

10 January 1975

OGC Has Reviewed

MEMORANDUM FOR THE RECORD

SUBJECT: National Wire Tap Commission

1. Recently a local firm who is a Procurement Division, OL, supplier of surveillance equipment advised that it had been called by a Mr. Michael Herschman, who had identified himself as being with the National Wire Tap Commission. According to this individual, Herschman said that the Commission would be requesting his sales data, implying that if the requested data was not forthcoming, it would be subpoenaed.

2. The Commission's complete title is the National Commission for the Review of Federal and State Laws Relating to Wire Tapping and Electronic Surveillance. It was established by the Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C.A. 2510 Note). In terms of the Act, it has been charged with the responsibility for making a comprehensive study and review of the Act's provisions relating to wire tapping and electronic surveillance. It has 15 members - 4 from the Senate, 4 from the House, and 7 appointed by the President from private life. Its offices are at 1817 Connecticut Avenue, N.W., Telephone Number 382-6782. A call to that number confirmed the existence of a Michael Herschman. According to the Office of Legislative Counsel, the Commission's Chairman is William H. Erickson, and the Staff Director is Kenneth Hodson, a retired Air Force JAG general.

3. Originally the Commission did not have compulsory process authority. Upon the enactment of the Omnibus Crime Control Act of 1970 (P.L. 91-644), in addition to being authorized to hold hearings and administer oaths, it was granted the power to compel testimony and the production of "such books, records . . . and documents . . . as the Commission . . . may deem advisable."

4. While the Commission's existence was to terminate on June 17, 1975, P.L. 93-609 extended its life until January 19, 1977.

STATINTL


Associate General Counsel

cc: OGC
C/PD/OL
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