued, he might accidentally kill somebody because of his impaired eyesight. And after thinking about it, I took the final position that he had requalified as a paratrooper. He had earned the Congressional Medal of Honor, America's highest award for bravery. And that he had earned the right to try. So I ordered him admitted to Quantico with instructions that if he could not perform the firearms exercises at the required level, that he could be discharged.

He came through that successfully. He was taken into the Hostage Rescue Team and he was ready and able to perform a significant service to this country. Kept going after the plotters to assassinate Prime Minister Gandhi. It's a great story and makes me very proud of the agency and this Special Agent.

B: Absolutely. And counterterrorism today - I'm talking 2006 - is so much on the radar again. It's good to go back and look at what worked and the things that didn't work and that had to be reworked as you've done in this conversation.

W: Today we're confronting changes in two important areas. Globalization and technology.

B: Continuing with our interview of Judge William H. Webster for the Society Oral History Presentation and we're on Side B of Tape 3 and we were just talking about globalization and technology and how it impacted on the challenge of counterterrorism. Judge.

W: That's right. My point was that today we're confronted with challenges in this area of a much different magnitude and complexity. We need to have the ability to learn of facts pointing to a planned hostile attack on the United States or citizens in the United States as well as abroad. And that requires a greater ability to function with agencies who have the capability and authority to detect that kind of thing, or at least gather facts that will help us identify what's afoot.

And now we're grappling with how we do that in ways that Congress believes are acceptable and appropriate, or acceptable with appropriate oversight, so that we don't in the process trample on the rights of individual citizens. It is vitally important that we have better tie-ins.

The Legal Attaches in different parts of the world have now been doubled over what we had before and they're looking at other things besides counterespionage. They're looking at terrorism and that's important.

W: The issue of technology simply is that while technology has been extraordinarily good for our quality of life, it also offers many opportunities to create more destructive activities against our country and our citizens. We have to be on top of them. That must require a greater effort of sharing information.

In my days at the FBI we talked a lot about “need to know,” which was also a commonly used expression in the CIA, which meant generally access to secret information was available only to those who had a need to know about it. But after the tragedy of 9/11, the adoption of the Patriot Act, a new set of values included the concept of “need to share.”

And both of these are important values and they are not necessarily inconsistent but they have to be balanced. We have to find ways to get the right kind of intelligence to the people who need it most, at the same time not give up the sources and methods that permitted us to capture the information in the first place.

That’s going to be an ongoing challenge. But I look back at our track record on counterterrorism over that period and I think it’s unequalled in our history in our efforts to deal with it, as it existed then.

The great thing about forensics and modern professional law enforcement is that we increase our abilities to deal with these problems without sacrificing the basic values of our society and the liberties that make us the kind of country that we are. We have to get better at it.

I look back at a time I spoke to the Lincoln Scholars, many, many years ago, at their annual meeting in Springfield, Illinois. Knowing that I didn’t know very much, that I was not apt to know anything about Lincoln that they didn’t already know, I instead prepared a paper on the events that followed the assassination of President Lincoln and the kind of law enforcement capabilities that were there.

B: The two Pinkertons?

W: Yes. (chuckle) And, of course, they didn’t have fingerprints. Much less DNA. They didn’t have electronic detection devices, fingerprints, and any of the things that we take for granted in our society today.

They arrested two thousand people. All of the cast of *My American Cousin* which was performing for Lincoln. And ultimately John Wilkes Booth was found in a barn, and it was burned and he died.

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W: Even at that point they didn't know whether that was really John Wilkes Booth and it wasn't until my time that the handwriting experts at the Bureau were able to examine the diary found on the body of the man in the barn to determine that it matched the handwriting, the known handwriting of John Wilkes Booth.

I think my point is that we have to keep looking for new ways to improve what we do, without looking instead to repressive measures that might take place in some other country where curfews would be imposed. Where you had the eighty thousand informants in East Germany looking at everyone else in that part that was once East Germany, a separate country, where you were subjected to inhumane examinations. And other things that I could go on for indefinitely.

But I'm underscoring the importance of development of forensic science. Capability of use. And there're many things we need to improve. As I said before, the polygraph needs improvement, but is still the best thing that we have for that type of investigation. And I think that during the time that I served, I felt that the FBI was responsive to those needs.

B: On counterterrorism, you moved the management of it to the Criminal Division because you believed that the elements of proof should be there and that terrorism is crime. It seems that today with this massive threat and the need for prevention, that's changed. Do you have any thoughts on that? And whether it's still a crime or whether there are two levels?

W: I think we're going to have to agree that with, with the people in this debate or discussion that there really are two aspects and that, particularly state-sponsored terrorism, requires access to information by those who are capable of gathering it --. That some, by some means that information has to make its way into the pool of information about what's taking place or threatened to take place.

My big argument on the, on the terrorism side as a crime. It was when I encountered resistance at the INTERPOL level, the organization of police organizations around the world, cooperating, putting out red flags to find people in their country who were wanted by other members of INTERPOL and getting them to help in every way possible to run these people to earth.

And Hoover confronted at that time also with an attitude that I called "Safe Harbor." Countries that would say, "You're welcome to stay here as long as you don't do anything to us." And we had to get past that point of view.

The particular issue in INTERPOL was that Article 3 of its constitution stated that it would not engage in political activity. And they considered that since most terrorism had a political activity by definition involved, they should, really shouldn't get into it.

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W: My position was that anytime someone engages in an act of violence against citizens in an area outside the area of dispute, they were, in fact, under circumstances that would be criminal under any other standards in those countries, that this was a criminal case.

And there ought to be, that we ought to have authority to suppress criminal activity. It shouldn't --. They shouldn't use the political argument to obstruct that timely investigation and response which had a preventive aspect to it too.

And then we took --. The next year we took, we took it, I took it to Luxembourg. And then the next year we went to Milan where we argued the same case before the United Nations Special Commissions which ultimately adopted the same principle in summit conferences in Tokyo and at home base.

And, from then on, we were able to command assistance in spotting fleeing terrorists around the world and bring them to justice. And I think that we have to --. Whether this was done under the officials in the Intelligence Division or the Criminal Division, it's important that it be done by people who are skilled in managing these issues.

The same principle applied in management of the field offices, as we found ourselves confronting more and more counterterrorism and counterespionage problems, because of the vast amount of work in those days dealt with criminal laws. And criminal investigations. It seemed that most of the top officers, the Special Agents in Charge, had primarily a criminal law background and not all of them had been exposed to the work of the Intelligence Division or counterterrorism.

B: Uh, huh.

W: And so I put in a requirement which may have been dropped and re-instated. I'm not certain about that. No Special Agent would be appointed Special Agents in Charge in the future who had not had significant intelligence, counterintelligence experience or reported for retraining in counterintelligence.

We had too many incidents, instances, of Agent investigative time allocated for counterintelligence work being subtracted and applied to some criminal investigation. And a lot of it had to do with the people at the top not necessarily understanding the importance of counterintelligence. We even had to mandate a certain number of hours be performed for counterintelligence.

Not a terribly good way, but it was a way of making sure that our efforts didn't disappear in the --

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B: Uh, huh.

W: -- greater smoke of statistical numbers of criminal cases. We had to learn that between these two was an area which they had to work together and it had to be managed by people who understood both sides. I still think that's the right approach.

B: Judge, this is Tape 4, Side A of our interview over a two-day period and we're talking about your transition from Director of the FBI to becoming Director of Central Intelligence.

W: We were talking about Bill Casey's terminal illness and resignation followed soon after by his death. Then the nomination of Robert Gates, his deputy, to be his successor and the buzz saw that Bob Gates ran into on the Hill as people tried to determine to what extent he was involved in controversial decisions such as the Iran-Contra issue which involved trading arms for hostages and other matters of that kind.

And after giving it a good college try, Bob Gates very graciously decided he should withdraw in the interest of the Agency and the country at that point in time and stay on as deputy.

And then a round of successor searching started and somehow I knew that my name would inevitably get into the mix, probably because I'd read about it in the paper myself. (chuckle) And I told Attorney General Meese that I was well into focusing on my next step in my life as a return to private practice. But when he inquired as to whether I had an interest in taking the position, I told him that I, (chuckle), I wasn't sure how I would respond to a request of call to duty. And I meant that sincerely. I'd never turn down a good quest that I considered important. But I said, "I really don't want to hear that inquiry from anyone on behalf of the President."

I say that for a couple of reasons. I say, parenthetically, for a couple of reasons. One. I knew the President. The President had been kind to me in my position in the FBI and I had a great deal respect for him and I didn't feel he needed to send another emissary. That if he felt I was necessary for it, he would call me himself.

And also because, even before this, while this was going on, Vice President Bush had asked me if I would consider an invitation to lead the CIA. And it was not an invitation. It was simply thinking about people that he thought he could recommend to the President.

B: And that's coming from someone who had actually led it.

W: Who had actually led it.

B: (chuckle)

W: That's right. So it happened that way. (chuckle) I was on my, I was on my way to Capitol Hill. Was just getting ready to leave to support the FBI's next annual budget. Was focused on that. And I got a call from President Reagan asking me if I would succeed Bill Casey. I said, "Mr. President, my children are looking forward to having me, seeing more of me. I appreciate the honor and I really would like to pray about it and talk to them. And can I get back to you in the afternoon?" He said, "Yes." But he was telling me there was a press conference already to go. (chuckle)

And so I went up and did the best job of testimony as I could with this thing whirling around my mind. I called my daughter --. When I talked to my daughter, Katie, she said, "Oh dad, I love the FBI, but that other place is scary." (chuckle)

So I knew this was going to be, you know, an adjustment for everybody.

B: Sure, huge adjustment.

W: But everybody got in line and I concluded that if they felt I was the person to do it, I should do it. And so that followed the --.

One day I went through the confirmation process which was not all as smooth as the others, but it went fairly smoothly. And I got all but one vote from the Senate.

B: Oh, you did. And it was a Senator from Nevada as I recall.

W: The only vote I've lost in five Senate confirmations. But I lost it. But that's all right. And we had a wonderful ceremony at the Headquarters in Langley with the President, and the Vice President. And Justice Lewis Powell, who was a hero of World War II in the intelligence arena, came up to swear me in. And I was driven up there by my friends in the FBI and driven home by my friends in the CIA. (chuckle)

B: You know, if I could back up to the confirmation hearing, because it was interesting. There was an awful lot brewing then. And the name Ollie North came up a lot.

W: Yes.

B: And there was a lot of scurrying around to see which Bureau officials had what kind of contacts and --. So there was an awful lot of pressure on you. But to me it showed a period of --

A summation here. We're on the final discussions of Judge Webster's move from the FBI to the CIA.

And I recall an incident that both showed your discipline and your sense of humor if I can share it with you. (chuckle) It was during long sessions of briefings to get you ready to go up to the Senate Intelligence Committee and a very large briefing book was placed on your desk. I'd say it was probably bigger than the New York telephone book and maybe the LA phonebook together.

And you looked around the table. I was one person there. There were many others. And said, "Do you really expect me to digest all of this information because otherwise it shouldn't be here. Now am I supposed to go home tonight and become totally conversant with everything in here? I want a briefing in the morning. And I want it to be succinct."

Well, the next morning I had prepared a three-page executive summary. (chuckle) And you looked at it and the table was tense. And you said, "Ah, a small briefing book." And then, "Where is the other one?" you asked. And we showed it to you. It was the same book from the night before. And it relieved a lot of the tension.

W: (chuckle)

B: But those hearings were intense. And it was at a time when I think they were looking for someone to go to the Agency, to help that Agency show its own capabilities in a better light.

W: Well, it's nice of you to remember that. Well, we did have some, some little blips that people were --. One particular Senator, whom I respect, said, "Didn't bells go up when you read that?" Truth was that, "No, bells didn't go off." It didn't call for any action. It was just an informational note and so on.

But there was this kind of --. People trying to get to the bottom of everything. And I had a reasonably relaxed attitude about it. I wanted to be confirmed because I didn't want to disappoint the President and those who had placed their confidence in me. But I knew in my own mind that I had done the best job I knew how in the FBI. And if that wasn't good enough, why Congress would say so. As it turned out, this was a good scrubbing exercise. It's good for the humility.

B: Well stated.

W: (chuckle)

B: And, and if I might --. If anything is uncomfortable, but, all of this time that you devoted to the FBI had to have had an impact on your personal life. You lost your wife, Drue, in 1984.

W: Right.

B: And then you mentioned how you called Katie about moving over. Describe, if, if you would, just a little bit about the interaction with your children and, and your personal life during all this time of public service.

W: Well, during my time with the --. The decision to move from a very interesting and challenging position as a judge on US Court of Appeals to Washington was one of the first really tough decisions because my children had lives of their own too and they were affected by the fact.

But it could have been at a worse time. My daughter, my oldest daughter had married. My youngest son was a senior in college. And my youngest daughter was finishing her junior year in high school with a fine record, and invitations to head a number of school activities going forward.

They all took it in great style. There were obvious times of course when they --. Katie had to join a new school. Meet new people, and so forth. All of which she did and I'm proud of her. She kept her friends in St. Louis as did my other children. And my wife, Drue, who was, was really beloved in St. Louis, struck the right tone. And she said, "It's going to be a new adventure." And we kidded her about being a good sport. And that became a line of family talk down the road.

But when we came to Washington, we found wonderful people. We made wonderful new friends. And especially inside the FBI where, where I had expected nothing less. But knew that it would be challenging.

And, I can't feel that we sacrificed. We, we really gained in the experience. Came together more closely as a family. And as I look back, I, the --. Course, losing Drue was very painful to all of us. She never complained and it was one of the things that happen to people in life. But she was --. There might have been other things she would rather have done. My retiring in Florida or someplace. (chuckle) I don't think so. I think that she really --

B: No.

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W: -- felt the importance of what we were doing and so --. I had about six years alone, working my way through my personal problems while I was doing my official problems.

And then had the good fortune of getting to know Lynda and we've been married fifteen years and she was a big booster, both of the FBI and the CIA. And so the personal, the personal decisions took care of themselves. We knew that we had obligations, responsibilities, duties, but never any second thoughts about why did we do this. You always think of ways you could have done things better, but I can't think of anything that I would have changed in my life.

B: Well, that's a good summary on that personal side, Judge. And it gets me to the conclusion and that is there is a saying, perhaps more appropriate to CIA, "once in, never out." But there's a bit of that that exists with the FBI also. And if I could spend a moment or two with you discussing those post-public service years where you were called on many times by several Presidents to conduct serious commission or inquiry work. I'm thinking of the Los Angeles riots for one. Let's talk about that "once in, never out."

W: (chuckle)

B: You seem to epitomize that.

W: Well, I take that in a positive sense. One of my role models was a man named John McCloy, who had a remarkable career as Assistant Secretary of War in World War II. A high commissioner of Germany following the end of the war. Chairman of the Board of Chase Manhattan Bank. Chairman of the Ford Foundation, and Senior Partner in the firm where I now practice.

But at that time I knew him as the Chairman of the Board of Amherst College. And he said something to me that's stuck with me. And that is --. He said, "There are three kinds of people who serve in government. There are the elected officials and they serve the people they represent and hopefully the whole country. There are people who will take positions in government as a career of their own and they are very important. And then there are the people --." He said, "I call them the private, call them private man in public life who are asked to come in to do a job. They do the very best they can and they know that they don't own the job and that they're not seeking to stay in the job. And when the job is finished, they'll go home. But they're on call."

And at the time that seemed like a better description of what I knew I was not. I was not --. I did not start as a rookie at the bottom and then could work my way through a career in any of these agencies, but I did feel that I owe a lot to my country and I was on call whenever I could be.

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W: And the deep and abiding friendships that I've had in the FBI and also the CIA have been helpful to me when I've been asked to look at something, a problem that occurred, something that did not go well, and see what could be done to improve it. And to serve in various organizations, really private sector organizations. But sometimes it was official appointments. They've been enriching to me. And, in the process of doing it you say, "Well, they invested in you. Now you have an obligation to do what you can do when they ask you to take on one of these situations." And I look back on that as a rich life and a very rewarding one.

B: And one that's ongoing.

W: (chuckle) I guess it's ongoing. As we talk today, we're sitting here in Rappahannock County --

B: Incredible.

W: -- in the midst of the Blue Ridge Mountains, looking at the mountains in the distance and enjoying the friendship of several of the most valuable friends I had in the FBI and thinking to myself, "This is not a bad life at all."

B: I can't think of a better way to end our interview than on that statement, Judge. And on behalf of the Society and the Oral History Project, I want to thank you very much for your time and input.

W: Well, thank you, Bill.

B: And it's a pleasure.

W: Yes. All right. Well, we'll see what it looks like on paper.