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REFERENCE

- (A) TELECON BETWEEN MR. SCHALLER/MR. WARREN (NISHQ) OF 8 DEC 1970
- 1. PURSUANT TO REFERENCE (A) THIS MEMO SETS FORTH THE CHRONOLOGY OF EVENTS THAT LED TO SEC, NISO CHICAGO PARTICIPATION IN COVERAGE OF EVENTS AT THE DEMOCRATIC NATIONAL CONVENTION IN CHICAGO, ILLINOIS, DURING AUGUST 1968.
- 2. THE FIRST INDICATION OF MILITARY SUPPORT TO THE PREPARATION FOR THE CONVENTION CAME VIA A PHONE CALL FROM THE DISTRICT STAFF INTELLIGENCE OFFICER WHO WAS PARTICIPATING IN MEETINGS WITH SECRETARY OF DEFENSE REPRESENTATIVE, ARMY, AIR FORCE AND SECRET SERVICE PERSONNEL PURSUANT TO A CNO MESSAGE R101625 Z JUL 68. THE DSIO WITH COMNINE CONCURRENCE FELT HE LACKED RESOURCES TO PROVIDE NAVAL SUPPORT TO THE INTELLIGENCE REQUIREMENTS UNDER DISCUSSION AND THEREFORE PASSED TO THE CO, NISO CHICAGO THE APPROPRIATE CNO MESSAGES ON THE SUBJECT. THE COMMANDING GENERAL, FIFTH ARMY WAS DESIGNATED AREA MILITARY COORDINATOR FOR THE DOD SUPPORT IN CHICAGO.
- 3. CIRCA 17 JULY CODE 20, CODE 40 AND THE EXECUTIVE OFFICER FROM NISO-CHICAGO ATTENDED A MEETING CHAIRED BY G-2 FIFTH ARMY AT FT. SHERIDAN, ILLINOIS. ALSO PRESENT WERE REPRESENTATIVES FROM THE FBI, OSI AND 113TH MI. THE PROBLEM DISCUSSED WAS PROVIDING INTELLIGENCE SUPPORT TO AN ELEMENT OF THE SECRET SERVICE THAT WAS ASSIGNED THE RESPONSIBILITY FOR MAKING SECURITY DECISIONS CONCERNING THE PRESIDENT AND VARIOUS PERSONAGES AND CANDIDATES FOR WHOM THE SECRET SERVICE WERE RESPONSIBLE UNDER THEIR RECENTLY EXPANDED MISSION ORDERED BY PRESIDENT JOHNSON AS A CONSEQUENCE OF THE ASSASSINATION OF ROBERT F. KENNEDY.
- 4. A WRITTEN OPERATION PLAN EMERGED FROM THE DISCUSSION AND PROVIDED FOR GATHERING OF INFORMATION CONCERNING THE IDENTITY OF PRECONVENTION PLANS AND CONVENTION PLANS OF DISSIDENT ORGANIZATIONS AND INDIVIDUALS. NISO-CHICAGO WAS TASKED IN THE PLAN TO RESPOND WITHIN ITS CAPABILITY TO EEIS IN THE PLAN AND TO PROVIDE IF REQUIRED CERTAIN COMMUNICATION SUPPORT.

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- AS A CONSEQUENCE OF THE OP PLAN THE CO, NISO CHICAGO ISSUED AN INTERNAL MEMO TO DEPARTMENT HEADS OUTLINING THEIR RESPONSIBILITIES SO FAR AS THE PLAN WAS CONCERNED. DEPARTMENT WAS GIVEN PRIMARY RESPONSIBILITY FOR COLLECTION AND DISSEMINATION OF ALL INTELLIGENCE AND DIRECTED TO LEVY REQUIREMENTS ON THE NISRA'S AS REQUIRED IN COORDINATION WITH THE INVESTIGATION DEPARTMENT.
- IMMEDIATELY THE SEC DEPARTMENT ISSUED A CCI TO ALL NISRAS AND CONUS NISOS REQUESTING THEM TO PROVIDE ANY INFORMATION DEVELOPED LOCALLY CONCERNING THE INTENTIONS OF ANY DISSIDENT PERSONS OR GROUPS PLANNING TO COME TO THE DEMOCRATIC CONVENTION IN CHICAGO.
- NOT HAVING DEVELOPED INFORMANTS OR RESOURCES IN TARGET ORGANIZATIONS THE SEC DEPARTMENT REASONED THAT IT COULD BEST BE OF ASSISTANCE BY COVERING PUBLIC DEMONSTRATIONS AND PROVIDE TIMELY INFORMATION OF DEVELOPMENTS IN THE STREETS AND AT PUBLIC GATHERINGS. INFORMATION GATHERED WAS REPORTED BY DATA AUTVON AS A GEN ADMIN SO AS TO CAPITALIZE ON THE RAPID COMMUNICATIONS SYSTEM. ALL REPORTS WERE CHANNELED TO THE G-2, FIFTH ARMY WHERE THEY WERE BLENDED INTO A SITREP THAT WAS PUBLISHED DAILY AND MORE FREQUENTLY AS THE CONVENTION THE SITREP AND SPOT REPORTS FROM G-2 FIFTH ARMY WERE THE VEHICLES OF INFORMATION PROVIDED THE SPECIAL UNIT OF THE SECRET SERVICE IN THE FEDERAL BUILDING IN DOWNTOWN CHICAGO. UNIT HAD AN AUTOVON TIE TO G-2, FIFTH ARMY. PRECLUDED FROM PASSING INFO DIRECTLY TO THE SECRET SERVICE UNIT IF IN ITS OPINION THE URGENCY AND IMPORTANCE OF THE INFO THIS OPTION WAS UTILIZED BY MESSENGER ONLY ONCE AND IT WAS A COPY OF A COMMUNICATION TO G-2, FIFTH ARMY. ALL NISO REPORTS WERE SENT TO NISHQ TO KEEP THE DIRECTOR INFORMED OF THE COLLECTION EFFORT. COPIES WERE ALSO PROVIDED TO COMNINE AND G-2 WAS SHOWN AS AN INFORMATION ADDRESSEE.
- DURING THE PRECONVENTION PERIOD IN EARLY AUGUST EMPHASIS WAS PLACED ON COVERAGE OF SPEECHES OR MEETING OR ORGANIZATIONS KNOWN TO BE PLANNING DEMONSTRATIONS AT THE DEMOCRATIC THESE GATHERINGS WERE REPORTED BY IR AND ARE DESCRIBED IN GENERAL TERMS AS:

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- A. ATTENDANCE BY A RESERVE COMMANDER ON ACDUTRA AT A PUBLIC DEBATE BETWEEN RENNIE DAVIS, PROJECT DIRECTOR
- JOHN KEARNEY OF INDEPENDENT VOTERS OF ILLINOIS.

  B. COVERAGE OF HIROSHIMA DAY RALLY ON 10 AUGUST CHICAGO CIVIC CENTER SPEAKERS DAVE DELLINGER AND BERNARDINE DOHRN. RECORDED OPENLY BY CODE 40. PHOTOS MADE ENS LES JACOBS, ACDUTRA RESERVE OFFICER FROM CLEVELAND.

OF THE NATIONAL MOBILIZATION COMMITTEE (NMC) AND

- C. COVERAGE OF A DEMONSTRATION AT ILLINOIS INSTITUTE OF TECHNOLOGY RESEARCH INSTITUTE RECORDINGS OPENLY MADE BY CODE 40. DEMONSTRATION BY ALL STANDARDS WAS A FAILURE.
- 9. DURING CONVENTION WEEK CODE 40 COVERED THE FOLLOWING UTILIZING A TAPE RECORDER:

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- A. AFTERNOON 27 AUG 1968 ALLEN GINSBERG LEADING CHANTS IN LINCOLN PARK NO SIGNIFICANT OCCURENCES.
- B. EVENING 27TH AUG 1968 LINCOLN PARK RECORDED | SPEECH OF JERRY RUBIN AND BOBBY SEALE, CHAIRMAN OF BLACK PANTHER PARTY.
- C. AFTERNOON OF 28 AUGUST 1968 GRANT PARK RALLY OF NATIONAL MOBILIZATION COMMITTEE. RECORDED MAJOR SPEECHES AND EVENTS DURING VIOLENCE AT THE FLAGPOLE AND INTERCESSION OF POLICE.
- 10. ON ALL OCCASIONS CODE 40 WAS DRESSED IN SPORT JACKET, WHITE SHIRT AND TIE, AND UTILIZED NO COVER STORY OR PRETEXT. THE RECORDER WAS AN INEXPENSIVE PANASONIC CASSETTE RECORDER BORROWED FROM HIS TEEN-AGE SON AS WERE THE CASSETTES. THE MOTIVE FOR RECORDING WAS CONVENIENCE TO AVOID TAKING NOTES AND TO HAVE A RECORD SHOULD ANY OF THE EVENTS PROVE TO BE CRUCIAL TO FURTHER INTELLIGENCE INTEREST. ALL RECORDING WAS DIRECTED AT THE PUBLIC ADDRESS SPEAKER COVERING THE RALLIES, NO EFFORT WAS MADE TO EAVESDROP ON PRIVATE CONVERSATIONS NOR WERE ANY EFFORTS

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MADE TO INTERVIEW ANYONE UNDER PRETEXT. IN SHORT CODE 40 WAS MERELY AN OBSERVER AND TALKED TO FEW PEOPLE. CODE 40X AND JOHN CLARK AN ACDUTRA COMMANDER ACCOMPANIED CODE 40 INTO LINCOLN PARK AND GRANT PARK. THEY WERE ALSO CONSERVATIVELY DRESSED AND WANDERED IN THE AREA MAKING OBSERVATIONS AND COLLECTING LEAFLET HANDOUTS.

- AFTER THE CONVENTION CLIMAX, CODE 40 TRANSFERRED THE SOUND FROM THE CASSETTES TO A SPOOL MAGNETIC TAPE AND RETURNED THE UNERASED CASSETTES TO HIS SON. IT WAS THE INTENT OF CODE 40 TO RETAIN THE SPOOL COPY FOR USE AS AUDIO TRAINING FOR ACDUTRA RESERVISTS.
- THREE WEEKS ELAPSED BEFORE THERE WAS ANY INDICATION THAT THE TAPES HAD ANY EVIDENCIARY VALUE. AFTER LEARNING THAT THE TAPES DID REPRESENT THE BEST RECORDED EVIDENCE OF THE RALLY SPEECHES, THE CASSETTES WERE RETRIEVED AND FOUND THAT ONE CASSETTE HAD BEEN EREASED ON ONE SIDE WITH RANDOM MUSICAL RECORDINGS OF INTEREST TO A TEENAGER.
- 13. IN THE EARLY CONFERENCES WITH THE U. S. ATTORNEY THIS FACT WAS MENTIONED AND CAREFUL LEGAL RESEARCH INDICATED THAT THE COPY WAS VALID SINCE THE CHAIN OF CUSTODY WAS INTACTIAS CODE 40 MADE THE ORIGINAL AND COULD ACCOUNT FOR ITS HANDLING DURING THE COPYING PROCESS.
- 14. DURING THE GRAND JURY TESTIMONY THE FOREMAN INQUIRED AS TO THE PURPOSE OF NAVAL INTELLIGENCE COVERING THE EVENTS, THE EXPLANATION GIVEN WAS THE SAME AS SET FORTH HEREIN. WAS THE REQUEST FROM THE SECRET SERVICE FOR GENERAL SUPPORT FROM THE DEFENSE DEPARTMENT RESULTED IN NUMEROUS DEPT OF DEFENSE CHORES BEING PERFORMED ONE OF WHICH INVOLVED GATHERING INTELLIGENCE OF THE SITUATION FOR THOSE IN THE SECRET SERVICE MAKING DECISIONS AFFECTING THE SECURITY OF THE PRESIDENT AND CANDIDATES. IT WAS POINTED OUT THAT AS A RESULT OF SENATOR KENNEDY'S ASSASSINATION THE SECRET SERVICE SUDDENLY HAD ITS RESPONSIBILITIES EXPANDED.

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- 15. SEVERAL WEEKS IN AUGUST AND SEPTEMBER WERE SPENT IN A PRIVATE OFFICE ADJACENT TO MR. FORAN THE PROSECUTING ATTORNEY WHILE PREPARING VERBATIM TRANSCRIPTS OF THE TAPES. IN CONFERENCE WITH THE U. S. ATTORNEY AND HIS ASSISTANT MR. RICHARD SCHULTZ A JOINT DECISION WAS MADE NOT TO PLAY OR I PRESENT ALL OF THE TAPES INTO EVIDENCE FOR REASONS OF CONSERVING TIME AND KEEPING THE TAPES WITHIN THE CONTEXT OF THE PROSECUTIONS TRIAL ISSUES. GENERALLY ALL SPEECHES WERE INCLUDED IF MADE BY A DEFENDANT. OTHERS NOT ON TRIAL BUT INDICTED AS CO-CONSPIRATORS WERE INCLUDED IF THEIR SPEECHES PROVIDED INCITEMENT. GUIDANCE INSTRUCTIONS OR INTENTIONS. COMING FROM A PLATFORM NOMINALLY UNDER THE CONTROL OF DELLINGER HE WAS HELD ACCOUNTABLE FOR THEIR UTTERANCES AND ACTIONS. DELETED WERE RAMBLING AND DULL TALKS OF WHICH THERE WAS A NUMBER.
- 16. SPECIFIC PORTIONS OF THE TOTAL TRANSCRIPT WERE EXCISED SPECIALLY RECORDED ON ONE TAPE IN SEQUENCE WITH THE ACCOMPANYING TRANSCRIPT. THE TAPES WERE AMPLIFIED IN COURT WITH FOUR SPEAKERS STRATEGICALLY PLACED AND THE JURORS, JUDGE AND DEFENDANTS WERE PROVIDED VERBATIM TRANSCRIPTS SO THEY COULD FOLLOW THE TAPE AUDIO.
- 17. DURING PRE-TESTIMONY DISCUSSIONS WITH MR. FORAN AND SCHULTZ CODE 40 ANTICIPATED THAT KUNSTLER, THE DEFENSE ATTORNEY, TRY TO CAPITALIZE ON THE PRESENCE OF A NAVAL INTELLIGENCE REPRESENTATIVE IN KEEPING WITH HIS STRATEGY TO PRESENT THE DEFENDANTS AS VICTIMS OF A GARGANTUAN MILITARISTIC POLICE SCHULTZ AGREED TO DEVELOP THE DIRECT EXAMINATION IN SUCH A WAY AS TO PROTECT THE IDENTITY OF CODE 40 MISSION AND CONTINUE THIS PROTECTION DURING THE CROSS-EXAMINATION PERIOD THROUGH OBJECTIONS THAT WERE GENERALLY SUSTAINED BY JUDGE HOFFMAN. IT WAS FURTHER AGREED TO DIRECT THE QUESTIONS SQ THAT KUNSTLER DURING CROSS-EXAMINATION WOULD BRING UP THE QUESTION OF THE OWNERSHIP OF THE RECORDING EQUIPMENT THIS WAS DONE TO REVEAL FOR THE RECORD THAT THE EQUIPMENT WAS MODERATELY INEXPENSIVE, IMPROVISED AND NOT HIGHLY SOPHISTICATED GEAR ON WOULD EXPECT IF THERE WAS A CONSPIRACY OF NATIONAL INTELLIGENCE TO "GET" THE DEFENDANTS. MOREOVER IT WAS A

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QUESTION DIFFICULT FOR KUNSTLER TO HANDLE SINCE IT WAS REVEALED TO BELONG TO A TEEN-AGER, A GENERATION THAT KUNSTLER CLAIMS FOR HIS DEFENDANTS. THE IRONY WAS NOT LOST ON HIM FOR HE DID NOT PURSUE THE MATTER BUT SARCASTICALLY CLOSED BY SAYING "IS THIS THE CUSTOMARY PROCEDURE IN NAVAL INTELLIGENCE." THE REPLY WAS "NO".

- 18. KUNSTLER, AS HE DID WITH MOST EVIDENCE, OBJECTED TO THE TAPES. TWO CONFERENCES WERE HELD OUTSIDE OF COURT ON SATURDAY AND ONE EVENING TO RESOLVE THE OBJECTIONS; HOWEVER, KUNSTLER STILL OBJECTED AND JUDGE HOFFMAN OVER-RULED THE OBJECTION AND ENTERED THE TAPES.
- 19. KUNSTLER'S FIRST QUESTION ON CROSS-EXAMINATION WHICH LASTED TWO AND A HALF DAYS, WAS THE NAVAL INTEREST INVOLVED. THE ANSWER WAS THE NAVY HAD NO DIRECT INTEREST AND THEN THE GENERAL EXPLANATION OF DOD SUPPORT TO THE SECRET SERVICE WAS OUTLINED. KUNSTLER WOULD OCCASIONALLY RESORT TO SARCASM FOR EXAMPLE HE MIGHT PREFACE A QUESTION WITH A REMARK "WHILE YOU WERE POKING IN THE DEBRIS AT GRANT PARK PROTECTING THE PRESIDENT..... ETC.
- 20. KUNSTLER EXPLORED WITHOUT SUCCESS DUE TO PROSECUTION! OBJECTIONS THE NAVY RELATIONSHIP TO THE FBI, AND CHICAGO POLICE. THE PRESS COVERAGE WAS MILD SO FAR AS THE PRESENCE OF A NAVAL INTELLIGENCE REPRESENTATIVE IN LINCOLN PARK. OF INTEREST WAS THE HIGHLY INACCURATE REPORT OF THE LOCAL CBS RADIO REPORTER CAROL SIMPSON WHO WAS IN THE COURTROOM DURING THE TESTIMONY. SHE DISPLAYED AN OBVIOUS BIAS TOWARD THE DEFENSE AND HER TAPED REPORT ON CBS-WBBM THROUGHOUT THANKSGIVING DAY (THE STATION HAS A 24 HOUR NEWS FORMAT) THAT SCHALLER TESTIFIED HE DID NOT RECORD THE SPEECHES IN LINCOLN AND GRANT PARK FOR THE NAVY, BUT DID IT AS AN UNDERCOVER AGENT FOR THE CHICAGO POLICE DEPARTMENT. THE COURT RECORD WILL REFUTE THAT STATEMENT. 114131
- 21. CODE 40 HAS REFRAINED FROM COMMENTING OR ENGAGING ANYONE IN PUBLIC DISCUSSION CONCERNING SUCH DISTORTIONS OR EFFORTS TO SOLICIT COMMENT ON ANY PUBLISHED MATERIALS CONCERNING THE

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THE TRIAL. IN SEPTEMBER 1970 PLAYBOY MAGAZINE ATTEMPTED TO SOLICIT COMMENT FROM CODE 40 IN AN INTERVIEW OF KUNSTLER PLANNED FOR PUBLICATION IN THE OCTOBER EDITION OF PLAYBOY. MR. FORAN, SCHULTZ AND DAVE ANDRE A TV REPORTER FROM WGN-TV COVERING THE TRIAL RECEIVED SIMILAR SOLICITATIONS. OTHERS MAY HAVE RECEIVED SIMILAR REQUEST BUT NO ONE RESPONDED TO PAD THE LETTERS TO EDITOR COLUMN OF THE NOVEMBER EDITION OF PLAYBOY MAGAZINE.

- 22. THE ORIGINAL TAPE CASSETTES, AND COPIES FROM THE CASSETTES ARE HELD BY THE FEDERAL COURT OF THE SIXTH DISTRICT AS EVIDENCE AND EXHIBITS. CODE 40 HAS A SPOOL COPY OF THE TAPE AND A TRANSCRIPT.
- REFERENCE (A) SOLICITED COMMENT CONCERNING THE CURRENT EXPOSE" BY THE PRESS. CODE 40 DID NOT SEE THE TV PROGRAM NARRATED BY SANDER VAN OCUR ON NBC BUT HAS READ THE SYNDICATED ARTICLE BY JARED STOUT UNDER THE AUSPICES OF NEWHOUSE NEWS THERE ARE SERIOUS QUESTIONS ABOUT WHO STOUT IS AND WHAT IS THE NEWHOUSE NEWS SERVICE. BOTH HAVE A MODUS OPERANDI NOT UNLIKE THE LIBERATION NEWS SERVICE. A SHOTGUN APPROACH HAS BEEN USED MINGLING MANY INCIDENTS INTO WHAT PURPORTS TO BE A SINGLE PROBLEM. THE ARTICLE IS REPLETE WITH HALF-TRUTHS AND QUESTIONABLE QUOTATIONS. STOUT QUOTES JACK WARNER OF SECRET SERVICE SAYING THAT THE TYPE OF REPORTS AS TYPIFIED BY CODE 40 TESTIMONY WERE NOT REQUIRED. THIS IS A HALF-TRUTH SINCE SECRET SERVICE RESTRICTS THEIR REQUIREMENTS TO THE SINGLE PROBLEM OF PROBABLE DIRECT THREAT TO THE PRESIDENT AND HIS OFFICIAL FAMILY AND IN THIS INSTANCE TO CANDIDATES. WITHIN THE ATMOSPHERE OF THE SUMMER OF 1968 THE SECRET SERVICE GAVE EVERY EVIDENCE OF WANTING ANY INFORMATION THAT EVALUATED THE COMPLEX EVENTS IN CHICAGO SO AS TO ARRIVE AT SECURITY RECOMMENDATIONS FOR THE PRESIDENT. IT IS FURTHER NOTED THAT THE PRESIDENT DID CANCEL HIS VISIT TO CHICAGO ON THE OCCASION OF HIS BIRTHDAY AND FOR THE CELEBRATION THAT HAD BEEN PLANNED.
- 24. THE MILITARY INTELLIGENCE PARTICIPATION IN THE SITUATION AT CHICAGO IS HARDLY NEWSWORTHY TODAY SINCE THERE WERE WIDELY

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PUBLISHED REPORTS OF THE PRESENCE OF MILITARY INTELLIGENCE APPEARING IN THE LOCAL NEWS MEDIA BOTH ELECTRONIC AND PRINTED. THIS APPEARED TO BE ACCEPTED AS A CONCOMITANT OF THE MILITARY PRESENCE OF THE NATIONAL GUARD AND THE BILLETING OF ACTIVE ARMY UNITS AT NAS-GLENVIEW. FOR THE SUMMER OF 1968 THIS WAS ACCEPTED SINCE ONLY FOUR MONTHS EARLIER THIS CITY SUFFERED FATALITIES AND EXTENSIVE PROPERTY DESTRUCTION FROM ARSONISTS AND LOOTERS. THE ASSASSINATION OF SENATOR KENNEDY FOLLOWING THAT OF MARTIN LUTHER KING THREE MONTHS EARLIER ADDED CREDIBILITY TO THE REAL DANGERS OF POLITICAL ASSASSINATION. MOREOVER, DURING THE KING RIOTS IN APRIL. RENNIE DAVIS. A PROJECT DIRECTOR OF THE NMC FOR DEMONSTRATIONS AT THE CONVENTION. LED AN ABORTIVE ATTACK ON NATIONAL GUARD TROOPS IN A FUTILE GESTURE OF BRAVADO ATTEMPTING TO STIR UP PROBLEMS OR PERHAPS GARNER PUBLICITY. NEVERTHELESS PERSON-ALITIES OF HIS TYPE AND OTHERS THAT WERE PROSECUTED IN CHICAGO GAVE MORE THAN AMPLE BELIEF THAT AN EXTRAORDINARY EFFORT WAS REQUIRED TO CONTAIN THE THREAT - AN EFFORT THAT TRANSCENDED THE RESOURCES OF ANY SINGLE GOVERNMENTAL AGENCY. RIOT WAS MORE THAN AN AFFRONT TO CHICAGO CIVIC PRIDE AS SUB-SEQUENT EVENTS HAVE DEMONSTRATED. IN SHORT IT WOULD APPEAR THAT FORCES IN SYMPATHY WITH THE NEW LEFT OR WHATEVER ONE CHOOSES TO CALL IT ARE NOW ATTEMPTING TO ACCOMPLISH IN THE MEDIA WHAT THEY HAVE BEEN UNABLE TO ACCOMPLISH IN THE COURTS.

25. FOR RECORD SET FORTH BELOW ARE REPORTS BY NISO IN RESPONSE TO THE CCI ALLUDED TO SUPRA:

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03HQ - IR 5 401 0169 68 - 9 AUG 68

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