

One particular dissemination, the contents of which was not revealed in the files, was apparently initiated and carried out personally by the Director. On January 22, 1965, the SAC in Atlanta advised Mr. Sullivan that, pursuant to their electronic surveillance, the Bureau learned that King had phoned Ralph Abernathy and complained that Hoover had had a meeting with a particular Atlanta official while in Washington attending the Inauguration. According to King, when this official returned to Atlanta he contacted Dr. King senior and passed on a "good deal" of information. According to Sullivan's memo to Belmont, Dr. King, Jr. was very upset (HQ 100-106670-768). The files did not reveal any formal proposal for this briefing but Section Chief Baumgardner later speculated that the Atlanta official was Chief of Police Jenkins since the Director had met with him on January 18, 1965 (HQ 100-106670-780). The files do not indicate whether the Director suggested that the information be passed on to Dr. King's father.

In connection with the post-assassination efforts to declare a national holiday in memory of Dr. King the Senate Select Committee has outlined in its report the attempts by the Bureau to prevent such a declaration by briefing various members of Congress on King's background (HQ 100-106670-3586). We discovered that the Bureau also sent a monograph on King to the President and the Attorney General in 1969 for this same purpose (HQ 100-106670-3559).

The Bureau's efforts to discredit Dr. King's movement also included attempts to damage the reputation of King's family and friends. The Bureau looked very closely at Coretta King although a security investigation was never opened. This included scrutinizing her travels in an attempt to uncover possible facts embarrassing to her. These attempts also included a plan, proposed

by Assistant to the Director DeLoach and approved by Hoover to leak information to the press that Coretta King and Ralph Abernathy were deliberately plotting to keep the assassination in the news by claiming a conspiracy existed in order to keep monetary contributions flowing for their benefit (HQ 44-38861-5654).

Ralph Abernathy and Andrew Young also became Bureau targets. Shortly after the assassination the field was instructed to report any information on possible "immoral activities" of King's two associates (HQ 62-108052-Unrecorded serial, Atlanta to Director, April 29, 1968). Presumably there were COINTELPRO type purposes behind this request.

The Atlanta Field Office in attempting to demonstrate the initiative and imagination demanded by Headquarters proposed additional measures against Ralph Abernathy. The Bureau learned that after Dr. King's death, Rev. Abernathy may have voiced some concern over possible assassination attempts on his own life. The Atlanta office proposed that the Bureau begin notifying Abernathy directly (instead of only informing the police) of all threats against him in order to confuse and worry him (HQ 62-108052-Unrecorded serial, Atlanta to Director, March 28, 1969). This activity was not approved by Headquarters.

Bureau files indicate that the FBI may have also attempted to help the executive branch in its efforts to deal with Abernathy after King's death. In a memo to Associate Director Tolson, Director Hoover related a telephone conversation with former Vice President Agnew in which Mr. Agnew expressed concern over the "inflammatory" statements which Abernathy had made. The Vice President was seeking information from Hoover which could be useful in destroying the credibility of Rev. Abernathy. Hoover agreed to the request (HQ 100-106670-Unrecorded serial, Hoover to Tolson, May 18, 1970). We did not find what information, if any, was forwarded to the Vice President.

Finally, we discovered that a series of illegal surreptitious entries was conducted by the FBI. Some of these entries had as one purpose, among others, the obtaining of information about Dr. King. The FBI in the review of its indices was unable to locate records of any entries onto the premises of Dr. King or the SCLC.

The agents began to retrieve information about Dr. King during these entries through the use of photographs. In one instance a supervisor in the appropriate field office requested authority to conduct an entry for the express purpose of obtaining information about Dr. King. The proposed entry was approved at Headquarters pursuant to a telephone call by an Inspector and was later conducted.

On four subsequent occasions the Bureau again conducted entries and obtained information concerning King and the SCLC. On one such occasion a specimen of King's handwriting was obtained. The purpose of gathering this piece of intelligence was not revealed.

Bureau policy at the time of these entries required the approval of such field requests by Director Hoover or Associate Director Tolson (Memo Director, FBI, to Attorney General, September 23, 1975). We assume that such approval was granted. Handwritten

notations on the field office memos indicate that the Bureau was advised of the entries in each case.

We also raise the issue of these illegal entries because aside from being violative of Fourth Amendment rights the entries ran the risk of invading a privileged relationship.

We note in passing that the FBI continued to employ an informant in the SCLC despite the fact that the informant conceded to agents that the informant had embezzled some SCLC funds. The Bureau voiced strong disapproval of these activities. Yet, no legal or disciplinary action was ever taken with respect to the informant (HQ 134-11126-56, 57).

B. Critical Evaluation of the Security Investigation

In the area of domestic intelligence the mandate of the FBI has been both broadly and vaguely defined. It is stated in the Code of Federal Regulations as follows:

(The FBI shall:) carry out the Presidential directive of September 6, 1939, as reaffirmed by Presidential directives of January 8, 1943, July 24, 1950 and December 15, 1953, designating the Federal Bureau of Investigation to take charge of investigative work in matters relating to espionage, sabotage, subversive activities, and related matters (28 CFR 0.85 (d)).

Given this charter and the history of the sometimes overpowering influence of the views of the late Director J. Edgar Hoover on his subordinates and on successive Attorneys General, it was understandable that a security investigation should be initiated into the possible influence of the Communist Party, U.S.A., on Dr. Martin Luther King, Jr. Two of King's close advisors, at the outset of the security matter, were reported to be Communist Party members by sources relied upon by the Bureau.

The security investigation continued for almost six years until Dr. King's death. It verified, in our view, that one alleged Communist was a very influential advisor to Dr. King (and hence the Southern Christian Leadership Conference) on the strategy and tactics of King's leadership of the black civil rights movement of the early and mid-sixties. Another had no such weight although he seemed to be of use to King. But this very lengthy investigative concentration on King and on

the principal advisor established, in our opinion, that he did not "sell" Dr. King any course of conduct or of advocacy which can be identified as communist or "Party line". King, himself never varied publicly or privately from his commitment to non-violence and did not advocate the overthrow of the government of the United States by violence or subversion. To the contrary, he advocated an end to the discrimination and disenfranchisement of minority groups which the Constitution and the courts denounced in terms as strong as his. We concluded that Dr. King was no threat to domestic security.

And the Bureau's continued intense surveillance and investigation of the advisor clearly developed that he had disassociated himself from the Communist Party in 1963 because he felt it failed adequately to serve the civil rights movement. Thus the linch-pin of the security investigation of Dr. King had pulled himself out.

We think the security investigation which included both physical and technical surveillance, should have been terminated on the basis of what was learned in 1963. That it was intensified and augmented by a COINTELPRO type campaign against Dr. King was unwarranted; the COINTELPRO type campaign, moreover, was ultra vires and very probably in violation of 18 U.S.C. 241 (and 242), i.e. felonious.



The continuing security investigation reflects also that the Attorney General and the Division charged with responsibility for internal security matters failed badly in what should have been firm supervision of the FBI's internal security activities.

#### IV. RECOMMENDATIONS

##### A. As To The Murder Investigation

The task force does not fault the technical competence of the investigation conducted into the death of Dr. King. We found no new evidence which calls for action by State or Federal Authorities. Our concern has developed over administrative concomitants of the crime detection tactics.

1. The progress of such sensitive cases as the King murder investigation and the development of legally sufficient evidence to sustain prosecution are properly the ultimate responsibility of the Division of the Department having supervision of the kind of criminal prosecution involved. The Division head should delineate what progress reports he wishes. The Bureau should not be permitted to manipulate its submission of reports to serve its purposes, such as the protection of its public relation efforts, or the prevention of the responsible Division of the Department from causing the Bureau to pursue a line of inquiry which the Bureau does not approve. The Attorney General and his Assistants are the officers most accountable to the electorate and they, not the police agency, must maintain effective supervision.

2. As a corollary of our espousal of tighter Department authority over the FBI, we recommend that the Bureau's public relations activities and press relations be controlled by the Attorney General's Office of Public Information. Clear directives to prevent the development of personality cults around particular Bureau Directors and officials should be drawn. Bureau press releases should be cleared through the Office of Public Information.

3. The task force recommends that in sensitive cases no criminal action be instituted by the Bureau without the closest coordination and consultation with the supervising Division of the Department. This supervision by the Department should be as tight as the control and consultation the Bureau had with its Field Offices as exhibited in our review of the assassination investigation.

4. It was observed that almost no blacks were in the FBI special agent's corps in the 1960's and none in the Bureau's hierarchy. This undoubtedly had the effect of limiting not only the outlook and understanding of the problems of race relations, but also must have hindered the ability of investigators to communicate fully with blacks during the murder investigation. By way of illustration had there been black agents in the Memphis Field Office participating fully in the investigation of Dr. King's murder, it is unlikely that the interviews with

at least three black members of the Memphis Police and Fire Department would have been overlooked. It is also very probable that black citizen "lead" input would have been greater.

B. As To The Security Investigation

The task force was charged to address itself particularly to the question of whether the nature of the relationship between the Bureau and Dr. King called for criminal prosecution, disciplinary proceedings, or other appropriate action. Our responses follow.

1. Because the five year statute of limitations has long since run we cannot recommend criminal prosecution of any Bureau personnel, past or present, responsible for the possible criminal harrassment of Dr. King. (18 U.S.C. 3282). No evidence of a continuing conspiracy was found.

2. The responsibility for initiating and prolonging the security investigation rested on the deceased Director of the Bureau and his immediate lieutenants, some of whom are also deceased and the remainder of whom are retired. They are beyond the reach of disciplinary action. The few Bureau personnel who had anything to do with the King security investigation and who are still in active service, did not make command decisions and merely followed orders. We do not

think they are the proper subjects of any disciplinary action. Some of the activities conducted, such as the technical electronic surveillance, had the approval of the then Attorney General. The Courts had not adequately dealt with what authority rested in the executive branch to initiate such surveillance in the interest of 'national security'. We do not think the "leg men" in the Bureau should be held to an undefined standard of behavior, much less a standard not observed by the highest legal officer of the government.

The Bureau's COINTELPRO type activities, the illicit dissemination of raw investigative data to discredit Dr. King, the efforts to intimidate him, to break up his marriage, and the explicit and implicit efforts to blackmail him, were not fully known to the Department, but were none-the-less ordered and directed by Director Hoover, Assistant to the Director DeLoach, Assistant Director Sullivan and the Section Chief under him.

In our view their subordinates were far removed from decision responsibility. Moreover, we think the subordinates clearly felt that, by reason of Director Hoover's overpowering and intimidating domination of the Bureau, they had no choice but to implement the Bureau's directions. Punitive action against the very few

remaining subordinate agents would seem to the task force to be inappropriate in these circumstances and at this very late date.

3. The Bureau's illicit surveillance produced tapes and transcripts concerning King and many others. These may be sought by King's heirs and representatives. Worse still, they may be sought by members of the public at large under the Freedom of Information Act. We recommend that these tapes and transcripts be sealed and sent to the National Archives and that the Congress be asked to pass legislation denying any access to them whatever and authorizing and directing their total destruction along with the destruction of material in reports and memoranda derived from them.

4. The potential for abuse by the individual occupying the office of Director of the FBI has been amply demonstrated by our investigation. We think it is a responsibility of the Department in the first instance and, secondarily, of the Congress to oversee the conduct of the FBI (and the other police agencies of the government). We endorse the establishment by the Attorney General of the Office of Professional Responsibility on December 9, 1975, as an effective means for intra-departmental policing of the Bureau. We also think the permanent

Senate Select Committee on Intelligence is an appropriate agency of the legislative arm to oversee the performance of the Bureau. Both the Office of Professional Responsibility and the Senate Select Committee should be expressly designated in their respective enabling regulations and resolutions to be a place to which Bureau subordinates may complain, confidentially and with impunity, of orders which they believe to threaten a violation of the civil rights and liberties of citizens and inhabitants of the United States.

5. It seems to us that the unauthorized malicious dissemination of investigative data from FBI files should be more than the presently prescribed misdemeanor (5 USC 552a(i)(1)). A felony penalty should be added.

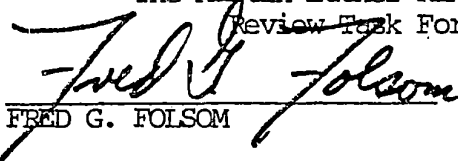
Parenthetically, it should be noted here that it should be made clear that it is improper (but not criminal)

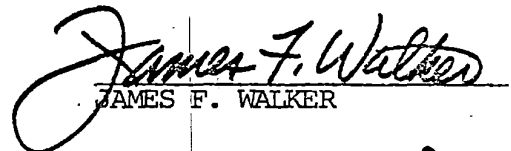
for the Bureau to by-pass the Attorney General and deal directly with the White House.

6. The task force recommends that the FBI have no authority to engage in COINTELPRO type activities which involve affirmative punitive action following Star Chamber decisions with respect to citizens or inhabitants (See 18 U.S.C. 241 and 242). We believe that the guidelines which the present Attorney General has established to govern the FBI's domestic security investigations effectively preclude these activities. Those guidelines moreover, appear to us to permit only strictly legal investigative techniques to be employed in full scale domestic security investigations. This too we endorse.

The foregoing comprises our report and recommendations. It is respectfully submitted.

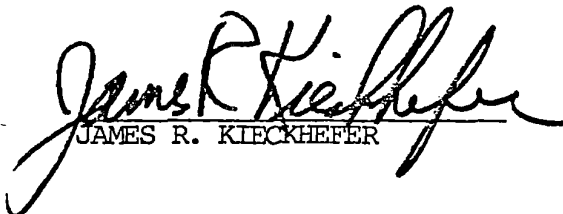
The Martin Luther King, Jr.  
Review Task Force

  
FRED G. FOLSOM

  
JAMES F. WALKER

  
JOSEPH F. GROSS, JR.

  
WILLIAM D. WHITE

  
JAMES R. KIECKHEFER

January 11, 1977



APPENDIX A

EXHIBIT 1

Restoration  
e Hotel.

⊕ = Tact Units  
○ = Other Cars

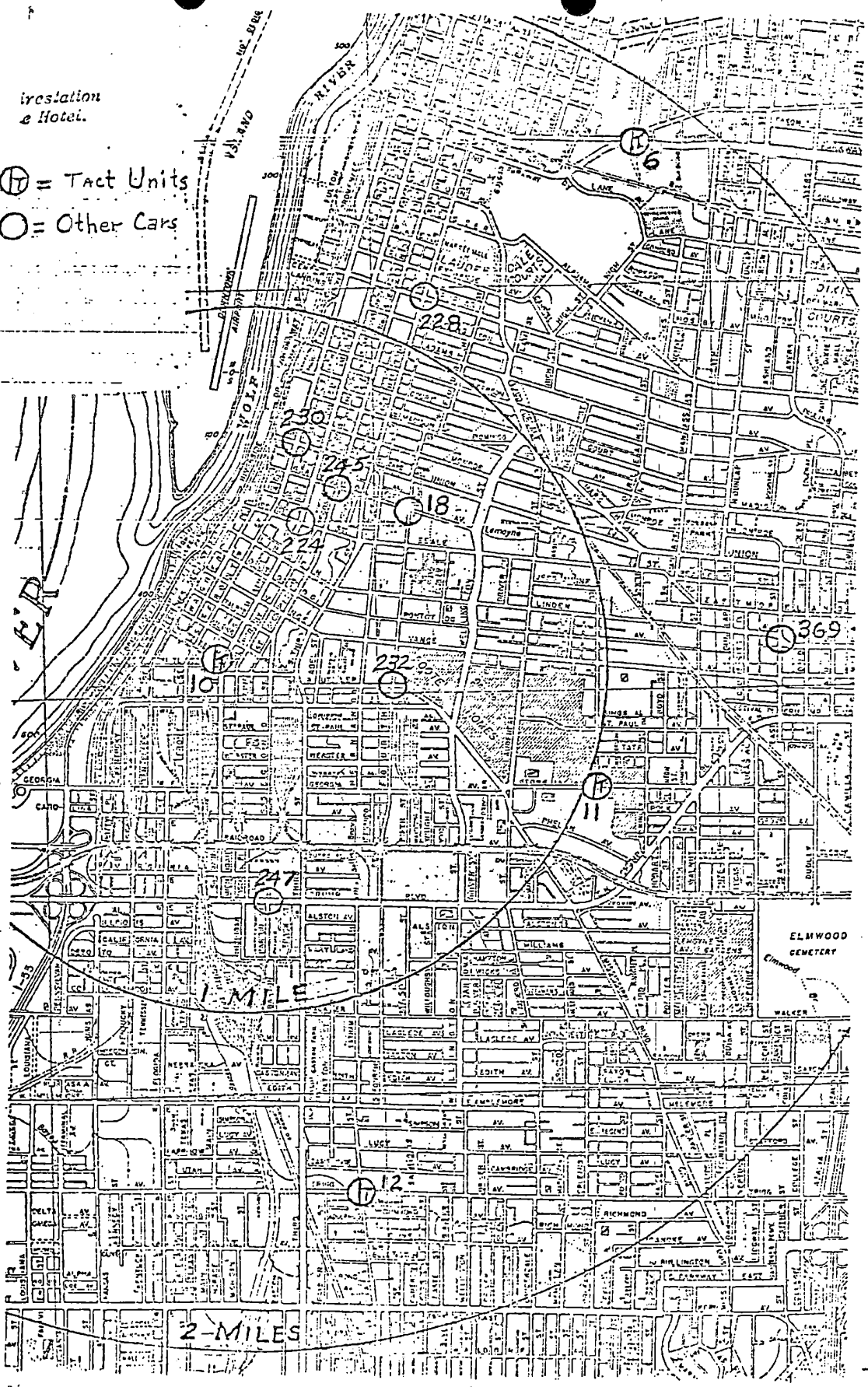
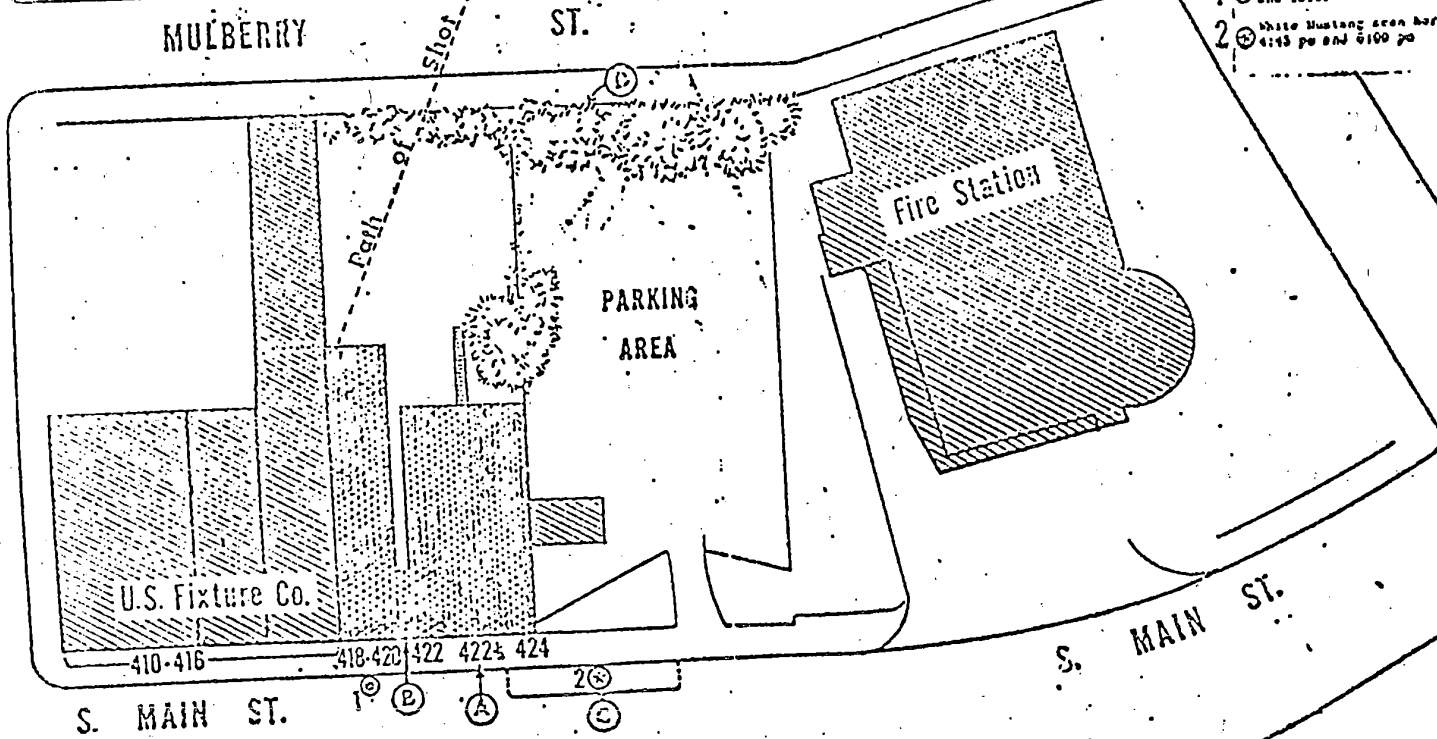
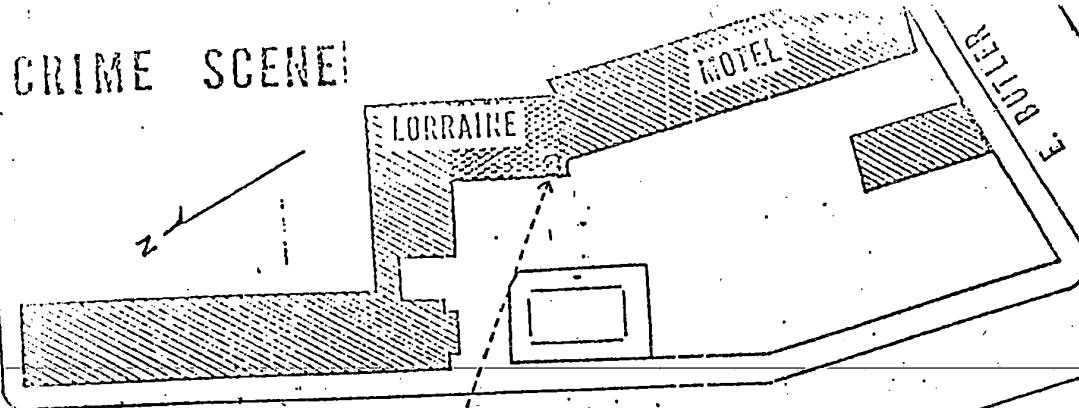


EXHIBIT 2

CRIME SCENE!

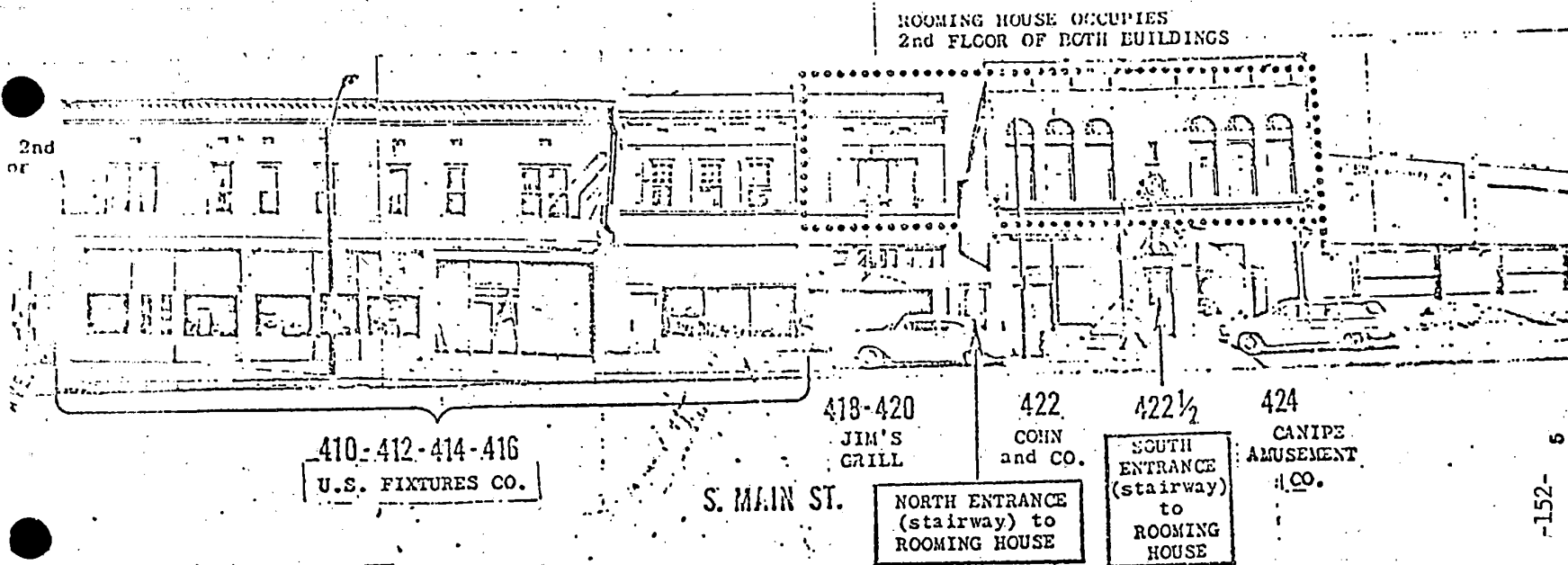
AVE.

HULLING



- ① Point where the shot was fired
- 421 - Canipe Amusement Co.
- ② 422 - S. entrance (stairway) to rooming house, 2nd floor
- 422 - Cohn and Co.
- ③ N. entrance (stairway) to rooming house, 2nd floor.
- 420-418 - Jim's Grill
- ④ Indicates 2nd floor area of rooming house from 418-424 with two entrances marked A and B
- ⑤ Space for 3 cars between fire plug and driveway.
- ⑥ Concrete retainer wall
- 1 ⑦ White Mustang seen here about 4:00pm and later
- 2 ⑧ White Mustang seen here between approx. 4:45 pm and 5:00 pm

-151-



ROOMING HOUSE OCCUPIES  
2nd FLOOR OF BOTH BUILDINGS

2nd  
or

410-412-414-416  
U.S. FIXTURES CO.

S. MAIN ST.

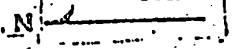
418-420  
JIM'S  
GRILL

NORTH ENTRANCE  
(stairway) to  
ROOMING HOUSE

422  
COHN  
and CO.

422 1/2  
SOUTH  
ENTRANCE  
(stairway)  
to  
ROOMING  
HOUSE

424  
CANIPE  
AMUSEMENT  
CO.



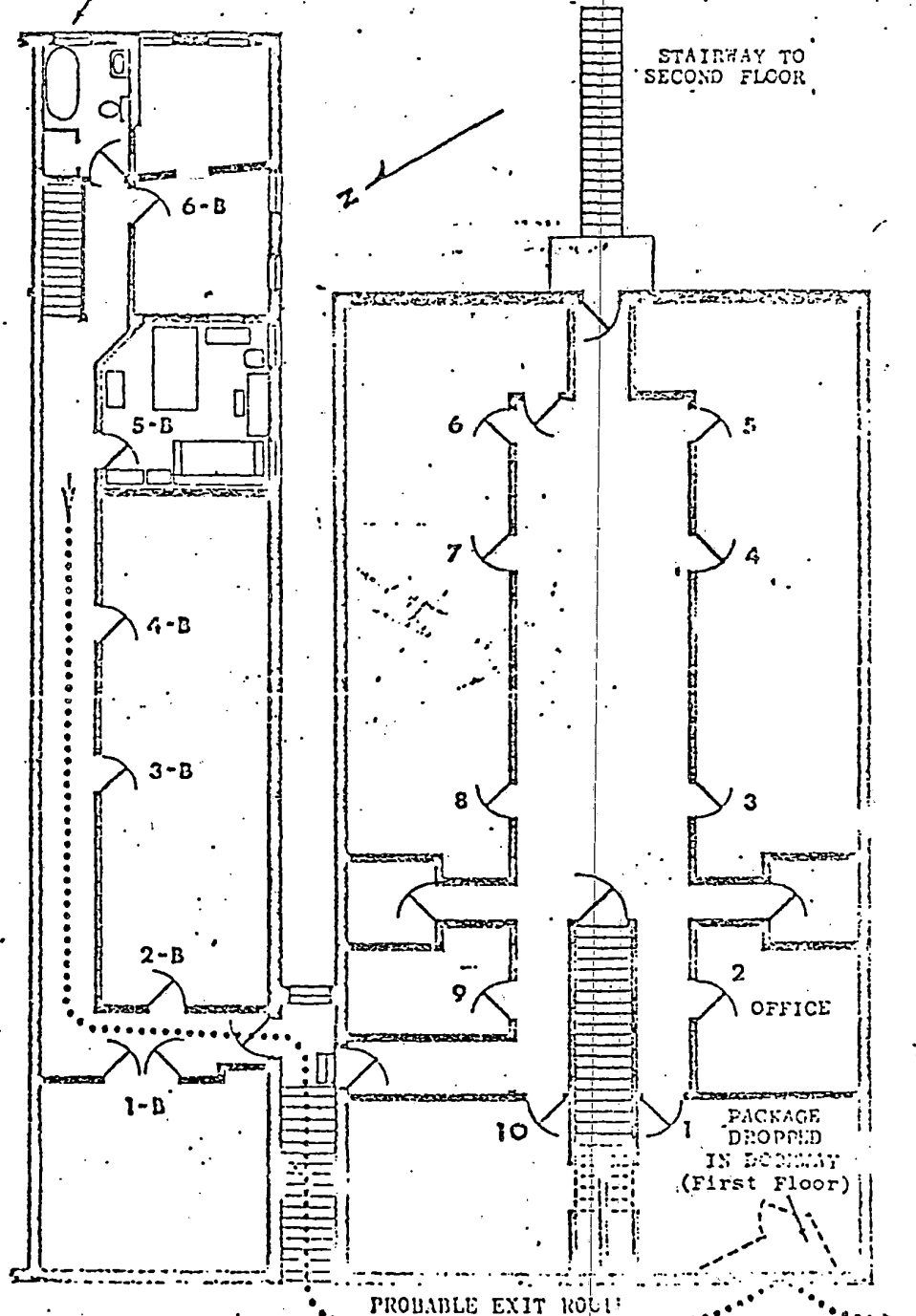
COMPOSITE PHOTO of  
410-424 S. MAIN ST.

-152- 6

# SECOND FLOOR PLAN of ROOMING HOUSE

BATHROOM WINDOW  
FROM WHERE  
SHOT WAS FIRED

STAIRWAY TO  
SECOND FLOOR



418-420

422

422½

424

NORTH ENTRANCE  
(stairway)  
TO ROOMING HOUSE

SOUTH ENTRANCE  
(stairway)  
TO ROOMING HOUSE

S. MAIN ST.

EXHIBIT 3





THE CITY OF MEMPHIS HOSPITALS  
AUTOPSY PROTOCOL

Autopsy No. A68-252 Service Med. Ex. Hospital No. \_\_\_\_\_

Name Martin Luther King, Jr. Age 39 Race Negro Sex Male  
Unknown-Approximately

Date of Admission DOA Date and Hour of Death 4-4-68 P.M.

Date and Hour of Autopsy 4-4-68 10:45 P.M.

Pathologist Drs. Sprunt and Francisco Assistant \_\_\_\_\_

Checked by \_\_\_\_\_ Date Completed 4-11-68

FINAL PATHOLOGICAL DIAGNOSIS

PRIMARY SERIES:

- I. Distant gunshot wound to body and face
  - A. Fracture of right mandible
  - B. Laceration of vertebral artery, jugular vein and subclavian artery, right
  - C. Fracture of spine (T-1, C-7)
  - D. Laceration of spinal cord (lower cervical, upper thoracic)
  - E. Submucosal hemorrhage, larynx
  - F. Intrapulmonary hematoma, apex right upper lobe

SECONDARY SERIES:

- 1. Remote scars as described
- 2. Pleural adhesions
- 3. Fatty change liver, moderate
- 4. Arteriosclerosis, moderate
- 5. Venous cut-downs
- 6. Tracheostomy

LABORATORY FINDINGS:

Blood Alcohol - 0.01%

EXHIBIT 4

JAMES EARL RAY

Some Known Expenditures: April 23, 1967 - June 8, 1968

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
71	5246	Rent for one week at 2731 N. Sheffield; Chicago	\$13.61	4/30/67
74	5448	1959 Chrysler; Chicago	\$200.00	6/5/67
74	5413	1962 Plymouth; East St. Louis	\$209.50	7/14/67
74	5437X	Bourgarde Motel; Dorion, Canada	\$17.28	7/17/67
19	2192	Rent for Apt. at Harkey, Apts., 2585 Notre Dame Street, Montreal at \$75/mo; Montreal	\$150.00	7/19/67
60	4692	Suit at English Scotch Wooleh Company; Montreal	\$75.06	7/21/67
19	2192	Book ordered from Futura Books in Inglewood, Calif.; Montreal	\$9.00	7/24/67
17	2068	Correspondence course at Locksmithing Institute in New Jersey; Montreal	\$17.50	7/28/67
74	5402	Grey Rocks Inn from 7/30 to 8/5; Canada	\$195.15	8/5/67
19	2192	Formula for making glass purchase by money order to E.Z. Formula; Montreal	\$1.00	8/9/67
74	5400	Granada Hotel; Birmingham	\$4.50	8/26/67
21	2324	Room and board for one week	\$22.50	8/26/67
6	628	1966 White Ford Mustang; Birmingham	\$1,995.00	8/30/67
21	2324	Room and board; Birmingham	\$22.50	9/2/67
21	2324	Room and board; Birmingham	\$22.50	9/9/67
21	2324	Dance lessons; Birmingham	\$10.00	9/12/67

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
21	2324	Room and board; Birmingham	\$22.50	9/16/67
21	2324	Room and board; Birmingham	\$22.50	9/23/67
9	1135	Camera equipment, Superior Bulk Film Co.; Birmingham	\$337.24	9/28/67
18	2118	Room only; Birmingham	\$17.50	9/20/67
55	1422	.38 Caliber, Liberty Chief Revolver	\$65.00	10/1/67
75	5496	Hotel San Francisco - 10/10; Acapulco	\$6.00	10/11/67
75	5496	Pancho Villa - 10/15; Guadalajara	\$3.20	10/16/67
75	5496	Pancho Villa - 10/18; Guadalajara	\$3.20	10/19/67
69	5150	Hotel Rio at \$4.80/day - 10/19-11/6; Puerto Vallarta	\$91.20	11/6/67
69	5150	Elisa Arellano to rent apt.; Puerto Vallarta	\$48.00	11/ /67
69	5150	Hotel Tropicana at \$7.20 day - 11/7-11/13; Puerto Vallarta	\$43.20	11/13/67
6	668	Rent at 1535 N. Serrano;	\$127.50	11/19/67
6	668	Utilities at 1535 N. Serrano; Los Angeles	\$10.00	11/20/67
52	4143	Appointment with Dr. Mark Freeman; Beverly Hills	\$25.00	11/27/67
52	4143	Appointment with Dr. Mark Freeman	\$25.00	11/30/67
52	4143	Appointment with Dr. Mark Freeman	\$25.00	12/4/67
52	4143	Dance lessons at National Dance Studio; Los Angeles	\$29.00	12/5/67
52	4143	Appointment with Freeman	\$25.00	12/6/67
52	4143	Dance lessons	\$29.00	12/7/67

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
52	4143	Appointment with Freeman	\$25.00	12/11/67
52	4143	Dance lessons	\$29.00	12/12/67
6 22	745 2325	Dance lessons	\$100.00	12/14/67
52	4143	Appointment with Freeman	\$25.00	12/14/67
74	5399	Provincial Motel - 12/17- 12/19; New Orleans	\$24.00	12/19/67
6 22	745 2325	Dance lessons	\$364.00	12/21/67
22	2325	Locksmithing Institute; Los Angeles	\$15.00	1/8/68
22	2325	International School of Bartending; Los Angeles	\$20.00	1/19/68
22	2325	International School of Bartending; Los Angeles	\$105.00	1/20/68
22	2325	Rent at St. Francis Hotel; Los Angeles	\$85.00	1/21/68
12	1500	Free Press of Los Angeles	\$4.25	1/29/68
22	2325	Locksmithing Institute	\$7.50	1/31/68
12	1500	C.M. Hedgpeth, mail forward- ing service	\$3.00	2/1/68
6	668	Rent at St. Francis Hotel	\$85.00	2/21/68
12	1500	Futura Books	\$6.44	2/26/68
12	1500	Tiffany Enterprises	\$9.98	2/26/68
22	2325	Locksmithing Institute	\$7.50	2/26/68
22	2325	Locksmith Ledger	\$5.25	2/26/68
12	1428	Locksmithing Institute	\$15.00	3/8/68
8	1033	Room/week at 113 14th St.; Atlanta	\$10.00	3/24/68

<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
5502	Flamingo Motel. 3/22; Selma	\$8.00	3/23/68
1428	Locksmithing Institute; Atlanta	\$7.50	3/28/68
5725	Travelodge Motel; Birmingham	\$8.48	3/29/68
432	Purchase of rifle Birmingham	\$248.59	3/29/68
1033	Room in Atlanta	\$10.00	3/21/68
630	Rexall Drugstore; Whitehaven, Tenn.	\$1.83	4/3/68
327	Rooming house on Main St.; Memphis	\$8.50	4/4/68
46	Binoculars; Memphis	\$41.55	4/4/68
4454	Rent/week at 962 Dundas St.; Toronto	\$9.00	4/16/68
4454	Round trip airplane ticket; Toronto	\$345.00	5/2/68

EXHIBIT 5



JAMES EARL RAY

Known Income: April 23, 1967 - June 8, 1968

<u>Section</u>	<u>Serial</u>	
68	5100	Payroll checks from Indian Trail Restaurant Winnetka, Illinois
		May 7           \$ 57.69
		May 14          84.89
		May 21          84.89
		May 28          84.89
		June 4          89.63
		June 11         89.63
		June 18         95.19
		June 25         77.53
		<hr/>
		\$664.34

EXHIBIT 6

READING BIBLIOGRAPHY

- Bishop, Jim. The Days of Martin Luther King, Jr. G.P. Putnam's Sons, New York, 1971.
- Frank, Gerold. An American Death. Doubleday & Company, New York, 1972.
- Hoch, Paul, and Scott, Peter, and Stetter, Russell. The Assassinations, Dallas and Beyond. Random House, 1976.
- Huie, William Bradford. He Slew the Dreamer. Delacorte Press, New York, 1968.
- McMillan, George. The Making of an Assassin. Little Brown & Co., 1976.
- Seigenthaler, John. A Search for Justice. Aurora Publ., Nashville, 1971.

EXHIBIT 7

# Memorandum

Mr. Tolson  
 Mr. DeLoach  
 Mr. Mohr  
 Mr. Bishop  
 Mr. Casper  
 Mr. Callahan  
 Mr. Conrad  
 Mr. Felt  
 Mr. Gale  
 Mr. Rosen  
 Mr. Sullivan  
 Mr. Tavel  
 Mr. Trotter  
 Tele. Room  
 Mr. Holmes  
 Miss Gandy

TO : MR. A. ROSEN

DATE: May 22, 1961

FROM : MR. G. H. SCATTERDAY

SUBJECT:

MARTIN LUTHER KING, JR.;

Memorandum to Mr. Rosen

Martin Luther King, Jr. \*

Reverend Martin Luther King, Jr., prominent integrationist who led bus boycott in Montgomery, Alabama, and "sit-in demonstrations," has been associated with National Association for the Advancement of Colored People and Congress of Racial Equality. King has not been investigated by the FBI.

*W. J. ...*  
Bureau files reveal: King thanked Socialist Workers Party (cited by Attorney General) for support of bus boycott; attended meetings of Progressive Party (cited by Subcommittee of Senate Judiciary Committee); and was honorary chairman of Young Socialist League campaign on behalf of victims of racist terror. \*

King in 1950's mentioned as potential victim of assassination plot and in 1957 attended Communist Party training school seminar and reportedly gave closing speech. King President of

*See me have more details*

Memorandum to Mr. Rosen

Southern Christian Leadership Conference (to further Negro vote registration) and advised "The Civil Rights law...is meaningless unless we go out and make use of it." King thanked Benjamin Davis, Jr., Communist Party official, for giving blood when he was in a hospital following assault. King in 1960 indicated his support for Committee to Secure Justice for Morton Sobell (cited by House Committee on Un-American Activities (HCUA) as communist front) and in 1961 wrote article in "The Nation" which called for integration of FBI to help speed integration. King attended meetings with integration leaders in Montgomery, Alabama, 5-21-61.

EXHIBIT 8



EXHIBIT 9

UNITED STATES GOVERNMENT

Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. A. H. Belmont

DATE: August 30, 1963

FROM : Mr. W. C. Sullivan

SUBJECT: COMMUNIST PARTY, USA  
NEGRO QUESTION  
IS - C

Reference is made to the enclosed material on which the Director has written: "This memo reminds me vividly of those I received when Castro took over Cuba: You contended then that Castro and his cohorts were not Communists and not influenced by Communists. Time alone proved you wrong. I for one can't ignore the memos re King, et al as having only an infinitesimal effect on the efforts to exploit the American Negro by the Communists."

The Director is correct. We were completely wrong about believing the evidence was not sufficient to determine some years ago that Fidel Castro was not a communist or under communist influence. On investigating and writing about communism and the American Negro, we had better remember this and profit by the lesson it should teach us.

I do think that much of the difficulty relating to the memorandum rightly questioned by the Director is to be found centered in the word "influence." We do not have, and no Government agency or private organization has, any yardstick which can accurately measure "influence" in this particular context, even when we know it does exist such as in the case of the obvious influence of over Martin Luther King and King's influence over other Negro leaders. Personally, I believe in the light of King's powerful demagogic speech yesterday he stands head and shoulders over all other Negro leaders put together when it comes to influencing great masses of Negroes. We must mark him now, if we have not done so before, as the most dangerous Negro of the future in this Nation from the standpoint of communism, the Negro and national security.

On determining membership of Negroes in the Communist Party, we are not confronted with the same problem. We do have here accurate yardsticks for establishing membership. Of course, our standards are very exacting. This means there are many Negroes who are fellow-travellers, sympathizers or who aid the Party, knowingly or unknowingly, but do not qualify as members. These we must not ignore. The old communist principle still holds: "Communism must be built with non-communist hands." Therefore, it may be unrealistic to limit ourselves as we have been doing to legalistic proof or definitely conclusive evidence

Enclosure

Memorandum for Mr. Belmont  
RE: COMMUNIST PARTY, USA  
NEGRO QUESTION  
100-3-75

that would stand up in testimony in court or before Congressional committees that the Communist Party, USA, does wield substantial influence over Negroes which one day could become decisive.

The memorandum which the Director penetratively questioned, while showing in the details the communist impact on Negroes, did suffer from such limitations. These limitations we will make every effort to lift in the future. The great amount of attention this Division is giving to communist activities directed toward the Negro should enable us to do this.

For example, here at the Seat of Government, the Negro - communist question takes up as a whole the time of one supervisor and during the past few weeks four men have been so occupied. Additionally, (1) specialized instructions are regularly given the field on communist infiltration of the Negro; (2) monographs have been written on the subject and widely disseminated; (3) regularly disseminated are memoranda and reports; (4) August 21, 1963, we devoted the entire Current Intelligence Analysis to the communist plans for the Negro March of August 28, 1963, (149 copies of this Analysis were disseminated to 44 agencies of the Government); (5) much material on the issue is given to Agents at In-Service; and (6) an SAC Letter is under preparation in this Division now giving the field the benefit of what we learned from the Negro March on Washington and issuing instructions for increased coverage of communist influence on the Negro.

As the memorandum pointed out, "this Nation is involved in a form of racial revolution and the time has never been so right for exploitation of the Negroes by communist propagandists." Nineteen million Negroes constitute the greatest single racial target of the Communist Party, USA. This is a sombre reality we must never lose sight of. We will do everything possible in the troubled future to develop for the Director all available facts relating to Negro membership in the Communist Party, plus the more complex and difficult to ascertain influence of communist organizations and officials over the leaders and masses of Negroes.

We regret greatly that the memorandum did not measure up to what the Director has a right to expect from our analysis.

RECOMMENDATION:

For the information of the Director.

UNITED STATES GOVERNMENT

# Memorandum

*[Handwritten signature]*

Tolson \_\_\_\_\_  
 DeLoach \_\_\_\_\_  
 Mohr \_\_\_\_\_  
 Bishop \_\_\_\_\_  
 Casper \_\_\_\_\_  
 Callahan \_\_\_\_\_  
 Conrad \_\_\_\_\_  
 Felt \_\_\_\_\_  
 Gale \_\_\_\_\_  
 Rosen \_\_\_\_\_  
 Sullivan \_\_\_\_\_  
 Tavel \_\_\_\_\_  
 Trotter \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Holmes \_\_\_\_\_  
 Gandy \_\_\_\_\_

TO : Mr. W. C. Sullivan *[Handwritten initials]*

DATE: September 16, 1963

FROM : Mr. F. J. Baumgardner *[Handwritten initials]*

SUBJECT: COMMUNIST PARTY, USA.  
 NEGRO QUESTION  
 COMMUNIST INFLUENCE IN RACIAL MATTERS  
 INTERNAL SECURITY - COMMUNIST

This memorandum recommends increased coverage of communist influence on the Negro. The history of the Communist Party, USA (CPUSA), is replete with its attempts to exploit, influence and recruit the Negro. The March on Washington, 3-28-63, was a striking example of such Communist activity as Party leaders early put into motion efforts to accrue gains for the CPUSA from the March. Well-documented information concerning the Party's influence on a principal March leader, Reverend Martin Luther King, Jr., is but an example. The presence at the March of around 200 Party members, ranging from several national functionaries headed by CPUSA General Secretary Gus Hall, to many rank-and-file members, is clear indication of the Party's favorite target (the Negro) today.

All indications are that the March was not the "end of the line" and that the Party will step up its efforts to exploit racial unrest and in every possible way claim credit for itself relating to any "gains" achieved by the Negro. A clear-cut indication of the Party's designs is revealed in its plans to hold a highly secretive leadership meeting in November, 1963, which will deal primarily with the Negro situation. This meeting is to be preceded by a Gus Hall "barnstorming" trip through key areas of the country to meet Party people and thus better prepare himself for the November meeting.

The entire field is being alerted to this situation in a proposed SAC Letter (attached). The field is being instructed to intensify our coverage of communist influence on the Negro by giving fullest consideration to the use of all possible investigative techniques. In addition, the field is being told to intensify its coverage of those communist fronts through which the Party channels its influence and to intensify its investigations of the many Party members and dupes who engage in activities on behalf of the Party in the Negro field. Further, we are stressing the urgent need for imaginative and aggressive tactics to be utilized through our Counter-intelligence Program--these designed to attempt to neutralize or disrupt the Party's activities in the Negro field. Necessity for prompt handling of all facets of this matter to insure timely dissemination to the Department and other interested agencies is also being emphasized.

100-3-116  
 1 - 100-3-76 (CPUSA, Negro Question)

OCT 16 1963

Memorandum to Mr. Sullivan  
RE: COMMUNIST PARTY, USA  
NEGRO QUESTION  
COMMUNIST INFLUENCE IN RACIAL MATTERS

[100-3-116]

The proposed SAC Letter requires key security offices to submit to the Bureau, within 30 days, an analysis of their current coverage of communist activities in the Negro field plus details of their plans for intensification. Also, those 16 offices participating in the Counterintelligence Program on a regular basis are being required to include in their next monthly letters due 10-15-63 their plans to neutralize or disrupt Party activities in the Negro field.

RECOMMENDATION:

If approved, attached SAC Letter go forward apprising the field as above and urging full implementation so that the desired results may be achieved. Also attached for approval are necessary Manual changes.

*These instructions are to be followed by the SAC's in their reports.*

*No. I can't understand how you can so easily switch your thinking & evaluation. Just a few weeks ago you contended that the Communist influence in the racial movement was ineffective & infinitesimal. This notwithstanding many memos of specific instances of infiltration. Now you want to load the field down with more coverage in spite of your recent memos deprecating the influence in racial movement. I don't intend to waste time & money until you can*

EXHIBIT 10

Tolson   
 Belmont   
 Mohr   
 Casper   
 Callahan   
 Conrad   
 DeLoach   
 Evans   
 Gale   
 Rosen   
 Sullivan   
 Tavel   
 Trotter   
 Tele. Room   
 Holmes   
 Gandy

9/18/63

MEMORANDUM FOR THE DIRECTOR

While the attached memorandum bears the initials of Mr. Baumgardner, it was prepared from a rough-draft furnished to him by Mr. Sullivan.

It should be understood that Sullivan, Baumgardner, Sizoo and Belmont read the memorandum and agreed with it prior to its submission.

REC-5 100-2-111-2537  
 22 DEC 5 1963

Enclosure

Clyde Tolson

CT:LCB

2 ENCLOSURE

*I have certainly been misled by previous reports which clearly showed a major penetration of the racial movement. The attached is a copy of the information at all times. It is a very important document and should be handled accordingly.*

EXHIBIT 11



To: Mr. A. H. Belmont

Date: September 25, 1963

From: Mr. W. C. Sullivan

Re: COMMUNIST PARTY, USA  
NEGRO QUESTION  
COMMUNIST INFLUENCE IN RACIAL MATTERS  
INTERNAL SECURITY - C

Mr. Belmont  
Mr. Mohr  
Mr. Casper  
Mr. Callahan  
Mr. Conrad  
Mr. DeLoach  
Mr. Evans  
Mr. Gale  
Mr. Rosen  
Mr. Sullivan  
Mr. Tavel  
Mr. Trotter  
Tele. Room  
Miss Holmes  
Miss Gandy

Predication:

Reference is made to the enclosed memorandum dated 9/16/63 and to the attached proposed SAC Letter.

On returning from a few days leave I have been advised of the Director's continued dissatisfaction with the manner in which we prepared a Brief on the above-captioned matter and subsequent memoranda on the same subject matter. This situation is very disturbing to those of us in the Domestic Intelligence Division responsible for this area of work, and we certainly want to do everything possible to correct our shortcomings. We absolutely will not be stubborn about admitting any mistakes we have made or be stiff-necked and unbending concerning our analysis of this matter. The Director indicated he would not approve our last SAC Letter until there was a clarification and a meeting of minds relative to the question of the extent of communist influence over Negroes and their leaders. In this memorandum I will seriously and sincerely try to clarify a most regrettable situation. It is prepared not on official office memorandum but rather on plain bond believing that this discussion need not be made a matter of official record.

Common Agreement:

First, I am sure we all are in agreement on the following which was in both the cover memorandum and the detailed brief attached: (1) for the past 44 years the Communist Party, USA, has spent enormous sums of money and ceaseless efforts to influence Negroes and to make communists out of them; (2) the 19 million Negroes in the country today constitute the greatest single racial target of the Communist Party, USA; (3) Negro leader Martin Luther King, \_\_\_\_\_ does have as an extremely important advisor \_\_\_\_\_; (4) we are right now in this nation engaged in a form of social revolution and the time has never been so right for exploitation of the Negroes by communist propagandists; and (5) the Communist Party could in the future make prodigious strides and great successes with the American Negro to the serious detriment of our national security. In addition to the above, the material furnished contained many pages of specific examples of communist policies, programs and activities

Enclosures *sent 9-26-63*

REC-40

Memorandum for Mr. Belmont  
RE: COMMUNIST PARTY, USA  
NEGRO QUESTION  
COMMUNIST INFLUENCE IN RACIAL MATTERS .

showing communist involvement in Negro racial matters in this nation, relative to which we can all agree.

Essence of the Situation:

The essence of the situation seems to be this: We presented what facts there are in our files in the Brief in question and I know that the Director certainly would not want us to do other than this. The position taken at the time the Brief was written was that, while there is communist influence being exerted on Negroes and Negro leaders, it has not reached the point of control or domination. This historically has been the position of the Bureau in this matter in light of file reviews going back ten to twenty years. *Certainly this is not true with respect.*

The Historical Position: *to be* *being corrected*

For example, in a detailed document prepared on Communist Party and the Negro in 1953, we find the statement referring to "the failure of the Communist Party to attract even a significant number of Negroes in the United States to its number." Another example is to be found in an analysis in this same field prepared by the Bureau in 1956 to the effect that communist efforts have been "unsuccessful on a state or national level" in infiltrating "legitimate Negro-fraternal, protest and improvement organizations," although they made limited success in some "isolated chapters." The Director's book, Masters of Deceit, published in 1958, states: "It became obvious that the Party, despite great efforts, had failed to win over even a significant minority of Negroes." In 1960 the Director's statement to The Committee on the Judiciary, United States Senate, reads: "It is no secret that one of the bitterest disappointments of communistic efforts in this Nation has been their failure to lure our Negro citizens into the Party." In 1962 similar public statements were made. On page seven of the Brief submitted to the Director under the date of August 23, 1963, this historical position was restated and it was said, "One of the bitterest disappointments of the communists has been their single failure to lure any significant number of our Negro citizens into the Party." This statement was set forth again in the cover memorandum which the Director marked.

The point I wish to make here is this: The fact that this has been our historical position in the Bureau for many years is no reason to assume that it is the correct position at this time, as the Director has clearly explained. Times and conditions change and, as the evidence mounts, naturally we need to change our position along with this evidence.