

PAGE TWO 100-106670

OFFICE SERIAL NUMBER IN ORDER THAT THE DEPARTMENT CAN
MAKE A COMPLETE CHRONOLOGICAL ACCOUNTING OF EACH FIELD
OFFICE SERIAL.

END.

NOTE:

Referenced teletype instructed all offices, except those to be visited by the Department Task Force, to xerox serials in its Murkin investigation and forward to FBIHQ by 8/9/76. The Department has requested Murkin files to continue its review as directed by the Attorney General.

Since the Task Force has reviewed Murkin files at FBIHQ duplication can be avoided by having the field office xerox only the first page of serials in cases where a copy of that serial was furnished FBIHQ. This procedure has been coordinated with Fred Folsom, Office of Professional Responsibility Department of Justice, who is leader of the Task Force.

CODE

TELETYPE

① - Mr. R. J. Gallagher
NITEL
(Attn: J. S. Peelman)

JULY 29, 1976

TO: SACS ATLANTA
BIRMINGHAM
CHARLOTTE
CHICAGO
NEW ORLEANS
NEW YORK
SPRINGFIELD
ST. LOUIS

1 - Mr. T. W. Leavitt
1 - Mr. J. O. Ingram
1 - Mr. J. G. Deegan
1 - Mr. J. T. Aldhizer

FROM: DIRECTOR, FBI (100-106670)

MARTIN LUTHER KING, JR.

REBUTEL TO ALL OFFICES DATED JULY 28, 1976, WHICH SET FORTH BACKGROUND INFORMATION CONCERNING REVIEW OF OUR MARTIN LUTHER KING, JR., INVESTIGATIONS BY A TASK FORCE OF THE OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR), DEPARTMENT OF JUSTICE.

PURPOSE OF THIS TELETYPE IS TO ALERT RECIPIENTS REGARDING PLANS OF OPR TASK FORCE PERSONNEL TO VISIT THEIR OFFICES TO CONTINUE REVIEW OF OUR KING INVESTIGATIONS.

DURING AUGUST, 1976, TASK FORCE PERSONNEL FRED FOLSOM, LEADER; JAMES WALKER; JOSEPH GROSS, JAMES KIECKHEFER AND WILLIAM WHITE WILL ARRIVE AT THE FOLLOWING OFFICES ON DATES INDICATED: ATLANTA AUGUST 2-3, 1976; BIRMINGHAM AUGUST 4-5, 1976; AND NEW ORLEANS AUGUST 5-6, 1976. PRIOR TO JOINING THE

JTA:adm
(8)

SEE NOTE PAGE THREE

1 - 44-38861

PAGE TWO 100-106670

GROUP IN ATLANTA, WALKER WILL ARRIVE AT THE CHARLOTTE OFFICE ON THE MORNING OF JULY 30, 1976. WITH EXCEPTION OF ATLANTA THE TASK FORCE DESIRES TO REVIEW KING ASSASSINATION FILES (MURKIN), THE INTELLIGENCE INVESTIGATION OF KING AND ALL KING RELATED SECURITY FILES. IN ATLANTA THE TASK FORCE IS ONLY INTERESTED IN REVIEWING MURKIN FILES AND PLANS A SECOND TRIP TO ATLANTA AT A LATER DATE TO REVIEW ALL SECURITY FILES.

DURING THE WEEK OF AUGUST 16-20, 1976, TRAVEL IS PLANNED TO CHICAGO, ST. LOUIS AND SPRINGFIELD, ALTHOUGH DURATION OF TIME IN EACH OFFICE IS UNKNOWN AT PRESENT. ALL KING RELATED FILES ARE TO BE REVIEWED IN ST. LOUIS AND SPRINGFIELD. IN CHICAGO THE TASK FORCE IS INTERESTED INITIALLY IN REVIEWING ONLY THE MURKIN FILE AND PLANS A LATER VISIT TO REVIEW THE KING INTELLIGENCE INVESTIGATION AND RELATED SECURITY FILES. ADDITIONAL DETAILS REGARDING TRAVEL OF THE TASK FORCE DURING THE PERIOD AUGUST 16-20, 1976, WILL BE PROVIDED. NO SPECIFIC DATES FOR TRAVEL TO NEW YORK HAVE BEEN SET OTHER THAN IT WILL BE AFTER AUGUST 20, 1976.

IT IS NOTED THAT ALL PERSONNEL ON THE TASK FORCE ARE AUTHORIZED TOTAL ACCESS TO PERTINENT FILES AND SUBFILES AT FBIHQ AND IN THE FIELD REGARDING INVESTIGATION OF KING, HIS FAMILY MEMBERS AND ASSOCIATES. THIS WILL INCLUDE COVER PAGES OF COMMUNICATIONS CONTAINING IDENTITIES OF SOME FBI SOURCES AND INFORMANTS WHO WERE NOT AFFORDED SYMBOL NUMBERS AT THAT TIME AND INDIVIDUALS WHO EXPRESSED OR IMPLIED CONFIDENTIALITY. INFORMANT FILES ARE NOT TO BE MADE AVAILABLE WITHOUT PRIOR FBIHQ AUTHORITY.

PAGE THREE 100-106670

BECAUSE OF SENSITIVITY INVOLVING OUR INVESTIGATION OF STANLEY DAVID LEVISON, IT HAS BEEN RECOMMENDED TO THE DEPARTMENT THAT HIS FILE AT FBIHQ AND IN THE FIELD BE RESTRICTED TO REVIEW BY FOLSOM ONLY. THE DEPARTMENT HAS NOT RENDERED A DECISION ON THIS RECOMMENDATION. THEREFORE, UNTIL FURTHER NOTICE, RECIPIENTS ARE TO DENY ALL TASK FORCE PERSONNEL ACCESS TO LEVISON'S FILE.

RECIPIENTS ASSIGN COORDINATOR TO HANDLE LIAISON WITH TASK FORCE PERSONNEL AND PROVIDE OFFICE SPACE IN WHICH TO CONDUCT REVIEW. CONFIRM THEIR ARRIVAL AND DEPARTURE BY TELETYPE AND KEEP FBIHQ ADVISED OF SIGNIFICANT DEVELOPMENTS.

NOTE:

The Attorney General has ordered a review of our King investigations. It is to be conducted by a Task Force of OPR and is a continuation of a previous review by the Civil Rights Division of the Department.

Recipients have been telephonically furnished contents of teletype. Task Force personnel have been advised addresses of offices and appropriate FBI personnel to contact. Recipients have been instructed to refer any questions concerning the review to Deputy Assistant Director J. O. Ingram, who is coordinating the review for the Intelligence Division or SA J. T. Aldhizer.

Folsom denied our request to restrict review of Levison file to himself only. By letter dated 7/29/76, we recommended to Assistant Attorney General Pottinger, Civil Rights Division that access to Levison's file be restricted and that the Attorney General support our position in writing.

Civil Rights Division

July 21, 1976
ATTN: MR. STEPHEN HORN

ASSASSINATION OF MARTIN LUTHER KING, JR.

G. X HNH:nlc

SEE NOTE PAGE TWO . . .

Assistant Attorney General
Civil Rights Division

RE: ASSASSINATION OF MARTIN LUTHER KING, JR.

NOTE: Our Knoxville Office advised that an anonymous telephone caller advised at 2:45 p.m., July 8, 1976, that the individual who killed Dr. Martin Luther King and who was also responsible for the recent bombings in the airports is one Richard Osbon (Phonetic), Jr. This was all of the information which the caller furnished and the call was then terminated immediately by the caller.

No information was located in our files at FBI Headquarters, Washington, D. C., or in our Knoxville or Memphis Offices, re Richard Osbon (Phonetic), Jr.

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR009 KX PLAIN

6:50 PM NITEL JULY 8, 1976 WEH

JUL 08 1976

TO: DIRECTOR, FBI (44-38861)

DU
TELETYPE

SAC, MEMPHIS (44-2366)

ADIC, NEW YORK (174-2366)

FROM: KNOXVILLE (149-114) (44-696) (RUC)

LAGBOM. EID. OO: NEW YORK. KX FILE 149-114.

MURKIN. OO: MEMPHIS. KX FILE 44-696.

FOR INFO BUREAU AND RECEIVING OFFICES, [ANONYMOUS
TELEPHONE CALLER ADVISED AT 2:45 P.M., JULY 8, 1976,
THAT THE INDIVIDUAL WHO KILLED DR. MARTIN LUTHER KING
AND WHO WAS ALSO RESPONSIBLE FOR THE RECENT BOMBINGS
IN THE AIRPORTS IS ONE RICHARD OSBON (PHONETIC), JR.

THIS WAS ALL OF THE INFORMATION WHICH THE CALLER
FURNISHED AND THE CALL WAS THEN TERMINATED IMMEDIATELY
BY THE CALLER.] NO RECORD IDENTIFIABLE, KNOXVILLE INDICES.

INFORMATION BEING FURNISHED RECEIVING OFFICES
FOR EVALUATION AND POSSIBLE ASSISTANCE IN INVESTIGATION.

ARMED AND DANGEROUS.

END.

FCD FBIHQ ACK NR 7 AND 9 FBIHQ

HOLD

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AAG-CRD
1-CRD
HMH/KC
7/8/76

*Rec'd
On August
Hellerhoff*

CARBON COPY DO NOT FILE

1 - Mr. J. B. Adams

CODE

TELETYPE

URGENT

TO SACS KANSAS CITY
LOS ANGELES
MEMPHIS
SAN FRANCISCO

JUNE 30, 1976

DIRECTOR FBI (100-106670)

MARTIN LUTHER KING, JR.

① - Mr. R. J. Gallagher
(Attn: J. S. Peelman)
1 - Mr. T. W. Leavitt
1 - Mr. J. O. Ingram
1 - Mr. J. G. Deegan
1 - Mr. J. T. Aldhizer

FOR INFORMATION OF KANSAS CITY, LOS ANGELES AND
SAN FRANCISCO, THE ATTORNEY GENERAL HAS ORDERED A REVIEW OF
THE FBI'S INVESTIGATION OF MARTIN LUTHER KING. ASSIGNED TO
CONDUCT THIS REVIEW IS A TASK FORCE WORKING UNDER DIRECTION OF
THE OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR) OF THE
DEPARTMENT OF JUSTICE. THE ATTORNEY GENERAL HAS INDICATED THE
REVIEW IS TO RESOLVE THE FOLLOWING FOUR QUESTIONS.

(1.) WAS THE FBI INVESTIGATION OF KING'S ASSASSINATION
THOROUGH AND HONEST?

(2.) IS THERE ANY EVIDENCE THE FBI WAS INVOLVED IN THE
ASSASSINATION?

(3.) IS THERE ANY NEW EVIDENCE WHICH HAS COME TO THE
ATTENTION OF THE DEPARTMENT CONCERNING THE ASSASSINATION?

1 - 44-38861

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(9)

SEE NOTE PAGE 4

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PAGE TWO 100-106670

(4.) DOES THE RELATIONSHIP BETWEEN THE BUREAU AND KING CALL FOR CRIMINAL PROSECUTIONS, DISCIPLINARY PROCEEDINGS OR OTHER APPROPRIATE ACTION?

THIS REVIEW IS A CONTINUATION OF A "PARTIAL REVIEW" RECENTLY CONDUCTED BY THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT UNDER DIRECTION OF ASSISTANT ATTORNEY GENERAL J. STANLEY POTTINGER. AFTER THE TASK FORCE COMPLETES STUDY OF ASSASSINATION FILES IN SELECTED FIELD OFFICES, IT WILL CONDUCT EXAMINATION OF OUR INTELLIGENCE INVESTIGATION OF KING AND ANY SECURITY FILES RELATING TO BASIS FOR THE INVESTIGATION. ALL PERSONNEL ON THE TASK FORCE ARE AUTHORIZED TOTAL ACCESS TO PERTINENT FILES AT FBIHQ AND IN THE FIELD. THIS WILL INCLUDE COVER PAGES OF COMMUNICATIONS CONTAINING IDENTITIES OF SOME FBI SOURCES, INFORMANTS WHO WERE NOT AFFORDED SYMBOL NUMBERS AT THAT TIME AND INDIVIDUALS WHO EXPRESSED OR IMPLIED CONFIDENTIALITY. INFORMANT FILES ARE NOT TO BE MADE AVAILABLE TO THE TASK FORCE WITHOUT PRIOR FBIHQ AUTHORITY.

THE OPR REVIEW BEGAN AT FBIHQ ON MAY 10, 1976, WITH REVIEW OF ASSASSINATION FILES OF FBIHQ AND WASHINGTON FIELD OFFICE.

DURING THE PERIOD JUNE 14-24, 1976, THE TASK FORCE REVIEWED KING ASSASSINATION AND SECURITY FILES IN THE MILWAUKEE AND MEMPHIS OFFICES.

PAGE THREE 100-106670

TO CONTINUE ITS REVIEW MEMBERS OF THE TASK FORCE IDENTIFIED AS JAMES KIECKHEFER, WILLIAM WHITE AND JOSEPH GROSS TENTATIVELY PLAN THE FOLLOWING TRAVEL: DEPART WASHINGTON, D. C., JULY 6, 1976, FOR KANSAS CITY, REMAINING THERE JULY 7-8, 1976; DEPART KANSAS CITY JULY 8, 1976, TO ARRIVE AT SAN FRANCISCO OFFICE ON THE MORNING OF JULY 9, 1976; PROBABLY DEPART SAN FRANCISCO JULY 11, 1976, TO ARRIVE AT LOS ANGELES OFFICE ON THE MORNING OF JULY 12, 1976, FOR AN APPROXIMATE FIVE DAY PERIOD BEFORE RETURNING TO WASHINGTON, D. C.

TASK FORCE HAS INDICATED THAT TRAVEL TO KANSAS CITY IS BASED ON LOCATION OF PRISON FROM WHICH JAMES EARL RAY ESCAPED. IN ADDITION TO KING RELATED FILES TASK FORCE DESIRES TO REVIEW KANSAS CITY 157-472, WHICH INVOLVES AN ALLEGATION THAT A KLAN ORGANIZATION OFFERED TO KILL KING.

TRAVEL TO SAN FRANCISCO AND LOS ANGELES IS BASED ON AMOUNT OF TIME KING IS KNOWN TO HAVE SPENT ON THE WEST COAST, ACCORDING TO TASK FORCE PERSONNEL. IN ADDITION TO KING RELATED FILES, TASK FORCE DESIRES TO REVIEW LOS ANGELES 157-869, REGARDING A PLOT TO ASSASSINATE KING AND LOS ANGELES 157-651, WHICH CONCERNS A KLAN THREAT ON THE LIFE OF KING. ALSO OF INTEREST IS LOS ANGELES FILE 100-24345, SECTION C, CAPTIONED "COMMUNIST PARTY, USA - NEGRO QUESTION," CONCERNING ELECTRONIC SURVEILLANCE OF KING. IN SAN FRANCISCO, OF PARTICULAR INTEREST IS 100-51914, CAPTIONED "COMMUNIST PARTY, USA - NEGRO QUESTION," WHICH PERTAINS TO THE ELECTRONIC SURVEILLANCE OF KING IN HAWAII AND SACRAMENTO.

PAGE FOUR 100-106670

SACS, KANSAS CITY, SAN FRANCISCO AND LOS ANGELES ASSIGN COORDINATOR TO HANDLE LIAISON WITH TASK FORCE PERSONNEL AND PROVIDE OFFICE SPACE IN WHICH TO CONDUCT REVIEW. CONFIRM ARRIVAL AND DEPARTURE OF TASK FORCE PERSONNEL AND KEEP FBIHQ ADVISED OF SIGNIFICANT DEVELOPMENTS.

FOR INFORMATION OF MEMPHIS, TASK FORCE LEADER FRED G. FOLSOM AND JAMES WALKER PLAN TO RETURN TO MEMPHIS ON JULY 6, 1976. THEIR PLANS ARE TO REVIEW EVIDENCE IN THE ASSASSINATION CASE AND POSSIBLY CONDUCT INTERVIEWS WHICH MAY INCLUDE BOB JENSEN, FORMER SAC OF THE MEMPHIS OFFICE, TWO FORMER ASSISTANT UNITED STATES ATTORNEYS AND JAMES EARL RAY. THERE IS NO INDICATION AT THIS TIME FBI EMPLOYEES ARE TO BE INTERVIEWED. MEMPHIS CONFIRM ARRIVAL AND DEPARTURE OF TASK FORCE PERSONNEL AND KEEP FBIHQ ADVISED OF ALL SIGNIFICANT DEVELOPMENTS.

NOTE:

Recipients have been telephonically furnished contents of teletype on 6/30/76. Task Force personnel have been advised of Bureau Office addresses in cities to be visited and appropriate FBI personnel to contact. Recipients have been instructed to refer any questions concerning the review to Deputy Assistant Director J. O. Ingram, who is coordinating the review for the Intelligence Division, or SA J. T. Aldhizer.

CODE

TELETYPE

1 - Mr. R. J. Galagher
(Attn: J. S. Peelman)
URGENT

1 - Mr. T. W. Leavitt

JULY 2, 1976

TO: SAC, OMAHA (100-6862)

FROM: DIRECTOR, FBI (100-106670)

1 - Mr. J. O. Ingram
1 - Mr. J. G. Deegan
1 - Mr. J. T. Aldhizer

MARTIN LUTHER KING, JR.

THE ATTORNEY GENERAL (AG) HAS ORDERED A REVIEW OF THE FBI'S INVESTIGATION OF MARTIN LUTHER KING. ASSIGNED TO CONDUCT THIS REVIEW IS A TASK FORCE WORKING UNDER DIRECTION OF THE OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR) OF THE DEPARTMENT OF JUSTICE. THE ATTORNEY GENERAL HAS INDICATED THE REVIEW IS TO RESOLVE THE FOLLOWING FOUR QUESTIONS.

(1) WAS THE FBI INVESTIGATION OF KING'S ASSASSINATION THOROUGH AND HONEST?

(2) IS THERE ANY EVIDENCE THE FBI WAS INVOLVED IN THE ASSASSINATION?

(3) IS THERE ANY NEW EVIDENCE WHICH HAS COME TO THE ATTENTION OF THE DEPARTMENT CONCERNING THE ASSASSINATION?

(4) DOES THE RELATIONSHIP BETWEEN THE BUREAU AND KING CALL FOR CRIMINAL PROSECUTIONS, DISCIPLINARY PROCEEDINGS OR OTHER APPROPRIATE ACTION?

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SEE NOTE PAGE THREE

PAGE TWO 100-106670

THIS REVIEW IS A CONTINUATION OF A "PARTIAL REVIEW" RECENTLY CONDUCTED BY THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT UNDER DIRECTION OF ASSISTANT ATTORNEY GENERAL J. STANLEY POTTINGER. AFTER THE TASK FORCE COMPLETES STUDY OF ASSASSINATION FILES IN SELECTED FIELD OFFICES, IT WILL CONDUCT EXAMINATION OF OUR INTELLIGENCE INVESTIGATION OF KING AND ANY SECURITY FILES RELATING TO BASIS FOR THE INVESTIGATION. ALL PERSONNEL ON THE TASK FORCE ARE AUTHORIZED TOTAL ACCESS TO PERTINENT FILES AT FBIHQ AND IN THE FIELD. THIS WILL INCLUDE COVER PAGES OF COMMUNICATIONS CONTAINING IDENTITIES OF SOME FBI SOURCES, INFORMANTS WHO WERE NOT AFFORDED SYMBOL NUMBERS AT THAT TIME AND INDIVIDUALS WHO EXPRESSED OR IMPLIED CONFIDENTIALITY. INFORMANT FILES ARE NOT TO BE MADE AVAILABLE TO THE TASK FORCE WITHOUT PRIOR FBIHQ AUTHORITY.

THE OPR REVIEW BEGAN AT FBIHQ ON MAY 10, 1976, WITH REVIEW OF ASSASSINATION FILES OF FBIHQ AND WASHINGTON FIELD OFFICE.

MEMBERS OF THE TASK FORCE PLAN TO REVIEW KING FILES IN THE KANSAS CITY, SAN FRANCISCO AND LOS ANGELES OFFICES BEGINNING JULY 6, 1976. THESE OFFICES HAVE BEEN NOTIFIED REGARDING DETAILS OF REVIEW. ONE OF THE MEMBERS, JOSEPH GROSS PLANS TO BE AT HIS HOME IN OMAHA DURING JULY FOURTH WEEK-END AND DESIRES TO REVIEW OMAHA FILES RELATING TO OUR INVESTIGATION OF KING.

PAGE THREE 100-106670

GROSS WILL ARRIVE IN OMAHA DURING THE EVENING OF JULY 2, 1976, AND WILL APPEAR AT OMAHA OFFICE ON THE MORNING OF JULY 3, 1976, TO CONDUCT REVIEW. TASK FORCE PLANS TO REVIEW KING FILES IN ALL FBI OFFICES.

OMAHA ASSIGN A COORDINATOR TO HANDLE LIAISON WITH GROSS AND PROVIDE OFFICE SPACE IN WHICH TO CONDUCT REVIEW. CONFIRM HIS ARRIVAL AND DEPARTURE AND KEEP FBIHQ ADVISED OF SIGNIFICANT DEVELOPMENTS.

NOTE:

Omaha was telephonically furnished contents of teletype on 7/2/76. Task Force personnel have been advised address of Omaha office and appropriate FBI personnel to contact. Recipients have been instructed to refer any questions concerning the review to Deputy Assistant Director J. O. Ingram, who is coordinating the review for the Intelligence Division, or SA J. T. Aldhizer.

The Omaha file concerning King's assassination consists of three volumes, 293 serials and a one volume file concerning our security investigation of King consists of 49 serials. It is anticipated the review will be completed 7/3/76 and Gross will remain in Omaha prior to departing to Kansas City on 7/6/76.

Michael E. Shaheen, Jr., Counsel
Office of Professional Responsibility

June 9, 1976

Assistant Director - Legal Counsel
Federal Bureau of Investigation

① - Mr. Leavitt
1 - Mr. Decker
1 - Mr. Mogen
1 - Mr. Bassett
1 - Mr. Mintz

REQUEST FOR ACCESS TO MATERIALS
RELATING TO MARTIN LUTHER KING, JR.

Your memorandum to me dated June 3, 1976, concerning captioned matter requested my advice and written views on the legal implications that would attend granting any of the three broad requests made by the attorneys for the King family.

Granting access to the materials and files as requested would afford the attorneys an advantage not granted others pursuant to the FOI and Privacy Acts and the Department regulations pursuant to those acts. Special considerations are involved due to the notoriety of Martin Luther King, Jr., and the published allegations concerning him and the FBI. However, others may feel equally entitled to similar treatment if unusual access is granted in this instance, and they may call for a discretionary release by the Attorney General in other cases. The backlog of FOI and Privacy Acts requests would be further complicated by creating new categories of expeditious file review.

The May 27, 1976, decision of the court in Eldridge Cleaver, et al., v. Clarence M. Kelley, et al., Civil Action 76-3795, (U.S. D.C., D.C.), supported the FBI practice of serving all FOI - Privacy Act requests equitably by responding according to the date of receipt. Judge Green's opinion is a significant development in the law which we would not like undercut by a policy of preferential handling of requests out of the order in which they were received. An FOI - Privacy Act request

JAM:mfd

(8)

① [Signature]
② [Signature]

Michael E. Shaheen, Jr.

by the King family attorneys would face some delay due to the existing procedures, but the material could be made available subject to the statutory exemptions. Disclosure beyond that required by the statutes would be of doubtful propriety in this matter because there remain serious questions of personal privacy of Martin Luther King, Jr., even though he is deceased. Moreover, broad disclosure does not seem to be necessary to private counsel in view of the in-depth study of this matter made by the Church Committee followed by their public report.

The question of private counsel participation in the Department and FBI review of Dr. King's assassination, the Bureau's investigation of that assassination, and the Bureau's alleged program of harassment against Dr. King being undertaken by your office at the express order of the Attorney General should require little discussion. It does not seem to me to be in the interest of justice to have private attorneys for those who may have a stake in the matter participate in reviews undertaken by the Department or by the FBI.



UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF PROFESSIONAL RESPONSIBILITY
WASHINGTON, D.C. 20530

JUN 3 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

Mary C. Lawton
Deputy Assistant Attorney General
Office of Legal Counsel

M.E.S.
FROM: Michael E. Shaheen, Jr., Counsel
Office of Professional Responsibility

Attorneys representing both Mrs. Martin Luther King, Jr. and the estate of the late Dr. King have requested the Department to permit them 1) access to all materials provided to the Senate Select Committee on Intelligence relating to Dr. King, and/or 2) access to all Department and FBI files relating to Dr. King and 3) ~~the right to participate in the full Department and Bureau review of Dr. King's assassination, the Bureau's investigation of that assassination, and the Bureau's program of harassment against Dr. King presently being undertaken by this Office at the express order of the Attorney General.~~

The Attorney General has requested that this Office invite your advice and written views on the legal implications that would attend granting any of the three broad requests made by the Attorneys for the King family.

Please forward your views to this Office by early next week so we may transmit them to the Attorney General for his review and subsequent discussion.

cc: Jack Fuller



Mr. Moore

6-21-76

in view of the fact that

C. P. Monroe

Peckman

MARTIN LUTHER KING MURDER,
INQUIRY FROM LES PAYNE
OF "NEWSDAY"

PURPOSE:

The purpose of this memorandum is to recommend that Les Payne of "Newsday" (who has written Mr. Kelley regarding the Martin Luther King murder investigation) be invited to view data regarding evidence examined by the FBI Laboratory that has been made available under the Freedom of Information Act--and that he be advised our files do not substantiate the involvement of FBI informants in rioting in Memphis, Tennessee, in March, 1968, as alleged in an article he wrote for "Newsday" this year.

SYNOPSIS:

By letter dated June 10th, Payne has advised he wants to interview a knowledgeable Bureau representative regarding the Invaders (militant group of blacks in Memphis at time of Martin Luther King murder) and work of FBI Laboratory in the King murder case. Data concerning evidence examined by Laboratory in King murder case has been made available under Freedom of Information Act and can be reviewed by Payne. Payne wrote article for February 1, 1976, issue of "Newsday" alleging that "Several FBI informants...were among the most active members of" the Invaders and that "FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed." In a memorandum to the Attorney General on March 4, 1976, the Director pointed out that the Memphis Office had informant

Enclosures (2)

- 1 - Mr. Moore - Enclosures (2)
- 1 - Mr. Cochran - Enclosures (2)
- ① - Mr. Galanter - Enclosures (2)
- 1 - Mr. Leavitt - Enclosures (2)
- 1 - Mr. McDermott - Enclosures (2)
- 1 - Mr. Mintz - Enclosures (2)
- 1 - Mrs. Netcalf - Enclosures (2)
- 1 - Telephone Room - Enclosures (2)

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CONTINUED - OVER

Monroe to Moore MEMO
RE: MARTIN LUTHER KING MURDER

coverage of the Invaders, but our files do not indicate that any FBI informants were involved in planning, inciting, or participating in the violence that erupted during a march in which Dr. King participated in Memphis on March 28, 1968.

RECOMMENDATION:

That the attached letter be sent Payne advising him that data pertaining to the Laboratory examinations in the King murder case has been made available under the Freedom of Information Act and that he should contact your (Mr. Moore's) office if he desires to arrange to see this data. With regard to his inquiry concerning the Invaders, the attached letter points out that our files do not support the allegations regarding FBI informants in his article which was published in the February 1, 1976, issue of "Newsday."

DETAILS:

By letter dated June 10, 1976, Les Payne of "Newsday" (a daily newspaper on New York's Long Island) has written to refresh Mr. Kelley's memory to the fact that he (Payne) participated with Mr. Kelley on the "Black Perspectives on the News" television program earlier this year. (The program to which he refers was filmed in Philadelphia, Pennsylvania, in April, 1976.) Payne notes that at the time he raised questions about the FBI Laboratory reports in the Martin Luther King murder case and that he also asked about FBI penetration of the Invader group in Memphis. According to Payne, Mr. Kelley's response to these questions was to the effect that he was not prepared at that time to give a detailed outline of what the evidence was.

In his June 10th letter, Payne now asks that he be granted an interview with an Agent or other official

Moore to Moore memo
RE: MARTIN LUTHER KING MURDER

knowledgeable regarding the King murder case. Specifically, he wants to talk to someone familiar with (1) the Invaders group, and (2) the work of the FBI Laboratory with respect to evidence from the scene of the murder.

Regarding Evidence Examined by Laboratory:

This year, considerable data concerning evidence examined by the FBI Laboratory in the King murder case has been made available to author Harold Weisberg under the Freedom of Information Act. That material is, of course, available to Payne and to others who express an interest in it.

Regarding the Invaders:

The Invaders was a militant group composed of young blacks which was active in Memphis, Tennessee, at the time the Memphis sanitation workers began a strike in February, 1968. That strike, which became a black cause, was supported by Dr. King and his Southern Christian Leadership Conference. Dr. King participated in a march supportive of the sanitation workers on March 28, 1968, in Memphis. Shortly after the march began, young blacks toward the rear began breaking windows and looting--at which point Dr. King left the scene. Widespread violence and looting followed. Leaders of the Invaders had urged students to skip school on the day of the march; and the presence of uncontrolled youths, combined with agitation of leaders of the Invaders, was considered a primary cause of the violence.

Reportedly, the violence was particularly distressing to Dr. King and his associates because they felt it might be construed to indicate Dr. King could no longer lead mass demonstrations without violence. Early in April, 1968, Dr. King returned to Memphis and was murdered.

Monroe to Moore memo
RE: MARTIN LUTHER KING MURDER

Article by Payne About King Murder and the Invaders:

The February 1, 1976, issue of "Newsday" featured an article by Les Payne headlined "FBI Tied to King's Return to Memphis." Payne's article alleges that "Several FBI informants and at least one undercover agent for the Memphis police department were among the most active members of" the Invaders and that "FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed." (A Xerox of Payne's article is attached.)

By memorandum dated March 4, 1976, the Director brought Payne's article to the attention of the Attorney General and advised him:

"The FBI did have informant coverage of the Invaders. There were five informants of the Memphis Office providing some degree of coverage of the Invaders or its leaders. One informant did become a member of the Invaders shortly after the March 28, 1968, violence. He was present during the demonstration and reported on the activities of the leaders of the Invaders before and during the demonstration. Another informant was well acquainted with the BOP*/Invaders leaders. He was also present during the demonstration and reported thereon."

* (Black Organizing Project)

"Our files do not indicate that any of the FBI informants were involved in planning, inciting or participating in the violence. None were in any level of policy or leadership in the BOP or the Invaders."

"The Memphis Police Department did have an undercover officer who had infiltrated the Invaders. He regularly reported on the activities of the Invaders. Information was exchanged

Monroe to Moore memo
RE: MARTIN LUTHER KING MURDER

between the Memphis Police Department and the FBI concerning the Invaders. There is no indication in our files that the Memphis police officer was involved in the planning, instigating or performance of violence. This man has been publicly disclosed and he is no longer a member of the Memphis Police Department."

Justice Department's Current Review of FBI Files on King:

In a news release issued April 29, 1976, Attorney General Levi announced (1) that Assistant Attorney General J. Stanley Pottinger had completed a preliminary review of files regarding Dr. King at FBI Headquarters and (2) that he has directed the Office of Professional Responsibility to review all records in the Justice Department regarding Dr. King, including additional records at FBI Headquarters and in our Field Offices.

Sunday, February 1, 1976

FBI Tied To King's Return To Memphis

By Les Payne

© 1976 Newsday, Inc.

The FBI continues to turn up in unexplained circumstances surrounding the assassination of Martin Luther King.

Newsday has learned that FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed.

Several FBI informants and at least one undercover agent for the Memphis police department were among the most active members of a young, violence-prone black group which openly opposed King's personal march supporting the city's sanitation workers.

According to some witnesses, the 100-member group called the Invaders led the March 28 riots which attempted to discredit King's efforts. Following the riot, in which one youth was killed, scores injured and 238 arrested, King vowed that he would return to prove that he still could lead a nonviolent demonstration.

"Dr. King would never have returned to Memphis if the violence had not happened," said the Rev. Jesse Jackson, who was one of King's aides in the Southern Christian Leadership Conference. "We never intended to get bogged down in Memphis."

The Invaders created major disruptions among local blacks supporting King, according to his aides. They criticized King for his nonviolent approach and urged local blacks to "burn, baby, burn." On April 4, the day King was killed, the groups met with him and his staff and threatened renewed violence unless they were given \$750,000 to redevelop their community. "They just got louder and louder," one aide who was at the meeting recalled. "We told them we didn't have access to that kind of money. We had to put them out."

Two sources said FBI agents and Memphis policemen admitted that they had "penetrated" the Invaders with several informers. One of the informants reportedly planned a large portion of Police and FBI officials were regularly provided with detailed information about the group's plans, activities and of the group's violent confrontations, meetings. "They knew everything that went on at Invaders' meetings," one source said. "It was as if they had a tape recorder there." The undercover Memphis policeman who joined the Invaders was at the scene of the violence on the day of the riot, several sources said. He is reportedly still a member of the Memphis force.

"Weston [not the real name of the undercover police agent] was very focal, very active," said a former leader of the Invaders who has talked to the policeman since he was discovered to be a member of the force. "He had a 7.62 Russian automatic rifle and he was armed every time we were armed. He was always suggesting actions that we should take; I never saw him physically attack anyone. But he was one of the most provocative members of the Invaders."

The Invaders, who wore jackets with

their names printed on the backs, were organized in late 1967. The groups were led mainly by college students nearby Memphis State and LeMoyne Colleges. The Invaders denounced the nonviolent strategy, but offered protection for King and his staff members. "They, like other blacks in the country, were naturally frustrated by the slow pace of change," said the Rev. Hoseah Williams, Atlanta SCLC director. "We usually put them to work as parade marshals or security guards. They would never have hurt Dr. King. But those who infiltrated our groups, and we could never identify them, tried to exploit the youngsters' frustrations and neglect and turn them against us."

The FBI and Memphis police verified recently that they had informants among the Invaders in 1968. However, Henry Lux, who was the assistant police chief in Memphis, downplayed the group's role in the March 23 violence. Robert G. Jensen, who was the FBI agent in charge at the time, said, "I wouldn't be surprised if we had informers in the group. I'm sure there was adequate coverage of the Invaders."

It is reliably reported that the bureau and Memphis police shared intelligence about the Invaders.

In addition to being involved with the March 23 violence, the Memphis police undercover agent was providing security for King at the Lorraine Motel on the day he was assassinated, according to knowledgeable sources. The officer was a member of the Invaders' four-man security force that had agreed to provide protection for King while he was in Memphis.

There have been a series of disclosures recently concerning covert FBI activities against King. This has led to a Department of Justice investigation. The inquiry started after the Senate Intelligence Committee discovered an FBI memorandum, dated March 28, 1969, which detailed a plan to portray King as a hypocrite for staying at a white-owned motel—the Rivermont Holiday Inn—where he fled after the violence erupted. The Justice Department investigated to see if the memo had anything to do with King's return to the black-owned Lorraine Motel, where he was killed. They found no evidence linking the FBI to a plot to have King return to the Lorraine motel. However, Newsday has learned that the Invaders heatedly discussed King's stay at the white motel among themselves—some threatening violence over the issue.

A source at the Justice Department told Newsday that the FBI memo was part of then FBI Director J. Edgar Hoover's Counter-Intelligence Program (Cointelpro) against "Black Nationalist-Hate Groups." The plan, outlined in an FBI Domestic Intelligence Division memo, was put into effect March 4, one month before King was killed. It was designed to "prevent the rise of a 'messiah' who could unify . . . the militant black nationalist movement." An overall goal of Hoover's plan was to "discredit" black leaders and their movement among both blacks and whites.

The violence at Memphis, perhaps more than anything else, began to erode King's credibility among moderate

blacks. King and his group were preparing to lead a nonviolent "Poor Peoples March" on Washington later that month. After the Memphis riots some national black leaders attacked King for the violence. On the day before he was killed, NAACP leader Roy Wilkins attacked King in a story printed in the Memphis Press-Scimitar. Wilkins said he doubted that King could keep the Washington march nonviolent: "If a maverick of the rear ranks of the march decides to throw a brick through a window, there's nothing Dr. King up front can do to stop it."

Jensen, who was in charge of the FBI in Memphis, said that the "ultimate decisions [for Cointelpro] were made in Washington D.C. and then they came to the field office." He denied that his office ever received the hotel memo. "I have no recollection of a memorandum dated March 28," he said. "If it was an intra-office memo I wouldn't have seen it anyway. It would have come to us as general instructions."

The Senate Intelligence Committee said that it uncovered no evidence that the FBI was implicated in King's murder or any cover-up. The committee chairman, Frank Church (D-Idaho), has reportedly called for a federal special prosecutor to investigate the assassination to resolve "many unanswered questions," including whether the bureau "vendetta" against King was related to his murder in Memphis.

Some of King's staff members over the years, have charged that the Invad-

ers were responsible for the riots which indirectly led, they say, to King's death in Memphis.

"The violence was definitely responsible for Martin's being in Memphis on April 4th," said Cong. Andrew Young (D-Ga.). "The Invaders themselves have taken responsibility for the violence. Now if the FBI was involved with the Invader, then it would bear looking into."

FBI officials deny any involvement in King's death. "The FBI did an excellent job in the investigation," Jensen said. "There are still a lot of theories, but no new evidence..."

However, former FBI agent Arthur Murtagh said that Hoover's relentless surveillance of King influenced the way individual agents approached the murder. For a time Murtagh directed the bureau's intelligence unit in Atlanta which tapped the civil rights leader's telephones and bugged his rooms. "The bureau under Hoover believed that King was a foreign Communist agent," he said. "He was the enemy. In this sort of atmosphere, the bureau's investigating King's murder was like the CIA investigating the assassination of a Russian premier."

Murtagh said that some agents were "ecstatic" after King was shot. "When King was shot, an agent I knew in Atlanta went on a 30-minute high. We were in the bureau's parking lot when the news came and this fellow kept saying, 'They got Zorro [King's code name] they got Zorro. They finally got that son of a bitch.'"

June 23, 1976

Mr. Les Payne
Newsday
550 Stewart Avenue
Garden City, New York 11530

Dear Mr. Payne:

I have received your letter of June 10, 1976, and appreciate the continued interest in the murder of Dr. Martin Luther King, Jr., which prompted you to write.

You undoubtedly will be pleased to know that data concerning evidence recovered in Memphis, Tennessee, and sent to the FBI Laboratory for examination have been released in response to requests received by us under the Freedom of Information Act. If you will write or telephone him at (202) 324-5359, Assistant Director Donald W. Moore, Jr., of our External Affairs Division will make arrangements for you to review this material.

Presumably your desire to discuss the Invaders group which existed in Memphis at the time of Dr. King's murder stems from the article you wrote for the February 1, 1976, issue of Newsday. At my instruction, a thorough search was made of pertinent files at our Headquarters, as well as in our Memphis Field Office, immediately after that article was published. It resulted in no substantiation being found for the allegations which served as the basis for your article: namely, that "Several FBI informants...were among the most active members" of the Invaders and that "FBI informants actively participated in the rioting" that erupted in Memphis on March 28, 1968.

- 1 - Mr. Moore (detached)
- 1 - Mr. Cochran (detached)
- 1 - Mr. Gallagher (detached)
- 1 - Mr. Leavitt (detached)
- 1 - Mr. McDermott (detached)
- 1 - Mr. Mintz (detached)
- 1 - Mrs. Metcalf (detached)
- 1 - Telephone Room (detached)

GWG:slr (12)

CONTINUED ON PAGE TWO

Mr. Les Payne

Enclosed is a copy of a news release which was issued by the Department of Justice on April 29, 1976, reflecting that Attorney General Edward H. Levi has directed that a review be made of all records in the Department concerning Dr. Martin Luther King, Jr. We are, of course, cooperating fully in that review and I am sure you will agree that it would be improper for us to comment further prior to its completion.

Sincerely yours,

Clarence M. Kelley
Director

Enclosure

NOTE: See Monroe to Moore memo dated 6-21-76 and captioned "Martin Luther King Murder, Inquiry from Les Payne of 'Newsday'."



Department of Justice

FOR IMMEDIATE RELEASE AT 11:00 A.M., E.D.T. ;
THURSDAY, APRIL 29, 1976 AG

In response to inquiries from the news media regarding the Civil Rights Division's review of the Martin Luther King files, Attorney General Edward H. Levi today issued the following statement:

I have directed the Office of Professional Responsibility, headed by Michael Shaheen, to complete a review of all records in the Department of Justice concerning the Reverend Dr. Martin Luther King, Jr. The Civil Rights Division, under the personal direction of Assistant Attorney General J. Stanley Pottinger, completed on April 9 a five-month preliminary review of files at FBI headquarters. As a result of this preliminary review, the Civil Rights Division has recommended that the review be carried forward to completion with an additional examination of records at FBI headquarters and field offices. It is believed that more than 200,000 documents may be involved.

On the basis of this preliminary review, Assistant Attorney General Pottinger stated that his tentative conclusions were (1) there was no basis to believe that the FBI in any way caused the death of Dr. King, (2) no evidence was discovered that the FBI investigation of the assassination of Dr. King was not thorough and honest, and (3) instances were found indicating that the FBI undertook a systematic program of harassment of Dr. King in order to discredit him and harm both him and the movement he led.

In ordering on April 26 the complete review by Mr. Shaheen, I directed that the investigation be completed forthwith and that answers to four specific questions be furnished to me and FBI Director Clarence M. Kelley on the basis of the review of all documents:

-- Whether the FBI investigation of Dr. King's assassination was thorough and honest;

-- Whether there is any evidence that the FBI was involved in the assassination of Dr. King;

-- Whether, in light of the first two matters, there is any new evidence which has come to the attention of the Department concerning the assassination of Dr. King;

-- Whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecutions, disciplinary proceedings, or other appropriate action.

Mr. Pottinger pointed out that the Civil Rights Division has been continuously investigating allegations concerning the assassination of Dr. King as these allegations come to the attention of the Department.

Newsday

THE LONG ISLAND NEWSPAPER

550 Stewart Avenue, Garden City, Long Island, New York 11530

Mr. Clarence Kelly
Director, FBI
Washington, D.C.

Charles & ...
Pol. K.

June 10, 1976

Manuel

EXP. PR
40 JUN 14 1976

Dear Mr. Kelly;

A few months ago, I had the privilege of appearing as a journalist when you were the guest on the television show, "Black Perspective on the News."

As you may recall, I had special interest in the FBI's investigation of the assassination of the Dr. Martin Luther King. I raised certain questions at that time about FBI laboratory reports which formed the basis for the prosecution's case, which, of course, has never been tested in the courtroom. Concerning this evidence and information about the FBI's penetration of the Invaders group in Memphis, you stated that you were not prepared at that time to give a "detailed outline of what the evidence was."

Sir, I realize that you are a busy man and thus I am requesting that Newsday be granted an interview with your agent or department most knowledgeable about the King case, specifically: 1. The Invaders group and 2. the Bureau's laboratory work concerning evidence at the scene of the crime.

I am sorry to have heard of your recent operation. I trust that you are enjoying full health.

Yours very truly,

John Payne
John Payne

SEARCHED INDEXED

23 JUN 14 1976

SERIALIZED FILED

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Gallagher - T
1 - Mr. Leavitt
1 - Mr. Ingram
1 - Mr. Deegan
1 - Mr. Aldhizer

Intelligence Division

INFORMATIVE NOTE

Date 6/23/76

Attached advises that the Department Task Force, Office of Professional Responsibility has completed its review of Martin Luther King assassination files in Memphis. The Task Force is also reviewing Memphis files pertaining to the Sanitation Workers Strike and the Invaders, a Memphis youth gang, both files relating to violence occurring in Memphis during time of assassination.

In addition the Task Force has requested and received Memphis files on our intelligence investigation of King.

Review of all above files are in accordance with Attorney General's instructions pertaining to the review.

Task Force is expected to depart Memphis about 6/24/76 for return to Washington, D. C.

JTA:adn

JTA
HN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

NR 010ME CODE

JUN 22 1976

6:10PM NITEL JUNE 22, 1976 RJH

TELETYPE

TO: DIRECTOR

FROM: MEMPHIS (66-2189) (P)

ATTENTION: INTELLIGENCE DIVISION

REVIEW OF FBI INVESTIGATION OF DR. MARTIN LUTHER KING

DEPARTMENT OF JUSTICE TASK FORCE HAS THIS DATE
CONCLUDED ITS REVIEW OF MURKIN FILES (44-1937) AND HAS
CONCLUDED A REVIEW OF MEMPHIS FILE 157-1092, PERTAINING
TO THE SANITATION WORKERS STRIKE AT MEMPHIS, TENN.,
WHICH OCCURRED JUST PRIOR TO KING'S MURDER.

TASK FORCE HAS NOW REQUESTED FILES ON THE INVADERS
(157-1067) AND ON MARTIN LUTHER KING, JR. (100-4105).
UACB, THESE FILES ARE BEING TURNED OVER TO THE TASK
FORCE FOR REVIEW.

MEMPHIS HAS ALSO MADE XEROX COPIES OF ALL PRESS
CLIPPINGS MAINTAINED IN THE MURKIN CASE AND WILL TURN
THESE OVER TO THE TASK FORCE WHO ARE EXPECTED TO DEPART
MEMPHIS ON OR ABOUT THURSDAY NEXT.

END.

MDP FBIHQ

Assoc. Dir.	_____
Dep. A.D.-Adm.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	_____
Adm. Serv.	_____
Ext. Affairs	_____
Fin. & Pers.	_____
Gen. Inv.	_____
Ident.	_____
Inspect.	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Eval.	_____
Rec. Mgmt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

McGowan
Hester

1 - Mr. Adams
1 - Mr. Mintz
1 - Mr. Gallagher
1 - Mr. Leavitt
1 - Mr. Ingram
1 - Mr. Deegan
1 - Mr. Aldhizer

Intelligence Division

INFORMATIVE NOTE

Date 6/21/76

Attached advises that the Department Task Force of the Office of Professional Responsibility (OPR), now in Memphis reviewing Martin Luther King assassination files of that office, desires to interview Supervisor Joe C. Hester of Memphis who was case agent during the assassination. Request of Task Force is in accord with Attorney General's instructions pertaining to the King review which is to include personnel interviews as well as access to files. FBIHQ interposes no objection to interview and accordingly Hester will be interviewed 6/23/76.

If you approve Memphis will be telephonically advised to instruct Hester to record his account of the interview in summary form and submit to FBIHQ by letterhead memorandum and cover airtel.

This matter has been coordinated with SA R. F. Olmert of Legal Counsel Division and SA E. J. McDonough of the General Investigative Division.

JTA:lek

JTA
JCD

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JUN 18 1976

TELETYPE

Assoc. Dir.	_____
Dep. A.D.-Adm.	_____
Dep. A.D.-Inv.	_____
Asst. Dir.:	
Adm. Serv.	_____
Ext. Affairs	_____
Fin. & Pers.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Eval.	_____
Rec. Mgnt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

NR005 ME CODE

4:25 PM NITEL JUNE 18 1976 KJW

TO: DIRECTOR

FROM: MEMPHIS (66-2189)(P)

ATTENTION: INTELLIGENCE DIVISION

REVIEW OF FBI INVESTIGATION OF DOCTOR MARTIN LUTHER KING.

DEPARTMENT OF JUSTICE TASK FORCE HAS REQUESTED TO INTERVIEW SA JOE C. HESTER OF THE MEMPHIS OFFICE REGARDING THE MURKIN INVESTIGATION. SA HESTER WAS THE CASE AGENT DURING THIS INVESTIGATION AND THIS INTERVIEW TO BE CONDUCTED AS PART OF THE TASK FORCE INQUIRY INTO MURKIN.

SA HESTER IS AGREEABLE TO SUBMITTING TO SUCH AN INTERVIEW AND SUCH INTERVIEW WILL BE HAD ON JUNE 23, 1976, UACB.

END.

SLR FIXX FBIHQ

TU AND CLR

*General Investigation
Division
Attn: E. J. McDonough*

Civil Rights Division

June 21, 1976

ASSASSINATION OF
MARTIN LUTHER KING, JR.

my

6/8/76

June 14, 1976

XXXXXXXXXXXXXXXXXXXX
San Juan

LHM

G. x EJM:mlr

1

6/14/76

AIRTEL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, SAN JUAN (157-61) (RUC)
SUBJECT: MURKIN

Re Bureau telephone from Bureau Supervisor HAL N. HELTERHOFF, Civil Rights Unit, 5/17/76.

Enclosed herein are five copies of an LHM dated and captioned as "ASSASSINATION OF MARTIN LUTHER KING, JR., AT SAN JUAN, PUERTO RICO."

The representative of Secret Service referred to in the enclosed LHM is SA ROBERT OBERHOLTZ. The representatives of the FBI referred to in the enclosed LHM are SAs DENNIS W. BRAIDEN and BRUCE M. DOVE.

Insofar as no further investigation is contemplated in this matter at San Juan, this case is accordingly placed in a closed status at San Juan.

2 - Bureau (Enc. 5) (RM)
2 - San Juan
(1 - 89-0-41)
RCW/pms
(4)



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

San Juan, Puerto Rico

June 14, 1976

In Reply, Please Refer to
File No.

ASSASSINATION OF MARTIN LUTHER KING, JR.

On May 14, 1976, a representative of the Secret Service advised the San Juan Office of the Federal Bureau of Investigation (FBI) that Otis Humphrey Moore advised during interview on May 12, 1976, that in 1965, while drinking in a bar in Temple, Texas, two unknown males engaged him in conversation to the effect that Moore was offered \$50,000 to assassinate Martin Luther King, Jr.

Moore advised that he believes that he is in possession of significant information when coupled with the information in possession of James Earl Ray and Senator Edward Kennedy, will be able to "put it all together" and resolve the matter of King's assassination once and for all.

This Secret Service representative advised that Moore is scheduled to depart from Roosevelt Roads Naval Base, Puerto Rico, on Saturday, May 15, 1976, between the hours of 7:00 and 8:00 PM, destined by military flight, to Charleston, South Carolina. Moore is a retired military veteran and thereby eligible for stand-by status on military flights.

Moore then advised that he intended to make his way to Washington, D.C., by whatever means available and to thereafter sit in the office of Senator Edward Kennedy and badger the office personnel until he is allowed to see Senator Kennedy personally. In addition to Senator Kennedy, Moore stated that he would also attempt to see other members of Congress, mentioning by name Senator Wilbur Mills of his home state of Arkansas.

The following description regarding Moore was furnished by this Secret Service representative:

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ASSASSINATION OF MARTIN LUTHER KING, JR.

Name: Otis Humphrey Moore
Address: Calle 9 #L-12, Royaltown
Bayamon, Puerto Rico
Date of Birth: December 23, 1927
Place of Birth: Elaine, Arkansas
Sex: Male
Race: Caucasian
Complexion: Ruddy
Hair: Brown
Eyes: Green
Height: 5'3"
Weight: 146
Military Service
Number: [REDACTED]
Scars: Small scar on bridge of nose

On May 15, 1976, Moore was interviewed at his residence by Special Agents of the FBI regarding the above-mentioned information. Moore again advised that he intended to obtain an interview with Senator Kennedy regarding the assassination of Martin Luther King, Jr. and President Kennedy. Moore advised that if Senator Kennedy is unavailable, he will attempt to interview Senators Dale Bumpers and Henry Jackson, in addition to contacting the Governor of Tennessee, to obtain an interview with James Earl Ray, whom Moore feels did not tell the true story regarding the assassination of Martin Luther King, Jr.

Moore furnished no additional information to that which was previously furnished to the Secret Service representative, supra, except to say that "a multi-millionaire lawyer from Dallas" was present when he was offered the \$50,000 to assassinate King.

Moore advised that he had additional information, but he would only give it to Senator Kennedy because he had contacted the FBI immediately after the offer had been made and, according to Moore, no action was taken.

A subsequent interview, same date, with Moore's wife, Lydia M. Moore, nee Torres, disclosed that Moore had been planning to take this trip for some time, but up until

ASSASSINATION OF MARTIN LUTHER KING, JR.

now, she has been unable to talk him out of it. She further advised that until recently, her husband was under the care of a Dr. Garcia for a nervous disorder and was to have been hospitalized for treatment.

Mrs. Moore added that the night in 1965, when her husband came home with the assassination story, he was extremely drunk and did call the FBI.

Moore advised that he does not believe in violence, and that he has no weapon, nor does he have access to any weapons. Moore's wife advised that her husband is not prone to violence, and she is of the opinion that he would not resort to violence to accomplish his purposes.

Moore made available his discharge papers which indicated the following information:

Home of Record:	Antion Rio #63 Humacao, Puerto Rico
Occupation:	Military - Cook and Mess Steward
Last Unit Assigned:	Company A, 75th Ranger Battalion, 1st Armored Division, Ft. Hood, Texas
Weapon Qualification:	M-14 Sharpshooter
Overseas Assignments:	1965 - Wurtzburg, Germany 1967-1968 - Vietnam 1970-1971 - Thailand
Reason for Discharge:	Retirement in December, 1974

Moore was unable to take the military flight to Washington as planned, and advised the Special Agents of the FBI that he would wait until a later date, as of yet undetermined, to make such a flight.

Handwritten signature

① R. J. Gallagher
(Attn: J. S. Peelman)
1 - T. W. Leavitt
URGENT

CODE

TELETYPE

TO SACS, MEMPHIS
MILWAUKEE

FROM DIRECTOR, FBI (100-106670)

MARTIN LUTHER KING, JR.

1 - J. O. Ingram
JUNE 11, 1976

1 - J. G. Deegan
1 - J. D. Maurice
1 - J. T. Aldhizer

FOR INFORMATION OF RECIPIENTS, THE ATTORNEY GENERAL HAS ORDERED A REVIEW OF THE FBI'S INVESTIGATION OF MARTIN LUTHER KING. ASSIGNED TO CONDUCT THIS REVIEW IS A TASK FORCE WORKING UNDER DIRECTION OF THE OFFICE OF PROFESSIONAL RESPONSIBILITY (OPR) OF THE DEPARTMENT OF JUSTICE. THE ATTORNEY GENERAL HAS INDICATED THE REVIEW IS TO RESOLVE THE FOLLOWING FOUR QUESTIONS.

(1.) WAS THE FBI INVESTIGATION OF KING'S ASSASSINATION THOROUGH AND HONEST?

(2.) IS THERE ANY EVIDENCE THE FBI WAS INVOLVED IN THE ASSASSINATION?

(3.) IS THERE ANY NEW EVIDENCE WHICH HAS COME TO THE ATTENTION OF THE DEPARTMENT CONCERNING THE ASSASSINATION?

(4.) DOES THE RELATIONSHIP BETWEEN THE BUREAU AND KING CALL FOR CRIMINAL PROSECUTIONS, DISCIPLINARY PROCEEDINGS OR OTHER APPROPRIATE ACTION?

1 - 44-38861
JTA:aam
(9)

SEE NOTE PAGE 4

RECORDED
INDEXED

PAGE TWO 100-106670

THIS REVIEW IS A CONTINUATION OF A "PARTIAL REVIEW" RECENTLY CONDUCTED BY THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT UNDER DIRECTION OF ASSISTANT ATTORNEY GENERAL J. STANLEY POTTINGER. AFTER THE TASK FORCE COMPLETES STUDY OF ASSASSINATION FILES IN SELECTED FIELD OFFICES, IT WILL CONDUCT EXAMINATION OF OUR INTELLIGENCE INVESTIGATION OF KING AND ANY SECURITY FILES RELATING TO BASIS FOR THE INVESTIGATION. ALL PERSONNEL ON THE TASK FORCE ARE AUTHORIZED TOTAL ACCESS TO PERTINENT FILES AT FBIHQ AND IN THE FIELD. THIS WILL INCLUDE COVER PAGES OF COMMUNICATIONS CONTAINING IDENTITIES OF SOME FBI SOURCES, INFORMANTS WHO WERE NOT AFFORDED SYMBOL NUMBERS AT THAT TIME AND INDIVIDUALS WHO EXPRESSED OR IMPLIED CONFIDENTIALITY. INFORMANT FILES ARE NOT TO BE MADE AVAILABLE TO THE TASK FORCE WITHOUT PRIOR FBIHQ AUTHORITY.

THE OPR REVIEW BEGAN AT FBIHQ ON MAY 10, 1976, WITH REVIEW OF ASSASSINATION FILES OF FBIHQ AND WASHINGTON FIELD OFFICE.

THE TASK FORCE NOW DESIRES TO REVIEW KING ASSASSINATION FILES IN THE MEMPHIS AND MILWAUKEE OFFICES BEGINNING JUNE 14, 1976. THE FOLLOWING TASK FORCE PERSONNEL ARE SCHEDULED TO ARRIVE IN MEMPHIS ON JUNE 14, 1976:

PAGE THREE 100-106670

FRED G. FOLSOM, TASK FORCE LEADER; JAMES WALKER; WILLIAM WHITE; JOSEPH GROSS AND POSSIBLY MS. HOPE BYRNE. ESTIMATED TIME TO COMPLETE REVIEW IN MEMPHIS IS TWO WEEKS. FOLSOM HAS INDICATED THAT THE ONLY FILES HE ANTICIPATES REVIEWING IN MEMPHIS IS THE KING ASSASSINATION FILE (MEMPHIS 44-1987) AND POSSIBLY FILE CAPTIONED "SANITATION WORKERS STRIKE, MEMPHIS, TENNESSEE; RACIAL MATTER" (MEMPHIS FILE 157-1092).

THE SIXTH MEMBER OF THE TASK FORCE, JAMES KIECKHEFER, IS SCHEDULED TO ARRIVE IN MILWAUKEE, WISCONSIN, JUNE 14, 1976, TO REVIEW ALL VOLUMES OF MILWAUKEE ASSASSINATION INVESTIGATION (44-388). SUBSEQUENTLY HE WILL JOIN THE REST OF HIS GROUP IN MEMPHIS. FOLSOM GAVE NO REASON FOR REVIEWING MILWAUKEE FILES OTHER THAN THE FACT KIECKHEFER IS TO BE IN MILWAUKEE ANYWAY AND WHILE THERE COULD CONDUCT REVIEW.

SAC, MEMPHIS AND MILWAUKEE ASSIGN COORDINATOR TO HANDLE LIAISON WITH TASK FORCE PERSONNEL AND PROVIDE OFFICE SPACE IN WHICH TO CONDUCT REVIEW. CONFIRM ARRIVAL AND DEPARTURE OF TASK FORCE PERSONNEL AND KEEP FBIHQ ADVISED OF SIGNIFICANT DEVELOPMENTS.

END

PAGE FOUR

100-106670

NOTE:

Memphis and Milwaukee, through ASACs R. H. Blay and R. Hill, respectively, were telephonically furnished contents of teletype on 6/9/76.

The assassination file in Memphis consists of 7 main volumes and 17 sub files of approximately 110 volumes. The Milwaukee assassination file consists of 5 volumes.

Task force leader Folsom has been advised of Bureau office addresses in Memphis and Milwaukee and that upon arrival his personnel should contact respective SACs. Both offices have been instructed to refer any questions concerning the review to Deputy Assistant Director J. O. Ingram, who is coordinating the review for the Intelligence Division, or SA J. T. Aldhizer.

June 8, 1976

Civil Rights Division

ASSASSINATION OF MARTIN
LUTHER KING, JR.

my

May 21, 1965

May 26, 1976

XXXXXXXXXXXXXXXXXXXX an LHM
San Antonio, Texas

F X HNH:nlc

1

SEE NOTE PAGE 2. . .

*File copy sent to Althizer, DIV.5., 6/9/76 to give to Departmental
Group reviewing 44 file. - OK'd by records Dir.*

*On 6/1/76 sup. Bob Dwyer, San Juan, advised due to stereo pool delinquency
LHM will be delayed. Upon receipt of San Juan LHM sent over "G"*

Assistant Attorney General
Civil Rights Division
RE: ASSASSINATION OF MARTIN LUTHER KING, JR.

NOTE: On 5/14/76, our San Juan Office of the FBI advised a representative of the Secret Service advised on 5/14/76, that on 5/12/76, he interviewed (X) Otis Humphrey Moore, Calle 9 Number L-12, Royaltown, Bayamon, Puerto Rico: date of birth 12/23/27; Place of birth, Elaine, Arkansas; race - white; sex - male; complexion - ruddy; hair - brown; eyes - green; height - 5'3"; weight - 146 pounds; social security account number [REDACTED]; military serial number [REDACTED] small scar on bridge of nose (X). The secret Service representative advised that Moore said that in 1965, while drinking in a bar in Temple, Texas, two unknown males engaged him in conversation to the effect that Moore was offered \$50,000 to assassinate Martin Luther King, Jr. Moore believes he is in possession of significant information, when, coupled with the information in possession of James Earl Ray and Senator Edward Kennedy, will be able to "put it all together" and resolve the matter of King's assassination once and for all.

The Secret Service representative advised that Moore is scheduled to depart from Roosevelt Roads Naval Base in Puerto Rico on Saturday, 5/15/76, between the hours of 7:00 and 8:00 p.m., destined by military flight to Charleston, South Carolina. Moore is a retired military veteran and thereby eligible for standby status on military flights. Moore has vowed thereafter to make his way to Washington, D.C., by whatever means available and to thereafter sit in the office of Senator Kennedy and pester the office personnel until able to see Senator Kennedy personally. In addition to Senator Kennedy, Moore has stated that he would also attempt to see other members of Congress, mentioning by name Senator Wilbur Mills of his home state of Arkansas. No other names of members of Congress were mentioned.

On 5/15/76, our San Juan Office advised that Moore interviewed at his residence re captioned matter. Moore reiterated his intentions of attempting to obtain an interview with Senator Kennedy regarding the assassination of Martin Luther King and President Kennedy. Moore advised if Senator Kennedy will not see him he will attempt to obtain interviews with Senators Dale Bumpers and Henry Jackson. He also intends to contact the Governor of Tennessee to obtain an interview with James Earl Ray whom Moore feels did not tell the true story re the assassination of Martin Luther King.

Assistant Attorney General
Civil Rights Division
RE: ASSASSINATION OF MARTIN LUTHER KING, JR.

When questioned re his knowledge of the assassination of King, Moore only furnished the same information he gave previously to the Secret Service Agent, adding only that a "multimillionaire lawyer from Dallas" was present when he was offered \$50,000 to assassinate King. Moore advised that he had additional information, but he would only give it to Senator Kennedy, because he had contacted the FBI immediately after the offer had been made and no action had been taken.

Interview with Moore's wife, Lydia M. Moore, nee Torres, revealed that Moore has been planning to take this trip for some time, but up till now she has been able to talk him out of it. She further advised that until recently her husband has been under care of a Doctor Garcia for nervous disorder, and was to have been hospitalized for treatment.

Mrs. Moore stated that the night in 1965, her husband came home with the assassination story, he was extremely drunk, and did call the FBI.

Moore made available his discharge papers which indicated the following information:

DOB: December 23, 1927; POB: Elaine, Arkansas; SSAN: [REDACTED] home of record: Caresio - Antion Rlog Number 63, Humacao, Puerto Rico; Occupation in military: cook and mess steward. Last unit assigned: Company A 75th Ranger BN First Armored Division, Ft. Hood, Texas.

Unit records transferred to USAR Con OP (retired) RCPAC 9700 Page Boulevard, St. Louis, Missouri. Weapon qualification: M14 sharpshooter overseas assignments: 1965, Wurtzburg, Germany; 1967-68, Vietnam; 1970-71, Thaind. Reason for discharge: retirement in December, 1974.

Moore advised that he does not believe in violence, that he has no weapons and does not have access to any weapons. Moore's wife advised her husband is not prone to violence and she is of the opinion he would not resort to violence to accomplish his purposes.

A photograph of Moore was obtained during the course of the interview.

Our San Juan Office is submitting a letterhead memorandum containing results of interviews with Moore.

5/26/76

Airtel

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, SAN ANTONIO (44-1242) (RUC)
SUBJECT: MURKIN

Re Bureau telcall to San Antonio, 5/25/76 and
San Antonio telcall to Bureau, 5/26/76.

Enclosed herewith for the Bureau are four copies
of an LHM captioned "Assassination of Martin Luther King, Jr."
and dated 5/26/76.

Enclosed for the information of the Atlanta
Division is one copy of this LHM.

For the information of the Bureau and Atlanta,
the data appearing in enclosed LHM regarding investigation
conducted on 5/14 and 15/65 was set forth in San Antonio
LHM dated 5/17/65 captioned "Alleged Threat to Life of
Martin Luther King, Jr.", (Bufile: 100-10667); (SAfile:
100-9838).

② - Bureau (Enc. 4)
1 - Atlanta (44-2386) (Enc. 1) (Info)
1 - San Antonio
JMK/bgl
(4)



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION
San Antonio, Texas

In Reply, Please Refer to
File No.

May 26, 1976

ASSASSINATION OF MARTIN LUTHER KING, JR.

The files of the San Antonio Federal Bureau of Investigation Office reflects the following information:

At 8:45 PM, May 14, 1965, Mr. OTIS H. MOORE, Army Serial Number [REDACTED] Company C, Second Battalion, 67th Armor, Second Armored Division, Fort Hood, Texas, who resides at 510 Louise, Copperas Cove, Texas, telephonically contacted the FBI Office, San Antonio, Texas, regarding alleged assassination plan of MARTIN LUTHER KING, JR., related to him by an unknown individual at the S. & S. Club, Temple, Texas, earlier that evening.

Attempts to interview MOORE and details concerning the allegation made by him that same evening were conducted with negative results due to his intoxicated condition. It was decided to hold further interview in abeyance until the following morning.

MOORE's wife, LYDIA MOORE, confidentially advised that evening that her husband frequently becomes intoxicated at which time he misunderstands or misinterprets what people are saying to him. She was of opinion that due to his past behavior little credence should be given to his story.

On May 15, 1965, MOORE was recontacted at which time he advised that at approximately 4:00 PM he went to the S. & S. Club, Temple, Texas, and started drinking. After approximately fifteen or twenty minutes an unknown male, approximately 55 to 60 years old, 6' tall, short gray-black hair, 190 to 200 pounds, wearing an old flannel shirt and khaki pants, came into the bar and sat next to him. After a few minutes MOORE started talking to this individual about Texas and other topics. After a few minutes this man inquired if MOORE was in the Army at Fort Hood as a member of CID (Criminal Investigation Detachment). MOORE told him that he

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ASSASSINATION OF
MARTIN LUTHER KING, JR.

was not and "never would be." The other man then began to talk about a "Mr. KING." He said Mr. KING was telling Mr. JOHNSON what to do and that KING would be running the United States next. MOORE then said "no, he'll be stopped before then." The man then asked MOORE if he was acquainted with military artillery and other military weapons and what MOORE's qualifications were on them. MOORE told him he could "split a match right down in half." The man then again asked if MOORE was in CID. MOORE replied "No, but I am in CIA." MOORE explained that he was not really in the CIA, but he just said this to string this man along. The man then said "You are from Panama." MOORE replied, "No, I am from Arkansas, but I have been in Panama." MOORE again explained that he was never really in Panama, but he was again stringing this man along. MOORE said he then got disgusted with this man and tried to terminate the conversation. After approximately ten or fifteen minutes the man again spoke to MOORE making some unrecalled remark about KING and KING's assassination. MOORE asked this man if he knew the movements of this "so called Mr. KING." The man replied that he knew every move KING made and the time and place. MOORE replied, "Well if you know all this, and I am the assassinator, what is my possibility of getting out of it after it's did, and how much money is involved." MOORE again explained that he was stringing this man along, but this time in an attempt to develop some information regarding a possible assassination of KING. The man replied that there was no money involved at the present time. MOORE told him, "Well I have to look after the security and welfare of my family. If I did it, I would have to have \$50,000 and a way out." The man said there was a way out, but no money.

MOORE advised that at this point the man went to the men's room, and he, MOORE, started to leave the club. As he was leaving he asked the man how he could get in touch with him and this man replied "I'm here all the time." MOORE said he then immediately went to his home in Copperas Cove and called the FBI in San Antonio requesting that an Agent contact him.

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During the course of the above interview MOORE repeatedly changed his story and exhibited great difficulty in recalling what had taken place the evening before. He admitted to having at least five or six beers and to being prone to easy intoxication. MOORE further admitted that during the course of his discussion with the above individual, he steered the conversation toward the possible assassination of KING in an attempt to determine if any such assassination plan existed. He was unsuccessful in doing so.

On May 25, 1965, Otis H. Moore, telephoned the San Antonio Federal Bureau of Investigation Office via long distance. Moore stated that he had been beaten up by "a company group" and that he feared his life. Moore requested that the agents who spoke to him the previous week be contacted and advised that the "thing" is now in the open and that the agents would know what this meant. Moore stated that this was important, but would not explain what this matter was about. Moore stated that he resides at 510 Louise Street, Copperas Cove, Texas.

On May 26, 1965, Otis H. Moore was interviewed by SAs Matthew B. Boyhan and Bernard P. Flanigan at Fort Hood Criminal Investigations Detachment Office regarding his telephone call to the San Antonio Federal Bureau of Investigation Office during the evening of May 24, 1965.

Mr. Moore advised that during the evening of May 24, 1965, while at the Fort Hood NCO Club Annex, Belton Lake, at a company (military) party, he became extremely intoxicated and got into a fight with three or four other men over some unrecalled incident. He stated that due to his intoxicated condition he could not remember much of anything that happened, but so far as he knows the fight did not have anything to do with the incident at the S and S Club, Temple, Texas, with regard to the assassination threat of Martin Luther King which he previously reported to SA Boyhan. He does not know why he called the FBI in San Antonio and does not recall informing the FBI clerk that he had been beat up and did not have very long to live, or that he had additional information regarding the incident at the S and S Club.