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SUBJECT: ABA-Toronto, Canada

August 1988

EXECUTIVE SECRETARIAT
ROUTING SLIP

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ER 88-2020X/4

Executive Secretary
[Signature]
22 Aug '88
Date

EXECUTIVE SECRETARIAT
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Executive Secretary
22 Aug '88
Date

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Executive Registry

88-2020X/4

HOOVER INSTITUTION

ON WAR, REVOLUTION AND PEACE

Stanford, California 94305-6010



12 August 1988

Honorable William H. Webster
Director of Central Intelligence
The Central Intelligence Agency
Washington, D.C. 20505

Dear Judge Webster:

Would you kindly send me a copy of your address at the annual meeting of the American Bar Association, mentioned two days ago in the New York Times?

I am preparing the 3rd revised edition of my book on USSR FOREIGN POLICY and would like to cite any unclassified figures that you may be able to provide me on increased Soviet espionage.

Many thanks and best personal wishes.

Respectfully,

Richard F. Staar
Coordinator
International Studies Program

RFS:jcc

Encl (1)



P 309-1R

Start
Soviet Spying in U.S.

On Rise, Webster Says

NYT 10 Aug 1988 p A7

TORONTO, Aug. 9 (Reuters) — William H. Webster, the Director of Central Intelligence, said today that the Soviet Union was increasing its spying in the United States.

"Despite glasnost and perestroika, we have seen an increase this year in Soviet attempts to recruit U.S. sources," Mr. Webster told the annual meeting of the American Bar Association.

"We also expect to see greater Soviet efforts to recruit U.S. personnel abroad and a greater effort to penetrate allied governments," Mr. Webster said.

Asked why he believed the Soviets would step up their spying, Mr. Webster said: "Well, maybe we're getting better at finding it or it's more important to them to know certain things. For instance, on arms control."

The Director added, "None of the essential goals of Soviet world domination have changed."

Mr. Webster also denied recent reports that the Central Intelligence Agency is working to discredit Oscar Arias, the Costa Rican President.

ER 2020/3 88

The Director of Central Intelligence

Washington, D. C. 20505

8/15/88

Bill Baker.

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PAO 88-0266

5 August 1988

JUDGE:

RE: Address of the Annual Meeting of the American Bar Association
 Tuesday, 9 August
 Toronto, Canada

1. We have double-checked with the ABA concerning the other "association-wide speakers" and the topics of their speeches. Although the ABA Convention staff does not know specific speech topics in all cases, we were able to get the following information on association-wide speakers:

Congressman Robert W. Kastenmeier	Friday, 5 August, 75th Anniversary Celebration Reception and Dinner "The State of the Judiciary and Access to Justice: A Congressional Perspective"
Senator Howell Heflin and Robert W. Kastenmeier	Saturday, 6 August, Breakfast speakers; sponsored by the Judicial Administration Division (Topic unknown)
Mrs. Hillary Rodham Clinton (wife of Governor Clinton and Chairperson, ABA Commission on Women in the Profession)	Sunday, 7 August, Prayer Breakfast (Topic unknown - possibly legal and moral issues)
Lewis F. Powell Jr., former Supreme Court Justice	Sunday, 7 August, Presentation of the 1988 Livingston Hall Juvenile Justice Award to Joan Goodlet Hamner; sponsored by Criminal Justice; (Topic "Gun Control and the Death Penalty")
Javier Perez de Cuellar, Secretary General, UN	Monday, 8 August, Opening Assembly, "International Law and the United Nations" (will possibly cover his role as a peace-maker on Iran/Iraq War and the Falkland War)
Bernard Kalb, former Assistant Secretary of State for Public Affairs	Monday, 8 August, Assembly Luncheon and Gavel Awards Presentation (Topic unknown -possibly news coverage of the law)



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2. Although there are many speakers at the different events that will be held on Tuesday, you are the only association-wide speaker for that day. (See attached Highlights for Tuesday.) The event which you referred to in your memorandum to me on 17 May "Threats to Domestic Peace and Security" will involve a series of panels throughout the day. The morning session will be moderated by Chairman of the ABA Committee on Law and National Security, Richard E. Friedman. Special Assistant to the President and Legal Advisor to the NSC, Nicholas "Nick" Rostow, will give 25 minutes of opening remarks on balancing humanitarian concerns and respect for the rule of law in carrying out US national security objectives. Following his remarks, the first panel will begin:

Panel members for the first morning session on "Right to Council" are:

Robert Johnson	Chairman, Council of the UK Bar
Jacob Rubin	President, Israel Bar
Martin Friedland	Professor of Law, University of Toronto
A. N. Robinson	Prime Minister, Trinidad and Tobago

Panel members at the second morning session "Right to Speedy and Public Trial" are:

Mario Saccone	President, Argentina Bar Association
John Faulks	President, Australian Bar Association
Steven Nevas	NBC Mutual Radio; former counsel, National Association of Broadcasters
Joseph Morris	US Department of Justice, Director of Liaison Services

Chairman of the ABA International Law and Practice section, Joseph P. Griffin will moderate the afternoon session.

Panel members at the first afternoon session "Commercial and Governmental Action" are:

Jean Bazin	President, Canadian Bar Association
Richard Gaskell	President, Law Society of England and Wales
Monroe Leigh	Former legal advisor, State Department
Anthony D' Amato	Professor, Northwestern Law School

Panel members at the second session "Tortious Activity by the Government" are:

Jacqueline Lafont	President, French Bar Association
Javier Quijano-Baz	President, Mexican Bar Association
Monroe Leigh	Former legal advisor, State Department
Anthony D' Amato	Professor, Northwestern Law School

The format of the panels will be 10 minutes of remarks by each panel member followed by a question and answer period.



Bill Baker

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AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT
ROBERT MACCRATE
AMERICAN BAR CENTER
750 N. LAKE SHORE DRIVE
CHICAGO, ILLINOIS 60611
TELEPHONE: 312/988-5100
ABA/NET: ABAIO34

PLEASE REPLY TO:
28TH FLOOR
125 BROAD STREET
NEW YORK, NEW YORK 10004
TELEPHONE: 212/558-3614

May 24, 1988

The Honorable William H. Webster,
Director,
Central Intelligence Agency,
Washington, D.C. 20505

Dear Bill:

I want to underscore our profound hope, which I expressed to you at the ALI Council meeting last Monday in Chicago, that you will deliver the keynote address at the Tuesday Assembly Luncheon, August 9, during our Annual Meeting in Toronto.

The Tuesday Assembly luncheon this year will be the centerpiece of our special program for our foreign guests as well as the large number of Association members who regularly attend this event. We expect substantial media coverage by representatives of the United States, Canadian and international news corps. Your remarks focused on "the right to be let alone and the right to be kept safe and free," might be between 15 to 20 minutes in length.

If you come to Toronto in time, I would be very pleased if you would be with us as a platform guest with other national and international dignitaries at our Opening Assembly, Monday morning, August 8, at 9:30 a.m., with platform seating starting at 9:00 a.m., at Toronto's Roy Thomson Concert Hall. As I told you, United Nations Secretary-General Javier Perez de Cuellar will give the Opening Assembly keynote address.

I do hope you can favor us on August 8.

Sincerely,



Robert MacCrate

17 May 1988

MEMORANDUM FOR: Mr. Baker

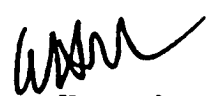
FROM: Director of Central Intelligence

SUBJECT: AMERICAN BAR ASSOCIATION CONVENTION
Toronto, Canada

1. While at the ALI Council meeting in Chicago, I was approached by Bob McCrate, the upcoming President of the American Bar Association. He had apparently read the Unger story in the New York Times magazine and was taken by my statement regarding the difficult balance between the right to be let alone and the desire to be kept safe and free.

2. The ABA is planning a major program (a General Assembly program) utilizing a number of foreign guests. (I suspect this is not unlike the Terrorism Seminar that I participated in in London.) The basic theme is to be "Threats to Domestic Peace and Security." There will be presentations on the right to counsel, the right to a speedy and public trial, pretrial detainees and bail, and other similar issues. This would be in the morning. In the afternoon, a second phase of the program would be on something - if I could read my notes - that sounds like liberty versus government. (I don't think I've got this one right.) In any event, Mr. McCrate is interested in having me be the luncheon speaker for the General Assembly program which he suggests will have a sizeable ballroom-type audience. He wants me to speak on some aspect of the quote attributed to me in the Times.

3. I'd appreciate your thoughts and suggestions. I can't place my notes at the moment, but plan to be in Michigan with my daughter beginning either the 30th or 31st of July with a shift to Jack Cole's cottage in the same location some time during the end of the first week in August. Harbor Point is at the northern tip of the southern peninsular and would be a relatively short flight to Toronto if this seems like a worthy effort. What are your thoughts?


William H. Webster

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TUESDAY, August 9

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 7:30 a.m. to 10:00 a.m.	Emerging Tort Theories From Insurance Relationships Speaker: Edward S. Rooney Jr., Boston, MA Sponsored by Tort and Insurance Practice	Sheraton Centre Huron Room Second Floor
* 7:30 a.m. to 12:00 noon	Litigating the Private Airplane Crash Case Speakers: Steven E. Harrison II, Waco, TX Stephen P. Kenney, Chicago, IL Mark A. Dombroff, Washington, DC John W. Norman, Oklahoma City, OK Sponsored by Tort and Insurance Practice	Sheraton Centre Kent Room Second Floor
* 7:30 a.m. to 12:00 noon	Role of Science in Toxic Substances Litigation Moderator: Thomas W. Henderson, Pittsburgh, PA Speakers: John R. Allison, Seattle, WA Bert Black, Baltimore, MD Arvin Maskin, New York, NY Donald Ellisburg, Legal Rights Foundation, Washington, DC Dr. Christopher Wilkinson, Cornell University, Ithaca, NY Dr. Philip Enterline, University of Pittsburgh, Pittsburgh, PA Sponsored by Tort and Insurance Practice	Sheraton Centre City Hall Second Floor
* 8:00 a.m. to 9:30 a.m.	Documentation Supporting Solvency Which Should be Required by Lenders in LBOs and Other Highly Leveraged Transactions Speakers: James J. Cunninghams, Cincinnati, OH William F. Lloyd, Chicago, IL Stephan M. Ray, Los Angeles, CA William J. Wiegmann, New York, NY Sponsored by Business Law	Royal York Upper Canada Room 18th Floor
* 8:00 a.m. to 10:00 a.m.	Open Workshop on Rule 701 Speakers: Constantine Alexander, Boston, MA Joshua L. Green, Palo Alto, CA Justin P. Klein, Philadelphia, PA Sponsored by Business Law	Royal York Salon B Convention Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 8:00 a.m. to 10:00 a.m.	Constitutional Defenses to Punitive Damage Claims Speaker: Richard Andracki, Pittsburgh, PA Sponsored by Tort and Insurance Practice	Sheraton Centre Kenora Room Second Floor
* 8:00 a.m. to 12:30 p.m.	Presidential Showcase Program: ERISA Fiduciary Responsibility Moderator: William P. Wade, Los Angeles, CA Speakers: Edward C. Halbach, Berkeley, CA Donald J. Myers, Washington, DC Daniel C. Knickerbocker Jr., Professor of Law, Seton Hall Law School, Newark, NJ Peter M. Kelly II, Chicago, IL Morton Klevan, Director, Policy Development, U.S. Dept. of Labor John S. Welch, Los Angeles, CA Kenneth E. Edgar Jr., New York, NY Howard Pianko, New York, NY Frederick C. Kneip, New York, NY Sponsored by Business Law, Labor and Employment Law, Real Property, Probate and Trust Law, Taxation	Metro Toronto Convention Centre East Room 206 C & D Street Level
* 8:15 a.m. to 12:00 noon	Miscellaneous Surety Topics Speakers: Julia Blackwell, Indianapolis, IN Robert Heyne, Chicago, IL James Myers Kenneth Scott, Toronto, Ontario Sponsored by Tort and Insurance Practice	Sheraton Centre Civil Ballroom Second Floor
* 8:30 a.m. to 9:30 a.m.	Federal Sentencing Guidelines for Corporations Speaker: Michael K. Block Sponsored by Business Law	Metro Toronto Convention Centre West Room 206B Street Level
* 8:30 a.m. to 10:00 a.m.	Organizing/Representation Law Issues Moderator: William B. Gould, Stanford, CA Speakers: Edward B. Miller, Chicago, IL Judy Scott, Washington, DC Paul Weller, Cambridge, MA Sponsored by Labor and Employment Law	Royal York Concert Hall Convention Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 8:30 a.m. to 11:30 a.m.	Comparative Cross-Examination of the Expert in Child Custody Cases Moderator: George S. Stern, Atlanta, GA Speakers: Dr. Clive Chamberlain; F.R.C.P. (C), Psychiatrist in Chief, Toronto Lynne Z. Gold-Bikin, Norristown, PA Emile R. Kruzick, Toronto, Ontario Arnold H. Rutkin, Westport, CT Paula S. Seider, Garden City, NY George T. Walsh, Justice, Supreme Court of Ontario, Toronto, Ontario Sponsored by Family Law	Hilton International Toronto Toronto Ballroom 3 Convention Level
* 8:30 a.m. to 12:00 noon	Taxation Aspects of Retirement Planning Moderators: Harold G. Wren David Bridevell Speakers: Lynne Birstow Gerald W. Bax Leon Cabinet Sponsored by Senior Lawyers Division	Metro Toronto Convention Centre East Room 206E Street Level
* 9:00 a.m. to 11:00 a.m.	Excess Insurancy: Maritime Aspects Moderator: William E. O'Neil, New Orleans, LA Speakers: Paul A. Fitzgerald, Senior VP, Cameron & Colby, Inc., Boston, MA James J. Povers, Senior VP/Secretary, Constitution Reinsurance Corp., New York, NY A. Clay Rankin III, Mobile, AL Peter S. Wiswell, Turnabout Services, Ltd, New Orleans, LA Sponsored by Standing Committee on Admiralty and Maritime Law, Tort and Insurance Practice	L'Hotel Halton Room Lobby Level
* 9:00 a.m. to 11:00 a.m.	Trademarks: U.S./Canada Speakers: Jamie S. Goreslick, New York, NY Len Annett, Toronto, Canada Michael Schmitz, General Counsel, U.S. Customs Service Siegrun Kane, New York, NY William Allen, Washington, DC Sponsored by Litigation, Patent, Trademark and Copyright Law	Four Seasons Hotel Regency Center Second Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 11:00 a.m.	Patents: U.S./Canada Speakers: Peter McBurney, Toronto, Canada John J. Chrystal, Chicago, IL Gordon F. Henderson, Q.C., Ottawa, Canada Richard B. Hegley, FMC Corporation, Chicago, IL Clive Allen, Northern Telecom, Mississauga, Canada Dr. Allan Lourie, Smith Kline Beckman Corp., Philadelphia, PA Andre Cariepy, Director General, Canadian Patent Office James A. Jerome, Associate Chief Justice, Federal Court of Canada Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency East Second Floor
* 9:00 a.m. to 11:00 a.m.	Professional Opinions on Solvency Issues in the LBO Setting Speakers: Nathan B. Feinstein, Philadelphia, PA William P. Hackney, Pittsburgh, PA Paul J. Much, Los Angeles, CA Barry S. Augenbraun, Philadelphia, PA Sponsored by Business Law	Royal York British Columbia Room Main Mezzanine
* 9:00 a.m. to 12:00 noon	Potpouri of Financial Planning Issues Speakers: Philip C. Goldstick, Chicago, IL Martin A. Heckscher, Philadelphia, PA Anne K. Hilker, Los Angeles, CA Merton E. Marks, Phoenix, AZ Harry Parlet III, Horsham, PA James W. Rockwell, Minneapolis, MN Gregg W. Schuder, Atlanta, GA William Shearer, Atlanta, GA David Snyder, Washington, DC Bruce E. Winter, Boca Raton, FL John C. Wirth Jr., Millwood, NY Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre Reception Hall 104A Lower Level
* 9:00 a.m. to 12:00 noon	Changing Times - The Corporate Counsel's Role in Litigation Speakers: William C. Lebo Jr., Beverly Hills, CA Theodore J. Theophilos, New York, NY Clay A. Abramson, Rahway, NJ Lawrence D. Winson, Miami, FL Sponsored by General Practice	Novotel Toronto Centre Bordeaux Room Second Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 12:00 noon	Bankruptcy for the General Practitioner Speakers: Michael E. Massie, Galva, IL D. Dale Ellis, Houston, TX Sponsored by General Practice	Novotel Toronto Centre Champagne Room Second Floor
* 9:00 a.m. to 12:00 noon	Presidential Showcase Program: Doing Business in Canada Speakers: Harold Burke, Toronto, Ontario Paul D.J. Cozzi, Toronto, Ontario George C. Glover Jr., Toronto, Ontario Harry L. Henning, Columbus, OH Norman Isley, Montreal Richard M. Leisner, Tampa, FL Richard S. Morse Jr., Boston, MA Richard J. Parr, Toronto, Ontario A. Richard Sachs, Baltimore, MD Lionel M. Allan, San Jose, CA Michael B. Staebler, Detroit, MI H.A. Zimmerman, Toronto, Ontario Sponsored by Business Law, International Law and Practice	Royal York Quebec Room Main Mezzanine
* 9:00 a.m. to 12:00 noon	The Future of the Thrift Industry Moderators: David Hilder, Los Angeles, CA Paul Muolo, New York, NY Nathaniel Nash, Washington, DC Speakers: Gerald J. Levy, Milwaukee, WI Kenneth A. McLean, Washington, DC Richard T. Pratt, New York, NY Stuart Root, Washington, DC Sponsored by Business Law	Royal York Ontario Room Convention Floor
* 9:00 a.m. to 12:00 noon	The Partnership Workout: Issues and Solutions for the Troubled Partnership Speakers: Adam A. Lewis, San Francisco, CA Daniel Miller, Dallas, TX Betsy H. Firger, Hartford, CT Joel D. Rubin, Chicago, IL Caryl B. Welborn, San Francisco, CA Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre West Room 203 A & B Street Level

HIGHLIGHTS, 1988 Annual Meeting
(Tuesday, cont'd)

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 12:00 noon	New Payment System Amendments to the Uniform Commercial Code Speakers: Donald J. Rapson Jr., Livingston, NJ Steven L. Harris, Champaign, IL Corinna Cooper, Kansas City, MO Edward L. Rubin, Berkeley, CA Thomas C. Baxter Jr., New York, NY Roland E. Brandel, San Francisco, CA J. Kevin French, Houston, TX Norm Nelson, New York, NY Sponsored by Business Law	Royal York Confederation Room 5 & 6 Main Mezzanine
* 9:00 a.m. to 12:00 noon	Joint Ventures--Current Issues Speakers: J. Micheal Bradley, Toronto, Ontario George W. Coleman, Dallas, TX Robert G. Gottlieb, Washington, DC Samuel W. Ingram Jr., New York, NY Jane Kober, New York, NY Sponsored by Business Law	Royal York Manitoba Room Main Mezzanine
* 9:00 a.m. to 12:00 noon	Would You Let a Computer be Your Lawyer? Moderator: C. Ian Kyer, Toronto, Ontario Speakers: Ronald Collins, Toronto, Ontario Mark L. Gordon, Chicago, IL Jeanne Gray, Director, ABA Center for Professional Responsibility Peter Hart, Legalware Inc., Toronto, Ontario Hugh G. Laurence, Toronto, Ontario Stuart S. Nagel, Champaign, IL Richard Raysman, New York, NY Sponsored by Young Lawyers Division, Science and Technology	Ramada Downtown Lester B. Pearson Ballroom Second Floor
* 9:00 a.m. to 12:00 noon	RICO: A Condition of Employment Moderator: Paul J. Dubow, Senior Vice Pres., Dean Witter Reynolds, San Francisco, CA Speakers: Shayle P. Fox, Chicago, IL Robert G. Gough, Tallahassee, FL Birch Bayh, Washington, DC Sponsored by Tort and Insurance Practice	Sheraton Centre Conference Room G Conference Centre, Mezzanine

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 12:00 noon	A Comparison Between the American Bill of Rights and the Canadian Charter of Rights Moderators: Joseph R. Weisberger, Justice, Supreme Court of Rhode Island Joseph Weis, Judge, U.S. Court of Appeals for the 3rd Circuit, Pittsburgh, PA Joseph T. Sneed, Judge, U.S. Court of Appeals for the 9th Circuit, San Francisco, CA Speakers: Walter Tarnopolsky, Justice, Supreme Court of Ontario Sidney Robins, Justice, Supreme Court of Ontario John Sopinka, Toronto, ON Thomas Zuber, Judge, Supreme Court of Ontario Sponsored by Judicial Administration Division	Osgoode Hall 130 Queen Street West Court of Appeal Room 1
* 9:00 a.m. to 12:00 noon	The More Centesl Colony: Canadian vs. U.S. Bench/Bar Relations Moderator: Glenn E. Lawrence, Judge, U.S. Department of Labor Speakers: Jerome E. Bogutz, Philadelphia, PA Frederick B. Lacey, New York, NY Jean Marc Labrosse, Justice, Supreme Court of Ontario Ian A. Blue, Q.C., Toronto, Ontario Robert D. Raven, President-Elect, American Bar Association, San Francisco, CA Sponsored by Canadian Bar Association, Judicial Administration Division, Young Lawyers Division, Litigation	Inn on the Park Centennial Ballroom A Second Floor
* 9:00 a.m. to 12:00 noon	Environmental Practice Problems with International Transactions and Activities Speakers: Fitzhugh Green, VP, William D. Ruckelshaus Assn., Washington, DC Frank B. Friedman, Vice President, Occidental Petroleum Corp., Los Angeles, CA Blake A. Biles, Washington, DC Thomas M. McMahon, Chicago, IL Turner T. Smith, Richmond, VA Sponsored by Business Law, Natural Resources Law	Metro Toronto Convention Centre West Room 201 B & D Street Level
* 9:00 a.m. to 12:00 noon	Presidential Showcase Program: Critics of Canadian Legal Education Moderator: A. Kenneth Pys, President, Southern Methodist University David R. Ish, Dean, University of Saskatchewan College of Law Roderick A. MacDonald, Dean, Faculty of Law, McGill University Sidney I. Picker, Jr., Professor, Case Western Reserve University Sponsored by Legal Education and Admissions to the Bar	Royal York Salon B Convention Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 12:00 noon	Efficient Handling of the Auto Accident Case Sponsored by General Practice	Novotel Toronto Centre Alsace Room Second Floor
* 9:00 a.m. to 12:00 noon	Insurance Taxation & Employee Benefits-Understanding Comparative U.S. & Canadian Laws in Multinational Environments Speakers: Michael Smiley, Travelers Insurance Co, Hartford, CT John P. Weir, Professor, University of Windsor, Windsor, Ontario Stepehn W. Kraus, Senior Asst General Counsel, American Council of Life Insurance Mark Smith, Washington, DC Anne Moran, Washington, DC Thomas L. Stapleton, Sr. Vice Pres., Metropolitan Life Ins. Co., New York, NY Jasmine Herlt, Counsel, Crown Life Insurance Co., Toronto, Ontario Sponsored by Tort and Insurance Practice	Sheraton Centre Windsor Room Mezzanine
* 9:00 a.m. to 12:00 noon	Legal Malpractice Insurance - Recent Chaos and Current Outlook Speakers: Ronald E. Mallen, San Francisco, CA Alan Middleton, JH Minet, Montreal, Quebec Lester L. Rawls, Professional Liability Fund, Lake Oswego, OR John Thornton, Miami, FL Bert M. Thompson, RLI Insurance, Peoria, IL Sponsored by Economics of Law Practice, Tort and Insurance Practice	Sheraton Centre Grand Ballroom Center Lower Concourse
* 9:00 a.m. to 12:00 noon	Governmental Responsibility for the Homeless Speakers: Robert Levy, New York Civil Liberties Union, New York, NY Charles E. Schumer, U.S. Representative, New York John Witt, City Attorney of San Diego, San Diego, CA Doran Copstein, First Assistant Corporation Counsel, City of New York Sponsored by Tort and Insurance Practice	Sheraton Centre Conference Room F Center Mezzanine
* 9:00 a.m. to 12:00 noon	Material Management and Purchasing Systems: Continuing Cause for Concern Moderator: Lane L. McVey, Washington, DC Speakers: Thomas A. Lemmer, Washington, DC LeRoy J. Haugh, Aerospace Industries Assn., Washington, DC W. Bruce Shirk, Washington, DC William D. Hendricks III, Director, Fraud Section, Criminal Div., Dept. of Justice John M. Vogel, Counsel, Compliance Programs, General Electric Co., Philadelphia, PA Sponsored by Public Contract Law	Westbury Hotel Westbury B & C North Lobby Level

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 12:00 noon	10 Years After Penn Central and the Land Use Trilogy: Keystone, Evangelical and Nolan Speakers: John C. Nelson, New York, NY Richard J. Roddewig, Chicago, IL Linda J. Bozung, Los Angeles, CA Peter W. Salsich, St. Louis, MO Richard D. Lee, Philadelphia, PA Sponsored by Real Property, Probate and Trust Law, Urban, State and Local Government Law	Sutton Place Queen Victoria Ballroom A Second Floor
* 9:00 a.m. to 12:00 noon	Presidential Showcase Program: North American Competition Policy Moderator: A. Paul Victor, New York, NY Speakers: Calvin S. Goldman, Director of Investigation and Research, Competition Act, and Assistant Deputy Minister, Bureau of Competition Policy, Consumer and Corporate Affairs, Hull, Quebec Charles F. Rule, Assistant Attorney General, Antitrust Division, Dept. of Justice Joseph P. Griffin, Washington, DC J. Timothy Kennish, Toronto Douglas E. Rosenthal, Washington, DC Sponsored by Antitrust Law, International Law and Practice	Hilton International Toronto Toronto Ballroom I Convention Level
* 9:00 a.m. to 5:00 p.m.	ABA House of Delegates	Metro Toronto Convention Centre Constitution Hall A & B Lower Level
* 9:00 a.m. to 5:00 p.m.	Foreign Bar Leaders Program - Threats to Domestic Peace and Security Moderators: Richard E. Friedman, Chicago, IL Joseph P. Griffin, Washington, DC Sponsored by International Programs Coordination Office, International Law and Practice, Standing Committee on Law and National Security	L'Hotel Ballroom A Lower Level
* 9:00 a.m. to 5:00 p.m.	Presidential Showcase Program: The Trial of a Criminal Case: Tips for Prosecution and Defense Moderator: Terance F. MacCarthy, Exec. Dir., Federal Defender Program, Northern District of Illinois Panelists: Roger M. Adelman, former Assistant U.S. Attorney, Washington, DC Juanita Brooks, San Diego, CA Albert Krieger, Miami, FL Sponsored by Criminal Justice	Park Plaza Plaza Room First Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 9:00 a.m. to 5:00 p.m.	Railroad Litigation-Current Issues Speakers: Hyman Hillenbrand, New York, NY Saul Sorkin, New York, NY William Augello, Huntington, NY Calvin K Hubbell, Valparaiso, IN Benson C Marshall, Santa Fe Railroad, Los Angeles, CA Tom Peterson, Santa Fe Railroad, Los Angeles, CA Sponsored by Tort and Insurance Practice	Sheraton Centre VIP Room Concourse Level
9:00 a.m. to 5:00 p.m.	Dispute Resolution Headquarters Speakers: Sidney Sachs Frank E.A. Sander, Stgd. Comm. on Dispute Resolut Sponsored by Standing Committee on Dispute Resolution	Metro Toronto Convention Centre West Room 201E Street Level
* 9:00 a.m. to 6:00 p.m.	New Developments in Commercial Leasing Speakers: Michael Glazerman, Boston, MA Kenneth Block, New York, NY Raymond Goldfaden, New York, NY Gordon B. Glenn, Columbia, MD Harvey M. Haber, Toronto, Ontario Emanuel B. Halper, Hartford, CT Sanford Liebschutz, Rochester, NY Martin Miner, New York, NY Kenneth Samuelson, Silver Spring, MD Edward Scherer, Hartford, CT William Tresnor, New York, NY Marcy Weisbrod, Dallas, TX George Willis, Ontario John Wood, New York, NY Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre Reception Hall 104B Lower Level
* 9:15 a.m. to 11:45 a.m.	What the General Practitioner Should Know About Criminal Tax Prosecutions Moderator: Cono R. Namorato, Washington, DC Speakers: Lawrence S. Horn, Newark, NJ Stephen S. Coven, Washington, DC Richard E. Timbie, Washington, DC Sponsored by Litigation	Harbour Castle Westin Pier 9 Convention Level

<u>Time</u>	<u>Event</u>	<u>Location</u>
*10:00 a.m. to 11:30 a.m.	Financial Guarantee Insurance: New Developments in Regulation and Claims Handling Speakers: Harold S. Horwich, Hartford, CT Michael E. Satz, New York, NY Patrick Daugherty, Washington, DC Sponsored by Business Law, Real Property, Probate and Trust Law	Royal York Territories Room Main Mezzanine
*10:00 a.m. to 12:00 noon	Private Rights of Action Under the Federal Securities Laws Speakers: Barry Goldsmith, Washington, DC Arthur F. Mathews, Washington, DC Dennis J. Block, New York, NY Theodore A. Levine, Washington, DC Aulana Peters, Washington, DC Harvey L. Pitt, Washington, DC Lee S. Richards III, New York, NY Lowell E. Sachnoff, Chicago, IL Sponsored by Business Law, Litigation	Metro Toronto Convention Centre West Room 202B Street Level
*10:00 a.m. to 5:30 p.m.	Microcomputer Workshop for Estate and Tax Planning, Probate Administration and Fiduciary Accounting (Program continued from Monday) Moderator: Thomas D. Ledbetter, Harrison, AR Speakers: James A. Eidelman, Ann Arbor, MI Donald F. Hagans, El Paso, TX Roger L. Shumaker, Cleveland, OH Robert P. Wilkins, Lexington, SC Sponsored by Economics of Law Practice, Real Property, Probate and Trust Law	Metro Toronto Convention Centre East Room 205D Street Level
*10:15 a.m. to 11:45 a.m.	Employment-at-Will Moderator: Theodore J. St. Antoine, Ann Arbor, MI Speakers: David Adcock, Durham, NC Thomas J. Barnes, Grand Rapids, MI Joseph Golden, Southfield, MI David Silberman, Washington, DC Sponsored by Labor and Employment Law	Royal York Concert Hall Convention Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
*10:30 a.m. to 1:00 p.m.	Nuts and Bolts of the Marital Deduction Moderators: Kent H. McMahan, Houston, TX Dennis I. Belcher, Richmond, VA Speakers: Randall J. Gingiss, Chicago, IL Alvin J. Golden, San Francisco, CA Max Gutierrez Jr., San Francisco, CA Sponsored by Real Property, Probate and Trust Law	Metro-Toronto Convention Centre East Room 206B Street Level
*11:00 a.m. to 12:00 noon	Copyrights - Domestic Speakers: William F. Patry, Policy Plan. Advisor, U.S. Copyright Office Eugene Girden, New York, NY Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency East Second Floor
*11:30 a.m. to 2:00 p.m.	Luncheon Speaker: Robert White, North York, Ontario Sponsored by Labor and Employment Law	Royal York Imperial Dining Room
*12:00 noon to 1:30 p.m.	Luncheon Speaker: Margaret O. Hesse, Chairman, Federal Energy Regulatory Commission Sponsored by Administrative Law, Natural Resources Law, Public Utility Law	Metro Toronto Convention Centre East Room 205 A & C Street Level
*12:00 noon to 2:00 p.m.	Assembly Luncheon Speaker: William H. Webster, Director, Central Intelligence Agency	Metro Toronto Convention Centre Constitution Hall C Lower Level
*12:00 noon to 2:00 p.m.	Luncheon Speaker: Geoffrey C. Hazard, Yale Law School, Hartford, CT Sponsored by Litigation	Harbour Castle Westin Frontenac Ballroom Convention Centre, Lower Level
*12:00 noon to 2:00 p.m.	Luncheon Speaker: Norman R. Augustine, Chairman, Martin Marietta Corporation Sponsored by Public Contract Law	Westbury Hotel Westbury A North Lobby Level
*12:00 noon to 2:00 p.m.	Luncheon Speaker: Stephen Lewis, Canadian Ambassador and Permanent Representative to the United Nations Sponsored by International Law and Practice, Standing Committee on World Order Under Law, American Foreign Law Association	Hilton International Toronto Ballroom 2 Convention Level
*12:00 noon to 2:00 p.m.	Luncheon Speaker: Robert Jarvis, Toronto, ON Topic: Land Use Law and Development in Canada Sponsored by Urban, State and Local Government Law	Sutton Place Queen Victoria Ballroom B Second Floor
*12:30 p.m. to 2:00 p.m.	Luncheon Speaker: Harvie Andre, Canadian Minister of Commerce and Corp. Affairs Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency West Second Floor

HIGHLIGHTS, 1988 Annual Meeting
(Tuesday, cont'd)

<u>Time</u>	<u>Event</u>	<u>Location</u>
*12:30 p.m. to 2:30 p.m.	Luncheon Speaker: Patrick E. Higginbotham, Judge, 5th Cir. U.S. Court of Appeals Sponsored by Antitrust Law	Sheraton Centre Grand Ballroom West Lower Concourse
* 1:00 p.m. to 3:00 p.m.	Route 1040: The Road to Discovery Moderator: Peggy L. Podell, Milwaukee, WI Speakers: James T. Friedman, Chicago, IL Robert E. Kleeman Jr., Denver, CO Julie Y. Lee, Toronto, Ontario M. Dee Samuels, San Francisco, CA Sponsored by Family Law	Hilton International Toronto Toronto Ballroom 3 Convention Level
* 2:00 p.m. to 3:30 p.m.	MLP or REIT: Which Form of Entity to Use in a Public Real Estate Program? Speakers: Mark L. Lezell, Washington, DC Gilbert G. Hanna, Boston, MA Charles L. Bennett, Washington, DC Sponsored by Business Law	Royal York Salon A Convention Floor
* 2:00 p.m. to 3:30 p.m.	New Market Structures for the 90s: Market Structure and Market Regulation Issues Speakers: Andrea Corcoran, Washington, DC Edward H. Fleischman, Washington, DC Richard G. Ketchum, Washington, DC Michael Bradfield, Washington, DC Sponsored by Business Law	Royal York Confederation Room 5 & 6 Main Mezzanine
* 2:00 p.m. to 4:00 p.m.	Copyrights: U.S./Canada Speakers: Bruce McDonald, Toronto, Canada Lewis Flax, U.S. Copyright Office, Washington, DC Hilary Pearson, Houston, TX Paul Amos, Montreal, Canada Norman Alterman, Motion Picture Association of America, New York, NY Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency East Second Floor
* 2:00 p.m. to 4:00 p.m.	Patents - Domestic - Patents on Processes Speakers: Brian Brunsvold, Washington, DC Harold C. Wegner, Washington, DC Barry Bissell, Battelle Memorial Institute, Columbus, OH Laurence H. Pretty, Los Angeles, CA Herbert Wamsley, Intellectual Property Owners, Washington, DC Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency Center Second Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 4:30 p.m.	Marketing of Corporate Legal Services: What Works/What Doesn't Speakers: Stephen J. Messinger, Toronto, Ontario Norman R. Solberg, Melrose Park, IL William W. Crawford, Glenview, IL Sponsored by Business Law	Royal York New Brunswick Room Main Mezzanine
* 2:00 p.m. to 4:30 p.m.	Expedited Funds Availability -- New Funds Availability and Check Collections Rules Speakers: Corinne Cooper, Professor, Kansas City, MO Gail Hillebrand, San Francisco, CA Oliver Ireland, Washington, DC Fred H. Miller, Professor, Norman, OK Louise Roseman, Washington, DC Henry V. Wysocki, New York, NY Lynne B. Barr, Boston, MA Sponsored by Business Law	Metro Toronto Convention Centre West Room 203A Street Level
* 2:00 p.m. to 4:30 p.m.	Shareholder Rights Plans: Poison Pill or Pep Pill Speakers: Philip R. O'Connell, Stamford, CT Donald G. Margotta, Boston, MA Robert D. Rosenbaum, Washington, DC Andrew E. Bogen, Los Angeles, CA Sponsored by Business Law, Litigation	Royal York Salon B Convention Floor
* 2:00 p.m. to 5:00 p.m.	Estate Planning for the Client with Property in or Ties with Canada and the U.S. Moderator: Jeffrey A. Schoenblum, Nashville, TN Speakers: Leopold Amighetti, Vancouver, BC Maurice Cullity, Toronto, ON Sanford Goldberg, New York, NY Norvie Lay, Louisville, KY Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre East Room 206 C & D Street Level
* 2:00 p.m. to 5:00 p.m.	Creditors' Rights Issues and the Drafting of Real Estate Documents Speakers: Stephen A. Cowan, San Francisco, CA Paul E. Roberts, New York, NY Robert Zinman, Jamaica, NY Lawrence D. Cherkis, New York, NY Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre West Room 201 A & B Street Level

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:00 p.m.	The Insured's Right to Select Counsel vs. The Insurer's Need to be Involved Speakers: Robert Cartwright, San Francisco, CA David J. Beck, Houston, TX Joseph P. McMonigle, San Francisco, CA Steven Mora, Chicago, IL Michael Daly, Vice President, SIGMA Corporation, Philadelphia, PA Sponsored by Tort and Insurance Practice	Sheraton Centre Civic Ballroom Second Floor
* 2:00 p.m. to 5:00 p.m.	Presidential Showcase Program: Structuring Canada-United States Acquisitions Moderators: Shelly P. Battram, Toronto, Ontario Steven C. Nelson, Minneapolis, MN Speakers: W. Brian Rose, Toronto H. Garfield Emerson, Toronto William B. Payne, Minneapolis, MN Anthony M. Pilling, Vancouver, BC Bruce Zagaris, Washington, DC Jean H. Lafleur, Montreal Sponsored by Business Law, International Law and Practice	Hilton International Toronto Toronto Ballroom I Convention Level
* 2:00 p.m. to 5:00 p.m.	Employee Benefit Plans and ERISA -- Quo Vadis? Speakers: Paul W. Willihnganz, UNUM Life Insurance Company, Portland, ME William L. Scogland, Chicago, IL John A. Busch, Milwaukee, WI Jeffery Anne Tatum, San Francisco, CA Sponsored by Tort and Insurance Practice	Sheraton Centre City Hall Second Floor
* 2:00 p.m. to 5:00 p.m.	Obscenity and Pornography - Do We Know It When We Hear or See It? Speakers: Roger Jon Diamond, Pacific Palisades, CA H. Robert Showers, Executive Director, Department of Justice, Washington, DC Diane S. Killory, General Counsel, Federal Communications Commission Charles Fireston, UCLA Law School, Los Angeles, CA Sponsored by Tort and Insurance Practice	Sheraton Centre Simcoe and Dufferin Rooms Second Floor
* 2:00 p.m. to 5:00 p.m.	Construction Accident Litigation Speakers: Tim Harrington, Deere & Company, Moline, IL Jeffrey W. Coleman, VP, General Counsel, Ellerbee, Inc., Minneapolis, MN Len Baumann, Dir. of Insurance, Guy F. Atkinson Company, South San Francisco, CA Levis Herman, New York, NY Willard J. Centile, Stamford, CT Sponsored by Tort and Insurance Practice	Sheraton Centre Windsor East Mezzanine

HIGHLIGHTS, 1988 Annual Meeting
(Tuesday, cont'd)

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:00 p.m.	Current Developments in Medicine and Law Moderator: Kathleen Howard Meredith, Baltimore, MD Speakers: Donald L DeVries, Baltimore, MD Stewart E. Niles Jr., New Orleans, LA A. Blackwell Stieglitz, Miami, FL Tom Triplett, Portland, OR Barbee B. Lyon, Portland, OR Mark H. Wagner, Portland, OR Sponsored by Tort and Insurance Practice	Sheraton Centre Huron Room Second Floor
* 2:00 p.m. to 5:00 p.m.	Compensation Issues in Intercollegiate Athletics Speakers: Robert Berry, Boston College School of Law, Newtown Centre, MA Michael Troppe, Los Angeles, CA Rick Evard, Director, NCAA, Mission, KS Sponsored by Tort and Insurance Practice	Sheraton Centre Kent Room Second Floor
* 2:00 p.m. to 5:00 p.m.	Presidential Showcase Program: Canada/United States Trade in Energy Constance Buckley, Director, Economic Regulatory Administration, Washington, DC Speakers: Edward S. Renwick, Los Angeles, CA Marcel Masse, Minister, Energy Mines and Resources Robert Keegan, Commissioner, Massachusetts Department of Public Utilities Jacques Guevremont, Exec. Vice-President, External Marketing, Hydro-Quebec George H. Lawrence, President, American Gas Association Lorne H. Larson, CEO, ProGas Limited, Calgary, AL Sheila S. Hollis, Washington, DC Sponsored by Administrative Law, International Law and Practice, Litigation, Natural Resources Law, Public Utility Law	Metro Toronto Convention Centre Reception Hall 104C Lower Level
* 2:00 p.m. to 5:00 p.m.	Litigation Support Shootout Moderators: Gerald T. Bennett, Gainesville, FL Roger Schechter, Livingston, NJ Speakers: Hal Benister, Vancouver, BC Bruce Fealk, Southfield, MI Joe Howie, Houston, TX Robert N. Newell, San Diego, CA Clifford P. Shnier, Toronto, Ontario Sponsored by Economics of Law Practice, Litigation, Tort and Insurance Practice	Sheraton Centre Essex Room Mezzanine

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:00 p.m.	Frontiers and Outposts of Workers' Compensation Moderator: Harvey P. Levin, Dallas, TX Speakers: J. Howard Bunn, Workers Compensation Consultant, Clarendon Hills, IL John M. Vittono, Judge, Department of Labor, Washington, DC Alexander White, Judge, Discussant, Circuit Court of Cook County, Chicago, IL Salvatore A. Barbatano, Chicago, IL Martin Minkowitz, Gen. Counsel, Deputy Supt., New York State Insurance Department Sponsored by Tort and Insurance Practice	Sheraton Centre Wentworth Room Second Floor
* 2:00 p.m. to 5:00 p.m.	Alternatives to the Traditional Insurance Market - What are the New Choices Moderators: Richard R. Spencer, Newark, NJ Lenora S. Harems, Asst. VP, General Counsel, Alliance of American Insurers Speakers: Robert Schatz, Chesapeake Consulting Group, New York, NY Donald S. Breakstone, Chicago, IL Thomas M. Russell, Chicago, IL William D. Hager, Commissioner of Insurance, State of Iowa Patricia Borowski, VP, Gov't & Int'l Affairs, Nat'l Assn. of Prof. Insurance Agents Jon Harkavy, GC, Dir. Gov't Affairs, Risk & Insurance Management Society Inc. Patrick J. Foley, VP, Asst Gen Counsel, American International Group Inc. Sponsored by Tort and Insurance Practice	Sheraton Centre Kenora Room Second Floor
* 2:00 p.m. to 5:00 p.m.	Canadian Investment in U.S. Real Estate Speakers: Jeffrey Cummings, Toronto, Ontario David A. Richards, New York, NY Ronald Atkey, Toronto, ON Ken Silbergleit, New York, NY Judith Woods, Toronto, Ontario Sponsored by Real Property, Probate and Trust Law	Metro Toronto Convention Centre West Room 201 C & D Street Level
* 2:00 p.m. to 5:00 p.m.	The Marketing of the Small Firm Moderator: W. Neil Thomas III, Chattanooga, TN Speakers: Andrew Berger, New York, NY William G. Schopf, Jr., New Orleans, LA Cameron Gamble, New Orleans, LA Edward Burk, Hildebrandt, Inc., Chicago, IL Stephen H. Kite-Powell, Asst. General Counsel, International Paper Co., Memphis, TN Sponsored by Litigation	Harbour Castle Westin Pier 3 Convention Level

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:00 p.m.	Automation and Litigation: Problems and Solutions for Bench and Bar Moderator: Larry P. Polansky, Exec. Officer, District of Columbia Courts Speakers: B. Paul Cotter Jr., Chief Admin'v'e Judge, US Nuclear Regulatory Comm Raymond Seidel, Technical Counsel, Courts of Montgomery County, Philadelphia, PA Roger G. Strand, Judge, U.S. District Court, Phoenix, AZ Deanne C. Siemer, Washington, DC Sponsored by Legal Technology Advisory Council, Judicial Administration Division, Economics of Law Practice	Inn on the Park Park Ballroom First Floor
* 2:00 p.m. to 5:00 p.m.	Whose Information is it Anyway? The Globalization of Information, Technology and Services Moderator: Joseph I. Rosenbaum, Counsel and Asst. Sec'y, American Express Canada, Inc., Markham, ON Speakers: Frank A. Allen, General Counsel, Ontario Securities Commission Carol Balassa, Director, Office of U.S. Trade Rep., Telecommunications Trade Policy Robert S. Bramson, Philadelphia, PA James F. Dingle, Deputy Chairman, Canadian Payments Association Sponsored by Science and Technology	Ramada Downtown Lester B. Pearson Ballroom 2nd Floor
* 2:00 p.m. to 5:00 p.m.	Preventing Attorney Malpractice Moderators: A. Gilchrist Sparks III, Wilmington, DE Robert D. Myers, Phoenix, AZ Speakers: Robert E. O'Malley, Attorney's Liability Assurance, Washington, DC Richard S. Rachlin, Miami, FL Paul H. Daves, San Francisco, CA Ronald E. Mallen, San Francisco, CA Stanley G. Feldman, Vice Chief Justice, Supreme Court of Arizona Sponsored by Litigation	Harbour Castle Westin Bay Room Convention Centre, Lower Lobby
* 2:00 p.m. to 5:00 p.m.	Focusing on Damage Proof: The Effective Use of Accountant as Consultant & Expert Speakers: Gregory P. Stone, Los Angeles, CA William E. Simpson, Los Angeles, CA Michael C. Silberberg, New York, NY Vincent Love, Arthur Young & Co., New York, NY Robert B. Pringle, San Francisco, CA Sponsored by Litigation	Harbour Castle Westin Metropolitan Ballroom West Convention Centre

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:00 p.m.	Presidential Showcase Program: Appellate Fine Points Moderators: Alan G. Martin, Beverly Hills, CA Robert L. Stern, Chicago, IL Scott J. Atlas, Houston, TX Speakers: Shirley S. Abrahamson, Justice, Wisconsin Supreme Court Paul M. Bator, Professor, University of Chicago Law School, Chicago, IL Philip W. Tone, Chicago, IL Michael E. Tigar, University of Texas Law School, Austin, TX Claude R. Thomson, Toronto, Ontario Sponsored by Litigation, Tort and Insurance Practice	Harbour Castle Westin Pier 4 Convention Level
* 2:00 p.m. to 5:30 p.m.	Product Safety Knows No Boundaries: Regulated Product Controls in International Trade Moderator: Lisa Whitney Speakers: Joel Hoffman, Washington, DC Mary M. McNamara, Washington, DC David Schmeltzer, Washington, DC Dr. E. Somers, Ottawa John Taylor, Rockville, MD Kathleen Touby, Miami, FL Sponsored by Administrative Law, Business Law	Royal York Algonquin Room Main Mezzanine
* 2:00 p.m. to 5:30 p.m.	Workers' Compensation Workshop Moderator: John F. Burton, Ithaca, NY Speakers: Norton Cohen, Detroit, MI James Ellenberger, Washington, DC Terence G. Ison, Toronto, Ontario Sponsored by Labor and Employment Law	Royal York Quebec Main Mezzanine
* 2:00 p.m. to 5:30 p.m.	Stress Management for Lawyers Moderator: Janine Sagert, Ph.D., Alpine, TX Sponsored by Labor and Employment Law	Royal York Alberta Room Main Mezzanine

HIGHLIGHTS, 1988 Annual Meeting
(Tuesday, cont'd)

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:00 p.m. to 5:30 p.m.	Arbitration of a Drug Testing Case Moderator: Anthony Oliver, Los Angeles, CA Speakers: David Copus, Washington, DC Charles F. Ipavec, Cleveland Heights, OH Dr. John P. Morgan, New York, NY Louis Robein, Metairie, LA Dr. Robert Willette, Annapolis, MD Sponsored by Labor and Employment Law	Royal York Upper Canada 18th Floor
* 2:00 p.m. to 5:30 p.m.	Trial of an Unfair Labor Practice Case Moderators: Stephen D. Gordon, Minneapolis, MN Timothy P. O'Reilly, Philadelphia, PA Speakers: Melvin Wells, Washington, DC James Callear, Washington, DC Gary M. Eby, Cincinnati, OH Daniel M. Kosanovich, Dayton, OH John Neighbours, Indianapolis, IN Patricia Slovak, New York, NY Larry Steinberg, Toronto, Ontario Sponsored by Labor and Employment Law	Royal York Territories Main Mezzanine
* 2:00 p.m. to 5:30 p.m.	Pay Equity Moderator: Eleanor Holmes Norton, Washington, DC Speakers: Fred Alvarez, Washington, DC Janice Baker, Toronto, Ontario Mary Cornish, Toronto, Ontario Larry Lorber, Washington, DC Winn Newman, Washington, DC Elaine Todras, Deputy Minister, Human Resources Secretariat Sponsored by Labor and Employment Law	Royal York British Columbia Main Mezzanine
* 2:00 p.m. to 5:30 p.m.	Alternative Dispute Resolution Moderator: Christopher A. Barraca, Fairfield, CT Speakers: Max C. Brittain, Chicago, IL Steve G. Heikens, Minneapolis, MN Max Zimny, New York, NY Sponsored by Labor and Employment Law	Royal York Manitoba Main Mezzanine

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 2:30 p.m. to 5:30 p.m.	Avoiding the Pitfalls of Bankruptcy in a Project Financing Speakers: David Dominy, Toronto, Ontario Jeffrey E. Garten, New York, NY Allan L. Gropper, New York, NY Warren M.H. Grover, Toronto, Ontario R. Gordon Martantz, Toronto, Ontario David Barnard, London Morley M. Mathewson, New York, NY W. James Nizen, Toronto, Ontario Sponsored by Business Law, Canadian Bar Association	Royal York Tudor 7 & 8 Main Mezzanine
* 3:00 p.m. to 4:30 p.m.	Arbitration of Domestic and International Antitrust Disputes Moderator: James J. Calder, New York, NY Speakers: James P. Kleinberg, San Francisco, CA Carlton A. Varner, Los Angeles, CA Abbott B. Lipsky Jr., Washington, DC Sponsored by Antitrust Law	Hotel Admiral Salon A Third Floor
* 3:00 p.m. to 4:30 p.m.	Premerger Notification Programs in Canada and the U.S. Moderator: Malcolm R. Pfunder, Washington, DC Speakers: Howard I. Wetston, Bureau of Competition Policy, Department of Consumer and Corporate Affairs, Hull, Quebec John M. Sipple Jr., Senior Attorney, Premerger Notification Office, FTC Lawson Hunter, Ottawa Sponsored by Antitrust Law	Hotel Admiral Salon B Third Floor
* 3:00 p.m. to 4:30 p.m.	Current Developments in the Law of Franchising Moderator: Don T. Hibner Jr., Los Angeles, CA Speakers: Philip F. Zaidman, Washington, DC Arthur J. Trabilcock, Toronto, Ontario Robert T. Joseph, Chicago, IL Alexander S. Konigsberg, Montreal, Quebec Sponsored by Antitrust Law	Hotel Admiral Signal Room Fourth Floor

<u>Time</u>	<u>Event</u>	<u>Location</u>
* 3:00 p.m. to 5:00 p.m.	Creation and Valuation of the Marital Estate Moderator: Henry Baskin, Birmingham, MI Speakers: Jay E. Fishman, Ardmore, PA Stanley L. Goodman, White Plains, NY Sheldon Mitchell, Phoenix, AZ Sponsored by Family Law	Hilton International Toronto Toronto Ballroom 2 Convention Level
* 3:30 p.m. to 5:30 p.m.	Frontiers of Glass-Steagall Speakers: Michael Bradfield, Washington, DC William Fitzpatrick, Washington, DC Daniel Goelzer, Washington, DC Richard Petersen, Washington, DC Sponsored by Business Law	Metro Toronto Convention Centre West Room 202C Street Level
* 4:00 p.m. to 5:00 p.m.	Trademarks: Domestic Speakers: Rochelle Davis, Professor of Law, New York University Law School Vaughn Walker, San Francisco, CA Sponsored by Patent, Trademark and Copyright Law	Four Seasons Hotel Regency East Second Floor

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- 1 - [redacted]
- 1 - [redacted]
- STAT 1 - D/PAO [redacted]
- STAT 1 - [redacted]
- 1 - ER
- 1 - PAO Registry
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- 1 - PAO Ames
- STAT 1 - [redacted]
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- JUDGE: 1 - [redacted]
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5 August 1988

STAT

We have prepared another draft for your 9 August speech in Toronto. This speech uses both counterintelligence and counterterrorism to demonstrate the need to gather intelligence that will provide safety without sacrifice of liberty. We have also included a discussion of the laws which pertain to collecting intelligence overseas, some of the relevant internal Agency guidelines, and the provisions made for telling Agency employees about those guidelines.

Your thesis builds on the discussion you had with Bob MacCrate on the "balance that must be maintained between each citizen's right to be let alone, and the right to be kept safe and free." You note, "When Bob asked me to speak to you today, he suggested that I address this topic again from my vantage point at the CIA. And so today, I will do that, and discuss how the work of intelligence can provide safety without sacrifice of liberty."

You develop the thesis further, "I will be talking about safety from two perspectives: national security and the personal security that must be realized for each citizen. And I will tell you about the measures that we take to ensure that the rights of Americans are protected both at home and abroad."

After you identify two of the issues that most clearly touch on the relationship between safety and liberty -- threats posed by hostile intelligence services, and threats posed by international terrorists -- you briefly discuss the importance of Executive Order 12333, and note that the CIA and other intelligence agencies must develop internal procedures which are then approved by the Attorney General.

The major sections of the speech address the substantive issues of counterintelligence and counterterrorism. Examples are given to show why both issues concern the security of the nation and the individual. Both also include pertinent information that maintains that intelligence is working within established laws and procedures to protect the safety and the liberty of Americans throughout the world. A discussion of the counterintelligence efforts on page 8 describes the restrictions on intelligence collection when Americans are involved. A summary of the total emphasis used -- laws, internal procedures, employee briefings -- follows the discussion of counterterrorism on page 14.

You conclude, noting that "We must, in the end, have both safety and liberty. The balance between the right to be let alone and the right to be kept safe and free is central to our profession and to our heritage." In closing, you comment on Sir William Stephenson's Canadian heritage and quote part of the introduction from A Man Called Intrepid.

Your proposed remarks are attached.

Bill Baker

PROPOSED REMARKS
BY
WILLIAM H. WEBSTER
DIRECTOR OF CENTRAL INTELLIGENCE
BEFORE THE
AMERICAN BAR ASSOCIATION
TORONTO, CANADA
AUGUST 9, 1988

((INTRODUCTION: YOU MIGHT WANT TO MAKE A PERSONAL REFERENCE TO F. WILLIAM MCCALPIN, OF ST. LOUIS, WHO WILL HAVE JUST RECEIVED THE ABA MEDAL FOR RENDERING "CONSPICUOUS SERVICE TO THE CAUSE OF AMERICAN JURISPRUDENCE."))

SOME OF YOU MAY HAVE ATTENDED THE MORNING SESSION RUN BY ROBERT FRIEDMAN, CHAIRMAN OF THE COMMITTEE OF LAW AND NATIONAL SECURITY. NICK ROSTOW GAVE SOME OPENING REMARKS ABOUT HOW TO BALANCE HUMANITARIAN CONCERNS AND RESPECT FOR THE RULE OF LAW WITH OUR NATIONAL SECURITY OBJECTIVES. THIS IS A TOUGH ISSUE, AND IS ONE THAT IS VERY MUCH ON MY MIND. WHILE I WAS STILL AT THE FBI, I SPOKE OF THE BALANCE THAT MUST BE MAINTAINED BETWEEN EACH CITIZEN'S RIGHT TO BE LET ALONE, AND THE RIGHT TO BE KEPT SAFE AND FREE. BOB MACCRATE AND I ALSO TALKED ABOUT THIS BALANCE, AND WHEN BOB ASKED ME

TO SPEAK TO YOU TODAY, HE SUGGESTED THAT I ADDRESS THIS TOPIC AGAIN FROM MY VANTAGE POINT AT THE CIA. AND SO TODAY, I WILL DO THAT, AND DISCUSS HOW THE WORK OF INTELLIGENCE CAN PROVIDE SAFETY WITHOUT SACRIFICE OF LIBERTY.

I WILL BE TALKING ABOUT SAFETY FROM TWO PERSPECTIVES: NATIONAL SECURITY AND THE PERSONAL SECURITY THAT MUST BE REALIZED FOR EACH CITIZEN. AND I WILL TELL YOU ABOUT THE MEASURES THAT WE TAKE TO ENSURE THAT THE RIGHTS OF AMERICANS ARE PROTECTED BOTH AT HOME AND OVERSEAS.

THE CIA AND OTHER COMPONENTS OF THE INTELLIGENCE COMMUNITY COLLECT INFORMATION ON A HOST OF ISSUES THAT AFFECT OUR NATIONAL SECURITY. TWO OF THE ISSUES THAT MOST CLEARLY TOUCH ON THE RELATIONSHIP BETWEEN SAFETY AND LIBERTY -- ISSUES THAT THEREFORE DEMAND SPECIAL SAFEGUARDS -- ARE THE THREATS POSED BY HOSTILE INTELLIGENCE SERVICES, AND THE THREATS POSED BY INTERNATIONAL TERRORISTS. OUR ACTIVITIES IN THESE AND OTHER AREAS ARE GOVERNED BY

EXECUTIVE ORDER 12333, WHICH OUTLINES THE DUTIES AND RESPONSIBILITIES OF THE CIA AS WELL AS THE LIMITATIONS UPON INTELLIGENCE ACTIVITIES UNDERTAKEN BY THE AGENCY. THE ORDER REFLECTS THE REQUIREMENTS OF THE NATIONAL SECURITY ACT OF 1947, THE CIA ACT OF 1949, AND OTHER LAWS, REGULATIONS, AND DIRECTIVES, AS WELL AS INTELLIGENCE POLICIES. AND IN ADDITION TO FOLLOWING THE EXECUTIVE ORDER, THE CIA AND OTHER AGENCIES WITHIN THE INTELLIGENCE COMMUNITY ARE REQUIRED TO DEVELOP AND HAVE APPROVED BY THE ATTORNEY GENERAL THEIR OWN GUIDELINES AND PROCEDURES.

THE PROCEDURES AT THE CIA WERE DEVELOPED TO:

- ENCOURAGE LEGITIMATE INTELLIGENCE ACTIVITIES
- PROVIDE LEGAL PROTECTION TO EMPLOYEES BY PROVIDING AUTHORITY FOR INTELLIGENCE ACTIVITIES
- AND, -- I THINK THIS IS OF MAJOR IMPORTANCE -- TO ASSURE THE AMERICAN PUBLIC AND THE INTELLIGENCE OVERSIGHT COMMITTEES THAT ALL CIA ACTIVITIES INVOLVING U.S. PERSONS

ARE LAWFUL AND RELATED TO LEGITIMATE INTELLIGENCE OBJECTIVES.¹ FOR INSTANCE, WE FILE AN ANNUAL REPORT WITH THE HOUSE AND SENATE INTELLIGENCE OVERSIGHT COMMITTEES SPELLING OUT SIGNIFICANT INTELLIGENCE ACTIVITIES, AND WE FOLLOW WITH BRIEFINGS IF NECESSARY.

THE FIRST OF THE ISSUES THAT I MENTIONED, COUNTERINTELLIGENCE, IS CRITICAL TO OUR NATIONAL SECURITY, AND CLEARLY A LEGITIMATE INTELLIGENCE OBJECTIVE. IN FACT, AN EFFECTIVE AND COMPREHENSIVE COUNTERINTELLIGENCE PROGRAM HAS NEVER BEEN MORE IMPORTANT TO OUR NATION BECAUSE THE THREAT AGAINST US HAS GROWN. THE NUMBER OF OPERATIONS AGAINST US HAS CERTAINLY INCREASED, AND THE NUMBER OF INTELLIGENCE SERVICES INVOLVED IN SUCH OPERATIONS HAS ALSO GROWN.

OVER THE PAST THREE YEARS, WE HAVE DISCOVERED MORE PENETRATIONS OF THE U.S. DEFENSE AND INTELLIGENCE COMMUNITIES THAN AT ANY TIME IN OUR HISTORY. THE COSTS OF THESE COMPROMISES ARE ESTIMATED IN THE BILLIONS OF DOLLARS.

TWO MAJOR ESPIONAGE CASES WHICH AFFECT OUR COUNTRY HAVE SURFACED IN CANADA THIS SUMMER. STEPHEN RATKAI ((ROT-KIGH)) WAS ARRESTED IN JUNE FOR ATTEMPTING TO PASS U.S. NAVAL SECRETS TO THE SOVIET UNION. AND DURING THAT SAME MONTH, THE REVELATIONS OF A SOVIET DEFECTOR, YURIY SMUROV, LED TO THE EXPULSION AND BARRING OF 17 SOVIET OFFICIALS WHO WERE TRYING TO STEAL CANADA'S CLASSIFIED COMMERCIAL AND MILITARY TECHNOLOGY.²

ALTHOUGH MANY COUNTRIES ENGAGE IN INTELLIGENCE OPERATIONS AGAINST THE UNITED STATES, THE SOVIET INTELLIGENCE SERVICES, THE KGB AND GRU, REPRESENT BY FAR THE MOST SIGNIFICANT INTELLIGENCE THREAT IN TERMS OF SIZE, ABILITY, AND INTENT TO ACT AGAINST U.S. INTERESTS -- BOTH AT HOME AND ABROAD. AND DESPITE SOVIET GLASNOST AND PERESTROIKA, WE HAVE ACTUALLY SEEN AN INCREASE THIS YEAR IN SOVIET ATTEMPTS TO RECRUIT U.S. SOURCES.³

BECAUSE WE CAN PROTECT OURSELVES BEST IF WE UNDERSTAND WHAT OUR ADVERSARY WANTS, IT'S WORTH CONSIDERING JUST WHAT IS BEING

COLLECTED. THE HIGHEST SOVIET COLLECTION PRIORITY IS INFORMATION ON U.S. STRATEGIC NUCLEAR FORCES. OTHER HIGH PRIORITY SUBJECTS ARE KEY FOREIGN POLICY MATTERS, CONGRESSIONAL INTENTIONS, DEFENSE INFORMATION, ADVANCED DUAL USE TECHNOLOGY, AND - NOT SURPRISINGLY - U.S. INTELLIGENCE SOURCES AND METHODS. THE SOVIETS ALSO TARGET NATO INTENSIVELY, PARTLY AS A MEANS TO OBTAIN U.S. FOREIGN POLICY AND MILITARY INFORMATION.⁴

AND THE METHODS EMPLOYED BY THE SOVIETS TO GET THE INFORMATION THEY WANT ARE MORE AGGRESSIVE AND MORE SOPHISTICATED. WE EXPECT TO SEE GREATER SOVIET EFFORTS TO RECRUIT U.S. PERSONNEL ABROAD, INCREASING USE OF THIRD COUNTRIES FOR CLANDESTINE MEETINGS WITH AMERICAN AGENTS, GREATER EFFORTS TO PENETRATE ALLIED GOVERNMENTS THAT MIGHT BE PRIVY TO U.S. SECRETS, AND GREATER EMPHASIS ON EXPLOITING THE INTELLIGENCE COLLECTION CAPABILITIES OF WARSAW PACT ALLIES.

BUT THE METHODS THE U.S. INTELLIGENCE COMMUNITY USES TO COUNTER THIS THREAT ARE ALSO IMPRESSIVE. AND THE MOST IMPRESSIVE OF THOSE METHODS IS THE INCREASED COOPERATION AMONG THE VARIOUS AGENCIES WITHIN THE COMMUNITY. FOR EXAMPLE, THE FBI IS COOPERATING WITH THE CIA IN MOUNTING BOTH OFFENSIVE AND DEFENSIVE MEASURES AGAINST HOSTILE FOREIGN INTELLIGENCE SERVICES.

IN RECENT YEARS THE FBI HAS MADE GREAT STRIDES IN COUNTERING THE INTELLIGENCE ACTIVITIES OF THE SOVIET UNION AND BLOC COUNTRIES. THE BUREAU HAS IMPROVED THE QUALITY AND SOPHISTICATION OF INTELLIGENCE SYSTEMS, AND AS A RESULT, HAS SUCCEEDED IN DISRUPTING HOSTILE INTELLIGENCE OPERATIONS AIMED AT CRITICAL U.S. TARGETS AT HOME.

THE FBI'S MAIN TACTIC HAS BEEN TO "SPIDERWEB" KNOWN OR SUSPECTED INTELLIGENCE OPERATIVES. IN SPINNING WEBS WITH PHYSICAL AND ELECTRONIC SURVEILLANCE -- ALL ELECTRONIC SURVEILLANCE HAVING BEEN COURT AUTHORIZED UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT -- U.S. INTELLIGENCE HAS BEEN ABLE TO WEAVE A BARRIER BETWEEN HOSTILE

AGENTS AND OUR CITIZENS. THOSE OF YOU FAMILIAR WITH FISA WILL RECALL THAT THERE IS A MUCH HIGHER THRESHOLD REQUIRED TO DIRECT ELECTRONIC SURVEILLANCE AGAINST U.S. PERSONS.

TO PROVIDE THE INFORMATION THAT WILL ALLOW ENFORCEMENT AGENCIES TO PROTECT OUR CITIZENS, WE HAVE BOLSTERED COUNTERINTELLIGENCE EFFORTS THROUGHOUT THE COMMUNITY. FOR THE CIA SUCH EFFORTS INCLUDE COLLECTING INFORMATION OUTSIDE THE UNITED STATES ON AMERICANS WHO ARE OR MAY BE ENGAGED IN ACTIVITIES ON BEHALF OF A FOREIGN POWER, OR COLLECTING INFORMATION IN CIRCUMSTANCES WHERE AN AMERICAN MAY BE THE TARGET OF A FOREIGN POWER. OUR OWN PROCEDURES DICTATE THAT WE MUST USE THE LEAST INTRUSIVE COLLECTION TECHNIQUE FEASIBLE TO OBTAIN THE INTELLIGENCE REQUIRED.⁵

TO MAKE THE BEST USE OF THAT INTELLIGENCE AND TO IMPROVE THE EFFECTIVENESS OF COUNTERINTELLIGENCE ACTIVITIES BOTH WITHIN THE CIA AND THE INTELLIGENCE COMMUNITY, I CREATED A NEW COUNTERINTELLIGENCE CENTER AT THE AGENCY IN APRIL OF THIS YEAR. THE CENTER WORKS TO

PROTECT THE AGENCY'S FOREIGN OPERATIONS AND THE SECURITY OF ALL AGENCY COMPONENTS AGAINST PENETRATION BY FOREIGN SECURITY OR INTELLIGENCE SERVICES. THE COUNTERINTELLIGENCE CENTER NOT ONLY PROVIDES ANALYSIS OF HOSTILE INTELLIGENCE THREATS AND PAST ESPIONAGE CASES, IT ALSO PROVIDES INSTRUCTION FOR OUR PEOPLE GOING ABROAD.

THE CIA IS AUTHORIZED TO COLLECT INFORMATION NEEDED TO PROTECT THE TARGETS, VICTIMS, OR HOSTAGES OF INTERNATIONAL TERRORIST ORGANIZATIONS. THE CIA IS ALSO AUTHORIZED TO COLLECT INFORMATION ON AMERICANS WHO MAY BE ENGAGED IN INTERNATIONAL TERRORIST ACTIVITIES.

DURING THE PAST THREE AND A HALF YEARS, THERE HAVE BEEN 253 CASES IN WHICH SOME SORT OF COUNTERTERRORIST ACTIONS WERE TAKEN ON THE BASIS OF INTELLIGENCE INFORMATION COLLECTED AND DISSEMINATED BY THE AGENCY. WHEN A TERRORIST ACTION DOES NOT OCCUR, WE CANNOT BE SURE THAT THE INFORMATION THAT WE PROVIDED WAS THE ONLY REASON. THE COUNTERTERRORIST ACTIONS MAY HAVE BEEN THE REASON NOTHING HAPPENED, BUT WE HAVE NO WAY OF PROVING THAT, EXCEPT IN A FEW RARE CASES.

IN ONE SUCH CASE, THE AGENCY RECEIVED A REPORT THAT TERRORISTS PLANNED TO ASSASSINATE A SENIOR AMERICAN DIPLOMAT IN A MIDDLE EASTERN COUNTRY WHEN HE ARRIVED FOR A MEETING. WHEN THE DIPLOMAT WAS INFORMED OF THE REPORT, HE CONFIRMED THAT HE HAD SUCH A MEETING. AT THE LAST MOMENT, HE ARRANGED FOR THE MEETING TO BE HELD ELSEWHERE, THUS ESCAPING AN ATTEMPT ON HIS LIFE.

ON NUMEROUS OCCASIONS IN RECENT YEARS, THE AGENCY HAS RECEIVED REPORTS OF PLANNED TERRORIST ATTACKS ON OUR EMBASSIES IN SEVERAL DIFFERENT LATIN AMERICAN COUNTRIES, INCLUDING COLOMBIA, PERU, AND EL SALVADOR. IN EACH CASE, THE EMBASSY, UPON RECEIVING SUCH A REPORT, INCREASED ITS SECURITY. ON SEVERAL OCCASIONS, A SOURCE HAS SUBSEQUENTLY INFORMED US THAT THIS INCREASED SECURITY PERSUADED THE TERRORIST GROUP INVOLVED TO CANCEL ITS PLANS TO ATTACK.

BUT IN SPITE OF SUCH SUCCESSES, LAST YEAR THE PROPERTY AND CITIZENS OF OVER 84 NATIONS WERE THE VICTIMS OR TARGETS OF INTERNATIONAL TERRORIST ATTACKS -- ATTACKS THAT RESULTED IN NEARLY

3,000 CASUALTIES. INFORMATION COLLECTED FOR THIS YEAR INDICATES THAT THE CITIZENS AND PROPERTY OF ALMOST 70 COUNTRIES ALREADY HAVE BEEN THE VICTIMS OF INTERNATIONAL TERRORISM. THESE FIGURES SUPPORT A TREND. SINCE 1981, WE HAVE NOTICED A STEADY INCREASE IN INTERNATIONAL TERRORISM WORLDWIDE. IN 1981, WE RECORDED CLOSE TO 500 INCIDENTS, IN 1985 ALMOST 800, AND, IF EARLY TRENDS CONTINUE, WE COULD REGISTER ALMOST 900 ACTS OF INTERNATIONAL TERRORISM BY THE END OF THIS YEAR.

THE CIA, COOPERATING WITH OTHER INTELLIGENCE AND LAW ENFORCEMENT ORGANIZATIONS IN ACCORDANCE WITH THE NATIONAL SECURITY ACT OF 1947, HAS COLLECTED VALUABLE INFORMATION ABOUT TERRORIST GROUPS. SOME OF THE MOST USEFUL INFORMATION HAS COME FROM WALK-INS -- TERRORISTS WHO WISH TO DEFECT FROM THEIR ORGANIZATIONS. BY PROTECTING AND IN SOME CASES RESETTLING THESE INDIVIDUALS, WE HAVE BEEN ABLE TO GAIN THEIR COOPERATION. THEY HAVE TOLD US ABOUT THEIR FORMER COLLEAGUES, ABOUT WHO FINANCES AND PROTECTS THEIR ORGANIZATION, THE LOCATION OF THEIR HEADQUARTERS, AND THE NAMES OF THEIR LEADERS.

SUCH INFORMATION IS OFTEN VITAL IN PROTECTING BOTH U.S AND ALLIED INTERESTS OVERSEAS. WE LEARNED, FOR EXAMPLE, THAT THE PALESTINIAN TERRORIST, ABU NIDAL, HAD AN EXTENSIVE INTERNATIONAL COMMERCIAL NETWORK THAT DEALT IN THE GRAY ARMS MARKET. THIS NETWORK HAD KEY OFFICES IN POLAND, EAST GERMANY, AND SEVERAL OTHER COUNTRIES. USING THIS INFORMATION, THE U.S. STATE DEPARTMENT DELIVERED A SERIES OF DIPLOMATIC DEMARCHES TO THE GOVERNMENTS OF THESE COUNTRIES EXPRESSING U.S. CONCERN ABOUT THE PRESENCE OF THESE BUSINESSES. AS A RESULT, THE COMPANIES WERE CLOSED DOWN.

WE ALSO KEEP TRACK OF THE MOVEMENTS OF WANTED TERRORISTS. IF OUR GOVERNMENT HAS AN OUTSTANDING WARRANT FOR THE ARREST OF THESE INDIVIDUALS, WE CAN MAKE INFORMATION AVAILABLE TO JUDICIAL AUTHORITIES SO THAT THEY CAN LOCATE AND APPREHEND THEM. IN SOME CASES, THE UNITED STATES ASKS FOR EXTRADITION. IN OTHER CASES, AS IN THAT OF FAWAZ YUNIS, WANTED FOR THE JUNE 1985 HIJACKING OF A JORDANIAN AIRLINER WHICH CARRIED U.S. CITIZENS, OUR INFORMATION ENABLED THE FBI TO ARREST YUNIS.

WE ALSO SHARE INFORMATION WITH FOREIGN GOVERNMENTS ON NAMES OF POTENTIAL TERRORISTS, INCLUDING ALIASES USED AND FALSE DOCUMENTATION, THAT ALLOWS THEM TO ADD THESE NAMES TO THEIR WATCHLISTS. SUCH IMPROVED BORDER CONTROL ENABLED ONE GOVERNMENT TO ARREST A WELL KNOWN SUPPORTER OF SEVERAL TERRORIST ORGANIZATIONS. INFORMATION HAS ALSO BEEN USED TO DENY ENTRY AND SAFE HAVEN TO KNOWN TERRORISTS AND THEIR ASSOCIATES.⁷

I HAVE BEEN MAKING THE POINT THAT EFFECTIVE COUNTERINTELLIGENCE AND COUNTERTERRORISM PROGRAMS ARE CRITICAL TO OUR NATIONAL SECURITY. AND THEY ARE CERTAINLY CRITICAL TO THE PHYSICAL SECURITY OF OUR CITIZENS. BUT I WANT TO EMPHASIZE THAT HOW THE CIA AND OTHER INTELLIGENCE AGENCIES CARRY OUT THEIR RESPONSIBILITIES IS OF EQUAL IMPORTANCE TO OUR COUNTRY. WE HAVE LAWS AND WE HAVE INTERNAL PROCEDURES APPROVED BY THE ATTORNEY GENERAL. IN ADDITION, MY GENERAL COUNSEL'S STAFF BRIEFS EMPLOYEES - BOTH AT HOME AND ABROAD - TO ENSURE THAT EMPLOYEES WHO DEAL WITH ISSUES WHICH AFFECT THE

CONSTITUTIONAL RIGHTS OF AMERICAN CITIZENS KNOW WHAT OUR LAWS AND PROCEDURES ARE. MY OFFICE OF GENERAL COUNSEL ALSO WORKS CLOSELY WITH THE OFFICE OF INTELLIGENCE POLICY AND REVIEW AT THE DEPARTMENT OF JUSTICE IN DEALING WITH THOSE TYPES OF ACTIVITIES WHICH MAY REQUIRE ATTORNEY GENERAL AUTHORIZATION. MY GENERAL COUNSEL'S OFFICE AND THE JUSTICE DEPARTMENT WORK TOGETHER TO EXAMINE RELEVANT ISSUES AND OBTAIN THE NECESSARY APPROVALS CONSISTENT WITH APPLICABLE REQUIREMENTS OF THE LAW. WE WANT TO CATCH SPIES AND CURB TERRORISM, BUT WE WILL NOT CIRCUMVENT OUR OWN LAWS TO DO SO. WE MUST MAINTAIN ABSOLUTE FIDELITY TO OUR LAWS, AND OUR RULES -- RULES IMPOSED TO ENSURE OUR CITIZENS THAT WE ARE ACCOUNTABLE. I DO NOT THINK THE CIA, OR THE FBI, OR ANY MEMBER OF THE INTELLIGENCE COMMUNITY, IS EXEMPT FROM THIS PRINCIPLE. IN FACT, I BELIEVE THAT IT IS THE KEY TO PUBLIC ACCEPTANCE OF OUR VITALLY NECESSARY WORK.

WE MUST, IN THE END, HAVE BOTH SAFETY AND LIBERTY. THE BALANCE BETWEEN THE RIGHT TO BE LET ALONE AND THE RIGHT TO BE KEPT SAFE AND

FREE IS CENTRAL TO OUR PROFESSION AND TO OUR HERITAGE. AND IMPLICIT IN THAT BALANCE IS THE RECOGNITION THAT THE ULTIMATE SOURCE OF AUTHORITY IS THE PEOPLE OF THE UNITED STATES. FORMER SUPREME COURT JUSTICE ROBERT JACKSON MUST HAVE ALSO HAD THIS BALANCE IN MIND WHEN HE OBSERVED THAT THE CONSTITUTIONAL BILL OF RIGHTS OF THE UNITED STATES WAS NOT A SUICIDE PACT. THE PROTECTIONS IT INCLUDES AND AFFORDS TO US MUST BE RATIONALLY APPLIED IF WE ARE TO PREVAIL AGAINST THOSE WHO WOULD THREATEN OUR NATION'S SECURITY.

MY EXPERIENCE AT THE FBI AND AT THE CIA HAS CONVINCED ME THAT INTELLIGENCE PLAYS A VITAL ROLE IN A FREE SOCIETY. LAST YEAR WHEN I SPOKE TO THE INSTITUTE OF JUDICIAL ADMINISTRATION IN SAN FRANCISCO, I QUOTED ONE OF MY FAVORITE INTELLIGENCE SOURCES -- SIR WILLIAM STEPHENSON. SIR WILLIAM IS A FRIEND OF MINE, AND I CAN THINK OF NO BETTER PERSON TO REFER TO, NOR A BETTER PLACE TO RECALL HIS WORDS, THAN IN THIS, HIS HOMELAND OF CANADA. IN THE INTRODUCTION TO THE

BOOK, A MAN CALLED INTREPID, WHICH CHRONICLED HIS REMARKABLE ACCOMPLISHMENTS DURING THE SECOND WORLD WAR, SIR WILLIAM WROTE:

"PERHAPS A DAY WILL DAWN WHEN TYRANTS CAN NO LONGER THREATEN THE LIBERTY OF ANY PEOPLE. WHEN THE FUNCTIONS OF ALL NATIONS, HOWEVER VARIED THEIR IDEOLOGIES, WILL BE TO ENHANCE LIFE, NOT TO CONTROL IT. IF SUCH A CONDITION IS POSSIBLE, IT IS IN A FUTURE TOO FAR DISTANT TO FORESEE. UNTIL THAT SAFER, BETTER DAY, THE DEMOCRACIES WILL AVOID DISASTER, AND POSSIBLY TOTAL DESTRUCTION, ONLY BY MAINTAINING THEIR DEFENSES.

"AMONG THE INCREASINGLY INTRICATE ARSENALS ACROSS THE WORLD, INTELLIGENCE IS AN ESSENTIAL WEAPON, PERHAPS THE MOST IMPORTANT. BUT IT IS, BEING SECRET, THE MOST DANGEROUS. SAFEGUARDS TO PREVENT ITS ABUSE MUST BE DEVISED, REVISED, AND RIGIDLY APPLIED. BUT, AS IN ALL ENTERPRISE, THE CHARACTER AND WISDOM OF THOSE TO WHOM IT IS ENTRUSTED WILL BE DECISIVE. IN THE INTEGRITY OF THAT GUARDIANSHIP LIES THE HOPE OF FREE PEOPLE TO ENDURE AND PREVAIL."

Distribution:
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29 July 1988

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MEMORANDUM FOR: Director of Central Intelligence
FROM: William M. Baker
Director, Public Affairs Office
SUBJECT: Trip to Toronto, Canada to Address
the 1988 Annual Meeting of the American Bar Association

1. This is background information for your trip to Toronto to give the keynote address of the 1988 Annual Meeting of the American Bar Association (ABA) Assembly Luncheon, Tuesday, 9 August. Your hotel suite will be located in the L'Hotel at 225 Front Street West. Phone: (416) 597-1400 The Assembly Luncheon will be in the Metro Toronto Convention Center immediately adjacent to L'Hotel at 255 Front Street West. Phone (416) 585-8000. I will meet you in Toronto and remain with you throughout the program.

2. Arrangements for your Address: You are asked to be in your suite at L'Hotel at 11:30 a.m. ABA President Robert MacCrate and ABA President-Elect Robert D. Raven will meet you and escort you to the Assembly Luncheon in the Convention Center Constitution Hall C, lower level. (See tab for biographies and photographs.) Luncheon begins at 12:00 noon and your remarks are scheduled to begin at approximately 1:10 p.m. Robert MacCrate will introduce you. The suggested format is 20 minutes of remarks. A question and answer period is not scheduled. You will be seated on the first tier of the three-tiered table with the following:

- | | |
|--------------------------------------|-------------------------------------|
| Reverend Robert Watt | Podhurst, Orseck, Parks, Josefberg, |
| Walter H. Beckham, Jr. | Eaton, Meadow & Olin, Miami, |
| | Florida |
| Eugene C. Thomas | Moffatt, Thomas, Barrett & Blanton, |
| | Boise, Idaho |
| Robert D. Raven | President-Elect, ABA |
| Robert MacCrate (on your right) | President, ABA |
| J. Michael McWilliams (on your left) | Chairman, House of Delegates, ABA |
| Joseph M. Nolan | O'Neill, Moore, & McEnroe, Newark, |
| | New Jersey |
| Jill Wine-Banks | Executive V.P. & Chief Operating |
| | Officer, ABA |

(See tab for biographies.)

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P-309 TD

The three-tiered table will include seven ABA officers, and 26 members of the Board of Governors. (See tab for complete table seating and list of the ABA Board of Governors.) A podium and microphone will be available at the head table. (See tab for floor plan.) DCI Security will tape your remarks for our historical records. Your remarks will be audio and video taped by the ABA for their library.

3. Audience: Approximately 600 attorneys and spouses will be in the audience. Also attending are international bar group leaders from France, Canada, Great Britain, Israel, Argentina, Ireland, Mexico and the Philippines.

4. Media Coverage: You can expect US, Canadian, and the international news corps to cover your address. Ninety reporters who cover legal events and represent THE NEW YORK TIMES, WASHINGTON POST, THE WALL STREET JOURNAL, TIME, NEWSWEEK, LOS ANGELES DAILY JOURNAL, and national legal journals are pre-registered for the ABA meeting. In addition, the electronic media C-Span, NBC, ABC, and CBS will also be present. The press platform will be located in the rear of the room approximately 65 feet from the head table. There will be a two-minute photo opportunity for still photographers at the beginning of your remarks. (See tab for press advisory.) An independent publication, the ABA JOURNAL, reports on most of the addresses at ABA meetings, and I anticipate that your speech will be covered by this journal.

5. Background: Secretary General of the United Nations Javier Perez de Cuellar will give the Opening Assembly speech at the 110th annual ABA Meeting on Monday, August 8th. Other speakers during the week will include newsman Bernard Kalb, Chairman of the ABA Commission on Women in the Legal Profession Hillary Rodham Clinton, and former US Supreme Court Justice Lewis F. Powell.

Prior to the Tuesday luncheon on August 9th, the House of Delegates will award the ABA Gold Medal to former president of the American Bar Foundation, F. William McCalpin, of St. Louis for "conspicuous service to the cause of American Jurisprudence." Mr. McCalpin is president-elect of the National Legal Aid and Defender Association. (See tab for biography.)

President MacCrate's theme for the Annual Meeting is "A Learned and Caring Profession." The theme will reflect the legal profession's dedication to enhance through the law the quality of life that we all enjoy. Many programs are planned for the week-long meeting. One that is tangent to Agency interests is the Tuesday meeting of the Foreign Bar Leaders Program -- "Threats to Domestic Peace and Security." (See tab --Highlights, 1988 Meeting.) There will be presentations on the right to counsel, the right to a speedy and public trial, and pretrial detainees and bail. (Also see tab for the House of Delegates Summary of Recommendations for the Annual Meeting.)

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William M. Baker

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SCHEDULE OF EVENTS/CONTACTS

TRIP TO TORONTO, CANADA
ADDRESS OF THE ANNUAL MEETING
OF THE AMERICAN BAR ASSOCIATION
9 August 1988

a.m. Depart, Michigan

Arrive, L'Hotel, Toronto, Canada
225 Front Street West
Phone: (416) 597-1400

11:30 a.m. Met by ABA President, Robert MacCrate & President-Elect,
Robert Raven
Hotel suite (day room)

12:00 noon Luncheon, Metro Toronto Convention Center
255 Front Street West
Phone: (416) 585-8000
Constitution Hall C, lower level

1:10 p.m. Introduction by Robert MacCrate
Address
The Honorable William H. Webster
(20 minutes of remarks)

2:00 p.m. Adjournment

p.m. Depart, Toronto

CONTACTS: Debra Weixl Media Services
ABA Toronto Meeting, Phone: (416) 340-1106

Mary Cavallini, Director, ABA Meetings and Travel
Department
ABA Toronto Meeting, Phone: (416) 340-1090

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PAO 88-0262

28 July 1988

JUDGE:

You are scheduled to give a luncheon address to the American Bar Association in Toronto on 9 August. In preparing your remarks for the ABA, we have reviewed your notes for the talk you had planned to give to the New York City Bar Association last July, and have incorporated the thesis you mentioned about "the balance that must be maintained between each citizen's right to be let alone, and the right to be kept safe and free." We have extended that thesis to encompass counterintelligence and have coordinated these remarks

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In the introduction, we suggest that you make a personal reference to F. William McCalpin, of St. Louis, who will have just received the ABA Medal for rendering "conspicuous service to the cause of American jurisprudence." We have also included some humorous stories you may want to consider in fashioning your own introduction (see footnote 1).

Your thesis and summary for these remarks appears on page 2: "While I was at the FBI, I spoke of the balance that must be maintained between each citizen's right to be let alone, and the right to be kept safe and free. Today, I would like to extend that theme and discuss the joint efforts of the Intelligence Community to protect our nation's secrets -- efforts which must respect the rights of the individual and still protect the nation against hostile intelligence services. I'd like to tell you why I believe that an effective counterintelligence program has never been more important to our country. And, while the threat posed by hostile intelligence services is formidable and growing, I want to tell you why I believe we are better equipped than ever before to counter these activities. I also want to assure you that the improvements we have made are aimed at lessening the risks of espionage and betrayal without infringing on the constitutional rights of all Americans."

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You then discuss the threats against us, noting what our adversaries are collecting and the methods they are using (page 5). You next explain why you think we are well equipped to handle the increased threat (pages 8 and 9), commenting on the work done by the FBI, and the work of the new Counterintelligence Center. You emphasize the important role of coordinating effort within the Intelligence Community. You also reaffirm the importance of following our own rules and procedures, noting, "We want to catch spies, but we will not circumvent our own laws to do so." (page 11)

You return to the importance of that "balance," adding, "And implicit in that balance is the recognition that the ultimate source of authority is the people of the United States." You also refer to the comment made by Supreme Court Justice Robert Jackson that "the Constitutional Bill of Rights of the United States was not a suicide pact," adding, "The protections it includes and affords to us must be rationally applied if we are to prevail against those who would threaten our nation's security. You end by quoting the Canadian, Sir William Stephenson.

Your proposed remarks are attached.

Bill Baker

Attachments
a/s

25X1 DCI/PAO/WMB, [redacted] jam

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SECRET

PROPOSED REMARKS
BY
WILLIAM H. WEBSTER
DIRECTOR OF CENTRAL INTELLIGENCE
BEFORE THE
AMERICAN BAR ASSOCIATION
TORONTO, CANADA
AUGUST 9, 1988

((INTRODUCTION: YOU MIGHT WANT TO MAKE A PERSONAL REFERENCE TO F. WILLIAM MCCALPIN, OF ST. LOUIS, WHO WILL HAVE JUST RECEIVED THE ABA MEDAL FOR RENDERING "CONSPICUOUS SERVICE TO THE CAUSE OF AMERICAN JURISPRUDENCE."¹))

THIS IS THE FIRST TIME I'VE HAD THE OPPORTUNITY TO TELL MANY OF YOU ABOUT MY WORK AT THE CIA, AND THERE IS A CERTAIN IRONY IN THIS FOR ME. AT THE FBI, I SPENT A LOT OF TIME TELLING THE AMERICAN PEOPLE THAT WHAT THE FBI WAS ALL ABOUT WAS LAW ENFORCEMENT, NOT SPYING. NOW, I FIND MYSELF SPEAKING TO GROUPS THROUGHOUT THE COUNTRY REVERSING ALL OF THAT -- ASSURING AUDIENCES THAT AT THE CIA WE ARE NOT IN THE BUSINESS OF LAW ENFORCEMENT. AND THEN I TELL THEM SOMETHING ABOUT WHAT IT MEANS TO HAVE THE MAJOR RESPONSIBILITIES FOR SPYING ON BEHALF OF THE COUNTRY.

THE TRUTH IS THAT WHILE THE MISSIONS OF THE FBI AND CIA CLEARLY DIFFER, THERE IS NO DOUBT THAT THEY SHARE A NUMBER OF IMPORTANT GOALS -- TWO OF THE MOST IMPORTANT ARE ENSURING THE SECURITY OF OUR CITIZENS AND STRENGTHENING THE NATION'S DEFENSES AGAINST ESPIONAGE. WHILE I WAS AT THE FBI, I SPOKE OF THE BALANCE THAT MUST BE MAINTAINED BETWEEN EACH CITIZEN'S RIGHT TO BE LET ALONE, AND THE RIGHT TO BE KEPT SAFE AND FREE. TODAY, I WOULD LIKE TO EXTEND THAT THEME AND DISCUSS THE JOINT EFFORTS OF THE INTELLIGENCE COMMUNITY TO PROTECT OUR NATION'S SECRETS -- EFFORTS WHICH MUST RESPECT THE RIGHTS OF THE INDIVIDUAL AND STILL PROTECT THE NATION AGAINST HOSTILE INTELLIGENCE SERVICES. I'D LIKE TO TELL YOU WHY I BELIEVE THAT AN EFFECTIVE COUNTERINTELLIGENCE PROGRAM HAS NEVER BEEN MORE IMPORTANT TO OUR COUNTRY. AND, WHILE THE THREAT POSED BY HOSTILE INTELLIGENCE SERVICES IS FORMIDABLE AND GROWING, I WANT TO TELL YOU WHY I BELIEVE WE ARE BETTER EQUIPPED THAN EVER BEFORE TO COUNTER THESE ACTIVITIES. I ALSO WANT TO ASSURE YOU THAT THE

IMPROVEMENTS WE HAVE MADE ARE AIMED AT LESSENING THE RISKS OF ESPIONAGE AND BETRAYAL WITHOUT INFRINGING ON THE CONSTITUTIONAL RIGHTS OF ALL AMERICANS.

AN EFFECTIVE AND COMPREHENSIVE COUNTERINTELLIGENCE PROGRAM HAS NEVER BEEN MORE IMPORTANT TO OUR NATION BECAUSE THE THREAT AGAINST US HAS GROWN. AND IT HAS GROWN IN THREE WAYS -- HOSTILE INTELLIGENCE OPERATIONS ARE INCREASINGLY MORE SOPHISTICATED AND INTERDEPENDENT; THE NUMBER OF OPERATIONS AGAINST US HAS INCREASED; AND THE NUMBER OF INTELLIGENCE SERVICES THAT HAVE MOUNTED INTELLIGENCE OPERATIONS AGAINST THE UNITED STATES HAS GROWN.

TWO MAJOR ESPIONAGE CASES WHICH AFFECT OUR COUNTRY HAVE SURFACED IN CANADA THIS SUMMER. STEPHEN RATKAI ((ROT-KIGH)), A CANADIAN, WAS ARRESTED IN JUNE FOR ATTEMPTING TO PASS U.S. NAVAL SECRETS TO THE SOVIET UNION. AND DURING THAT SAME MONTH, THE REVELATIONS OF A SOVIET DEFECTOR, YURIY SMUROV, LED TO THE EXPULSION AND BARRING OF 17 SOVIET OFFICIALS WHO WERE TRYING TO STEAL CANADA'S CLASSIFIED COMMERCIAL AND MILITARY TECHNOLOGY.²

OVER THE PAST THREE YEARS, WE HAVE DISCOVERED MORE PENETRATIONS OF THE U.S. DEFENSE AND INTELLIGENCE COMMUNITIES THAN AT ANY TIME IN OUR HISTORY. THE MESSAGES HANDED TO MOSCOW BY THE WALKER FAMILY SPY RING, THE DOCUMENTS SOLD TO THE ISRAELIS BY JONATHAN POLLARD, THE ELECTRONIC EAVESDROPPING PROGRAM COMPROMISED BY RONALD PELTON, AND THE SOVIET BUGGING OF OUR EMBASSY BUILDING IN MOSCOW ARE JUST A FEW OF THE INCIDENTS WHICH HAVE BEEN EXTREMELY DAMAGING TO OUR NATIONAL SECURITY. THE COSTS OF THESE COMPROMISES ARE ESTIMATED IN THE BILLIONS OF DOLLARS.

MANY COUNTRIES ENGAGE IN INTELLIGENCE OPERATIONS AGAINST THE UNITED STATES. BUT THE SOVIET INTELLIGENCE SERVICES, THE KGB AND GRU, REPRESENT BY FAR THE MOST SIGNIFICANT INTELLIGENCE THREAT IN TERMS OF SIZE, ABILITY, AND INTENT TO ACT AGAINST U.S. INTERESTS -- BOTH AT HOME AND ABROAD. AND DESPITE SOVIET GLASNOST AND PERESTROIKA, WE HAVE ACTUALLY SEEN AN INCREASE THIS YEAR IN SOVIET ATTEMPTS TO RECRUIT U.S. SOURCES.³

BECAUSE WE CAN PROTECT OURSELVES BEST IF WE UNDERSTAND WHAT OUR ADVERSARY WANTS, IT'S WORTH CONSIDERING JUST WHAT IS BEING COLLECTED. THE HIGHEST SOVIET COLLECTION PRIORITY IS INFORMATION ON U.S. STRATEGIC NUCLEAR FORCES. OTHER HIGH PRIORITY SUBJECTS ARE KEY FOREIGN POLICY MATTERS, CONGRESSIONAL INTENTIONS, DEFENSE INFORMATION, ADVANCED DUAL USE TECHNOLOGY, AND - NOT SURPRISINGLY - U.S. INTELLIGENCE SOURCES AND METHODS. THE SOVIETS ALSO TARGET NATO INTENSIVELY, PARTLY AS A MEANS TO OBTAIN U.S. FOREIGN POLICY AND MILITARY INFORMATION.⁴

THE SOVIETS AGGRESSIVELY SEEK INFORMATION ON WESTERN TECHNOLOGY TO AVOID TECHNOLOGICAL SURPRISE AND TO IMPROVE THEIR WEAPONS SYSTEMS. WE BELIEVE THAT THEY ARE BECOMING MORE SELECTIVE THAN IN THE PAST, AND THAT FUTURE COLLECTION WILL CONCENTRATE ON TECHNOLOGY WHICH IS USED EITHER IN DEVELOPING AND PRODUCING U.S. WEAPONS AND MILITARY SUPPORT EQUIPMENT OR WHICH IS SPECIFICALLY NEEDED IN SOVIET INDUSTRY FOR SOVIET WEAPONS SYSTEMS.⁵

AND THE METHODS EMPLOYED BY THE SOVIETS TO GET THE INFORMATION THEY WANT ARE MORE AGGRESSIVE AND MORE SOPHISTICATED. WE EXPECT TO SEE GREATER SOVIET EFFORTS TO RECRUIT U.S. PERSONNEL ABROAD, INCREASING USE OF THIRD COUNTRIES FOR CLANDESTINE MEETINGS WITH AMERICAN AGENTS, GREATER EFFORTS TO PENETRATE ALLIED GOVERNMENTS THAT MIGHT BE PRIVY TO U.S. SECRETS, AND GREATER EMPHASIS ON EXPLOITING THE INTELLIGENCE COLLECTION CAPABILITIES OF WARSAW PACT ALLIES. INDEED, DURING THE LAST FEW YEARS, THE INTELLIGENCE COMMUNITY HAS HAD TO WORK HARDER TO COUNTER THE EAST EUROPEAN INTELLIGENCE SERVICES AS THEY ACTED ON BEHALF OF THE SOVIETS AND AS THEY ACTED IN THE INTERESTS OF THEIR OWN COUNTRIES. SEVERAL OF THESE SERVICES, PARTICULARLY THE EAST GERMANS, HAVE SCORED MAJOR SUCCESSES AGAINST US, AND IN THE FUTURE WE CAN EXPECT TO SEE MORE OF THESE OPERATIONS. BEYOND THE NUMEROUS INTELLIGENCE SERVICES OF THE USSR AND WARSAW PACT COUNTRIES, WE ALSO EXPECT TO SEE GREATER INTELLIGENCE COLLECTION EFFORTS AGAINST US BY THE ASIAN COMMUNIST

COUNTRIES AND BY CUBA. IN BOTH OF THESE AREAS, WE HAVE SUFFERED CONSIDERABLE LOSSES DURING THIS DECADE.⁶

IN ADDITION TO THE INCREASING THREAT FROM COMMUNIST COUNTRIES, WE CAN EXPECT TO SEE MORE HOSTILE INTELLIGENCE OPERATIONS CONDUCTED BY COUNTRIES WHICH SEEK INFORMATION ON OUR POLITICAL, MILITARY, AND INDUSTRIAL ACTIVITIES. AS THE BUSINESS COMMUNITY IS WELL AWARE, ESPIONAGE IS NOT STRICTLY A POLITICAL BUSINESS. SEVERAL OPERATIONS, DISCOVERED IN RECENT YEARS, HAVE PREPARED US FOR WHAT WE CAN EXPECT IN THE NEXT DECADE. MOST OF THESE ACTIVITIES WILL INVOLVE HUMAN SOURCE RECRUITMENT, BUT SOME OF THE COUNTRIES MOST LIKELY TO BE INVOLVED ALSO HAVE SUBSTANTIAL TECHNICAL INTELLIGENCE COLLECTION CAPABILITIES.

NOW THAT I'VE DESCRIBED THE THREAT, YOU MIGHT WONDER WHY I BELIEVE THAT WE'RE BETTER EQUIPPED THAN EVER TO COUNTER HOSTILE PENETRATION. BRIEFLY, IT IS BECAUSE WE HAVE MADE MAJOR IMPROVEMENTS IN OUR COUNTERINTELLIGENCE EFFORTS -- AT THE FBI, AT THE CIA, AND THROUGHOUT THE INTELLIGENCE COMMUNITY.

IN RECENT YEARS, THE FBI HAS MADE GREAT STRIDES IN COUNTERING THE INTELLIGENCE ACTIVITIES OF THE SOVIET UNION AND BLOC COUNTRIES. THE BUREAU HAS IMPROVED THE QUALITY AND SOPHISTICATION OF INTELLIGENCE SYSTEMS, AND AS A RESULT, HAS SUCCEEDED IN DISRUPTING HOSTILE INTELLIGENCE OPERATIONS AIMED AT CRITICAL U.S. TARGETS. COMBATTING THE HOSTILE INTELLIGENCE SERVICES HAS BEEN AIDED THROUGH EXPLOITING INFORMATION PROVIDED BY DEFECTORS FROM THE SOVIET AND BLOC INTELLIGENCE SERVICES.

THE FBI'S MAIN TACTIC HAS BEEN TO "SPIDERWEB" KNOWN OR SUSPECTED INTELLIGENCE OPERATIVES. IN SPINNING WEBS WITH PHYSICAL AND ELECTRONIC SURVEILLANCE -- ALL ELECTRONIC SURVEILLANCE BEING COURT AUTHORIZED -- THE BUREAU HAS BEEN ABLE TO WEAVE A BARRIER BETWEEN HOSTILE AGENTS AND OUR CITIZENS.

WE BELIEVE THAT INCREASED FBI CAPABILITIES AND GREATER PUBLIC AWARENESS OF ESPIONAGE WILL RESULT IN GREATER SOVIET EMPHASIS ON THE AMERICAN TARGET OUTSIDE THE UNITED STATES. THE CIA HAS PRIMARY

RESPONSIBILITY FOR COUNTERINTELLIGENCE OVERSEAS, AND ONE OF OUR HIGHEST PRIORITIES NOW IS TO EFFECTIVELY COMBAT THE SERIOUS THREAT POSED BY HOSTILE INTELLIGENCE SERVICES.

TO FURTHER THAT END, WE HAVE MADE A NUMBER OF CHANGES. TO IMPROVE THE PLANNING, COORDINATION, AND EFFECTIVENESS OF COUNTERINTELLIGENCE ACTIVITIES BOTH WITHIN THE CIA AND THE INTELLIGENCE COMMUNITY, I CREATED A NEW COUNTERINTELLIGENCE CENTER AT THE AGENCY IN APRIL OF THIS YEAR. THE CENTER WORKS TO PROTECT THE AGENCY'S FOREIGN OPERATIONS AND THE SECURITY OF ALL AGENCY COMPONENTS AGAINST PENETRATION BY FOREIGN SECURITY OR INTELLIGENCE SERVICES. THE COUNTERINTELLIGENCE CENTER NOT ONLY PROVIDES ANALYSIS OF HOSTILE INTELLIGENCE THREATS AND PAST ESPIONAGE CASES, IT ALSO PROVIDES INSTRUCTION FOR OUR PEOPLE GOING ABROAD.⁷

BUT PERHAPS THE MOST VALUABLE ROLE THE COUNTERINTELLIGENCE CENTER HAS PLAYED IS IN WORKING TO IMPROVE COMMUNICATION AND COOPERATION BETWEEN THE DIFFERENT AGENCIES WHICH HAVE A

COUNTERINTELLIGENCE ROLE. THIS IS DONE IN COORDINATION WITH THE INTELLIGENCE COMMUNITY'S OWN COUNTERINTELLIGENCE AND SECURITY COUNTERMEASURES STAFF. INTERAGENCY COOPERATION IS ABSOLUTELY VITAL IN STEMMING THE HOSTILE INTELLIGENCE THREAT, AND I CAN SAY WITH PRIDE THAT RELATIONS BETWEEN THE DIFFERENT PARTS OF THE INTELLIGENCE COMMUNITY IN THE AREA OF COUNTERINTELLIGENCE HAVE NEVER BEEN BETTER. FOR EXAMPLE, THE FBI IS COOPERATING WITH THE CIA IN MOUNTING BOTH OFFENSIVE AND DEFENSIVE MEASURES AGAINST HOSTILE FOREIGN INTELLIGENCE SERVICES BOTH IN THE UNITED STATES AND ABROAD. SUCH COOPERATION IS ESSENTIAL AS OUR ADVERSARIES CONTINUE TO MOUNT OPERATIONS AGAINST US THAT MAY BE PLAYED OUT IN MANY NATIONS, INCLUDING OUR OWN.

COOPERATION BETWEEN THE CIA, THE DEPARTMENT OF DEFENSE, AND THE STATE DEPARTMENT IN COUNTERINTELLIGENCE ALSO CONTINUES TO BE VERY GOOD. IT HAS TO BE. WE WILL NEED ALL OF THE TALENT AND ALL OF THE EXPERTISE OF THOSE TRAINED IN COUNTERINTELLIGENCE IN ORDER TO DEFEAT THE OPERATIONS TARGETED AGAINST US.

I MENTIONED EARLIER THAT AN EFFECTIVE COUNTERINTELLIGENCE PROGRAM HAS NEVER BEEN OF MORE IMPORTANCE TO OUR COUNTRY. BUT I WANT TO EMPHASIZE THAT HOW THE CIA AND OTHER INTELLIGENCE AGENCIES CARRY OUT THEIR COUNTERINTELLIGENCE RESPONSIBILITIES IS OF EQUAL IMPORTANCE TO OUR COUNTRY. WE WANT TO CATCH SPIES, BUT WE WILL NOT CIRCUMVENT OUR OWN LAWS TO DO SO. WE MUST MAINTAIN ABSOLUTE FIDELITY TO OUR LAWS, AND OUR RULES -- RULES IMPOSED TO ENSURE OUR CITIZENS THAT WE ARE ACCOUNTABLE. I DO NOT THINK THE CIA, OR THE FBI, OR ANY MEMBER OF THE INTELLIGENCE COMMUNITY, IS EXEMPT FROM THIS PRINCIPLE. IN FACT, I BELIEVE THAT IT IS THE KEY TO PUBLIC ACCEPTANCE OF OUR VITALLY NECESSARY WORK.

THE BALANCE BETWEEN THE RIGHT TO BE LET ALONE AND THE RIGHT TO BE KEPT SAFE AND FREE IS CENTRAL TO OUR PROFESSION AND TO OUR HERITAGE. AND IMPLICIT IN THAT BALANCE IS THE RECOGNITION THAT THE ULTIMATE SOURCE OF AUTHORITY IS THE PEOPLE OF THE UNITED STATES. SUPREME COURT JUSTICE ROBERT JACKSON MUST HAVE ALSO HAD THIS BALANCE

IN MIND WHEN HE OBSERVED THAT THE CONSTITUTIONAL BILL OF RIGHTS OF THE UNITED STATES WAS NOT A SUICIDE PACT.⁸ THE PROTECTIONS IT INCLUDES AND AFFORDS TO US MUST BE RATIONALLY APPLIED IF WE ARE TO PREVAIL AGAINST THOSE WHO WOULD THREATEN OUR NATION'S SECURITY.

MY EXPERIENCE AT THE FBI AND AT THE CIA HAS CONVINCED ME THAT INTELLIGENCE -- AND COUNTERINTELLIGENCE -- PLAYS A VITAL ROLE IN A FREE SOCIETY. LAST YEAR WHEN I SPOKE TO THE INSTITUTE OF JUDICIAL ADMINISTRATION IN SAN FRANCISCO, I QUOTED ONE OF MY FAVORITE INTELLIGENCE "SOURCES" -- SIR WILLIAM STEPHENSON. SIR WILLIAM IS A FRIEND OF MINE, AND I CAN THINK OF NO BETTER PERSON TO REFER TO, NOR A BETTER PLACE TO RECALL HIS WORDS, THAN IN THIS, HIS HOMELAND OF CANADA. IN THE INTRODUCTION TO THE BOOK, A MAN CALLED INTREPID, WHICH CHRONICLED HIS REMARKABLE ACCOMPLISHMENTS DURING THE SECOND WORLD WAR, SIR WILLIAM WROTE:

"PERHAPS A DAY WILL DAWN WHEN TYRANTS CAN NO LONGER THREATEN THE LIBERTY OF ANY PEOPLE, WHEN THE FUNCTION OF ALL NATIONS, HOWEVER

VARIED THEIR IDEOLOGIES, WILL BE TO ENHANCE LIFE, NOT TO CONTROL IT. IF SUCH A CONDITION IS POSSIBLE, IT IS IN A FUTURE TOO FAR DISTANT TO FORESEE. UNTIL THAT SAFER, BETTER DAY, THE DEMOCRACIES WILL AVOID DISASTER, AND POSSIBLY TOTAL DESTRUCTION, ONLY BY MAINTAINING THEIR DEFENSES.

"AMONG THE INCREASINGLY INTRICATE ARSENALS ACROSS THE WORLD, INTELLIGENCE IS AN ESSENTIAL WEAPON, PERHAPS THE MOST IMPORTANT. BUT IT IS, BEING SECRET, THE MOST DANGEROUS. SAFEGUARDS TO PREVENT ITS ABUSE MUST BE DEvised, REVISED, AND RIGIDLY APPLIED. BUT, AS IN ALL ENTERPRISE, THE CHARACTER AND WISDOM OF THOSE TO WHOM IT IS ENTRUSTED WILL BE DECISIVE. IN THE INTEGRITY OF THAT GUARDIANSHIP LIES THE HOPE OF FREE PEOPLE TO ENDURE AND PREVAIL."

25 July 1988

JUDGE:

You will be addressing the American Bar Association at their annual meeting in Toronto, Canada on 9 August. For this speech, I suggest that you stress the important role intelligence plays in American society, particularly in terms of ensuring the security and safety of our citizens. Two major concerns the Agency has addressed this year would be developed -- counterintelligence and the physical security of U.S. installations abroad. The remarks would describe the extent of the counterintelligence and security threats, as well as discuss the work and accomplishments of two units you have established during your tenure as DCI: the Counterintelligence Center and the Security Evaluation Office.

The importance of interagency cooperation and the invaluable work done by the FBI in the area of counterintelligence would also be included in your remarks. In this connection, the successful "spiderweb" tactic of focusing on known or suspected hostile intelligence operatives rather than our own citizens would be mentioned.

During your luncheon with the speechwriters on 13 July, you mentioned that you would like to speak less about "process" during your upcoming external remarks and emphasize substantive intelligence issues. I believe a legal audience would be very receptive to a speech on counterintelligence and security issues, particularly regarding how they relate to the rights and safety of our citizens.

I would appreciate your thoughts.

[Redacted Signature]

Bill Baker

DCI/PAO/WMB [Redacted]

Distribution:

- Orig. - DCI
- 1 - D/PAO
- 1 - [Redacted]
- 1 - [Redacted]
- 1 - ER
- 1 - PAO Registry
- 1 - [Redacted]
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- 1 - [Redacted] (Chrono)

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EXECUTIVE SECRETARIAT

ROUTING SLIP

TO: *Wm*

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Remarks

STAT

Executive Secretary

5 Jul '88

Date

Executive Registry

88-2020X/2

AMERICAN BAR ASSOCIATION

OFFICE OF THE PRESIDENT
ROBERT MACCRATE
AMERICAN BAR CENTER
750 N. LAKE SHORE DRIVE
CHICAGO, ILLINOIS 60611
TELEPHONE: 312/988-5100
ABA/NET: ABAIO34

PLEASE REPLY TO:
28TH FLOOR
125 BROAD STREET
NEW YORK, NEW YORK 10004
TELEPHONE: 212/558-3614

June 28, 1988

Hon. William H. Webster,
The Director of Central Intelligence,
Washington, D.C. 20505.

Dear Bill:

We are most grateful to you for agreeing to deliver the keynote address at the Tuesday Assembly Luncheon on August 9 in Toronto. Bob Raven, who will succeed to my job on the next day, will be your escort for the occasion and will be arranging with your Public Affairs office to bring you from the room in L'Hotel, which we will have set aside for you, to the hall in the adjacent metro-convention center in which the luncheon will take place.

We are in touch with of your Public Affairs office and trust we can make this intrusion on your time a pleasant one for you. On Tuesday morning, I will have the pleasure of giving to another star of the St. Louis Bar the Association's Gold Medal. We are recognizing Bill McCalpin this year for his exemplary career in increasing the public's access to justice. I enclose a copy of the news release, which I believe you will find of interest.

STAT

We all are looking forward to having you with us in Toronto. With best wishes.

Sincerely,



Robert MacCrate

(Enclosure)



AMERICAN BAR ASSOCIATION

Division for Communications and Public Affairs

750 North Lake Shore Drive, Chicago, Illinois 60611, (312) 988-5000



Release: Immediate

Contact: Nancy Cowger Slonim
Phone: 312/988-6132

ABA TO BESTOW HIGHEST HONOR ON F. WM. McCALPIN
FOR A CAREER DEVOTED TO INCREASING PUBLIC'S ACCESS TO JUSTICE

CHICAGO, June 23 -- The American Bar Association will present the ABA Medal, the highest honor it bestows, to F. Wm. McCalpin, a partner in the St. Louis firm of Lewis & Rice who has devoted his career to making legal services more available to all members of society.

"Bill McCalpin is among a select and very dedicated group of lawyers in the history of this nation who have devoted themselves to making access to justice a reality for all segments of society," said ABA President Robert MacCrate in announcing McCalpin's selection. "Among members of the profession today, his record of contribution is without parallel."

The ABA Medal is presented only in years in which the ABA Board of Governors concludes there is then living a leader of the legal profession who, from a broad national perspective, has rendered "conspicuous service to the cause of American jurisprudence." It will be presented during the ABA 1988 Annual Meeting, Aug. 3-10 in Toronto.

-more-

ABA HONORS McCALPIN, Add One

"Bill McCalpin's unique impact has been in pioneering new concepts to make legal services available to persons not previously served -- in such areas as federally-funded legal services, prepaid legal services plans, group legal services, legal specialization, legal assistants and lawyer referral services. The breadth of his activities in increasing access to justice is unmatched. He is indeed a living legend," said MacCrate.

McCalpin was chairman of the board of the Legal Services Corporation, a federal program to provide lawyers to meet the civil justice needs of low income persons, in 1980-81, and had been a member of the LSC Board of Directors in 1979-81. He served on the National Advisory Committee for the Legal Services Program of the Office of Economic Opportunity, a forerunner to the Legal Services Corporation, in 1965-70. He was a director of the Legal Aid Society of the City and County of St. Louis in 1965-70, and of the Missouri Legal Aid Society in 1977-79. He was president of the state society in 1977-78.

He is a director of the National Legal Aid and Defender Association and is serving as president-elect for the 1987-89 term.

Although McCalpin has held many offices in the ABA, the service singled out for recognition with the ABA Medal was as chairman of the ABA Special Committee on Availability of Legal Services in 1965-70. The committee was created to assess unmet legal needs, evaluate existing service methods, develop alternative delivery mechanisms and determine if the ABA adequately helped the profession meet its obligation to provide legal service to all persons needing it.

-more-

ABA HONORS McCALPIN, Add Two

The committee's work led to such major developments as the widespread creation of new lawyer referral services and national standards to make them more responsive to consumer needs, lawyer specialization programs, prepaid legal insurance plans, training facilities for paralegals, Congressional establishment of the Legal Services Corp. and bar association support for defender systems in criminal and juvenile courts.

Among McCalpin's other activities, he has been secretary of the ABA, a member of its Board of Governors and its policy-making House of Delegates and chairman of the ABA Standing Committee on Lawyer Referral Service, Special Committee on Prepaid Legal Services and Standing Committee on Legal Aid and Indigent Defendants.

He served as President of The American Bar Foundation in 1984-86 and was a director of the ABF in 1975-87. He also was the chairman of the Fellows of The ABF. He is a past president of the National Conference of Bar Presidents and of the Bar Association of Metropolitan St. Louis, and a past governor of The Missouri Bar.

He was a charter trustee of the Junior College District of St. Louis and St. Louis County and was a trustee of St. Louis University. He also is a past chairman of the State of Missouri Coordinating Board for Higher Education. He was a trustee and secretary of St. Louis Educational Television Commission (KETC). He served two 6-year terms as a director of Family and Children's Service of Greater St. Louis.

-more-

ABA HONORS McCALPIN, Add Three

Licensed in both Missouri and Illinois, McCalpin was graduated from St. Louis University in 1943 and Harvard Law School in 1948. He is a member of the American College of Trial Lawyers. He served with the U.S. Marine Corps in World War II and again in the Korean conflict.

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ROUTING AND RECORD SHEET

SUBJECT: (Optional) Letter to Robert MacCrate - American Bar Association

FROM: William M. Baker [redacted] Director, Public Affairs [redacted] **EXTENSION** 27676 **NO.** [redacted]
DATE 3 June 1988

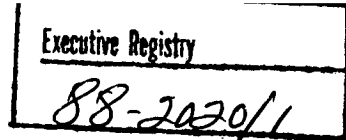
TO: (Officer designation, room number, and building) **DATE** **OFFICER'S INITIALS** **COMMENTS** (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.	DATE	DATE		OFFICER'S INITIALS
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 DCI EXEC REG

The Director of Central Intelligence

Washington, D.C. 20505



June 13, 1988

Robert MacCrate, Esq.
President
American Bar Association
28th Floor
125 Broad Street
New York, New York 10004

Dear Bob:

This will confirm my secretary's call to Harriet Ellis on Friday, June 10th, advising that I accept your invitation to deliver the keynote address at the Tuesday Assembly Luncheon on August 9th in Toronto. Someone from my Public Affairs Office will be in touch with you to coordinate the details.

I look forward to seeing you again in Toronto. With best wishes,

Sincerely,

A handwritten signature in dark ink that reads "Bill".

William H. Webster



P-309-IR



Central Intelligence Agency
Washington, D.C. 20505

William M. Baker
Director, Public Affairs
(703) 482-7676

26 May 1988

Judge:

This is primarily based upon your tenure at the FBI, not the CIA. Because ^Mseminar will be in a foreign country - albeit Canada - will include a number of foreign guests, will come right in the middle of your planned vacation, and could possibly be looked at incorrectly by FBI Director Sessions, I would suggest regrets.

DCI/PAO/WME

Bill Baker

Distribution:

Orig. - Addressee

- 1 - DDCI
- 1 - ER
- 1 - PAO Registry
- 1 - D/PAO
- 1 - PAO Ames
- 1 - MED(Subject)

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Central Intelligence Agency



Washington, D.C. 20505

Executive Registry

88-2020/1

Robert MacCrate, Esquire
President
American Bar Association
28th Floor
125 Broad Street
New York, New York 10004

Dear Bob:

I appreciate very much your kind invitation to deliver the keynote address at the Bar Association Convention Luncheon on August 9. The subject is one of great interest to me, and I tried a number of ways to shift my schedule to accommodate the convention. Unfortunately, it couldn't be done. I certainly enjoyed seeing you recently in Chicago, and I very much appreciated your kind words about the TIMES article.

I regret not being present at such a distinguished gathering, but wish you a very successful convention.

Sincerely yours,

William H. Webster
Director of Central Intelligence

AMERICAN BAR ASSOCIATION

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ROBERT MACCRATE
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TELEPHONE: 212/558-3614

May 24, 1988

The Honorable William H. Webster,
Director,
Central Intelligence Agency,
Washington, D.C. 20505

Dear Bill:

I want to underscore our profound hope, which I expressed to you at the ALI Council meeting last Monday in Chicago, that you will deliver the keynote address at the Tuesday Assembly Luncheon, August 9, during our Annual Meeting in Toronto.

The Tuesday Assembly luncheon this year will be the centerpiece of our special program for our foreign guests as well as the large number of Association members who regularly attend this event. We expect substantial media coverage by representatives of the United States, Canadian and international news corps. Your remarks focused on "the right to be let alone and the right to be kept safe and free," might be between 15 to 20 minutes in length.

If you come to Toronto in time, I would be very pleased if you would be with us as a platform guest with other national and international dignitaries at our Opening Assembly, Monday morning, August 8, at 9:30 a.m., with platform seating starting at 9:00 a.m., at Toronto's Roy Thomson Concert Hall. As I told you, United Nations Secretary-General Javier Perez de Cuellar will give the Opening Assembly keynote address.

I do hope you can favor us on August 8.

Sincerely,



Robert MacCrate

17 May 1988

MEMORANDUM FOR: Mr. Baker
FROM: Director of Central Intelligence
SUBJECT: AMERICAN BAR ASSOCIATION CONVENTION
Toronto, Canada

1. While at the ALI Council meeting in Chicago, I was approached by Bob McCrate, the upcoming President of the American Bar Association. He had apparently read the Unger story in the *New York Times* magazine and was taken by my statement regarding the difficult balance between the right to be let alone and the desire to be kept safe and free.

2. The ABA is planning a major program (a General Assembly program) utilizing a number of foreign guests. (I suspect this is not unlike the Terrorism Seminar that I participated in in London.) The basic theme is to be "Threats to Domestic Peace and Security." There will be presentations on the right to counsel, the right to a speedy and public trial, pretrial detainees and bail, and other similar issues. This would be in the morning. In the afternoon, a second phase of the program would be on something - if I could read my notes - that sounds like liberty versus government. (I don't think I've got this one right.) In any event, Mr. McCrate is interested in having me be the luncheon speaker for the General Assembly program which he suggests will have a sizeable ballroom-type audience. He wants me to speak on some aspect of the quote attributed to me in the *Times*.

3. I'd appreciate your thoughts and suggestions. I can't place my notes at the moment, but plan to be in Michigan with my daughter beginning either the 30th or 31st of July with a shift to Jack Cole's cottage in the same location some time during the end of the first week in August. Harbor Point is at the northern tip of the southern peninsular and would be a relatively short flight to Toronto if this seems like a worthy effort. What are your thoughts?


William H. Webster



ROUTING SLIP

TO:

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SUSPENSE _____
Date

Remarks

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[Signature Box]

Executive Secretary

17 May 88

Date

3637 (10-81)

17 May 1988

MEMORANDUM FOR: Mr. Baker

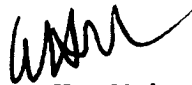
FROM: Director of Central Intelligence

SUBJECT: AMERICAN BAR ASSOCIATION CONVENTION
Toronto, Canada

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William H. Webster

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