

PROCEEDING AGAINST ROBERT F. WILLIAMS
FOR CONTEMPT OF THE SENATE

DECEMBER 1 (legislative day, NOVEMBER 29), 1971

Mr. EASTLAND, from the Committee on the Judiciary,
submitted the following

REPORT

[To accompany S. Res. 204]

The Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary, as created and authorized by the U.S. Senate by Senate Resolution 366, 81st Congress, second session, as amended and extended, and by Senate Resolution 32 (sec. 11), agreed to March 1, 1971, caused to be issued a subpoena *ad testificandum* to Robert F. Williams. The said subpoena directed Robert F. Williams to be and appear before the subcommittee Thursday, July 8, 1971, at 10 a.m. at their committee room, room 2300, New Senate Office Building, Washington, D.C., then and there to testify relative to the subject matters under consideration by said subcommittee.

The said subpoena was issued June 25, 1971, in words and figures as follows:

UNITED STATES OF AMERICA
CONGRESS OF THE UNITED STATES

TO ROBERT F. WILLIAMS,
1005 Maiden Lane, Apartment 1,
Ann Arbor, Michigan, Greeting:

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the Subcommittee on Internal Security of the Committee on the Judiciary of the Senate of the United States, on Thursday, July 8, 1971, at 10 o'clock a.m. at their

committee room, 2300 New Senate Office Building, Washington, D.C., and then and there to testify what you may know relative to the subject matters under consideration by said committee.

Pursuant to Senate Resolution 366, approved by the 81st Congress, second session, as amended and extended, and Senate Resolution 46, agreed to February 17, 1969, as modified.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To ROBERT G. DUNPHY, Sergeant at Arms of the Senate of the United States to serve and return.

Given under my hand, by order of the committee, this 25th day of June, in the year of our Lord, one thousand nine hundred and seventy-one.

JAMES O. EASTLAND,
*Chairman, Committee on Judiciary
and Subcommittee on Internal Security.*

The said subpoena was duly served July 2, 1971, as appears by the return thereof, which reads as follows:

JULY 12, 1971.

I made service of the within subpoena through my deputy, Leonard E. Mazur, by serving the within-named Robert F. Williams at 1005 Maiden Lane, Apartment 1, Ann Arbor, Mich., at 6 p.m., Friday, 2d day of July 1971.

(Signed) ANTHONY E. ROZMAN,
*U.S. Marshal,
Eastern [District] of Michigan.*

Served by:

(Signed) LEONARD E. MAZUR, *Deputy.*

Thereafter the said Robert F. Williams failed and refused to comply with the said subpoena, failed and refused to appear before the said subcommittee at the designated time and place as a witness Thursday, July 8, 1971, thereby depriving the said subcommittee of his testimony on questions pertinent to its inquiry and subject matters under consideration.

The record of the hearing July 8, 1971 (whereat the said Robert F. Williams failed and refused to appear), is annexed hereto as appendix I and is expressly made a part of this report.

The said Robert F. Williams had appeared before this subcommittee, in response to its processes and requests, on February 16, 1970, March 24 and March 25, 1970.

However, the witness failed and refused to avail himself of the privilege extended by the subcommittee to review the record of these sessions to correct or amend the record as he might deem necessary.

A letter received by the subcommittee under date of October 8, 1970, from Bernard J. Fieger, attorney for the said Robert Williams, reads as follows:

CRAIG & FIEGER,
Detroit, Mich., October 8, 1970.

INTERNAL SUBCOMMITTEE ON INTERNAL SECURITY OF THE JUDICIARY
COMMITTEE,
U.S. Senate, Washington, D.C.
Attention of Mr. Scott.

DEAR SIR: In accordance with your request, I am returning to you the Report of Proceedings held before your committee relating to our client, Robert Williams. This material is being returned without correction or comments. It is his position that the transcript is a report of your proceedings and if there are errors they are your responsibility.

In connection with the materials that are contained in the transcripts which are the product of Mr. Williams' personal diaries and which are not items which are of interest to the committee, the committee is forbidden to use them.

Very truly yours,

CRAIG, FIEGER & GOLDEN,
BERNARD J. FIEGER.

The Report of Proceedings, or Transcript, covering Williams' appearance before the subcommittee on February 16, 1970, and March 24 and 25, 1970, separately printed, is transmitted herewith and is expressly made a part hereof by reference.

APPENDIX

THURSDAY, JULY 8, 1971

U.S. SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m. in room 2300, New Senate Office Building, Senator Edward J. Gurney presiding.

Present: Senator Gurney (presiding).

Also present: J. G. Sourwine, chief counsel, and Alfonso L. Tarabochia, professional staff member.

Senator GURNEY. This meeting of the Subcommittee on Internal Security will come to order.

The chairman takes notice that the witness, Robert F. Williams, who has been properly subpoenaed, is not here and we will go on.

Mr. Sourwine.

Mr. SOURWINE. Mr. Chairman, may the return on the subpoena be inserted in the record at this point?

Senator GURNEY. The entire subpoena will be inserted in the record at this point.

(The subpoena and return are as follows:)

UNITED STATES OF AMERICA
CONGRESS OF THE UNITED STATES

To ROBERT F. WILLIAMS, 1005 Maiden Lane, Apartment 1, Ann Arbor, Mich., Greeting:

Pursuant to lawful authority, YOU ARE HEREBY COMMANDED to appear before the Subcommittee on Internal Security of the Committee on the Judiciary of the Senate of the United States, on Thursday, July 8, 1971, at 10 o'clock a.m., at their committee room, 2300 New Senate Office Building, Washington, D.C., then and there to testify what you may know relative to the subject matters under consideration by said committee.

Pursuant to Senate Resolution 366 approved by the 81st Congress, second session, as amended and extended, and Senate Resolution 46, agreed to February 17, 1969, as modified.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To ROBERT G. DUNPHY, Sergeant at Arms of the Senate of the United States to serve and return.

Given under my hand, by order of the committee, this 25th day of June, in the year of our Lord one thousand nine hundred and seventy-one.

JAMES O. EASTLAND,
*Chairman, Committee on Judiciary
and Subcommittee on Internal Security.*

WASHINGTON, D.C., July 12, 1971.

I made service of the within subpoena through my deputy, Leonard E. Mazur, by serving a copy of this subpoena to the within-named Robert F. Williams at 1005 Maiden Lane, Apartment 1, Ann Arbor, Mich., at six o'clock p.m., on the Friday, second day of July, 1971.

ANTHONY E. BOZMAN,
U.S. Marshal, Eastern of Michigan.

Served by :

LEONARD E. MAZUR,
Deputy U.S. Marshal.

Mr. SOURWINE. May a memorandum to be prepared by counsel covering his telephone conversation yesterday afternoon with the subpoenaed witness' lawyer be put in the record also?

Senator GURNEY. That will be put in the record also at this point.

(The memorandum referred to follows:)

MEMORANDUM OF TELEPHONE CONVERSATION JULY 7, 1971, BETWEEN THE CHIEF COUNSEL, INTERNAL SECURITY SUBCOMMITTEE, SENATE COMMITTEE ON THE JUDICIARY, AND ROGER CRAIG, ESQ., OF DETROIT, MICH., COUNSEL FOR ROBERT WILLIAMS

I had been trying to reach Mr. Craig to learn if his client, Robert F. Williams, wanted advance arrangements made for his transportation to Washington, D.C. (to respond to a subpoena from the Internal Security Subcommittee of the Senate calling for his appearance on July 8, 1971). When I had Mr. Craig on the wire, I asked about this. Mr. Craig said that he thought there was going to be "some trouble with Rob" because "he is fed up with cooperating with the establishment." Mr. Craig said that Mr. Williams "may have decided not to respond to the subpoena at all" and added "I haven't even been able to get him to come in and see me."

Specifically with regard to transportation to Washington, Mr. Craig said his client, Williams, had made no request and was not to be expected to make one.

J. G. SOURWINE,
Chief Counsel.

Mr. SOURWINE. May the notice of the hearing, calling the meeting this morning be placed in the record?

Senator GURNEY. It may go in the record.

(Notice of hearing referred to follows:)

EXECUTIVE—CONFIDENTIAL

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
INTERNAL SECURITY, Room 2300.

SIR: There will be a hearing before a subcommittee of the Committee on the Judiciary on Thursday, July 8, at 10 a.m., upon the following: Robert Williams recalled.

By order of the chairman:

Mr. SOURWINE. Finally, may a copy of the resolution of the subcommittee authorizing the subpoena recalling the witness today be placed in the record?

Senator GURNEY. The resolution offered by counsel will be inserted in the record at this point.

(Copy of resolution follows:)

RESOLUTION

Resolved, by the Internal Security Subcommittee of the Senate Committee on the Judiciary, That Robert F. Williams, who testified in Executive Session on February 16, 1970, March 24 and March 25, 1970, be recalled for further questioning with respect to matters covered in his earlier testimony before the Subcommittee, and with respect to the receipt and disposition of funds from outside the United States.

JAMES O. EASTLAND, *Chairman.*

HUGH SCOTT.

STROM THURMOND.

MARLOW W. COOK.

EDWARD J. GURNEY.

JOHN L. McCLELLAN.

SAM J. ERVIN, Jr.

BIRCH BAYL.

ROBERT C. BYRD.

Approved: March 15, 1971.

Mr. SOURWINE. I believe that takes care of the failure of this witness to attend this hearing at this time, which is now 7 minutes past 10.

Senator GURNEY. The chairman will temporarily recess the subcommittee subject to the call of the Chair, and instruct the staff to remain here in case the witness does appear; and, if he does, the staff will notify me and I will be upstairs in the Government Operations Committee.

Mr. SOURWINE. Thank you, Mr. Chairman. How long do you want the staff to remain and wait for the witness?

Senator GURNEY. I would simply say that I would leave that up to your judgment.

Mr. SOURWINE. Would an hour be sufficient?

Senator GURNEY. I would say a half hour, 10:30. I believe that would give him a half hour; he knows about it, especially since you say that you talked with his lawyer yesterday.

Mr. SOURWINE. Yes, sir.

Senator GURNEY. I will instruct the staff here to wait here until 10:30 and if the witness has not shown up by that time, you may close the matter out.

Mr. SOURWINE. Thank you, sir.

(Thereupon, the committee stood in recess, and at 10:30 the staff members present and the reporter left the hearing room, the witness not having appeared up to that time. The hearing stood in recess, subject to the call of the Chair.)