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44-HQ-38861-88

SERIALS 6131-6134

44-HQ-38861

SECTION 88

SECTION 88
SERIALS 6131--6134

SUBJECT - MARTIN LUTHER KING JR.
FILE # - MURKIN

WORK SHEET - XEROX REQUEST

ANALYST - Hays
EXT - 5566
TEAM - 4-2

189 Pages

[Signature]

b1; b7d

Section 88

FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	EXEMPTIONS												REMARKS
						b1	2	5	7C	D	OTHER	k1	2	5	6	OTHER		
44-38861	6131	MEMPHIS TIT	.	1	1													
	Unrecorded Serial	TIT TO OMAHA	.	3	3													
	"	NEW YORK TIT		1	1													
	"	KNOXVILLE TIT	"	1	1													
	"	LETTER TO HORN		2	2													
	6132	INTERNAL MEMORANDUM		12	12													done 3 Pages / Refer to DOJ
	Unrecorded Serial	TIT TO ATLANTA		3	3													
	"	TIT TO ALL SACS		3	3													
	"	LETTER TO AFG-CRD		2	2													
	"	COLUMBIA TIT		3	3													
	"	INTERNAL MEMORANDUM		3	3													
	"	CHARLOTTE AT		2	2													
	"	CHARLOTTE TIT		2	2													
	"	SAN DIEGO AT		1	1													
	"	NEW HAVEN LETTER		1	1													
	"	MIAMI AT		4	4													
	"	MOBILE AT		2	2													

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SUBJECT
FILE

Marlin

WORK SHEET - XEROX REQUEST

ANALYST - *1/10/68*
EXT -
TEAM -

Section 68

FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	EXEMPTIONS											REMARKS
						b1	2	5	7C	D	OTHER	k1	2	5	6	OTHER	
44-38861	<i>Unrecorded Serial</i>	ATLANTA AT	.	5	5												
	"	TIT TO ALL SACS	.	2	2												
	"	INTERNAL MEMORANDUM		4	4												
	"	CLEVELAND TIT		1	1												
	"	NEW ORLEANS AT		1	1												
	"	INDIANAPOLIS LETTER		2	2												
	"	LETTER FROM SHAHEEN		8	8												
	"	SAN DIEGO TIT		1	1												
	"	SAN JUAN AT		1	1												
	"	BALTIMORE TIT		1	1												
	"	MILWAUKEE AT		1	1												
	"	CINCINNATI AT		2	2												
	"	TIT TO ALL LEGATS		2	2												
	"	SEATTLE TIT		1	1												
	"	ROME TIT		1	1												
	"	LONDON TIT		1	1												
	"	OTTAWA TIT		1	1												

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SUBJECT
FILE #

Amber

WORK SHEET - XEROX REQUEST

ANALYST - *Harp*
EXT -
TEAM -

Section 88

FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	D1	2	5	7C	D	OTHER	K1	2	5	6	OTHER	REMARKS
44-38861	<i>Unrecorded Serial</i>	INTERNAL MEMORANDUM		2	2	✓											<i>RELAT</i>
	"	CHICAGO TIT		1	1												
	"	MADRID TIT		1	1												
	"	PARIS TIT		1	1												
	"	BRASLIA TIT		1	1												
	"	SPRINGFIELD TIT		1	1												
	"	BERN TIT		1	1												
	"	SPRINGFIELD AT		2	2				✓								<i>RELAT</i>
	"	BOON TIT		3	3												
	"	LETTER TO AG		2	2												
	"	CARACUS TIT		1	1												
	"	TOKYO TIT		1	1												
	"	MEXICO CITY TIT		1	1												
	"	NEWARK TIT		1	1												
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	"	ST LOUIS AT		2	2												
	"	DETROIT TIT		1	1												

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SUBJECT

FILE #

Minkin

WORK SHEET - XEROX REQUEST

ANALYST - Hays

EXT -

TEAM -

Section 88

FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	EXEMPTIONS											REMARKS
						b1	2	5	7C	D	OTHER	k1	2	5	6	OTHER	
44-38861	Unrecorded Serial	SAN FRANCISCO AT	.	1	1												
	"	INDIANAPOLIS LETTER	.	1	1												
	"	INTERNAL MEMORANDUM		5	5												
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	"	JACKSONVILLE AT		1	1												
	"	ALBANY LETTER AT		1	1												
	"	PORTLAND TIT		1	1												
	"	OKLAHOMA CITY AT		1	1												
	"	MEXICO CITY AT		1	1												
	"	KANSAS CITY LETTER		1	1												
	"	MINNEAPOLIS AT		1	1												
	"	PITTSBURGH TIT		1	1												
	"	ALBANY AT		1	1												
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	"	KNOXVILLE LETTER		1	1												

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SUBJECT
FILE *Marlin*

WORK SHEET - XEROX REQUEST

ANALYST - *Harp*
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FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	EXEMPTIONS											REMARKS
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	"	RICHMOND AT		1	1												
	"	WASHINGTON TIT		1	1												
	"	LAS VEGAS LETTER		1	1												
	"	LOS ANGELES TIT		1	1												
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	"	SACKSON AT		1	1												
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SUBJECT
FILE # *Murkin*

WORK SHEET - XEROX REQUEST

ANALYST - *Harp*
EXT -
TEAM -

Section 88

FILE #	SERIAL/ENC OR DATE	DESCRIPTION	XEROX INSTR.	# OF ACT.	PAGES REL.	EXEMPTIONS										REMARKS
						b1	2	5	7C	D	OTHER	k1	2	5	6	
44-38861	<i>Unrecorded Serial</i>	<i>MOBILE AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>TAMPA AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>ST. LOUIS AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>BIRMINGHAM LETTER</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>NORFOLK AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>SALT LAKE CITY AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>DETROIT TIT</i>		<i>1</i>	<i>1</i>											
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	<i>"</i>	<i>SPRINGFIELD TIT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>INTERNAL MEMORANDUM</i>		<i>3</i>	<i>3</i>	☒										<i>PPH</i>
	<i>"</i>	<i>LOUISVILLE AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>BUENOS AIRES TIT</i>		<i>1</i>	<i>1</i>											
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	<i>"</i>	<i>HONOLULU AT</i>		<i>1</i>	<i>1</i>											
	<i>"</i>	<i>LITTLE ROCK AT</i>		<i>1</i>	<i>1</i>											
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SUBJECT &
FILE # *Murkin*

ANALYST - *Harp*
EXT -
TEAM 1 -

Section 88

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44-38861-6133 **CHANGED TO** 62-117290-X
6134 3X

JUL 20 1978

CMK/NR

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Reproduction of Material Form
Congressional Inquiry Unit
6-

Date 2/10/77

The following material has been reproduced
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File No. 44-38861

Section 88

Serials 6131 through 6134

(except following serials not in
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FBI

Date: 9/30/76

Transmit the following in _____
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Via AIRTEL

REGISTERED
(Precedence)

TO: DIRECTOR, FBI
 ATTN: BUDGET AND ACCOUNTING SECTION *SPBlest*
 FINANCIAL AND PERSONNEL DIVISION

FROM: SAC, PORTLAND (157-380)(P*)

SUBJECT: MARTIN LUTHER KING, JR.
 DEPARTMENTAL REVIEW
 COST DATA *Mark*

There were no manpower costs regarding captioned matter incurred by Portland Division during September, 1976.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 2-7-81 BY SP4WRM/LL
 6076

② - Bureau (RM) 1 Detached per Access Bul UN. 11
 2 - Portland

TPN:csa
 (4)

NOT RECORDED

46 OCT 14 1976

Approved: *[Signature]*
 Special Agent in Charge

Sent _____ M Per _____

56 OCT 21 1976

GPO : 1975 O - 590-902

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NR005 ME PLAIN

7:20 PM NITEL JULY 14, 1976 JS

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

TO: DIRECTOR (44-38861)

JUL 14 1976

NEW YORK (174-2366)

TELETYPE

FROM: MEMPHIS (44-1987)

LGBOM; EID. OO: NEW YORK.

MURKIN; OO: MEMPHIS.

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. Mgmt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

RE KNOXVILLE NITEL DATED JULY 8, 1976.

RICHARD OSBON (PHONETIC) DOES NOT APPEAR IN THE INDICES
OF THE MEMPHIS OFFICE AS HAVING ANY CONNECTION WITH THE
MARTIN LUTHER KING CASE. NO FURTHER ACTION BEING TAKEN
MEMPHIS.

END.

EX-112

REC-54

44-38861-6131

5 JUL 15 1976

56 JUL 15 1976

RECEIVED
TELETYPE UNIT
JUL 14 10 01 PM '76
F.B.I.
U S DEPT OF JUSTICE

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 AREA AT THE TIME OF THE INCIDENT. THE ABOVE NAMED PERSON WAS
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U S DEPT OF JUSTICE

JUL 15 1976

UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD 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 _____

TO : Mr. J. B. Adams

DATE: 7/12/76

FROM : Legal Counsel *[Signature]*

SUBJECT: REQUEST OF ESTATE OF DR. MARTIN LUTHER KING, JR., FOR ACCESS TO MATERIALS IN FBI FILES

PURPOSE

To set forth the results of a meeting, 7/6/76, with representatives of the Civil Division regarding the impact a proposed release of certain materials concerning Dr. King from FBI files would have on two recently filed civil actions.

SYNOPSIS

The Department is presently considering requests from attorneys for the Estate of Dr. King for access to certain materials in FBI files. The Attorney General has recently indicated he wished to make a decision concerning a proposed discretionary release of certain materials to the Estate of Dr. King in the near future. However, after learning of two civil actions recently filed on behalf of the Southern Christian Leadership Conference (SCLC) and a former official of that organization, the Attorney General indicated he would postpone any decision concerning a discretionary release pending review of the civil actions by the Department. On 7/6/76, attorneys from the Civil Division of the Department met with representatives of the Legal Counsel and Intelligence Divisions to discuss the impact such a proposed discretionary release would have on the recently filed civil actions. After discussing this matter in some detail, the Departmental Attorneys indicated that they were convinced no discretionary release of materials concerning the FBI's investigation of Dr. Martin Luther King, Jr., could be properly made at this time without jeopardizing the defense of the

Enc.

1 - Mr. Leavitt
(Attn: P.E. Nugent)

1 - Mr. Decker
(Attn: Mr. Powers)

1 - Mr. Bassett

JRD:kiw

(8)

[Handwritten: 11/4-11/104]
(CONTINUED - OVER)

1 - Mr. Mogen

1 - Mr. Mintz

2 - Mr. Davis

5 JUL 20 1976



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1976

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FBI/DOJ

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JUL 12 4 48 PM 1976

LEGAL COUNSEL

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JUL 15 5 08 PM '76

ASSOCIATE DIRECTOR

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ASSISTANT DIRECTOR
INTELLIGENCE DIV.

JUL 14 6 29 AM 1976

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ASSOCIATE DIRECTOR

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RECORDS MANAGEMENT
DIVISION
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U.S. DEPT OF JUSTICE

Legal Counsel Memorandum
to Mr. J. B. Adams
Re: Request of Estate of Dr. Martin Luther
King, Jr., for Access to Materials in
FBI Files

civil actions. They indicated they would report
this opinion to the Attorney General pursuant to his
request.

RECOMMENDATION

None. For information.

K APPROVED: Ext. Affairs..... Laboratory.....
Assoc. Dir..... Fin. & Pers..... Legal Coun.....
Dep. AD Adm..... Gen. Inv..... Plan. & Eval.....
Dep. AD Inv..... Ident..... Rec. Mgmt.....
Asst. Dir.: Inspection..... Spec. Inv.....
Adm. Serv..... Intell..... Training.....

DETAILS

Legal Counsel to Mr. J. B. Adams memorandum
captioned "Martin Luther King, Jr., Meeting With Attorney
General, 7/2/76," dated 7/2/76, (copy attached) set
forth the results of a meeting with the Attorney General
and other Departmental officials regarding requests by
attorneys for the Estate of Dr. King for access to certain
materials in FBI files. That memorandum also indicated
that two civil actions were recently initiated by
representatives of the SCLC against Mr. Kelley and former
FBI officials and advised that the Attorney General had
postponed any decision concerning a discretionary release
of materials to the Estate of Dr. King to allow the
Department to review the summonses and complaints in these
two civil actions. Copies of the summonses and complaints
in these two civil actions were furnished to the Department
on 7/2/76.

↓ ↓
(CONTINUED - OVER)

Legal Counsel Memorandum

to Mr. J. B. Adams

Re: Request of Estate of Dr. Martin Luther
King, Jr., for Access to Materials in
FBI Files

The two civil actions referred to above are Bernard S. Lee v. Clarence M. Kelley, et al. (U.S.D.C., District of Columbia) Civil Action File No. 76-1185, and Southern Christian Leadership Conference v. Clarence M. Kelley, et al. (U.S.D.C., District of Columbia) Civil Action File No. 76-1186. The Bernard S. Lee civil action alleges, among other things, that the FBI conducted electronic surveillances of Dr. King's room at the Willard Hotel in Washington, D.C., in the Spring of 1963, and later anonymously mailed a copy of the tape recording resulting from this surveillance to the wife of the late Dr. King. Former Bureau officials Mr. Cartha DeLoach and Mr. William C. Sullivan and the Estate of the late Clyde A. Tolson are named as defendants, along with ten unknown Agents of the FBI. The Southern Christian Leadership Conference civil action names the same defendants and alleges, among other things, that the SCLC offices in New York and Atlanta were the subject of illegal electronic surveillance in 1964. Both civil actions request that the defendants be required to produce under protective order of the Court all tape recordings, transcripts and memoranda resulting from the alleged electronic surveillance as well as seeking monetary damages totalling \$6,000,000.

On 7/6/76, Departmental Attorneys Robert M. Rader and Allen Alfano of the Civil Division met with Deputy Assistant Director James C. Farrington and Special Agent Joseph R. Davis of the Legal Counsel Division and Special Agent Paul E. Nugent, Intelligence Division, to discuss the impact any such discretionary release of information would have on the two civil actions.

✓ ✓
(CONTINUED - OVER)

Legal Counsel Memorandum

to Mr. J. B. Adams

Re: Request of Estate of Dr. Martin Luther
King, Jr., for Access to Materials in
FBI Files

Mr. Rader indicated that he had reviewed the complaints in the civil actions and was concerned that any release of information concerning electronic surveillances of Dr. King could have a direct impact on the defense of the civil actions, which also center around alleged electronic surveillance of the SCLC and SCLC officials. After discussing this matter in some detail, Mr. Rader and Mr. Alfano indicated that they were convinced no discretionary release of materials concerning the FBI's investigation of Dr. Martin Luther King, Jr., could be properly made at this time without jeopardizing the defense of the above-mentioned civil actions. They indicated that they would report this opinion to the Attorney General pursuant to his request.

The Legal Counsel Division is in the process of analyzing the complaints in the above-mentioned civil actions and will by separate memorandum furnish full details concerning these lawsuits.

A handwritten signature, possibly "JCF", in dark ink, located to the right of the paragraph about the Legal Counsel Division.

Mr. J. B. Adams

7/2/76

Legal Counsel

MARTIN LUTHER KING, JR.

MEETING WITH ATTORNEY GENERAL, 7/2/76

PURPOSE:

To set forth the results of a meeting 7/2/76 with Attorney General and other Departmental officials regarding access of King's attorneys to material in FBI files.

SYNOPSIS:

On 7/2/76, meeting held in Department with Attorney General and others regarding access to file material maintained by FBI on the part of King's attorneys. Attorney General expressed strong desire that as many documents as possible should be made available in the King case and on an expeditious basis. Bureau's objections to this position set forth. In view of two pending suits by representatives of the Southern Christian Leadership Conference, the meeting terminated without any final decision as to releasability of documents.

RECOMMENDATION:

For information.

- Albion*
- 1 - Mr. Leavitt (Attn: Mr. Phillips)
 - 1 - Mr. Decker (Attn: Mr. Powers)
 - 1 - Mr. Bassett
 - 1 - Mr. Mogen
 - 1 - Mr. Mintz
 - 1 - Mr. Farrington

JCF:mfd
(7)

CONTINUED - OVER

114-3000-222

Memorandum to Mr. Adams
Re: MARTIN LUTHER KING, JR.

DETAILS:

By memorandum dated June 9, 1976, from Legal Counsel to Michael E. Shaheen, Jr., Counsel, Office of Professional Responsibility, captioned "Request for Access to Materials Relating to Martin Luther King, Jr.," the Bureau furnished its views in response to three requests made by attorneys representing both Mrs. Coretta King and the estate of the late Dr. King. Their request asked 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.

Pursuant to prior arrangements, a meeting was held in the Attorney General's office on July 2, 1976, for the purpose of discussing these requests. This meeting was attended by the Attorney General, Jack Fuller, Special Assistant to the Attorney General; Peter Taft, Assistant Attorney General, Land and Natural Resources Division; Michael E. Shaheen, Jr. and Steven Blackhurst of the Office of Professional Responsibility; Mary Lawton, Deputy Assistant Attorney General, Office of Legal Counsel; and James C. Farrington, Deputy Assistant Director, Legal Counsel Division.

The meeting opened with an observation by the Attorney General that he was very desirous of making as much material available to the King family attorneys as was possible and on an expeditious basis. It was his contention that this was a matter of national scope in which the FBI and the Department has been criticized in the past for not releasing documents and he was extremely concerned over the Department's present posture of possibly being interpreted as a cover-up of the findings resulting from the current inquiry being conducted by the Civil Rights Division.

Memorandum to Mr. Adams
Re: MARTIN LUTHER KING, JR.

The Attorney General noted that his position as to releasing these documents would be based on the Attorney General's discretionary power as distinguished from releases being made under the Freedom of Information Act (FOIA) and of the Privacy Act. His contention is that in this way we would eliminate the potential for adverse criticism from already outstanding requesters for King material under the FOIA. He then turned to Mr. Farrington and asked if he agreed.

I advised Mr. Levi that I respectfully disagreed with this position and pointed out to him that although the nicety of this distinction between a discretionary release by the Attorney General as distinguished from a release under the FOIA would be readily discernible to those of us present, it would not be to the general public and I felt he would be subjecting himself and the Department to adverse criticism. In addition, it was pointed out to him that this would merely create another extremely burdensome condition on our FOIA employees who were already overly burdened as a result of a tremendous influx of requests for information as well as outstanding court orders in a number of cases to produce records in an expeditious manner.

He responded by recognizing that there is a potential for adverse criticism but in his judgment, it would be minimal as compared to the type of criticism which would be directed toward the Department concerning a possible "cover-up." He also stated he recognized and sympathized with the current FOIA workload being handled by the Bureau, particularly since Congress has not allocated funds for additional staffing. However, he felt that there would be minimal processing of those documents already made available to the Senate Select Committee (SSC).

At this point, Mr. Blackhurst indicated the possibility that the same people who scrutinized the original documents made available to the SSC and who made pertinent deletions, could be utilized in this particular project. It was explained to them that a great deal of the material that was made available to the SSC would not necessarily be made available to these requesters because that material contained classified documents which would not necessarily be releasable and also contained third party information which would necessitate the protection of third parties under provisions of the Privacy Act. He was also advised that the same people who processed the SSC documents are not assigned to our FOIA Section and would not handle the processing of this material.

Memorandum to Mr. Adams
Re: MARTIN LUTHER KING, JR.

Further, argument was made that the preferential treatment being afforded the King attorneys could be misinterpreted not only by the general public, but by the courts and could possibly have an adverse effect of watering down the decision recently handed down in the Eldridge Cleaver case (U.S. District Court, D. D. C.), which supported the FBI practice of serving all FOIA - Privacy Act requests equitably by responding in chronological order. Mr. Levi then went back to his original argument that this would be a discretionary release and would involve a calculated risk of criticism, but felt it would not effect the court's decision in the Cleaver case.

Mr. Farrington also advised them that immediately prior to coming to this meeting this morning, he was advised that there are two suits just initiated by representatives of the Southern Christian Leadership Conference (SCLC) against Mr. Holley and other individuals and the FBI. It was the Bureau's contention no decision regarding release of any documents in the King case should be made prior to the Department reviewing the summons and complaints in these two suits. The Attorney General readily agreed and advised that this put another element into their decision which they had not contemplated since every indication they had in their meetings with Dr. King's attorneys was that they did not intend to initiate suit prior to the completion of their current negotiations with the Department for access to the King records.

The Attorney General requested that Mr. Farrington obtain a copy of the summons and complaints in these two suits and furnish them as expeditiously as possible to Mr. Fuller in order that he in turn could make them available to the Civil Rights Division to determine what effect, if any, these suits will have on their determination to grant King's attorneys access to our files. (This has already been handled.)

In order that all present would have the same understanding regarding the processing procedures, Mr. Farrington indicated that although the Attorney General may make a discretionary release of these documents, they actually would be processed under the provisions of the FOIA and Privacy Act. The Attorney General indicated that he was interested in respecting other people's privacy and he, of course, did not intend that they should have access to documents properly classified, but he was most interested in having

Memorandum to Mr. Adams
Re: MARTIN LUTHER KING, JR.

the King attorneys furnished with all the documents that they could legally be furnished and on an expeditious basis. In response to that statement, Mr. Farrington inquired as to whether or not October of this year would fall within the Attorney General's definition of "expeditious," it being pointed out that this was the estimate Mr. Farrington had received as to when we would begin to process current outstanding FOIA requests for King material. The Attorney General responded by indicating that he did not feel this would be sufficiently expeditious since King's attorneys indicated that any delay they might receive from the Department under these negotiations would prompt them to initiate a suit which the Attorney General claims he strongly desires to avoid.

The Attorney General did agree with the Bureau's position that the King attorneys should not have the right to participate in the full Department and Bureau review of Dr. King's assassination and no position opposing that was made by any of the Department representatives.

The meeting concluded by the Attorney General stating that no firm decisions in this matter can be made prior to the Civil Rights Division reviewing the summons and complaints referred to above.

Department of Justice
Washington

June 30, 1976

M E M O R A N D U M

TO: Edward H. Levi,
Attorney General

FROM: Peter R. Taft, AAG
PR Land and Natural Resources Division

RE: Request of Estate of Dr. Martin Luther King, Jr.

As I understand it, the King Estate seeks access to materials on King which were turned over to the Church Committee and to any other materials dealing with King involving harassment or otherwise. The King Estate further seeks to play an affirmative role in the Department's investigations of the King assassination and of FBI harassment of King while he lived.

With respect to access to materials, I see no reason to change the normal substantive standards for providing access whether based on the Freedom of Information Act, Privacy Act, or any other rationale for access. The only exception I would make would be if Fred Folsom were to determine that disclosure of certain materials otherwise exempt would assist him in completing the investigations.

I would grant a priority in disclosure over the normal Freedom of Information Act waiting list if Fred Folsom believes that immediate access will assist him in completing the investigations. This would also provide the only role for the King Estate in the investigations which I consider appropriate. Clearly, private parties should not take an affirmative role in a Departmental investigation, especially one which could possibly conclude

in criminal referrals. Nonetheless, the King heirs could be extremely helpful in these investigations since they have knowledge about King's activities, associates, and enemies unavailable to the Department. The situation is not unlike that presented in Alderman v. United States, 394 U.S. 165 (1969), involving a defendant's right to examine logs of an illegal electronic surveillance, even though the government contended the subject matter was unrelated to the prosecution. The government wished to limit review to an in camera examination by the trial judge. The Court ordered the materials to be turned over to defendant, stating:

An apparent innocent phrase, a chance remark, a reference to what appears to be a neutral person or event, the identity of a caller or the individual on the other end of a telephone, or even the manner of speaking or using words may have special significance to one who knows the more intimate facts of an accused's life. And yet that information may be wholly colorless and devoid of meaning to one less well acquainted with all the relevant circumstances. Unavoidably, this is a matter of judgment, but in our view the task is too complex, and the margin of error too great, to rely wholly on the in camera judgment of the trial court to identify those records which might have contributed to the Government's case. Id. at 182.

A similar ruling was entered in Dennis v. United States, 384 U.S. 855 (1966) with respect to the disclosure of grand jury minutes to the defendant, even though the government believed their content irrelevant to the prosecution or defense of the case. If the King Estate (and presumably the King heirs) had immediate access to those materials to which it is entitled, it could become an

important source of information and evaluation of government documents on behalf of the investigations. The need for immediate review of the materials in order to meet the immediate investigative needs, would be adequate grounds to place a priority on access for the Estate.

Finally, in my opinion, Martin Luther King, Jr. is already an important figure in the history and social fabric of our country. I believe it is important to protect his image as best as possible from the unwarranted dissemination of information from FBI files, some of which may have been illegally or improperly collected or used. I presume the Estate feels likewise. However, I can offer few suggestions in carrying out such a policy. For the sake of my own mental health, I have chosen to rely on the expertise of others to interpret the intricacies of the FOIA and Privacy Act.

UNITED STATES GOVERNMENT

Memorandum

TO : Assistant Attorney General
Civil Rights Division

DATE: **July 21, 1976**
ATTN: **MR. STEPHEN HORN**

FROM : Director, FBI

SUBJECT: **ASSASSINATION OF MARTIN LUTHER KING, JR.**

Reference is made to _____ memorandum dated _____
(your file _____).

There is enclosed one copy of the report of Special Agent _____
dated _____ at _____.

A. ☐ This covers the preliminary investigation and no further action concerning
a full investigation will be taken by this Bureau unless the Department so directs.

B. ☐ The investigation is continuing and you will be furnished copies of
reports as they are received.

C. ☐ The investigation requested by you has now been completed. Unless
advised to the contrary no further inquiries will be made by this Bureau.

D. ☐ Pursuant to instructions issued by the Department, no investigation will
be conducted in this matter unless specifically directed by the Department.

E. ☐ Please advise whether you desire any further investigation.

F. ☐ This is submitted for your information and you will be advised of further
developments.

G. ☒ This is submitted for your information and no further investigation will
be conducted unless specifically requested by the Department.

H. ☐ This covers the receipt of a complaint and no further action will be
taken by this Bureau unless the Department so directs.

Enc.

NOT RECORDED

SEE NOTE PAGE TWO 3 . AUG 3 1976

84 AUG 4 1976

FBI/DOJ

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.

NR009 KX PLAIN

6:58 PM NITEL JULY 8, 1976 WEH

TO: DIRECTOR, FBI (44-38861) *310*
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

Asst. Dir.:	
Dep. AD-Adm.	
Dep. AD-Inv.	
Asst. Dir.:	
Adm. Serv.	
Ext. Affs.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Eval.	
Rec. Mgmt.	
Spec. Inv.	
Training	
Telephone Rm.	
Director's Sec'y	

NR009 KX PLAIN

6:50 PM NITEL JULY 8, 1976 WEH

TO: DIRECTOR, FBI (44-38861)

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.

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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 ACY NR 7 AND 9 FBIHQ

HOLD

21 JUL 18 1976

44-38861-

NOT RECORDED
191 JUL 23 1976

54 JUL 27 1976

ORIGINAL FILED IN

RECEIVED
COMMUNICATIONS SECTION

JUL 9 1976

TELETYPE

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. Mgmt.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

NY 182

NR022 NY PLAIN

867777 5:42PM NITEL 7-9-76 JPZ

TO: DIRECTOR, FBI (44-3886L) (174-6607) AND SACS

MEMPHIS (44-2366)

KNOXVILLE (149-114) (44-696)

FROM: ADIC, NEW YORK (174-2366)

LAGBOM; EID

NY INDICES NEGATIVE FOR (X)RICHARD OSBON, JR.(X).

NO FURTHER INVESTIGATION BEING CONDUCTED BY NEW YORK.

SUSPECT'S NAME WILL BE RETAINED FOR FUTURE

INVESTIGATIVE ASSISTANCE.

ARMED AND DANGEROUS.

END.

JUL 13 1976

NOT RECORDED
191 JUL 23 1976

ORIGINAL FILED IN

54 JUL 27 1976
f-442

CODE

TELETYPE

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

URGENT

1 - Mr. T. W. Leavitt

JULY 2, 1976

TO: SAC, OMAHA (100-6862)

1 - Mr. J. O. Ingram

FROM: DIRECTOR, FBI (100-106670)

1 - Mr. J. G. Deegan

1 - Mr. J. T. Aldhizer

MARTIN LUTHER KING, JR.

MURKIN

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?

44-38861
NOT RECORDED

140 JUL 10 1976

1 - 44-38861

JTA:adn
(8)

SEE NOTE PAGE THREE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE *6-26-80* BY *SP3 DB/ake*
6076

ORIGINAL FILED IN 100-106670-41

DUPLICATE YELLOW
OF WIRE TRANSMITTED

57 JUL 21 1976

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 ASSIGNED 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 consisting 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.

This is a copy of the document found in the FOIA file. The original document was not in the file.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: 9/21/76

FROM : J. S. Peelman

SUBJECT: MURKIN

- 1 - Mr. Held
- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. O'Connell
- 1 - Mr. Peelman
- 1 - Mr. Helterhoff
- 1 - Mr. Ingram
- 1 - Mr. Mintz
- 1 - Mr. Aldhizer

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD 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 _____

PURPOSE: To advise that the U.S. House of Representatives has created a select committee to investigate the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. The reported basis for the House investigation re Dr. King was previously investigated by the FBI in 1968 and 1969 and the results were furnished to the U. S. Department of Justice.

SYNOPSIS: This case pertains to the assassination of Dr. Martin Luther King, Jr., on 4/4/68. James Earl Ray pled guilty to this murder and presently is in local confinement. As set forth in a J. S. Peelman to Mr. Gallagher memorandum dated 2/18/76, in February, 1976, "Newsday," a Long Island, New York, newspaper reported that Ed Redditt, the Memphis, Tennessee, City Detective guarding King was pulled from his post hours before King was assassinated and told the U. S. Secret Service had learned of a "contract" on his life. Redditt, who protested his removal, reportedly had a "contingency plan" to apprehend any King assassin. On 2/17/76, this article furnished to the Civil Rights Division (CRD), U. S. Department of Justice (USDJ), which, at that time, had the FBI investigation of Dr. King under review, stating FBI was conducting no investigation re this article unless specifically requested by the CRD. Article in "Washington Post," 9/18/76 (copy attached) reported U. S. House of Representatives created a select committee to investigate assassinations of President Kennedy and Dr. King. Reported basis for House investigation re Dr. King deals with ordered removal of Redditt from King security on day of his death due to reported attempt on life of Redditt's family. Order for his removal attributed to Memphis Fire and Police Director Frank Holloman (retired).

Enclosure

HNH:bam (10)

44-38861

CONTINUED - OVER

23 SEP 29 1976

6133

84 1976



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ

Memorandum to Mr. Gallagher
RE: MURKIN

Special Agent of FBI). Reported basis also deals with "sudden transfer" of two black fireman, including Floyd Newsum, from firehouse across the street from motel where King was shot. The FBI civil rights assassination investigative file (Bufile 44-38861) reflects the CRD furnished a memorandum dated 9/23/68 containing results of interviews which J. Harold Flannery, Deputy Section Chief, Central Section, CRD, had with William Sartor, a contract writer for Time, Inc., who as a reporter had been inquiring into possible conspiracy to assassinate Dr. King. Sartor furnished various information, including the "Cosa Nostra" or "Mafia" could be involved, Redditt was moved from assignment at fire station, and two Negro firemen were moved from the station a day or two before the shooting. CRD requested FBI to "follow out" all of Sartor's indicated leads. FBI investigation in 1968 reflects that upon instructions from an Inspector of the Memphis Police Department (PD), Detective Redditt removed from guard duty due to information received from Senator McClellan's Senate Investigating Committee that a Negro detective was to be killed. Inspector believed this another threat against Redditt, who had been previously threatened, and removed Redditt for own protection. Memphis PD determined Negro fireman Floyd E. Newsum active in demonstrations by striking sanitation workers and closely associated with black militants. Newsum transferred to insure safety for Officers Redditt and another officer and to insure no information leaked to black militants. Another Negro fireman routinely reassigned due to manpower shortage. This investigation by FBI reported in Memphis letterhead memorandum (LHM) dated 11/21/68, disseminated to CRD 11/27/68, and by request also furnished to Office of Professional Responsibility Task Force, U. S. Department of Justice, on 6/4/76, which Office is presently reviewing the FBI investigation of Dr. King.

Bufile 44-38861 also reflects on 1/30/69 Rev. Ralph Abernathy, President of the Southern Christian Leadership Conference, advised that Rev. James Lawson told him two Negro firemen, assigned to fire station across from King motel, were moved leaving fire station unmanned, and a Negro policeman was moved from beat of King's motel. (LHM reporting this furnished CRD 2/3/69). FBI investigation at Memphis PD reflected it had no officers assigned to "walking beat" on day King killed. Rev. Lawson interviewed by FBI on 2/11/69 and stated Floyd E. Newsum and another Negro

2 CONTINUED - OVER

Memorandum to Mr. Gallagher
RE: MURKIN

fireman were transferred, and Detective Redditt was removed from fire station, and these occurrences may have some significance. This new select House Committee, to date, has made no requests of the FBI.

RECOMMENDATION: For information. The CRD is being advised, and the Task Force Leader of the Office of Professional Responsibility, U. S. Department of Justice, presently reviewing the FBI investigation of Dr. King will be advised of the location of this information in Bufile 44-38861.

APPROVED: *[Signature]*
Assoc. Dir. *[Signature]*
Dep. AD Adm. *[Signature]*
Dep. AD Inv. *[Signature]*
Asst. Dir.: *[Signature]*
Adm. Serv. *[Signature]*

Ext. Affairs.....	Laboratory.....
Fin. & Pers.....	Legal Coun.....
Gen. Inv. <i>[Signature]</i>	Plan. & Eval.....
Ident.....	Rec. Mgmt.....
Inspection.....	Spec. Inv.....
Intc.....	Training.....

DETAILS: This case pertains to the assassination of Dr. Martin Luther King, Jr., on 4/4/68. James Earl Ray pled guilty to this murder and presently is in local confinement in Tennessee.

As set forth in a J. S. Peelman to Mr. Gallagher memorandum dated 2/18/76, a United Press International Wire Service article dated 2/14/76, stated the following:

"Garden City, N.Y. (UPI) -- The top law enforcement official in Memphis, Tennessee, removed a detective assigned to protect Martin Luther King hours before the Civil Rights leader was assassinated in 1968, Newsday reported Saturday.

In a copyrighted story in its Sunday edition, the Long Island newspaper said Ed Redditt, the city detective guarding King, was pulled from his post and told there was a plot to kill him.

The Memphis Public Safety Director did not replace Redditt after taking him off the assignment and allowed the detective to return to work three days after King was shot to death at the Lorraine Motel Newsday said.

It also said Redditt 'had prepared a contingency plan to enable the police department to apprehend an assassin should an attempt be made on King's life.'

'After Redditt was removed from duty, he was told at a meeting in police headquarters that the U. S.

Memoandum to Mr. Gallagher
RE: MURKIN

Secret Service had learned of a 'contract' on his life,'
Newsday said.

'Redditt protested, saying he wanted to return
to his post, but the city's then Public Safety
Director, Frank Holloman, insisted on the officer's
removal,' the newspaper said.

'Enroute home with his police guard, Redditt
heard over the radio that King had been shot by an
assassin,' the story said.

'Three days later, the round-the-clock guard
watching Redditt was removed and he was allowed
to return to work. The police department never
offered any further explanation of the 'contract'
on his life,' Newsday said.

The story also said Holloman acknowledged
the report of a threat on Redditt's life, but refused
to say who had made the threat.

'Redditt's assassination contingency plan,
according to sources, called for the entire
four-block area around King's Hotel to be
sealed off by patrol cars,' the article said."

On 2/17/76, this article was furnished to the CRD
USDJ, which at that time had the FBI investigation of Dr. King
under review, stating the FBI was conducting no investigation re
this article unless specifically requested by the CRD.

On 9/8/76, an article appeared in the "Washington Post,"
(copy attached), reporting that the U. S. House of Representatives
created a select committee to investigate the assassination of
President John F. Kennedy and Dr. Martin Luther King, Jr.
The reported basis for the House investigation re Dr. King
deals with the ordered removal of Edward Redditt from King's
security on the day of his death due to a reported attempt on
the life of Redditt's family. The order for his removal was
attributed to Memphis Fire and Police Director Frank Holloman
(retired Special Agent of the FBI). The reported basis also
deals with the "sudden transfer" of two black firemen, including
Floyd Newsum, from the fire house across the street from the
motel where King was shot.

Memoandum to Mr. Gallagher
RE: MURKIN

The FBI civil rights assassination investigative file (Bufile 44-38861) reflects the CRD furnished a memorandum dated 9/23/68 (serial 5197) containing results of interviews which J. Harold Flannery, Deputy Section Chief, Central Section, CRD, had with William Sartor, a contract writer for Time, Inc., who as a reporter had been inquiring into a possible conspiracy to assassinate Dr. King. Sartor furnished various information, including that the "Cosa Nostra" or "Mafia" could be involved. Departmental Attorney Flannery also reported that Sartor furnished him with the following two allegations:

1. "An unidentified Negro policeman was moved from his assignment at the Fire Station (and Police Tactical Unit Station) at about 5:00 p.m. on the day of the assassination. According to Sartor, the Dispatcher told the policeman to move two or three times during the afternoon, but he did not do so until explicitly advised to that effect by a superior. In August, Sartor identified the policeman as E. E. Redditt and said that Redditt had broken off an interview with Sartor after starting to discuss his move from the station."

2. "Two Negro firemen were moved from the station a day or two before the shooting. One of them has reportedly told friends that, two or three days before Dr. King was shot, a telescope or binoculars were set up on a tripod in the fire station and focused on the Lorraine Motel balcony. In August, Sartor said that one fireman left the Department or was suspended shortly after the shooting, and that he has been unable to locate either of them. He did not have their names."

The CRD requested the FBI to "follow out" all of Sartor's indicated leads.

By LHM, the Memphis Office of the FBI reported the results of the investigation re the above two items as set forth below (serial 5387):

Memorandum to Mr. Gallagher
RE: MURKIN

"In this regard, Inspector G. P. Tines, Intelligence Unit, Memphis Police Department, advised on 11/18/68, that on 4/3/68 he assigned Detective E. E. Redditt and Patrolman W. B. Richmond, Negro officers, both of whom are assigned to the Inspection Division of the Memphis Police Department, to a security detail at the Memphis Fire Station, Engine House #2, located at Butler and Main Streets. This location is approximately one block from the Lorraine Motel. The purpose of this assignment was to observe the activities of the "Invaders," local Black Power group at Memphis. A number of the "Invaders" were rooming at the Lorraine Motel at this time. These two officers were equipped with binoculars and were stationed in a room at the rear of the fire station with a view that included the room later occupied by the Reverend Martin Luther King, Jr.

In connection with this assignment, and prior to the time Officers Redditt and Richmond physically proceeded to this assigned location, it was determined by the Intelligence Unit of the Memphis Police Department that a Negro fireman stationed at the Fire Station and named Floyd E. Newsum had taken an active part in demonstrations by the striking sanitation workers in February and March, 1968, and had been closely associated with black militants connected with the strike. In order to insure security for Officers Redditt and Richmond, and to insure that no information regarding the Memphis Police Department Intelligence Unit's efforts to keep abreast of the activities of the "Invaders" was leaked to the black militants in Memphis, the Chief of the Memphis Fire Department was requested to temporarily transfer Fireman Newsum to another fire station. This was done on 4/3/68.

In addition, on 4/4/68, Negro Fireman Norvell E. Wallace was routinely assigned from Fire Station #2 to Fire Station #31, due to a manpower shortage at Fire station #31.

On 11/18/68, Fire Chief Hamilton advised that by letter dated 5/18/68, Fireman Newsum resigned from the Memphis Fire Department after thirteen years of service, giving as his reason for leaving "Personal Reasons." Chief Hamilton advised it is his understanding that Newsum has become an active worker with the NAACP at Memphis subsequent to his resignation from the Memphis Fire Department.

Memorandum to Mr. Gallagher
RE: MURKIN

At approximately 4:15 p.m. on 4/4/68, Lt. E. H. Arkin of the Intelligence Unit of the Memphis Police Department, on instructions from Inspector Tines, proceeded to Fire Engine House #2 and removed Detective Redditt from this station, leaving Officer Richmond at this post. The reason for the removal of Officer Redditt was due to the receipt of a telephone call on the morning of 4/4/68 by Philip Manuel, Chief Investigator for Senator McClellan's Senate Investigating Committee, Washington, D. C., to the effect that information had been received by the Committee that a Negro detective on the Memphis Police Department was to be killed.

Due to Detective E. E. Redditt's activities in attending meetings of the striking sanitation workers in February and March, 1968, Redditt had been threatened on several occasions. Inspector Tines therefore believed the telephone call received by the McClellan Committee was another threat directed against Redditt. He therefore ordered Redditt removed from his lookout post at Engine House #2 for Redditt's own protection. A police guard of two officers was assigned to Redditt and his family as a result of this threat.

A review of the tapes of the Memphis Police Department radio transmissions for April 4, 1968, failed to reflect any transmissions from Police Dispatcher ordering Redditt to move from his observation post and, in fact, it has been ascertained that no radio equipment was maintained by the police officers at this observation post with which to receive radio transmissions."

This Memphis LHM also disseminated to the CRD on 11/27/68 and by request was also furnished to the Office of Professional Responsibility Task Force, USDJ, on 6/4/76, which office is presently reviewing the FBI investigation of Dr. King.

An LHM from the Atlanta Office of the FBI dated 1/31/69 (serial 5531) reflected that Rev. Ralph Abernathy, President of the Southern Christian Leadership Conference, was interviewed by the FBI on 1/30/69 and he advised that several months previously, Rev. James Lawson told him the day before the assassination of Dr. King that two Negro firemen, who had been assigned to the fire station across the street from the motel where Dr. King was killed, were moved to another fire station.

Memorandum to Mr. Gallagher
RE: MURKIN

According to Rev. Lawson that move left the fire station unmanned and they were moved to a station which was already fully manned and equipped. Also according to Rev. Lawson, a Negro policeman, who worked the beat which included the motel where Dr. King was killed, was moved off of that beat the day Dr. King was killed, April 4, 1968, but prior to the killing. This Atlanta LHM was furnished to the CRD on 2/3/69.

An airtel from the Memphis Office of the FBI, dated 1/31/69 (serial 5533) reflects information from the Memphis PD that it had no officers assigned to a "walking beat" in Memphis on the day Dr. King was killed.

An airtel from our Memphis Office dated 2/11/69 (serial 5557) reflects that Rev. Lawson was interviewed by the FBI on 2/11/69 and he advised he feels that certain occurrences may have some significance.

Rev. Lawson said that on about April 2 or April 3, 1968, a Negro fireman, Floyd E. Newsum, was transferred from the firestation near the Lorraine Motel to another station that was already fully manned. He also said that another Negro fireman, name unknown, was transferred from that same station to another station on either Tuesday or Wednesday night before King was murdered on Thursday afternoon. He said this second fireman was transferred in the middle of his shift and was transferred "out of rotation."

Rev. Lawson explained "out of rotation" as follows:

When a fireman is assigned to a piece of equipment he remains in that assignment until all the men already assigned to it have been transferred. In other words, the last man assigned is the last man transferred.

Rev. Lawson stated also that a Negro police officer, Detective E. E. Redditt, who had been assigned to the same fire station to provide protection for Dr. King, had been removed from the station sometime prior to the murder.

Rev. Lawson stated he has made no attempt to verify any of this information except for his interview with Floyd Newsum.

This new select House Committee, to date, has made no request of the FBI.

Washington Post
September 18, 1976

House Votes 280-65 to Probe Kennedy, King Assassinations

By Mary Russell

Washington Post Staff Writer

The House created a select committee yesterday to investigate the assassinations of President John F. Kennedy and Dr. Martin Luther King Jr.

The 12-member committee, established on a 280-to-65 vote, will be headed by Rep. Thomas Downing (D-Va.) for the remainder of this Congress. Speaker Carl Albert (D-Okla.) said. Downing, however, is retiring, and Rep. Henry B. Gonzalez (D-Tex.), with Downing a prime sponsor of the committee, is expected to become chairman in the new session next January.

Downing said he would ask for \$230,000 to get the committee started and hire staff, but Rep. Frank Thompson (D-N.J.), chairman of the House Administration Committee, which must authorize the funds, indicated yesterday he might be reluctant to approve that amount.

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Reasons for looking again at the 1963 Kennedy assassination, he said,

are revelations by the congressional intelligence committees that information about CIA attempts to kill Cuban Premier Fidel Castro was withheld from the Warren commission, "the murder of two Mafia members enlisted by the CIA to help assassinate Castro, and the destruction of notes on Kennedy's autopsy and a note by assassin Lee Harvey Oswald to a member of the FBI.

The commission headed by Chief Justice Earl Warren investigated the assassination of Kennedy in Dallas and concluded that Oswald acted alone.

But Downing said yesterday, "I am convinced there was a conspiracy involved. I do not know the identity of the conspirators or their motives. That should be investigated in depth."

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Rep. B. F. Sisk (D-Calif.) called the planned investigation a waste of taxpayers' money to satisfy "the melodramatic desire of the morbid to create an incident."

Though Downing and Gonzalez set out more than a year ago to create the committee, they were going nowhere until they received a push from members of the Congressional Black Caucus, who felt they had received "new information" in the 1968 killing of Martin Luther King Jr. that called for a congressional investigation.

D.C. Del. Walter Fauntroy and Rep. Yvonne Burke (D-Calif.) confirmed that the information came from writer and TV producer Abby Mann, who is working on a documentary on King's death, and from writer Mark Lane, one of the first to doubt the Warren Commission conclusions.

Reportedly the information has been known since 1963 but never investigated by the FBI.

It deals with the removal of King's black security chief from his side shortly before he was killed in Memphis, and the sudden transfer of two black firemen from the firehouse across the street from the motel where King was staying and was shot.

Edward Redditt, in charge of security for King, was ordered to go home about 4 p.m. on the day of King's death, because of a reported attempt on the life of Redditt's family.

The order was attributed to Memphis Fire and Police Director Frank C. Holloman, who had worked for the FBI for 25 years, part of the time in the office of the late Director J. Edgar Hoover, who had tapped King's phone and ordered surveillance of the civil rights leader.

Floyd Newsum, one of the black firemen abruptly transferred from the fire station across from the motel, said he had attended a King rally in Memphis and, though he publicly told of the transfer at the time, says he was never interviewed by the FBI.

ENCLOSURE

44-38861-6133

178

Airtel

9/20/76

To: SAC, Memphis (44-1987)

1 - Mr. Helterhoff

From: Director, FBI (44-38861)

MURKIN

Enclosed are two copies of a "Newsday" article dated 2/15/76, and two copies of a "Washington Post" article dated 9/18/76.

Memphis review the enclosed articles and promptly advise from a review of your indices and files, what, if any, information is contained therein concerning Edward Redditt, W. B. Richmond, and Floyd Newsum, including what dissemination made of any such information. Also advise if any information is contained in your files concerning this reported threat against Redditt and the reported information that "informers" had told the Memphis Police Department that Redditt had shown some sympathy for King's cause. etc.

Summary results.

Enclosures - 4

HNH:mlr (4)

NOTE: By J. S. Peelman to Mr. Gallagher memorandum dated 2/18/76, a summary of the "Newsday" article was set forth including that our files at FBIHQ and at ME contain no information relative to this article. This article was furnished to the USDJ pointing out we were conducting no investigation re this article unless specifically requested by the Department. The Department made no subsequent request. The "Washington Post" article contains some of the same information previously set forth in the "Newsday" article and also mentions that a Floyd Newsum reportedly was transferred from the fire station. No identifiable information located on Newsum in Bufiles. This instructs ME to advise if any information contained in files re these articles.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2-27-81 BY SP4 JRM/MLH
6076

ORIGINAL FILED IN

MAILED 9

SEP 20 1976

FBI

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Legal Coun. _____
Plan. & Eval. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director Sec'y _____

ENCLOSURE

NOT RECORDED

46 SEP 28 1976

SEP 23 1976

MAIL ROOM ☒

TELETYPE UNIT ☐

84 SEP 29 1976

GPO : 1976 O - 500-714



An aerial view of the assassination scene

AP Photo

Cop Was Removed Before King Slaying

By Les Payne

Copyright 1976, Newsday Inc.

Hours before the Rev. Martin Luther King Jr. was killed in Memphis in 1968, the city's top law-enforcement official, in the presence of men he identified as federal agents, removed one of two detectives assigned to watch the civil rights leader from his post. Authorities said the removal was part of an emergency plan to protect the detective's life.

Ed Redditt, the detective who was removed from his post, had prepared a contingency plan to enable the police department to apprehend an assassin should an attempt be made on King's life while he was at the Lorraine Motel in Memphis. The plan, which was never implemented, involved the sealing off of a four-block area around the motel.

Police did not assign a replacement for Redditt. But they did leave the detective's partner on duty.

From interviews and published stories, Newsday has learned that Redditt and his partner, both members of the Memphis police intelligence unit, watched King and his staffers at the Lorraine through binoculars from the fire station across the street. The two-man unit earlier had provided security for King and his party, and they continued to keep the police department informed of their movements and their visitors. Redditt and his partner, W. B. Richmond, who are both black, had withdrawn from what would have been their normal position with the King party because their presence, following recent riots in Memphis, had angered young local blacks.

The police were particularly concerned about a violence-prone black group called the Invaders, who, though they were friendly with the nonviolent King and his associates, had led an outbreak of violence and looting a week earlier. Newsday recently disclosed that some of the leaders of the Invaders were FBI informants and had touched off the violence that was directly responsible for King's return to Memphis the day before his assassination.

On April 4, the day King was shot, four armed members of the Invaders, who had been providing se-

curity for King and his staff in the Lorraine Motel, were seen leaving the motel—for unexplained reasons—just before 6 PM, minutes before King was shot. Although King himself never agreed to have the Invaders stand guard, some of his aides had agreed to their presence. One of the Invaders standing guard was an undercover Memphis police detective who provided information for the police and the FBI.

After Redditt was removed from duty, he was told at a meeting in police headquarters that the U.S. Secret Service had learned of a "contract" on his life. Redditt protested, saying that he wanted to return to his post, but the city's then-public safety director, Frank Holloman, insisted on the officer's removal. En route home with a police guard, Redditt heard on the car radio that King had been shot by an assassin.

Three days later, the round-the-clock guard watching Redditt was removed and he was allowed to return to work. The police department never offered any further explanation of the "contract" on his life. About a week before King was killed, sources said, FBI informers had told the Memphis Police Department that Redditt had shown some sympathy for King's cause by encouraging striking garbage workers—who were being supported by King's nonviolent marches—to stay away from work. Redditt's partner on the King surveillance team was considered more loyal to the department, sources said. The partner remained at his post and reportedly was looking at King through binoculars when the civil rights leader was shot.

The entire Redditt affair is another in a chain of curious circumstances surrounding King in the days and hours prior to his assassination.

Recent disclosures that the FBI conducted extensive surveillance of King have prompted several governmental inquiries. The Senate Intelligence Committee said its investigation uncovered no evidence that implicated the FBI in King's murder or a cover-up. However, the committee chairman, Frank Church (D-Idaho), has called for a federal special prosecutor to

—Continued on Page 15

'Cop Was Removed Before King Death

—Continued from Page 7

investigate the assassination to resolve "many unanswered questions," including whether a bureau "vendetta" against King was related to his murder. The Department of Justice is reviewing the FBI's file on King and will soon make recommendations to Attorney General Edward Levi.

Redditt and the officials identified by Newsday's sources as having been present at the April 4 meeting at which Redditt was told of the "contract" on his life have refused to discuss the meeting.

Holloman acknowledged the report of a threat. "I did receive a report that there was a threat on Officer Redditt's life. Where it came from, I can't say."

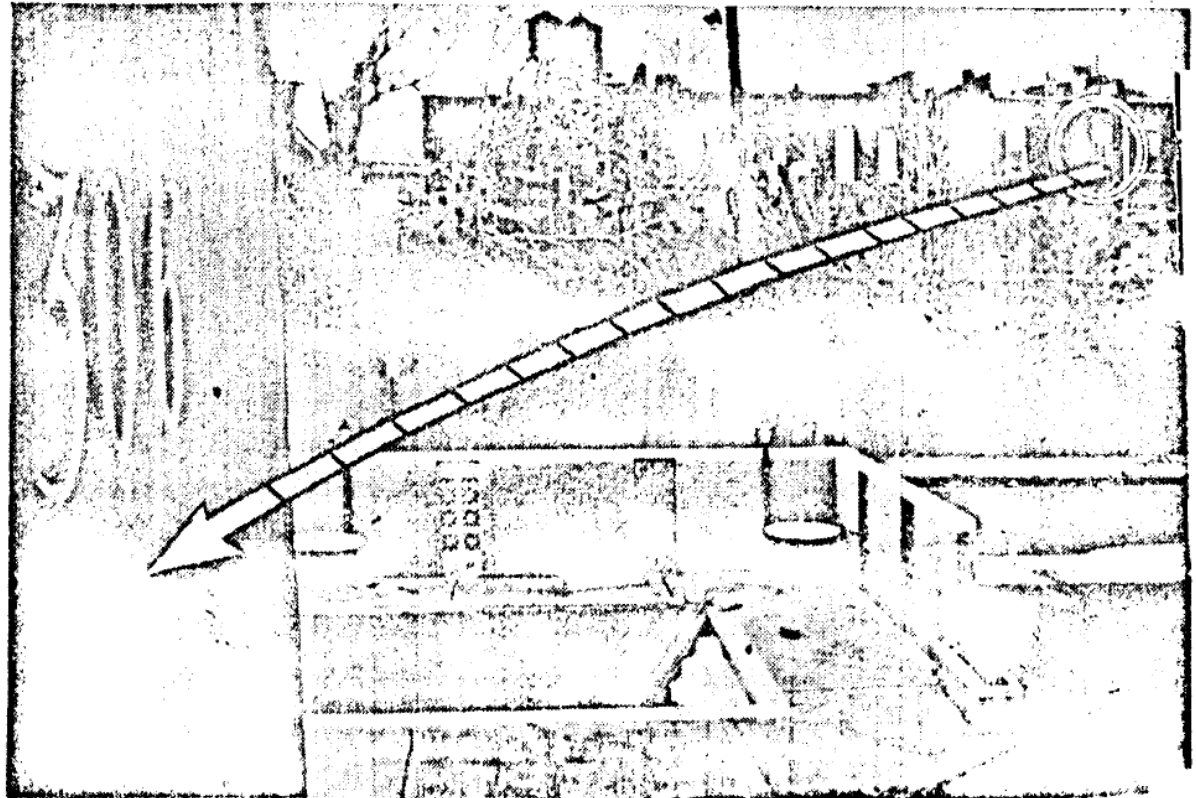
Asked about the April 4 meeting with Redditt in the presence of a man identified by Holloman as a U.S. Secret Service agent and other federal authorities, Holloman said haltingly, "... I don't recall. Even if I did I don't think I would say."

An official of the U.S. Secret Service said he checked the agency's records and found no indication that an agent had been sent to Memphis at that time.

At the police headquarters meeting, Holloman, according to sources, introduced Redditt to a "Secret Service agent down from Washington, D.C.," a man about six feet tall and weighing about 220 pounds. A Mississippi highway patrolman, Holloman said, had overheard someone threatening to go to Memphis to kill Redditt. The threat allegedly had been relayed to the U.S. Secret Service and the agent had flown down to deliver the message to the Memphis police and Redditt.

The man identified as the Secret Service agent verified Holloman's account, sources said. Also present, according to sources, were the Memphis police chief, an FBI liaison agent, two military intelligence officers, an official from the sheriff's office, a National Guard official and a representative of the Tennessee state highway patrol.

The Memphis police chief at the time, James C. MacDonald, now the chief administrator of the city's Juvenile Court, could not be reached by telephone despite numerous attempts. In reply to a letter requesting information about the Redditt affair, MacDonald wrote: "I have been out of law enforcement for seven years. I have no comment to make about your letter."



A view from the hotel balcony on which King was standing when he was struck by a shot, apparently fired from circled window.

Redditt protested that he wanted to return to his post, the sources said, but he was ordered not to do so. Holloman told him he would be provided with 24-hour protection at a local hotel under an assumed name. Redditt refused the hotel offer because his mother-in-law, who was living in his home, was ill and could not be moved. Holloman insisted that a 24-hour police guard be posted at Redditt's home.

For the two days following the assassination, Redditt asked to return to work. Each request was denied.

On the third day, a Sunday, he returned to work without further explanation.

Redditt's assassination contingency plan, according to sources, called for the entire four-block area around King's motel to be sealed off by patrol cars if someone tried to kill King. All streets were to be closely watched in case of an assassination attempt. Redditt is known to believe that if his plan had been in effect it would have been impossible for a lone assassin, suspected of shooting from the flophouse across the street, to have escaped.

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ENCLOSURE

44-38661-
ENCLOSURE

6/11

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI
ATTN: BUDGET AND ACCOUNTING SECTION,
FINANCE AND PERSONNEL DIVISION

FROM : SAC, DENVER (100-12482) (RUC) *JACKSF*

SUBJECT: MARTIN LUTHER KING, JR.
DEPARTMENTAL REVIEW;
COST DATA

DATE: 9/14/76

Re Bureau teletype to All SACs, 8/6/76.

The following is in response to referenced teletype for the period through 8/31/76:

- | | |
|-------------|------------------------|
| Name | MICHAEL R. RAMIREZ, SA |
| Grade | GS-12 |
| Salary Step | 2 |
| Hours Spent | 8 regular, 0 overtime |

Name	DAVID WAYNE TASHIRO, Clerk
Grade	GS-3
Salary Step	1
Hours Spent	9 regular, 0 overtime
- There were no unusual or out-of-the-ordinary costs incurred.

Since no further action remains in the Denver Division, the cost data requested in Bureau teletype 8/6/76, will no longer be submitted. If in the future additional investigation is requested this office will begin submitting the cost data at that time.

- ② - Bureau (RM)
1 - Denver

MRR/sip
(3)

NOT RECORDED

46 SEP 27 1976

17 SEP 20 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ORIGINAL FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO :

DIRECTOR, FBI (44-38861)

DATE: 9/13/76

FROM :

ATTN: BUDGET AND ACCOUNTING SECTION, FINANCE
AND PERSONNEL DIVISION

SAC, DALLAS (44-2649) (RUC)

SUBJECT:

MARTIN LUTHER KING, JR.; *Murk*
DEPARTMENTAL REVIEW; COST DATA

Re Bureau teletype dated 8/6/76.

The following costs were incurred by the Dallas Office in connection with the above captioned matter:

1. Manpower: GREGORY L. DUNHAM, GS-3, Step 1, 8 hours overtime; 3 hours regular; GUELDA F. LAMBERT GS-6, Step 3, 2 hours regular.

2. Unusual Costs: Xerox paper \$7.80 (3½ reams @ \$2.23 per ream).

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2-27-81 BY SP4 JAM/ld
6070

NOT RECORDED

46 SEP 27 1976

24 SEP 16 1976

③-Bureau 1 detached per Gen Invest to Mr. Nuseant
1-Dallas
GFL:gm
(4)



7 SEP 29 1976

1 copy RM-4077-0EN
Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

FBI/DOJ