

HOUSE SELECT
COMMITTEE
ON ASSASSINATIONS
(H.S.C.A.)

62-117290 SECTION #1

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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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5 Page(s) withheld for the following reason(s):
Material contained in this serial refers exclusively to the investigation of the assassination of Dr. Martin Luther King, Jr.

For your information: These pages are considered to be outside the scope of your request for JFK materials.

The following number is to be used for reference regarding these pages:
62-117290-X PAGES 2,3,5-7

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Memorandum to Mr. Gallagher
RE: MURKIN

[REDACTED]

O.S.

[REDACTED]

O.S.

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.

[REDACTED]

O.S.

Memorandum to Mr. Gallagher
RE: MURKIN

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

O.S.

[REDACTED]

[REDACTED]

[REDACTED]

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 \$250,000 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.

Because the select committee expires at the end of this year and will have to be re-established by the House next year, it should wait until then for funding, Thompson said.

Downing said the committee would not hold public hearings before the Nov. 2 elections, to avoid charges of capitalizing politically on the investigation, but he said it might hold some closed hearings "in order to preserve testimony."

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."

Downing promised "to engage in no witch-hunts" and "not blame those who may have made mistakes in the original investigation."

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 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 1968 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.

62-117290-X

ENCLOSURE

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UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 10/15/76

FROM : Legal Counsel

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

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

PURPOSE:

To advise of a request for a meeting with the Director by captioned Committee and of results of Departmental meeting with that Committee.

SYNOPSIS:

Chairman and Staff Director of captioned Committee desire to meet with the Director in connection with their inquiry concerning the assassinations of President John F. Kennedy and Dr. Martin Luther King. Departmental representatives met with Chairman and Staff Director and discussed giving that Committee access to FBI material in the same fashion and under the same circumstances as the Senate Select Committee on Intelligence Activities (Church Committee) was given.

RECOMMENDATIONS:

(1) That the Director meet with Chairman Downing and Staff Director Sprague.

(2) That the Special Investigative Division and Finance and Personnel Division furnish comments as to advisability of conducting background investigations on a non-reimbursable basis for captioned Committee.

- 1 - Mr. Fehl
- 1 - Mr. Gallagher
- 1 - Mr. Leavitt
- 1 - Mr. Long
- 1 - Miss Devine
- 1 - Telephone Room
- 1 - Mr. Mintz
- 2 - Mr. Daly
- 1 - Mr. Taylor

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

Ext. Affairs	_____
Fin. & Pers.	_____
Gen. Inv.	_____
Ident.	_____
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Legal Coun.	_____
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Spec. Inv.	_____
Training	_____

EX-113

REC-10

62-117295-2

EX-113 SEE SPECIAL INVESTIGATIVE DIVISION
ADDENDUM - PAGE 4
CONTINUEDS - OVER 6 1976

PVD:lad (AD 60)

70



1976

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

LEGAL COUNSEL

Legal Counsel to The Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

DETAILS:

On 10/7/76, E. M. Hutton, Administrative Assistant to Chairman Thomas N. Downing of captioned Committee, advised the Chairman and his Staff Director, Richard Sprague, wished to meet with the Director.

We learned that similar requests had been made of the Attorney General and the CIA Director.

[REDACTED]

[REDACTED]

REFER-
DOJ

[REDACTED]

[REDACTED]

CONTINUED - OVER

Legal Counsel to The Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

REFER-
DOJ



As to the assignment of FBI personnel selected by the Committee, this appears to be highly undesirable. Mr. Uhlmann was, of course, advised by SA Paul V. Daly of this Division that the assignment of personnel to Congressional Committees had been recently done only with the Attorney General's approval and was also advised that it was not proper for a Committee of Congress to select what FBI personnel would be assigned to that Committee should the Attorney General and the Director agree to furnish personnel.

JCF

We cannot begin the investigation of any case until the Department of Justice and the House Select Committee on Assassinations (HSCA) have formalized a Memorandum Of Understanding.

A representative from the Employees Security and Special Inquiry Section of the Special Investigative Division should be present at any conference with the HSCA wherein the procedures for conducting these background investigations are discussed. We have utilized this format very successfully previously.

The HSCA should be advised they should insure these cases are sent to the FBI in an even flow rather than a large number at one time as we have many other commitments, which commitments are particularly demanding in a Presidential election year.

Although we have not charged The White House or other Congressional committees for conducting these investigations, it is noted the charge would be \$2137 per case and the new pay raise would increase this charge. The HSCA states it anticipates requesting approximately 175 to 200 investigations and this means approximately \$400,000 would be diverted from our appropriation if we are not reimbursed. Since this is a Presidential election year we will undoubtedly receive a large number of special inquiry investigations for which we are not reimbursed.

7/m

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director *WAT*

DATE: 9/22/76

FROM : Legal Counsel *gm*

SUBJECT: HOUSE RESOLUTION 1540 *HOUSE SELECT COMMITTEE*

- Asst. Dir. _____
- Dep. AD-Adm. _____
- Dep. AD-Inv. _____
- Asst. Dir. _____
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Off. Cong. & Public Affairs _____
- Plan. & Eval. _____
- Rec. Mgmt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

The purpose of this memorandum is to advise of the passage of H.Res.1540 establishing a select committee to investigate and study the circumstances surrounding the deaths of John F. Kennedy and Martin Luther King, Jr.

DETAILS:

Attached hereto is a copy of H.Res.1540. On September 15, 1976, the House Rules Committee reported out H.Res.1540 creating a select committee to conduct an investigation and study of circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Jr., and of any others the select committee shall determine.

On September 17, 1976, this matter came up on the House calendar for debate. This resolution creates a committee of twelve members of the House of Representatives to be appointed by the Speaker and is authorized and directed to conduct a full and complete investigation into the deaths of John F. Kennedy and Martin Luther King, Jr., and of any others the select committee shall determine. This committee is funded in the amount of \$250,000 to be used for organizational purposes and setting up of its staff and has been directed to report as soon as practicable during the present Congress the results of its investigation and study. This resolution was passed by vote of 280 to 65, with 84 members not voting.

Enclosure

- 1 - Mr. Adams (enc.)
- 1 - Mr. Gallagher (enc.)
- 1 - Mr. Leavitt (enc.)
- 1 - Mr. Fehl (enc.)
- 1 - Mr. Mintz (enc.)
- 3 - Mr. Daly (enc.)
- 1 - Mr. Coulson (enc.)

EX 104
REC-13 62-117270-3

OCT 21 1976

CONTINUED - OVER

DOC:jrs (10)



56 NOV 1 1976

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

LEGAL COUNSEL

H. RES. 1540

[Report No. 94-1566]

RESOLUTION

Creating a select committee to conduct an investigation and study of the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King, Junior, and of any others the select committee shall determine.

By Mr. GONZALEZ, Mr. DOWNING of Virginia,
and Mr. FAUNTROY

SEPTEMBER 14, 1976

Referred to the Committee on Rules

SEPTEMBER 15, 1976

Referred to the House Calendar and ordered to be printed

House Calendar No. 468

94TH CONGRESS
2D SESSION

H. RES. 1540

[Report No. 94-1566]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1976

Mr. GONZALEZ (for himself, Mr. DOWNING of Virginia, and Mr. FAUNTROY) submitted the following resolution; which was referred to the Committee on Rules

SEPTEMBER 15, 1976

Referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That there is hereby created a select commit-

2 tee to be composed of twelve Members of the House of Rep-

3 resentatives to be appointed by the Speaker, one of whom

4 he shall designate as chairman. Any vacancy occurring in

5 the membership of the select committee shall be filled in the

6 same manner in which the original appointment was made.

7 The select committee is authorized and directed to con-

8 duct a full and complete investigation and study of the cir-

9 cumstances surrounding the death of John F. Kennedy and

10 the death of Martin Luther King, Junior, and of any others

11 the select committee shall determine.

12 For the purpose of carrying out this resolution the select

ENCLOSURE 62-117270-3

1 committee, or any subcommittee thereof authorized by the
2 select committee to hold hearings, is authorized to sit and
3 act during the present Congress at such times and places
4 within the United States, including any Commonwealth or
5 possession thereof, whether the House is in session, has re-
6 cessed, or has adjourned, to hold such hearings, and to re-
7 quire, by subpoena or otherwise, the attendance and testimony
8 of such witnesses and the production of such books, records,
9 correspondence, memorandums, papers, and documents as it
10 deems necessary; except that neither the select committee
11 nor any subcommittee thereof may sit while the House is
12 meeting under the five-minute rule unless special leave to sit
13 shall have been obtained from the House. The chairman of
14 the select committee may establish such subcommittees of the
15 select committee as he considers appropriate. A majority of
16 the members of the select committee shall constitute a quorum
17 for the transaction of business, except that the select com-
18 mittee may designate a lesser number as a quorum for the
19 purpose of taking testimony. The select committee may em-
20 ploy and fix the compensation of such clerks, experts, con-
21 sultants, technicians, attorneys, investigators, and clerical and
22 stenographic assistants as it considers necessary to carry out
23 the purposes of this resolution. The select committee may re-
24 imburse the members of its staff for travel, subsistence, and
25 other necessary expenses incurred by them in the perform-

1 ance of the duties vested in the select committee, other than
2 expenses in connection with meetings of the select commit-
3 tee or any subcommittee thereof held in the District of
4 Columbia. Subpenas may be issued under the signature of
5 the chairman of the select committee or any member of the
6 select committee designated by him, and may be served by
7 any person designated by such chairman or member.

8 The select committee shall report to the House as soon
9 as practicable during the present Congress the results of its
10 investigation and study, together with such recommendations
11 as it deems advisable. Any such report which is made when
12 the House is not in session shall be filed with the Clerk of
13 the House.

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3

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Material contained in this serial refers exclusively to the investigation of the assassination of Dr. Martin Luther King, Jr.

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The following number is to be used for reference regarding these pages:
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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 : Assistant Director
Intelligence Division

DATE: 11/2/76

FROM : Legal Counsel *JH*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

PURPOSE:

(b)(7)(c) To advise of results of an attempt to determine whether [redacted] (phonetic) is employed by captioned Committee.

DETAILS:

By airtel dated 10/19/76 from SAC, Alexandria, to the Director, captioned "UNSUB, aka [redacted] (Phonetic), IS-R," information was set forth indicating one [redacted] might have been employed as a member of the Congressional staff. Prior communications in this matter indicate that the individual identifying himself as [redacted] "will be working on Capitol Hill on the Kennedy assassination."

From the content of referenced communication and prior information, it would appear that if [redacted] were employed in the Congress it would be for captioned Committee, which is currently hiring staff and launching inquiries into the assassinations of President John F. Kennedy and Dr. Martin Luther King. (b)(7)(c)

HSCA Jacqueline Hess, staff member of captioned Committee, [redacted]

[redacted] There is no individual listed whose name bears similarity to [redacted]. Attached is a copy of that letter. (b)(7)(c)

This Committee is hiring individuals on a daily basis and will have 30 staff members till the end of this Session of Congress and anticipates having 170 staff members for the next Session. It is, therefore, possible that such an individual might be in the process of being hired but has not been hired yet.

Enclosure

- 1 - Mr. Adams - Enc.
- 1 - Mr. Fox - Enc.
- 1 - Mr. Steel - Enc.
- 1 - Mr. Mintz - Enc.
- 2 - Mr. Daly - Enc.
- 1 - [redacted]

24 NOV 4 1976

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PVD:lad
10/21/76
5/80

WBS

Ep/30

(b)(7)(c)

(b)(7)(c)

(b)(7)(c)

(b)(7)(c)

EX 104 REG 21

62-117290-4

cc destroyed copy 9/13/76

S-FOX

Legal Counsel to the Assistant Director,
Intelligence Division
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

We have not at this point initiated background investigations concerning the staff members for this Committee. The Department is negotiating with the Committee to arrange such procedures.

It is not possible with the limited information available to check with the Clerks of the House or Senate to determine if this individual might be employed by some other Committee in Congress.

RECOMMENDATION:

For information.

and Jef

APPROVED:
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs. _____
Fin. & Pers. _____
Gen. Inv. *g/k* _____
Ident. *tu* _____
Intell. _____
Laboratory. _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgmt. _____
Spec. Inv. _____
Training _____

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Congressional document - outside the purview of the FOIA.

For your information: _____

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62- 117290- 4 ENCLOSURE PAGES 1, 2

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UNITED STATES GOVERNMENT

Memorandum

TO : MR. LONG

DATE: 10/29/76

FROM : L. C. GROOVER

Bracey

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

- 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 respond to Legal Counsel to the Associate Director memorandum, 10/15/76, captioned as above.

DETAILS: The above-mentioned memorandum (copy attached) requests the Special Investigative Division and Finance and Personnel Division to furnish comments as to advisability of conducting background investigations on a non-reimbursable basis for captioned Committee.

It has been our practice not to charge Congressional committees for the conduct of background investigations and it is therefore recommended that we not bill the House Select Committee on Assassinations for such investigations.

RECOMMENDATION: That this memorandum be forwarded to Legal Counsel Division for consideration.

Enclosure

- 1 - Mr. Fehl
- 1 - Mr. Gallagher
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 1 - Mr. Daly
- 1 - Mr. Taylor

APPROVED:

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.: _____
 Adm. Serv. _____

Ext. Affairs _____
 Fin. & Pers. _____
 Gen. Inv. _____
 Ident. _____
 Intell. _____

Laboratory _____
 Legal Coun. _____
 Plan. & Insp. _____
 Rec. Mgnt. _____
 Spec. Inv. _____
 Training _____

JJC:jmb

REC 67

62-117290-5

NOV 8 1976



~~Mr. Hunsinger~~
~~Mr. Burns~~
~~Mr. Groover~~ *TR*

The Associate Director

10/15/76

Legal Counsel

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

PURPOSE:

To advise of a request for a meeting with the Director by captioned Committee and of results of Departmental meeting with that Committee.

SYNOPSIS:

Chairman and Staff Director of captioned Committee desire to meet with the Director in connection with their inquiry concerning the assassinations of President John F. Kennedy and Dr. Martin Luther King. Departmental representatives met with Chairman and Staff Director and discussed giving that Committee access to FBI material in the same fashion and under the same circumstances as the Senate Select Committee on Intelligence Activities (Church Committee) was given.

RECOMMENDATIONS:

(1) That the Director meet with Chairman Downing and Staff Director Sprague.

(2) That the Special Investigative Division and Finance and Personnel Division furnish comments as to advisability of conducting background investigations on a non-reimbursable basis for captioned Committee.

- 1 - Mr. Fohl
- 1 - Mr. Gallagher
- 1 - Mr. Leavitt
- 1 - Mr. Long
- 1 - Miss Devine
- 1 - Telephone Room
- 1 - Mr. Mintz
- 2 - Mr. Daly
- 1 - Mr. Taylor

PVD:lud

OCT 16 8 52 PM '76

DIVISION
APPROPRIATE DIVISION
CONTINUED OVER

62-117290-5
ENCLOSURE

Legal Counsel to The Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

DETAILS:

On 10/7/76, S. M. Hutton, Administrative Assistant to Chairman Thomas H. Downing of captioned Committee, advised the Chairman and his Staff Director, Richard Sprague, wished to meet with the Director.

We learned that similar requests had been made of the Attorney General and the CIA Director.

[REDACTED]

REFER-
DOJ

[REDACTED]

[REDACTED]

[REDACTED]

CONTINUED - OVER

Legal Counsel to The Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

REFER
DOJ

As to the assignment of FBI personnel selected by the Committee, this appears to be highly undesirable. Mr. Uhlmann was, of course, advised by SA Paul V. Daly of this Division that the assignment of personnel to Congressional Committees had been recently done only with the Attorney General's approval and was also advised that it was not proper for a Committee of Congress to select what FBI personnel would be assigned to that Committee should the Attorney General and the Director agree to furnish personnel.

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 11/4/76

FROM : Legal Counsel *[Signature]*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	_____
Adm. Servs.	_____
Ext. Affairs	_____
Fin. & Pers.	_____
Gen. Inv.	_____
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Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Eval.	_____
Rec. Mgnt.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

[Handwritten initials]

PURPOSE:

To advise of receipt of a letter addressed to the Attorney General dated 11/2/76 (copy attached), from Chairman of captioned Committee, for review of FBI files and Department of Justice files concerning the assassinations of President John F. Kennedy (JFK) and Dr. Martin Luther King, Jr. (MLK).

DETAILS:

HSCA

[REDACTED]

As to their access to FBI files, it is believed they should be granted access to the same extent that the Senate Select Committee on Intelligence Activities was granted. This position is consistent with what we understand has been in Departmental discussions with the Committee concerning this matter. Such access would include deletions or excisions of material which might disclose informants, sensitive sources or methods and involve obtaining third-agency clearance.

REC-7 62-117290-6

HSCA

[REDACTED] It is believed that this particular topic should be discussed with representatives of the Committee so that an understanding as to the needs of the Committee and the ability of the Bureau to comply can be met.

NOV 29 1976

Enclosure

- 1 - Mr. Gallagher - Enc.
- 1 - Mr. Leavitt - Enc.
- 1 - Mr. Mintz - Enc.
- 2 - Mr. Daly - Enc.

RECOMMENDATIONS - OVER

[Handwritten signature]

PVD:lad

ENCLOSURE

55



1976

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

Legal Counsel to the Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

RECOMMENDATIONS:

(1) That the General Investigative Division in coordination with the Intelligence Division furnish their comments as to Committee access to FBI files.

(2) That the Office of Congressional Affairs in coordination with the General Investigative and Intelligence Divisions furnish a response to the Department concerning access to the files requested including a recommendation for a meeting with staff members to clear up questions they might have.

*Memo to OLA from Divs. 103
11-23-74*

(3) That the Intelligence and General Investigative Divisions designate a supervisor to be a contact point for responses to Committee requests and advise Office of Congressional Affairs, Legal Counsel Division.

APPROVED:

OK
Director.....
Asso. Dir.....
Dep. AD Adm.....
Dep. AD Inv.....

Adm. Serv.....
Ext. Affairs.....
Fin. & Pers.....
Gen. Inv.....
Ident.....
Intell.....

Legal Coun.....
Plan. & Insp.....
Rec. Mgt.....
S. & T. Serv.....
Spec. Inv.....
Training.....

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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Information pertained only to a third party with no reference to you or the subject of your request.

Information pertained only to a third party. Your name is listed in the title only.

Document(s) originating with the following government agency(ies) DEPARTMENT OF JUSTICE, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-117290-6 ENCLOSURE PAGE 1

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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

 1 Page(s) withheld for the following reason(s):
 Congressional document - outside the purview of the FOIA.

For your information: _____

The following number is to be used for reference regarding these pages:
 62- 117290- 6 ENCLOSURE PAGE 2

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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. Gallagher *GF*

DATE: 11/10/76

FROM : B. H. Cooke *BHC*

- 1 - Mr. Gallagher
- 1 - Mr. Ingram
- 1 - Mr. Cooke
- 1 - Mr. Burton
- 1 - Mr. Mintz

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

Handwritten initials and date: 11/10/76

PURPOSE: To provide comments from the General Investigative Division, Criminal Section, regarding access of the Select Committee on Assassinations to FBI files.

SYNOPSIS:

[Redacted text]

HSCA

General Investigative Division recommends that material in the FBI files be made available to the Committee under procedures adopted for making materials available to the Senate Select Committee. Two requests by Congressman Downing cannot be complied with and a meeting with members of the Committee is recommended to work out the necessary arrangement for compliance with these requests and future requests.

RECOMMENDATIONS: 1. That the comments contained in this memorandum be furnished to the Office of Congressional Affairs for consideration in preparing a response to the Department of Justice regarding the requested access to FBI files.

Handwritten initials: J.V.F. BHC

Handwritten initials: M, D

2. That the Office of Congressional Affairs recommend to the Department of Justice that a meeting of staff members of the Committee and appropriate Department of Justice and FBI personnel be scheduled to clarify the two

Handwritten initials: B, J.V.F.

REC-7 62-117-210-1

NOV 29 1976

Enclosure

LSB:dml (5)

CONTINUED - OVER



DEC 3 1976

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

6-8

Memo, Cooke to Gallagher
Re: House Select Committee on Assassinations

additional requests in Congressman Downing's letter and to work out guidelines to facilitate our responding to future requests.

B

B.H. [Signature]

pm

APPROVED:	Adm. Serv. _____	Legal Coun. _____ <i>m/9/68</i>
	Ext. Affairs _____	Plan. & Insp. _____
Director _____	Fin. & Pers. _____	Rec. Mgnt. _____
Assoc. Dir. _____	Gen. Inv. _____ <i>2</i>	S. & T. Serv. _____
Dep. AD Adm. _____	Ident. _____	Spec. Inv. _____
Dep. AD Inv. _____ <i>BS pm</i>	Intell. _____	Training _____

DETAILS:

[REDACTED]

1.

[REDACTED]

2.

[REDACTED]

3.

[REDACTED]

HSCA

Re Request Number 1

GID concurs with the opinion of Legal Counsel that access to FBI files should be granted to the same extent as the Senate Select Committee on Intelligence Activities was granted access with due regard for excision of material which might disclose the identity of informants, sensitive sources or methods or, in the case of third agency material, clearance from the third agency before release.

Re Request Number 2

This request is not specific enough to allow compliance. All information that has been disseminated from our files is also still in the files and would be covered by Request Number 1. If the Committee desires to know the dissemination of the material requested under Request Number 1, it can be

Memo, Cooke to Gallagher
Re: House Select Committee on Assassinations

provided. Do the agencies mentioned include only the Executive Department agencies such as the CIA or Secret Service or does it also include previous Congressional Committees, for instance? Does the request regarding information furnished to individuals include that made under the Freedom of Information Act?

Re Request Number 3

The FBI has not compiled a summary of the total investigation of the assassination of President John F. Kennedy. The FBI conducted approximately 25,000 interviews and reinterviews in the initial investigation and submitted over 2,300 reports totaling over 25,000 pages to the Warren Commission. Many of these reports contained a synopsis which is a summary of the investigation contained in that particular report.

The Warren Commission used the numerous FBI reports as well as reports of investigations conducted by other agencies and the testimony of witnesses called before the Commission itself and arrived at its conclusion which is summarized in the Report of the President's Commission on the Assassination of President John F. Kennedy dated 9/24/64. This report would constitute the best currently available summary of our investigation.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher *RG*

DATE: 11/29/76

FROM : J. S. Peelman *Peelman*

SUBJECT: REQUEST TO MAINTAIN PERTINENT
KENNEDY - KING FILES IN
ROOM 4436, JEH
CONGRESSIONAL INQUIRY UNIT

- 1 - Mr. Gallagher
- 1 - Mr. Ingram
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 1 - Mr. Decker
- 1 - Mr. William L. Bailey

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

PURPOSE: To request authority to maintain those files relating to the assassinations of Martin Luther King, Jr., and John F. Kennedy in Room 4436, JEH, in order to respond to access requests from the House Select Committee on Assassinations as approved by the Office of Legislative Affairs, U. S. Department of Justice.

RECOMMENDATION: That authority be granted to maintain pertinent Kennedy - King files as set out below in Room 4436.

APPROVED: _____

Director _____	Ext. Affairs _____	Plan. & Insp. _____
Assoc. Dir. _____	Fin. & Pers. _____	Rec. Mgnt. _____
Dep. AD Adm. _____	Gen. Inv. _____	S. & T. Serv. _____
Dep. AD Inv. _____	Ident. _____	Spec. Inv. _____
	Intell. _____	Training _____

DETAILS: The Congressional Inquiry Unit was formed to respond to the anticipated requests from the House Select Committee on Assassinations. In order to respond expeditiously to these requests and to prepare excised material for access to this committee, it is necessary that files pertinent to the inquiries of the House Select Committee be maintained in Room 4436, JEH. These files are identified as follows:

- O.S. [REDACTED] 62-117290-8
- 62-109060 "Assassinations of JFK"
 - 62-109090 "Liaison with Warren Commission"
 - 105-82555 "Lee Harvey Oswald"

The retention of these files would be temporary until such times as the requirements of the House Select Committee are met, at which time the files would be returned to the Records Management Division.

JCL:sas (11) *IC*
 DEC 1 1976
 1 - [REDACTED] O.S.
 1 - 62-109060
 1 - 62-109090
 1 - 105-82555

(SEE ADDENDUM PAGE 2)

67 DEC 1 1976

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

UNRECORDED COPY FILED IN 62-117290-8

The four files mentioned in this memorandum relating to the assassinations of Martin Luther King, Jr. and John F. Kennedy consist of a total of 8 file cabinets (5 drawers) and occupy 60 cubic feet. It has been determined that there presently is adequate space in Room 4436 for temporary maintenance of these files as requested.

RB
WCB
AF
MM

TELETYPE

ROUTINE

CLEAR

11/27/76 ^{6-DCW}

- 1 - Mr. Held
- 1 - Mr. Adams
- 1 - Mr. McDermott
- 1 - Mr. Gallagher
- 1 - Mr. Ingram
- 1 - Mr. Peelman
- 1 - Mr. Aldhizer
- 1 - Each Assistant Director

FM DIRECTOR, FBI

TO ALL SACS AND LEGATS (ROUTINE)

BT

C L E A R

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

FOR INFORMATION OF RECIPIENTS, AT THE CLOSE OF THE 94TH CONGRESS, THE HOUSE OF REPRESENTATIVES CREATED A SELECT COMMITTEE ON ASSASSINATIONS TO INVESTIGATE THE DEATHS OF JOHN F. KENNEDY AND MARTIN LUTHER KING, JR. THIS COMMITTEE AND THE OFFICE OF LEGISLATIVE AFFAIRS, DEPARTMENT OF JUSTICE, HAVE REACHED AN AGREEMENT STIPULATING THAT ALL COMMITTEE REQUESTS FOR ACCESS TO FBI FILES AND PERSONNEL WILL BE MADE IN WRITING TO THE OFFICE OF LEGISLATIVE AFFAIRS.

IT IS NOTED, HOWEVER, THAT SOME MEMBERS OF THE COMMITTEE STAFF HAVE BOUGHT ON THEIR OWN TO INTERVIEW DEPARTMENTAL EMPLOYEES KNOWLEDGEABLE REGARDING THE KENNEDY AND KING INVESTIGATIONS. SIMILAR EFFORTS MAY BE DIRECTED TOWARD FBI FIELD OFFICES

- 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 _____

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEE NOTE PAGE 4

NOV 26 1976

TELETYPE

14 DEC 1 1976

MAIL ROOM

TELETYPE UNIT

57 DEC 3 1976

PAGE TWO ALL SACS AND LEGATS, C L E A R
AND HEADQUARTERS PERSONNEL. IF SUCH CONTACTS OCCUR, YOU ARE
INSTRUCTED TO REFER THE CONTACTING HOUSE COMMITTEE OFFICIAL TO
THE OFFICE OF LEGISLATIVE AFFAIRS OF THE DEPARTMENT OR TO
FBIHQ. ATTEMPTS BY THE COMMITTEE TO OBTAIN INFORMATION THROUGH
YOUR PERSONNEL OR ANY OTHER MATTERS PERTAINING TO THE HOUSE
SELECT COMMITTEE SHOULD BE FURNISHED PROMPTLY TO FBIHQ, ATTENTION
CONGRESSIONAL INQUIRY UNIT, GENERAL INVESTIGATIVE DIVISION.

FOR YOUR FURTHER INFORMATION, IN THE EVENT PERSONNEL
ARE CONTACTED FOR PURPOSE OF INTERVIEW OR TESTIMONY, REFER TO
MY LETTER, NUMBER 1-75, DATED MAY 28, 1975, CAPTIONED "MEMORANDUM
TO ALL EMPLOYERS; RE: INTERVIEWS OF FBI EMPLOYEES." THIS
MEMORANDUM DETAILS EMPLOYEE RESPONSIBILITY REGARDING DISCLOSURE
OF INFORMATION AS OUTLINED IN THE CODE OF FEDERAL REGULATIONS,
AND THE FBI EMPLOYEE AGREEMENT, WHICH REQUIRE APPROPRIATE
AUTHORITY BEFORE FURNISHING INFORMATION, TESTIMONY OR RECORD
MATERIAL.

RECIPIENTS ARE ALSO REMINDED THAT, IN ACCORDANCE WITH
OUR DESTRUCTION OF FILES AND RECORDS PROGRAM, RECORDS

PAGE THREE ALL SACS AND LEGATS C L E A R

POSSESSING EVIDENTIARY, INTELLIGENCE OR HISTORICAL VALUE, SUCH AS THE KENNEDY AND KING ASSASSINATION INVESTIGATIONS ARE EXCLUDED FROM THE FILE DESTRUCTION PROGRAM AND CANNOT BE DESTROYED.

BT

NOTE: Since a number of officials in the Department of Justice have been contacted by House Select Committee Staff, it is very likely FBI personnel throughout the field may also be contacted. Therefore, above instructions are necessary, as well as to remind field of instructions in effect regarding interview of Bureau employees and that files such as the Kennedy and King Assassination investigations should not be destroyed.

The Memorandum to All Employees, mentioned above, restates the Code of Federal Regulations, Section 16.22 which precludes an employee or former employee of the Department disclosing Department information without prior approval of the appropriate Department official or the Attorney General. The FBI employment agreement requires employees and former employees to await authorization before furnishing information.

Teletype is directed to all Legats because previous investigation was conducted in a number of Legats offices and several have retained assassination files.

This matter has been coordinated with Legal Counsel and Records Management Division.

APPROVED: _____	Adm. Serv. _____	Legal Coun. <u>m/ke</u>
Director _____	Ext. Affairs _____	Plan. & Insp. _____
Assoc. Dir. <u>[Signature]</u>	Fin. & Pers. _____	Rec. Mgt. <u>ASD/WB</u>
Dep. AD Adm. _____	Gen. Inv. <u>[Signature]</u>	S. & T. Serv. _____
Dep. AD Inv. <u>[Signature]</u>	Ident. _____	Spec. Inv. _____
	Intell. _____	Training _____

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- Information pertained only to a third party. Your name is listed in the title only.
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_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

4 Page(s) withheld for the following reason(s):
Material contained in this serial refers exclusively to the investigation of the assassination of Dr. Martin Luther King, Jr.

For your information: These pages are considered to be outside the scope of your request for JFK materials.

The following number is to be used for reference regarding these pages:
62- 117290- 10, 11

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_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

3 Page(s) withheld for the following reason(s):
Information in this serial has been flagged for classification review.

For your information: You will be advised of the release determination of this material pending completion of the classification review.

The following number is to be used for reference regarding these pages:
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UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 11/26/76

FROM : Legal Counsel *[Signature]*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

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	_____

The purpose of this memorandum is to advise of a meeting on 11/23/76 between Richard A. Sprague, Acting Counsel and Director of the House Select Committee on Assassinations, and Bureau personnel regarding the investigations to be conducted by this Committee.

DETAILS:

On 11/23/76, a meeting was held with Richard A. Sprague, Acting Counsel and Director of the House Select Committee on Assassinations, and his assistant Richard Feeney. Representing the Bureau were Assistant to the Director, James B. Adams, Assistant Director, General Investigative Division Richard J. Gallagher, Section Chief James S. Peelman, Supervisor John C. Lawn of the General Investigative Division and Supervisor Danny O. Coulson of the Legal Counsel Division.

Mr. Adams advised Mr. Sprague of the Bureau's willingness to fully cooperate with his Committee into their inquiries into the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. Mr. Adams explained that material in the possession of the FBI would be made available to Committee staff personnel within the limitations agreed to by the Department of Justice and the Chairman of the Committee.

- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. Mintz
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 2 - Mr. Daly
- 1 - Mr. Coulson

DOC:jsr

(9) *[Signature]*

EX-113

REC-47

62-117290-14

CONTINUED - OVER

17 DEC 2 1976

Legal Counsel to the Associate Director
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Mr. Sprague advised that he did not desire delivery of large numbers of Bureau documents to the Committee. He felt that the Committee's needs could best be served by having access to Bureau documents at FBI Headquarters. He further commented that there may be the necessity for the delivery of selected documents to the Committee on occasion.

Mr. Sprague advised that he was interested in receiving FBI assistance in setting up his security procedures for this Committee and would welcome the Bureau's assistance in this matter.

Mr. Sprague advised that he was desirous of obtaining clearances for his staff personnel so that review of the FBI documents could be undertaken. Mr. Adams advised Mr. Sprague that a great portion of the material on these two assassinations was not classified and that the Bureau would proceed with the background investigations as soon as the agreement for these investigations is signed by the Attorney General and the Chairman of the Committee. Mr. Sprague was also advised that his background investigation would be handled in an expeditious manner.

RECOMMENDATION:

For information.

APPROVED:

Director.....
Assoc. Dir.....
Dep. AD Adm.....
Dep. AD Inv.....

Adm. Serv.....
Ext. Affairs.....
Fin. & Pers.....
Gen. Inv.....
Ident.....
Intell.....
Leg. Coun.....
Plan. & Insp.....
Rec. Mgt.....
S. & T. Serv.....
Spec. Inv.....
Training.....

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 10/21/76

FROM : Legal Counsel *JDM*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

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

The purpose of this memorandum is to record the receipt of a request from captioned Select Committee.

DETAILS:

Late on the afternoon of Wednesday, October 20, 1976, Kenneth Broten, Counsel, House Select Committee on Assassinations, contacted SA Dennis Miller of the Office of Congressional Affairs. Broten requested the FBI provide the Select Committee [REDACTED]

HSCA

Miller tactfully advised Broten that all requests for information and documents should be transmitted by letter from the Chairman of the Select Committee to the Attorney General. Broten advised he would endeavor to have such a letter sent as soon as possible.

RECOMMENDATION:

EX-105 REC-2 62-117290-15

Upon receipt of a letter from the Chairman, the General Investigative Division in coordination with the Office of Congressional Affairs, Legal Counsel Division, will prepare an appropriate response.

22 OCT 30 1976

- 2 - Mr. Gallagher
 - (1 - Mr. Cooke)
 - (1 - Mr. Deegan)
- 1 - Mr. Leavitt
- 1 - Mr. Mintz
- 2 - Mr. Daly
- 1 - Mr. Miller

JDM:mcz

(8) *my* *BTW*

APPROVED *[Signature]*

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	
Adm. Serv.	_____

Ext. Affairs	_____	Laboratory	_____
Fin. & Pers.	_____	Legal Coun.	_____
Gen. Inv.	_____	Plan. & Insp.	_____
Ident.	_____	Rec. Mgnt.	_____
Intell.	_____	Spec. Inv.	_____



DEC 10 1976

- 1 - Mr. Adams - Encs.
- 1 - Mr. Gallagher - Enc.
- 1 - Mr. Leavitt - Enc.

November 26, 1976

- 1 - Mr. Steinbeck - Enc.
- 1 - Mr. Lawn - Enc.
- 1 - Mr. Mintz - Enc.
- 2 - Mr. Daly - Enc.

The Attorney General

Director, FBI

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

This is to advise you that John A. Mintz and Paul V. Daly of this Bureau and Mr. Maurice Rosenberg of your office met with Chairman Thomas Downing and Ranking Minority Member Samuel Devine of captioned Committee. In accordance with Mr. Rosenberg's letter of November 18, 1976, to the Chairman, they were shown Xerox copies of the letter addressed to Honorable J. Lee Rankin of the Warren Commission dated June 17, 1964, from former Director J. Edgar Hoover.

They both appreciated the sensitivity of the information contained in the letter and indicated an appreciation for the need for special handling of information of this nature.

During the course of the meeting with Chairman Downing and Congressman Devine, Chairman Downing asked whether we had received a subpoena from his Committee as yet, and we indicated we had not and did not know there was such a subpoena in existence. It was explained to Chairman Downing the concerns the Department of Justice and the FBI would have if such a subpoena was issued and that it was the intention of the Department of Justice and the FBI to cooperate fully with this Committee. Chairman Downing and Congressman Devine indicated a desire to avoid proceeding in this inquiry by way of a subpoena. Subsequently, Congressman Devine advised SA Paul V. Daly of the FBI that he had discussed the issuance of a subpoena with Staff Director Richard Sprague and advised him of the FBI's concern. Devine said Sprague agreed not to proceed with a subpoena.

1 - The Deputy Attorney General

7 DEC 7 1976

NOTE: Attached is a copy of the letter from Mr. Rosenberg to Chairman Downing dated November 18, 1976. The meeting with Downing and Devine was arranged by the Attorney General's office, and Bureau personnel accompanied Rosenberg at his request.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
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- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____

PVD:mcz

(12)

APPROVED:

Director

Dep. AD Adm.

Dep. AD Inv.

Adm. Serv. _____

Ext. Affairs _____

Fin. & Pers. _____

Gen. Inv. _____

Ident. _____

Intell. _____

Legal Coun. _____

Plan. & Insp. _____

Rec. Mgnt. _____

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Spec. Inv. _____

Training _____

57 DEC 9 1976

MAIL ROOM

TELETYPE UNIT

11/26/76 Hand delivered to AG's office, RTT

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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:
62-117290-16 ENCLOSURE PAGE

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X NO DUPLICATION FEE X
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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gallagher

DATE: 11/8/76

FROM : J. S. Peelman

- 1 - Mr. Gallagher
- 1 - Mr. Ingram
- 1 - Mr. Peelman
- 1 - Mr. Helterhoff
- 1 - Mr. Cooke
- 1 - Mr. Burton
- 1 - Mr. Deegan

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

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:

[REDACTED]

SYNOPSIS: House Select Committee on Assassinations has requested access to FBI files and Department of Justice files concerning the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. (copy of Committee letter attached). Legal Counsel Division has requested comments from GID re Committee access. (Copy of Legal Counsel memorandum attached.)

[REDACTED]

Enclosures (3)

HNH:bam
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(8)

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LEGAL COUNSEL ADDENDUM PAGE SEVEN

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[Handwritten signature]

Memorandum to Mr. Gallagher
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

(1) What authority the Committee has to request access;

(2) [REDACTED]

O.S.

(3) What effect Committee access would have on privacy of those individuals who furnished information in a criminal case; (4) If Department grants access, it should oppose disclosing identity of informants or persons who furnished information on a confidential basis and (5) What action it intends to take to obtain third-agency clearance including foreign Governments; (6) The decision to furnish

HSCA

[REDACTED] remains within the province of the Department; (7)

[REDACTED]

O.S.

(8)

RECOMMENDATION: That these comments of the Civil Rights Section be furnished to the Criminal Section of the GID (attention Mr. Len S. Burton), which section is coordinating the overall GID response to this matter.

REP
201/
551

APPROVED:

Director.....	Adm. Serv.....	Legal Coun.....
Assoc. Dir. <i>DD</i>	Ext. Affairs.....	Plan. & Insp.....
Dep. AD Adm.....	Fin. & Pers.....	Rec. Mgt.....
Dep. AD Inv.....	Gen. Inv. <i>g</i>	S. & T. Serv.....
	Ident.....	Spec. Inv.....
	Intell.....	Training.....

DETAILS: The House Select Committee on Assassinations has requested access to FBI files and Department of Justice files concerning the assassinations of President John F. Kennedy and Dr. Martin Luther King, Jr. (Committee letter attached). The Legal Counsel Division has requested comments of the GID as to the Committee's access to these files. (copy of Legal Counsel memorandum attached).

O.S.

[REDACTED]

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- Deleted under exemption(s) _____ with no segregable material available for release to you.
- Information pertained only to a third party with no reference to you or the subject of your request.
- Information pertained only to a third party. Your name is listed in the title only.
- Document(s) originating with the following government agency(ies) _____, was/were forwarded to them for direct response to you.

_____ Page(s) referred for consultation to the following government agency(ies); _____ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

3 Page(s) withheld for the following reason(s):
Material contained in this serial refers exclusively to the investigation of the assassination of Dr. Martin Luther King, Jr.

For your information: These pages are considered to be outside the scope of your request for JFK materials.

The following number is to be used for reference regarding these pages:
62- 117290- 17 PAGES 3, 4; ENCLOSURE PAGE 1

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXXXX

Memorandum to Mr. Gallagher
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

O.S.

[REDACTED]

O.S.

[REDACTED]

The Department should also be advised that in making its decision relative to Committee access, it should also consider the following:

(1)

O.S.

[REDACTED]

(2)

O.S.

[REDACTED]

(3) The Department should determine what effect any such access would have on the privacy of those individuals who furnished information to the FBI in a criminal case the FBI was investigating (Title 18, U. S. Code, Section 241);

(4) If the Department grants access to the Committee, it should oppose disclosing the identity of any informants or persons who furnished information on an expressed confidential basis;

Memorandum to Mr. Gallagher
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

(5) If the Department grants Committee access, the Department should advise what action it intends to take to obtain third-agency clearance including obtaining authority from those foreign Governments which furnished investigative results.

O.S.

(6) The decision to furnish

HSCA

remains within the province of the Department.

O.S.

(7)

O.S.

(8)

O.S.

O.S.



J. S. Peelman to Mr. Gallagher Memo
Re: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

ADDENDUM: LEGAL COUNSEL DIVISION PVD:mcz 11/12/76

As to the questions raised by the General Investigative Division in this memorandum, Legal Counsel Division makes the following observations:

The authority of a committee of Congress to make a request for information is derived from the authority to seek information to fulfill a legislative function, and in this instance this particular committee is acting pursuant to a resolution of the House of Representatives. The more critical question rather than the authority for the request is the kind of information the committee will receive, and it is for this reason that the standards set forth in the agreement between the Attorney General and the Chairman of the Senate Select Committee on Intelligence, Frank Church, are being used to govern this question.

The possibility, of course, could be raised that the Select Committee on Assassinations is not a properly constituted Committee in that it has^{not} been created to serve a legislative function, but it is not believed advisable nor desirable to raise this particular issue since there would appear to be little hope of obtaining support in the Department or elsewhere in such a challenge.

Concerning the invasion of privacy "of those individuals who furnished information in a criminal case." It should be noted the Privacy Act does not preclude or prohibit responding to a legitimate request of a committee of Congress. The question of protecting identity of informants, persons who furnished information on a confidential basis, raised in this memorandum is addressed in the aforementioned agreement between Senator Church and the Attorney General which is governing the furnishing of information to this committee and provides for the protection of the identities of such people. The third agency rule providing for clearance prior to the furnishing of information to the Committee will also be followed.

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