

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Harold Weisberg

Plaintiff

v.

Civil Action 77-1997

United States Department of Justice

Defendant

I, Martin Wood, being duly sworn, depose and say as follows:

(1) I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) assigned in a supervisory capacity in the Freedom of Information-Privacy Acts (FOIPA) Branch of the Records Management Division at FBI Headquarters (FBIHQ), Washington, D. C. Due to my official responsibilities, I am familiar with the procedures utilized by the FBI in processing FOIPA requests and am personally familiar with the requests of plaintiff for information pertaining to the assassination of Dr. Martin Luther King Jr.

(2) By letter dated December 2, 1977, to SA John E. Howard, FOIPA Branch, Initial Processing Unit, FBIHQ, Gene F. Wilson, Information and Privacy Coordinator, Central Intelligence Agency (CIA), forwarded eight documents which originated with the FBI for review and direct response to the requester. For purposes of this affidavit, the documents will be numbered from document A-1 through document A-8. Documents A-2 through A-8 are currently classified in their entirety and are being reviewed by our Document Classification Review Unit to determine if the classification

of all or portions of these documents continues. If any portions of these documents are declassified, they will be processed pursuant to the provisions of the FOIPA for release to the plaintiff. Document A-1 was found to be unclassified and was processed pursuant to the provisions of the FOIPA. This document was a report by SA Charles S. Harding in which Dr. Martin Luther King, Jr. was contacted as to the suitability of a third party for recommendation to a U. S. Government position. Deletions were made from this one page document to protect the privacy of the third party as an unwarranted invasion of privacy.

(3) By letter dated December 12, 1977, to SA John E. Howard, FOIPA Branch, Initial Processing Unit, FBIHQ, Gene F. Wilson, Information and Privacy Coordinator, CIA, forwarded in fact ten (10), as opposed to the letter's mentioning of nine (9), documents which originated with the FBI for review and direct response to the requester. For purposes of this affidavit, the documents will be numbered from document B-1 through document B-10. Documents B-1 through B-9 are currently classified in their entirety and are being reviewed by our Document Classification Review Unit to determine if the classification of all or portions of these documents continues. If any portions of these documents are declassified, they will be processed pursuant to the provisions of the FOIPA for release to the plaintiff. Document B-10 was found to be unclassified and was processed pursuant to the provisions of the FOIPA. This document is a four-page letterhead memorandum dated February 7, 1968, describing a demonstration sponsored by the "Clergy and Laymen Concerned About Vietnam," on February 5-6, 1968. No deletions were made from this document.

(4) By letter dated May 5, 1978, to SA Frank Underwood, FOIPA Branch, Initial Processing Unit, FBIHQ, Gene F. Wilson, Information and Privacy Coordinator, CIA, forwarded one document which originated with the FBI for review and direct response to the requester. For purposes of this affidavit, this document will be numbered document C-1. This document is currently classified in its entirety and is being reviewed by our Document Classification Review Unit to determine if the classification of all or portions of this document continues. If any portions of this document are declassified, they will be processed pursuant to the provisions of the FOIPA for release to the plaintiff.

(5) By undated letter which arrived at FBIHQ July 11, 1978, to SA Frank Underwood, FOIPA Branch, Initial Processing Unit, FBIHQ, Charles E. Savige, for Gene F. Wilson, Information and Privacy Coordinator, CIA, forwarded 43 documents and a listing of 3 additional documents, which originated with the FBI for review and direct response to the requester. For purposes of this affidavit, the documents will be numbered from D-1 through D-46. All documents (D-1 - D-46) are currently classified in their entirety and are being reviewed by our Document Classification Review Unit to determine if the classification of all or portions of these documents continues. If any portions of these documents are declassified, they will be processed pursuant to the provisions of the FOIPA for release to the plaintiff.

(6) By letter dated July 11, 1978, from Allen H. McCreight, Chief, FOIPA Branch, Records Management Division (a true and correct copy of which is attached hereto as Exhibit A) the plaintiff was furnished copies of documents A-1 and B-10 described above.

(7) It should be noted that the documents designated A-1 through A-8, B-1 through B-10, C-1, and D-1 through D-46, are included in the material which the plaintiff has requested directly from the FBI under the FOIPA by his letter dated July 8, 1977 (a true and correct copy of which is attached hereto as Exhibit B). Processing has not been completed on that request.

Martin Wood

MARTIN WOOD
Special Agent
Federal Bureau of Investigation
Washington, D. C.

Subscribed and Sworn to before me this 12th
day of July, 1978.

Richard M. Foster
NOTARY PUBLIC

My commission expires My Commission Expires September 14, 1981.

Washington, D. C. 20535

Subject of Request: **Martin Luther King, Jr.**

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Requester:

Enclosed are copies of documents from our files. Excisions have been made from these documents and/or entire documents withheld in order to protect materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552 and Section 552a. The exemption number(s) indicated by a mark appearing in the block to the left of the subsection cited constitutes the authority for withholding the deleted material. (See below and reverse side of this sheet for an explanation of these exemptions.)

<u>Section 552</u>		<u>Section 552a</u>	
<input checked="" type="checkbox"/> (b) (1)	<input type="checkbox"/> (b) (7) (A)	<input type="checkbox"/> (d) (5)	
<input type="checkbox"/> (b) (2)	<input type="checkbox"/> (b) (7) (B)	<input type="checkbox"/> (j) (2)	
<input type="checkbox"/> (b) (3)	<input checked="" type="checkbox"/> (b) (7) (C)	<input type="checkbox"/> (k) (1)	
<input type="checkbox"/> (b) (4)	<input type="checkbox"/> (b) (7) (D)	<input type="checkbox"/> (k) (2)	
<input type="checkbox"/> (b) (5)	<input type="checkbox"/> (b) (7) (E)	<input type="checkbox"/> (k) (3)	
<input type="checkbox"/> (b) (6)	<input type="checkbox"/> (b) (7) (F)	<input type="checkbox"/> (k) (4)	
	<input type="checkbox"/> (b) (8)	<input type="checkbox"/> (k) (5)	
	<input type="checkbox"/> (b) (9)	<input type="checkbox"/> (k) (6)	
		<input type="checkbox"/> (k) (7)	

The decision to withhold exempt portions of our records is the responsibility of William H. Webster, Director of the FBI

If you believe your name may also have been recorded by the FBI incident to the investigation of other persons or some organization, please advise us of the details describing the specific incident or occurrence and time frame. Thereafter, further effort will be made to locate, retrieve and process any such records.

Your request for information concerning yourself has been considered in light of the provisions of both the Freedom of Information Act (FOIA) (Title 5, United States Code, Section 552) and the Privacy Act of 1974 (Title 5, United States Code, Section 552a). It has been determined by the Attorney General that requests by individuals seeking information about themselves are governed by the Privacy Act. In addition, as a matter of administrative discretion, any documents which were found to be exempt from disclosure under the Privacy Act were also processed under the provisions of the FOIA. Through these procedures, you have received the greatest degree of access authorized by both laws.

You have thirty days from receipt of this letter to appeal to the Deputy Attorney General from any denial contained herein. Appeals should be directed in writing to the Deputy Attorney General (Attention: Office of Privacy and Information Appeals), Washington, D. C. 20530. The envelope and the letter, should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

See additional information on continuation page.

Enclosure
kdc:vdp (4)

Allen H. McCreight
Allen H. McCreight, Chief
Freedom of Information-Privacy Acts Branch
Records Management Division

Exhibit A SEE NOTE PAGE 2

Mr. Harold Weisberg

This release of two documents are CIA referral documents which originated with the FBI. An additional 59 documents from the CIA referrals, are currently classified in their entirety and are presently being reviewed by our Document Classification Review Unit to determine if the classification of all or portions of these documents continues. If portions are determined to be unclassified they will be reviewed pursuant to FOIPA guidelines and released to you.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

SA CHARLES S. HARDING
July 25, 1961

Office: ATLANTA, GEORGIA

File No. 161-60

Bureau File No.:

[REDACTED]

b7(c)

SPECIAL INQUIRY - PEACE CORPS

MARTIN LUTHER KING, JR. advised has known applicant five years and recommends him without reservation for a position of trust and responsibility with the U. S. Government.

- RUC -

DETAILS:

On July 22, 1961, Doctor MARTIN LUTHER KING, JR., Assistant Pastor of the Ebenezer Baptist Church, Atlanta, Georgia, and Director of the Southern Christian Leadership Conference, advised he has known the applicant for approximately five years having met him in 1956. He stated the applicant is a very stable individual possessing a good mind and very good organizational ability. He stated [REDACTED] gets along very well with his associates and that [REDACTED] his character and reputation are very good. Doctor KING further stated he has no doubt about [REDACTED] loyalty, [REDACTED] and added that he is devoted to the principles of American democracy.

Doctor KING stated he would recommend applicant without reservation for a position of trust and confidence.

[Faint, mostly illegible text, possibly a routing slip or administrative notes]

A-①

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

February 7, 1968

DEMOCRATIC, WASHINGTON, D. C.
FEBRUARY 5-6, 1968

On February 5-6, 1968, a demonstration was held in Washington, D. C., sponsored by the Clergy and Laymen Concerned About Vietnam, an organization in opposition to United States policy in Vietnam.

Approximately 1,350 persons attended the opening session of the demonstration held at the New York Avenue Presbyterian Church, 1313 New York Avenue, Northwest, Washington, D. C., on February 5, 1968.

Reverend William Sleaze Coffin, Jr., Chaplain, Yale University, New Haven, Connecticut, one of the five persons recently indicted by a Federal Grand Jury for conspiring draft evasion, was moderator of this session. Coffin, in his opening remarks, stated that it was possible that the administration is losing some of its leaders such as Secretary of Health, Education, and Welfare Gardner, Secretary of Defense Halloran and Ambassador Goldberg because they do not agree with the moral position of the administration in the war in Vietnam. He stated that if this was their reason for leaving, they should speak out. Coffin stated that if the President really wants to end the war he has only to declare a cease-fire to be effective in 24 hours and then hope that the other side will follow suit.

Reverend John C. Barnett, President, Union Theological Seminary, New York, New York, and a Co-chairman of the Clergy and Laymen Concerned About Vietnam, spoke concerning a new book published by the Clergy and Laymen Concerned About Vietnam in January, 1968, entitled "The Heart of America." Barnett remarked that it was difficult for a nation to admit that it was wrong, but that confession and repentance are a fruit of common faith and both churches and synagogues should cry out against the war.

B-10

DEMONSTRATION, WASHINGTON, D. C.
FEBRUARY 5-6, 1968

Father Robert Drinan, Dean, Boston College Law School, Chestnut Hill, Massachusetts, stated that the violence of the war has silenced the conscience of those who engage in it and those who are witnesses. He said that if the war could not be won without violating the rules of warfare, the American people have the right to know this and to repudiate the pattern of lawlessness in the Vietnam struggle.

Dr. Seymour Melman, Professor of Industrial Engineering, Columbia University, New York, New York, and the Director of Research for the book "In The Name of America," stated that the root principle at stake is whether American officials must obey the law or whether they are above the law. He said that in a free society some may be guilty, but all are responsible. Melman claimed that the recent Viet Cong infiltration into Saigon proved that the people of South Vietnam do not support their Government.

The opening session ended at approximately 12:30 p.m. and participants were urged to attend "state-by-state" strategy sessions at various local churches from 1 p.m. until 2:15 p.m. During the afternoon of February 5, 1968, participants were encouraged to visit their Congressmen for the purpose of presenting their views on Vietnam.

During the opening session, a group of approximately 100 counterdemonstrators representing the American Council of Christian Churches, a conservative fundamentalist organization, conducted a picket line in front of the New York Avenue Presbyterian Church. These individuals carried placards reading, "No Substitute for Victory," "Let's Have Victory in Vietnam," "Clergymen, Stop Helping the Reds," "God and the Devil Do Not Coexist," "Will the Sacrifice of Our Boys Be in Vain," and "We Detest War Too, But Tyranny More."

Reverend Donald A. Waite, who acted as a spokesman for the American Council of Christian Churches, stated that his group was in Washington, D. C. to demonstrate in favor of United States policy in Vietnam and in opposition to the activities of the Clergy and Laymen Concerned About Vietnam. He said his group would peacefully picket all the activity of this latter group.

WASHINGTON, D. C.
FEBRUARY 5, 1968

At 7 p.m. on February 5, 1968, an "Ecumenical Worship" was held at the New York Avenue Presbyterian Church. The program included a "Report from Vietnam" and the showing of a film entitled "Inside North Vietnam."

Speakers included Rabbi Haim Ephraim Ericson, Director, Commission on Interfaith Activities, Union of American Hebrew Congregations; Dr. Harvey Cox, Professor, Harvard Divinity School, Cambridge, Massachusetts; the Reverend George H. Boelkety, Minister, New York Avenue Presbyterian Church; Rabbi Abraham J. Maschler, Professor of Jewish Ethics and Mysticism, Jewish Theological Seminary of America, New York, New York; and the Reverend Andrew J. Young, Executive Vice President, Southern Christian Leadership Conference.

Following these speeches, a film entitled "Inside North Vietnam" by Felix Gruber, an English journalist, was shown. The program ended at 10 p.m.

On the morning of February 6, 1968, the demonstrators reconvened at 11th Street. One group of approximately 350 to 400 people held a plenary session on "the religious community and politics, 1968" at the Lincoln Memorial Congregational Temple, 1701 11th Street, Northwest, Washington, D. C. The second group of approximately 1,200 individuals met at the New York Avenue Presbyterian Church for a plenary session on "the religious community and the draft."

At the Lincoln Memorial Congregational Temple, Sanford Gottlieb, Executive Director of the National Committee for a Sane Nuclear Policy, a group which opposes United States policy in Vietnam, urged support for the candidacy of Senator Eugene McCarthy.

Luft Rold, Assistant Secretary of the American Friends Service Committee, said the war in Vietnam is being prolonged because the United States cannot control the course of events in Vietnam. He called for the election of a non-Vietnam president.

At the New York Avenue Presbyterian Church, one of the speakers was the Reverend Milton Slocum Coffin, Jr., who spoke on the draft and the slogan "legality is not

WASHINGTON, WASHINGTON, D. C.
FEBRUARY 5-8, 1968

morality." He said a minister can counsel individuals to obey their conscience, but cannot counsel them to disobey the laws.

The Reverend Dr. Coffin was interrupted by the Reverend Carl McIntyre, an official of the International Council of Christian Churches, who asked to speak. He stated he had been disfrocked as a Presbyterian minister because he wanted to be ruled by God and not by human beings. He told those present they must follow their conscience and follow the word of God.

Following the meetings at the two churches, the demonstrators participated in a silent prayer service at the Tomb of the Unknown Soldier.

Following this service, a closing assembly was held at the New York Avenue Presbyterian Church where the Reverend Martin Luther King, Jr., spoke regarding the administration's policy concerning the war in Vietnam and the war on poverty. King said that those working in the civil rights movement should also be working for peace and justice. King stated, "I will give you my commitment, I intend to keep on marching." Speakers at this assembly also included Ossie Davis, who has been identified as a member of the Communist Party during the latter part of 1963, and Coffin.

Following this closing exercise, Reverend Thomas Fyass and four other individuals proceeded to the Department of Justice building, Washington, D. C., where they presented representatives of the Department of Justice with a large scroll signed by members of the Clergy and Laymen Concerned About Vietnam in support of antidraft and antiwar activity.

Mr. John Hartingh
FBI FOIA/PA Unit
J. Edgar Hoover Bldg
Washington, D.C.

7/8/77

Dear John,

Jim has told me of his conversation with you about my King request that I suppose can best be called ~~the~~ political and of your request for a written request. This is that request. I'm sorry it has been unclear. I recall discussing some parts of this with you and writing to ask if you wanted it in writing. This presents no priority time scheduling because you told me of other requests and I said processing at that time would be okay with me. Jim said it will be several months before you get to it. No problem here.

I have no interest in the bedroom stuff and if the selections are made honestly believe with the judge that they should not now be available but should be preserved.

I was not aware that the word "Comintpro" was omitted from the requests we are working on. There are other code designations I have learned since then and did not know then so I could not have specified them anyway.

What I would like, however they are classified, coded filed or kept, is the combined intelligence-interference operation against King and his closest associates. If the entire file is processed for others then at the same time I would like those other records. I realize this can become a very large order so I'll explain it more.

It is quite possible most of what interests me is filed under SCLC rather than King, or Cominfil or combinations of Communist delegations or suspicions with racial matters, these sometimes crossing over into bombings.

(This reminds me of one particular readily-available record I did ask for some months ago. I believe the date is 3/28/68. It is the record in which Director Hoover authorized the planting of a story criticizing King for staying at a white-owned motel. As I told you the authorization does not mean the story appeared and I have no reason to believe I ever did. Part of it was used by the Church committee. I want to study all of it and to quote some of it, so far as I know without reading all of it only what I know of it. I would appreciate a copy of this now if it presents no great problem in retrieval. I think it was used in Mr. Adams' testimony.)

There now appears to be no likelihood at all that I'll need more than the Memphis part for the writing I plan. Perhaps some from Atlanta. My chief interest in these files I think are best described as political is historical and archival. Aside from the Memphis records, which I'd thought you'd obtained several weeks ago, I may well want you to send them directly to the university rather than to me.

More limitation can await the future. I want a full and representative request met but this does not mean every piece of paper the FBI has anywhere. Beginning date: organization of SCLC.

When Jim mentioned the questions you raised about duplications from the MFO Murkin files I suggested a solution I intend to be helpful to you. I would suggest, if Jim has not, that this might be a source for some of the missing attachments. I believe you have a list. If any show up I'd appreciate the FBI HQ serial being written in.

Jim also told me you will not be able to mail last week's Sections until Monday. I understand that there were unusual time requirements following the last calendar call and make no objection.

Exhibit B

Sincerely,

[Handwritten signature]