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U.S. Department of Justice

Federal Bureau of Investigation  
Washington, D.C. 20535

September 28, 2017

MR. JOHN GREENEWALD JR.  
SUITE 1203  
27305 WEST LIVE OAK ROAD  
CASTAIC, CA 91384

FOIPA Request No.: 1385217-000  
Subject: SNELL, DAVID

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act. Enclosed are 3 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for the requested subject, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing [ogis@nara.gov](mailto:ogis@nara.gov). Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so that it may be easily identified.

Sincerely,

David M. Hardy  
Section Chief,  
Record/Information  
Dissemination Section  
Records Management Division

Enclosure(s)

## EXPLANATION OF EXEMPTIONS

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

NEW YORK, NY

~~CONFIDENTIAL~~ (U)  
January 12, 1951

Director, FBI.

RE: COMMUNIST PARTY, USA,  
INTERNAL SECURITY-C.

Dear Sir:

On January 11, 1951, [redacted] appeared at this office and stated that he was a member of the January 1951 Grand Jury, sitting in the Southern District of New York. [redacted] referred to a broadcast made by DAVID SNELL over Radio Station WOR on Sunday, January 7, 1951 and stated that in this broadcast SNELL made the statement that the DAILY WORKER will not permit any outsiders in their building and further gave information concerning Communist activities in the New York area. [redacted] requested that the FBI secure for him a transcript of this broadcast.

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100-460  
[redacted] stated he had previously discussed this request with the foreman of the Grand Jury who had refused to take official action but suggested to [redacted] that he could personally make the request and then if any further action was necessary by the Grand Jury as a result of the content of the broadcast, it would be considered at that time. He stated, therefore, that this was a personal request rather than an official request of the Grand Jury. He further stated that he was considering requesting the Grand Jury to conduct investigations of Communist activities. He added that the main concern at the present time was that he knows that the U. S. Government will apprehend approximately 15,000 people if an emergency occurs and also knows that there are no facilities provided for housing these 15,000. He stated he intended on bringing the members of the Grand Jury over to Ellis Island to look over the facilities and if there were not beds for 15,000 people he expected that the Grand Jury will recommend appropriate corrective measures.

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Encl.

WTM:DJG  
100-4931

100-4931-8570

~~Confidential~~ Letter to Director  
NY 100-4931

January 12, 1951

[redacted] stated that he was referred to this office by an Assistant United States Attorney in the Southern District of New York but did not know his name. He further stated that Special Assistant to the Attorney General Thomas J. Donegan was the Attorney in charge of that particular Grand Jury. [redacted] was advised that the records of the FBI are confidential and that since the Grand Jury is an arm of the court it would appear to be better procedure to make any requests that he may have through the office of the United States Attorney who could take the matter up with the Department. It was further suggested to [redacted] that he may desire to discuss his entire plan about going to Ellis Island with Mr. Donegan since he is in charge of that Grand Jury. [redacted] stated that he thought this was a good suggestion and would consult with him.

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Although no information was given to [redacted] he appeared to appreciate the restrictions on the FBI and satisfied with the reason given for our not furnishing him with the requested document.

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Mr. Donegan was contacted relative to this matter and he stated that he did not know [redacted]. Further he stated that he hadn't been in charge of any Grand Jury for months and definitely did not have anything to do with this particular Grand Jury.

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A confidential check of the Grand Jury listing through the Grand Jury Clerk was made and it was determined that [redacted] was a member of the January 2, 1951 Grand Jury. The record reflects that he is a retired research businessman and had been born on June 12, 1882. He first qualified as a Grand Juror in May 1936. He served on the Grand Jury in February 1945 and was excused in 1947 and 1948. His present address was listed as [redacted] New York City. [redacted] Grand Jury Clerk, stated that this would be the last time [redacted] would serve on a Grand Jury as he has been removed from any future list due to his old age.

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Attached may be found a photostatic copy of the original script used by DAVID SNELL in connection with his broadcast of January 7, 1951. It is being submitted to the Bureau for its information.

~~Confidential~~ Letter to Director  
NY 100-4931

January 12, 1951.

Unless advised to the contrary no further action relative to this matter will be taken by this office. Mr. Donegan stated he will advise this office if he receives any information concerning the suggested plans of [redacted] as stated above.

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Very truly yours,

*com* *PS*

EDWARD SCHEIDT,  
SAC.