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Director's Sec'y	_____

DN0235 03702302

CIVIL RIGHTS SECTION

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JAN 06 1977

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SIR
TELETYPE

O 03701302 JAN 77

FM DENVER (56-2317) (RUC)

Boydman
re Graham

TO DIRECTOR (62-117290) IMMEDIATE

BT

CLEAR

ATTENTION GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION,
CONGRESSIONAL UNIT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

REBUTEL, JANUARY 6, 1977.

A REVIEW OF DENVER FILES REVEALS THE FOLLOWING:

DN 89-41: ASSASSINATION OF PRESIDENT JOHN FITZGERALD
KENNEDY, DALLAS, TEXAS, NOVEMBER 22, 1963, AFO, OO: DALLAS.

88

THIS SEVEN VOLUME FILE WAS DESTROYED WITH EXCEPTION OF FD-302S

ON JULY 2, 1972 IN ACCORDANCE WITH THE DESTRUCTION OF FILES AND

REC-13

62-117290-88

RECORDS PROGRAM. ALL SERIALS SINCE THAT DATE ARE INCLUDED AND

SI-108

START WITH SERIAL 338. SERIAL 338 IS A BUTEL DATED AUGUST 31,

1975 RELATING DIRECTOR'S RESPONSES TO INQUIRIES FROM THE DALLAS

TIMES-HERALD CONCERNING OSWALD'S NOTE LEFT AT DALLAS FBI OFFICE.

OTHER SERIALS DEAL WITH LOCATING AND INTERVIEWING CITIZENS

b-jta

4-A-EG

17

84 JAN 24 1977

CP

PAGE THREE DN 66-2310 CLEAR

DN 62-2356: THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY, BUFILE 62-109090. THIS FILE WAS OPENED ON SEPTEMBER 30, 1964 UPON RECEIPT OF BUAIRTEL WITH ABOVE CAPTION, AND CONTAINS 12 SERIALS ALL RELATING TO THE WARREN COMMISSION REPORT. NO BULKY OR TAPE EXHIBITS CONTAINED THEREIN.

DENVER INDICES REFLECT NO FILES IDENTIFIABLE WITH MARINA N. OSWALD, IS-P, SCIP, AND ONLY REFERENCES AS FOLLOWS FOR: LEE HARVEY OSWALD, DN 89-41: IS-R CURA, DN 44-387, OO: DALLAS.

IN ADDITION, DN 157-273, ENTITLED "MURKIN" CONTAINS 8 VOLUMES WITH ADDITIONAL 2 VOLUMES OF 1A OF MOSTLY PHOTOS AND REMAINS INTACT.

BT

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COMMUNICATIONS SECTION

JAN 07 1977
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Director's Sec'y	_____

ATC573 2272320

OO HI

DE AT

O 372021Z JAN 77

FM ATLANTA (86-2242) (RUC)

TO DIRECTOR IMMEDIATE

BT

Z F T O

ATTENTION GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION, CONGRESSIONAL INQUIRY UNIT.

HOUSE SELECT COMMITTEE ON ASSASSINATIONS.

RE BUREAU TELETYPE TO ALL SACS DATED JANUARY 6³⁰, 1977.

REFERENCED BUREAU TELETYPE INDICATED THAT THE HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSC) HAD BEEN CREATED BY THE NINETEEN-FOURTH CONGRESS TO INVESTIGATE THE DEATHS OF JOHN F. KENNEDY AND MARTIN LUTHER KING, JR.

IN CONNECTION WITH THIS HSC INVESTIGATION, THE BUREAU REQUESTED RECIPIENTS TO PREPARE AN INVENTORY OF ALL MATERIALS AVAILABLE IN THEIR OFFICES ON (1) THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY, NOVEMBER 22, 1963; (2) LEE HARVEY OSWALD, IS-R - CUBA; (3) MARINA N. OSWALD, IS-R, SOBIR;

Palmer
By [Signature]

B

62-117290-89

ST-108

REC-13

JAN 13 1977

6-910

4-AWEJA/cny

84 JAN 24 1977

5 CP

PAGE FOUR AT (66-2242) E F T O

THERE WERE SEVERAL PHOTOGRAPHS IN THE 1A SECTION OF THIS FILE OF JACK RUBY AND ONE OTHER INDIVIDUAL MENTIONED IN THE FILE. THERE WERE NO BULKY EXHIBITS OR SUB FILES IN THIS CASE. (D) THIS FILE CONSISTED OF ONE VOLUME AND THERE WERE 84 SERIALS IN THE FILE.

(5) (A) AT 62-2154. (B) THE PRESIDENT'S COMMISSION ON THE ASSASSINATION OF PRESIDENT KENNEDY (WARREN COMMISSION). (C) THIS ATLANTA FILE WAS OPENED AS A DEAD FILE IN SEPTEMBER, 1964 AND CONSISTED OF ROUTINE CORRESPONDENCE DEALING WITH THE WARREN COMMISSION. THERE WERE NO TAPES, ELSUR LOGS OR TRANSCRIPTS IN THIS FILE. THERE WERE NO PHOTOGRAPHS, BULKY EXHIBITS OR SUB FILES IN THIS FILE. (D) THIS FILE CONSISTED OF ONE VOLUME AND THERE WERE SIX SERIALS IN THE FILE.

NO ATLANTA FILES RELATING TO THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY HAVE BEEN DESTROYED.

IT IS NOTED HOWEVER, THAT IN CONNECTION WITH THE INVENTORY OF ATLANTA FILES RELATIVE TO MARTIN LUTHER KING, JR., AND HIS ASSASSINATION, ATLANTA IN ITS TELETYPE TO FBIHQ, DECEMBER 12, 1975, CAPTIONED "MARTIN LUTHER KING, JR; BUDED DECEMBER 12, 1975", LISTED AN INVENTORY OF ALL ATLANTA FILES

PAGE FIVE AT (66-2242) E F T C

ON MARTIN LUTHER KING, JR., HIS IMMEDIATE FAMILY, THE ASSASSINATION, ETC. ATLANTA HAS NOTED THAT ONE FILE LISTED IN THIS INVENTORY HAD BEEN DESTROYED UNDER THE DESTRUCTION OF FILES AND RECORDS PROGRAM. THIS FILE WAS AT 9-1676, CAPTIONED "UNSUB; MARTIN LUTHER KING, JR - VICTIM. EXTORTION - RACIAL MATTER", WHICH WAS A ONE VOLUME FILE OF 23 SERIALS AND CONTAINED ROUTINE CORRESPONDENCE DEALING WITH A THREATENING LETTER TO MARTIN LUTHER KING IN 1965 FROM AN INDIVIDUAL IN CALIFORNIA.

BT

N

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 *EG*

FROM : J. S. Peelman *JSP*

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

DATE: 1/7/76

- 1 - Mr. Held
- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 1 - Mr. Mintz
- 1 - Mr. Moore

PURPOSE: To furnish for record purposes a copy of a "Report Together with Additional and Supplemental Views of the Select Committee on Assassinations, United States House of Representatives."

RECOMMENDATION: For information and record purposes.

APPROVED: _____

Director _____ *POP*
 Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____ *WJA*

Adm. Serv. _____
 Ext. Affairs _____
 Fin. & Pers. _____
 Gen. Inv. _____ *B/S*
 Ident. _____
 Inspection _____
 Intell. _____

DETAILS: The House Select Committee on Assassinations, formed in September, 1976, (House Resolution 1540) was mandated . . . "to conduct a full and complete investigation and study the circumstances surrounding the death of John F. Kennedy and the death of Martin Luther King." As you are aware, the FBI previously conducted extensive investigations concerning the assassination of Kennedy at Dallas, Texas, in 1963 and the assassination of King in Memphis, Tennessee, in 1968. Regarding the King assassination, James Earl Ray pled guilty to this murder in State Court in Tennessee and presently is in local confinement.

REC-14 62-117290-101

Attached is a copy of a "Report Together with Additional and Supplemental Views of the Select Committee on Assassinations, United States House of Representatives." In the beginning of this report Congressman Thomas N. Downing, Chairman of the Committee, states that "I am transmitting herewith to the House of Representatives the Report of the Committee representing the results of the Committee's investigation and study since its inception on September 17, 1976. The report includes the recommendations of the Committee with respect to continued investigation by the House of Representatives of the assassinations of John F. Kennedy and Martin Luther King, Jr." The report includes a budget recommendation of \$6,531,050 for 1977.

Enclosure
62-117290

HNH:sas (8)

ENCLOSURE

CONTINUED - OVER

84 JAN 28 1977

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

FBI/DOJ

PD0769 0150406Z

RR HQ

DE PD 013

R 150225Z JAN 77

FM PORTLAND (62-3144)

TO DIRECTOR (62-117290) ROUTINE

BT

CLEAR

ATTENTION GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION, CONGRESSIONAL INQUIRY UNIT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS.

RE BUREAU TELETYPE, JANUARY 6, 1977.

FILES OF THE PORTLAND OFFICE CONTAIN FOLLOWING FILES

RELATIVE TO ASSASSINATION OF PRESIDENT JOHN F. KENNEDY:

L. A. PD 89-21, BUFILE 62-109060

REC-26

62-117290-105

B. "ASSASSINATION OF PRESIDENT KENNEDY,

NOVEMBER 22, 1963, DALLAS, TEXAS"

7 JAN 19 1977

C. FILE CONTAINS INFORMATION RELATIVE TO CONTACT

WITH INFORMANTS FOR ANY INFORMATION THEY MAY HAVE

CONCERNING THE ASSASSINATION OF PRESIDENT KENNEDY AS WELL

AS AN EVALUATION OF INDIVIDUALS IN OREGON WHO COULD BE

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Dep. AD Inv.	_____
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Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

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Handwritten number 105

Handwritten signature: 6-Atkins

84 JAN 28 1977

Handwritten signature and date: 1/11/77

Handwritten initials: H/6

CP

PAGE THREE PD 62-3144 CLEAR

(STRIPPER), AND INVESTIGATION RESULTING FROM INFORMATION RECEIVED BY PORTLAND OFFICE ALL OF WHICH DETERMINED TO BE WITHOUT SUBSTANCE. FILE ALSO CONTAINS RESULTS OF LEADS RECEIVED FROM OTHER OFFICE SUCH AS DETERMINING WHEREABOUTS OF INDIVIDUALS TO BE INTERVIEWED.

THIS FILE CONTAINS NO TAPES, ELECTRONIC SURVEILLANCE LOGS AND/OR TRANSCRIPTS, PHOTOGRAPHS, BULKY EXHIBITS, OR ANY MATERIAL WHICH IS IN ADDITION TO ROUTINE CORRESPONDENCE.

THIS FILE CONSISTS OF TWO VOLUMES, THREE INCHES IN DEPTH, HAVING 193 SERIALS. NO PORTION OF THIS FILE HAS BEEN DESTROYED.

NO PORTION OF THE FILE RELATING TO "MARTIN LUTHER KING, JR., SM-C" (PD 100-10198) (BUFILE 100-106670) OR "MURKIN", (PD 157-380) (BUFILE 157-38861) HAVE BEEN DESTROYED.

BT

c

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 7 01377
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Director's Sec'y	_____

P201500Z JAN 77
FM PARIS (66-17)
TO DIRECTOR (62-117290) PRIORITY 002-20
BT
CLEAR

orig. [unclear] [unclear]

ATTENTION GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION,
CONGRESSIONAL INQUIRY UNIT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS ^{3/}
REFERENCE BUREAU CABLE, JANUARY 6, 1977.

(1) THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY
NOVEMBER 22, 1963

OO: DALLAS BUREAU FILE 62-109060
PARIS FILE 62-148 - DESTROYED JANUARY, 1973

(2) LEE HARVEY OSWALD
IS - R- CUBA

OO: DALLAS BUREAU FILE 105-82555
PARIS FILE 105-1067 - DESTROYED JANUARY, 1963

PARIS FILE 100-1976, CAPTIONED, MARK LANE, SM - CONTAINS
LETTERHEAD MEMORANDUM DATED MARCH 30, 1964, AT WASHINGTON, JAN 25' 1977
ENTITLED, LEE HARVEY OSWALD.

WLD

REC-2 62-117290-106

Allyson
SHK/b
[unclear]

84 JAN 28 1977

AWI

PAGE TWO PAR 66-17 C L E A R

(3) MARINA N. OSWALD

IS - R

SOBIR

BUREAU FILE 100-126032

PARIS INDICES NEGATIVE.

(4) JACK RUBY

LEE HARVEY OSWALD - VICTIM

CIVIL RIGHTS

BUREAU FILE 44-24016

PARIS FILE 44-2 - DESTROYED JANUARY, 1973

(5) PRESIDENT'S COMMISSION ON THE ASSASSINATION OF

PRESIDENT KENNEDY (WARREN COMMISSION)

BUREAU FILE 62-109090

PARIS FILE 62-148 - DESTROYED JANUARY, 1973.

PARIS FILE 100-2082, ENTITLED, MURKIN, WAS DESTROYED JANUARY,

1973.

BT

C

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

JAN 18 1977

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Director's Sec'y	_____

P 141230Z JAN 77

FM TOKYO (62-36)

TO DIRECTOR PRIORITY NR. 014-13

BT
E F T O

ATTENTION: GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION,
CONGRESSIONAL INQUIRY UNIT.

HOUSE SELECT COMMITTEE ON ASSASSINATIONS.

RE BUREAU CABLE DATED JANUARY 6, 1977, AND TOKYO CABLE
DATED AUGUST 30, 1976, ENTITLED "MARTIN LUTHER KING, JR."

SEARCH OF TOKYO INDICES CONCERNING FILES SET FORTH IN
REFERENCED BUREAU CABLE INDICATES ONLY SUCH FILE AT TOKYO IS
TOKYO FILE "ASSASSINATION OF PRESIDENT JOHN F. KENNEDY",

TOKYO 62-36. THIS FILE ROUTINELY DESTROYED PRIOR TO CURRENT
PROHIBITION ON DESTRUCTION OF SUCH MATERIAL. ADDITIONALLY,

AS PREVIOUSLY NOTED, TOKYO MURKIN FILE HAD ALSO BEEN DESTROYED
UNDER DESTRUCTION OF FILES AND RECORDS PROGRAM.

BT

20 JAN 18 1977

70 JAN 31 1977

REC-2

62-117290-101

LV0769 0430129Z
RR HQ
DE LV
R 120012Z FEB 77
FM LAS VEGAS (89-61) (RUC)
TO DIRECTOR (62-117290) ROUTINE

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FEB 11 1977

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S. & T. Serv.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director's Sec'y	_____

BT

C L E A R

ATTENTION: GENERAL INVESTIGATIVE DIVISION, CIVIL RIGHTS SECTION, CONGRESSIONAL INQUIRY UNIT.

HOUSE SELECT COMMITTEE ON ASSASSINATIONS.

REURTEL, FEBRUARY, 11, 1977.¹⁰²

LAS VEGAS FILES REFLECT TOTAL NUMBER OF SERIALS FOR THE BELOW LISTED FILES:

1. ASSASSINATION OF PRESIDENT JOHN F. KENNEDY - 111 SERIALS

2. LEE HARVEY OSWALD - 64 SERIALS

3. MARINA N. OSWALD - NO FILE ST. 114

4. JACK RUBY - 212 SERIALS

5. PRESIDENT'S COMMISSION ON THE ASSASSINATION OF

PRESIDENT KENNEDY (WARREN COMMISSION) - 12 SERIALS.

6. MURKIN - 217 SERIALS

BT

84 FEB 22 1977
F-370

REC-371

62-117290-153

FEB 15 1977

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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Dep. AD Inv. _____
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Adm. Serv. _____
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Fin. & Pers. _____
Gen. Inv. <input checked="" type="checkbox"/>
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Legal Coun. _____
Plan. & Insp. _____
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S. & T. Serv. _____
Spec. Inv. _____
Training _____
Telephone Rm. _____
Director's Sec'y _____

PX0585 042210Z

RR HQ

DE PX

R 112050Z FEB 77

FM PHOENIX (62 2134) (P)

TO DIRECTOR (62 117290) ROUTINE

BT

CLEAR

FEB 11 1977
TELETYPE

Rayman
[Signature]

HOUSE SELECT COMMITTEE ON ASSASSINATIONS; BUDED: 2/LL/77 AND 2/18/77.

RE BUREAU TELS TO ALL OFFICES DATED FEBRUARY 4, 1977, AND FEBRUARY 10, 1977.

MARTIN LUTHER KING, JR., ASSASSINATION. PHOENIX FILE 44-371. PHOENIX FILE NOT DESTROYED.

ASSASSINATION OF PRESIDENT JOHN F. KENNEDY. PHOENIX FILE 89-42. PHOENIX FILE NOT DESTROYED.

LEE HARVEY OSWALD. PHOENIX FILE 105-1529. PHOENIX FILE NOT DESTROYED. INVESTIGATION AT PHOENIX DIVISION RE-

MARINA N. OSWALD CONTAINED IN PHOENIX FILE 105-1529.

JACK L. RUBY. PHOENIX FILE 44-213. PHOENIX FILE NOT DESTROYED.

REC-371

62-117290-155

20 FEB 15 1977

6- [Signature]
[Signature]

4-A [Signature]

84 FEB 22 1977 F-370

Airtel

3/17/77

1 - Mr. Lawn

To: SACs, Miami
Memphis (Enclosure)

From: Director, FBI

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Re Miami facsimile dated March 14, 1977, which enclosed a copy of a newspaper article captioned, "King Panel Might Call Miami Man," a copy of which is enclosed for Memphis. No information could be located in FBIHQ files reflecting receipt of the information allegedly furnished by William Somerset relative to his claim that he overheard a death threat at a union affair in Washington as set forth in referenced article.

Miami promptly review appropriate files to determine if there is any record of receipt of any such information allegedly furnished by Somerset. Also determine if your office has any knowledge of the statement of Charles Sapp, in this article that "I can't remember the exact day he called me, but I'm certain the FBI got an immediate report on the tip because the agents were in our office everyday, and they got the same information I sent on to the Chief." If your files do not reflect the receipt of any such information, determine if there are any Agents still on active duty in the Miami Office who would have had any such contact with the Miami Police Department, and recall the receipt of any such information. Do not conduct any active investigation concerning this newspaper article. SuLHM results.

Memphis review your appropriate files to determine if there is any record of the information allegedly furnished by Somerset re the "threat at a union affair" as mentioned in the enclosed article. SuLHM results.

MAILED 4
MAR 17 1977
FBI

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
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- Director Sec'y _____

HNH/gjw
(6) gjw

SI-126

REC-33 62-117290-184

SEE NOTE PAGE THREE.

MAR 21 1977

JSP/gjw

Airtel to SACs, Miami and Memphis
Re: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

William Somerset is former [REDACTED] who subsequently became an informant for the Miami, Florida, Police Department. He was operated as an informant in criminal and racial matters from 1949 to 1961 when he was discontinued due to being indiscreet and unreliable. On 4/12/63, the Miami Police Department furnished a report containing information from Somerset which included an alleged program to assassinate persons throughout the United States (157-758-26). [REDACTED]

(b)(2)
(b)(7)(D)

(b)(7)(D)

Serial 157-1167-3 reflects that on 11/27/63, Sergeant Charles Sapp, Intelligence Division, Miami Police Department, furnished a transcript of an interview between a detective of the Miami Police Department and Somerset. Somerset furnished information that an individual named Brown had attempted to kill King. File 62-106833-185 reflects a transcript of a conversation between Somerset and a J. A. Milteer on 11/9/63 at Miami, Florida, as furnished by the Miami Police Department. This conversation pertains to alleged threats on the life of John F. Kennedy and that Brown had tried to get King. (Brown appears identical to Jack W. Brown, Imperial Wizard, Dixie Klan, Chattanooga, Tennessee). Bufile 62-109060-1525 reflects Somerset furnished information to the Miami Police Department on 12/2/63 about attempts on King's life which fell through. Bufile 44-38861-4859 reflects that Somerset had made trips to Atlanta and Memphis at the request and expense of a Florida State Attorney's Office and the Miami Police Department to try to develop information re the King assassination. He did not indicate he had developed any unusual or pertinent information. On the basis of information heard on the "street", it was said that the chauffeur of King was suspected of "setting up Dr. King for the assassination," however, Somerset was unable to identify the source of this information.

c

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- Airtel

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- E F T O
- CLEAR

Date 3/25/77

TO: DIRECTOR, FBI

FROM: SAC, MIAMI (62-6603) (P)

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

Re Bureau airtel to Miami dated ¹⁸⁴ 3/17/77.

Enclosed for the Bureau is one copy of the following described "Miami Magazine" articles:

1. Article entitled, "JFK, KING; The Dade County Links" by DON CHRISTENSEN, which appeared in the September, 1976, issue of "Miami Magazine".
2. Article entitled, "KING Assassination; FBI Ignored Its Miami Informer", by DON CHRISTENSEN, which appeared in the October, 1976, issue of "Miami Magazine".

Also enclosed are seven copies of an LHM reflecting information concerning "Miami Herald" newspaper article, dated March 14, 1977, captioned, "KING Panel Might Call Miami Man".

Enclosed for the Memphis Division is one copy each of the foregoing described enclosures.



Miami FBI records do not contain any information that FBI Agents were present at such a meeting.

- 3 - Bureau (Encs. 9)
- 2 - Memphis (Encs. 3)
- 4 - Miami (1 - 62-6603) (1 - 44-1854)

(1 - 89-35) (1 - 170-1)

DJD:mes

Approved: [Signature]
84 APR 12 1977

Transmitted [Signature]

(Number) 0-70 (6) (Time) 4-1-77
HNH/ulp see file copy

ENCLOSURE REC-7

476

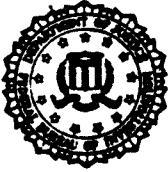
MAR 30 1977

1 - CRIMINAL DIVISION
1 - CIVIL RIGHTS DIVISION
1 - OFFICE OF PROFESSIONAL RESPONSIBILITY
1 - CONGRESSIONAL ENQUIRY UNIT

HSCA

187

C



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No. 62-6603

Miami, Florida
March 25, 1977

RE: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS

An article appearing in the "Miami Herald" newspaper, Miami, Florida, dated March 14, 1977, captioned "KING Panel Might Call Miami Man", is attached hereto.

In regards to certain allegations and statements contained in the "Miami Herald" newspaper article, the following is noted:

Miami Office files contain no reference reflecting receipt of the information allegedly furnished by WILLIAM SOMERSETT relative to his claim that he overheard a death threat at a union affair in Washington as set forth in said article.

In connection with the statement in the article by CHARLES SAPP, formerly of the Miami Police Department, a review of Miami files does not show the receipt of any information from CHARLES SAPP furnished to him by WILLIAM SOMERSETT.

On March 23, 1977, Supervisor LEONARD C. PETERSON of the Miami Office of the FBI, who was in periodic contact with personnel of the Miami Police Department, Intelligence Division, during 1968, advised that he did not receive and knows of no other FBI employee who received any information concerning a death threat against Reverend MARTIN LUTHER KING, JR., during that period.

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

King Panel Might Call Miami Man

House Panel Contacts
Ex-Police Lieutenant

By JIM BUCHANAN

Herald Staff Writer

A former Miami police lieutenant said Sunday that he may be called to testify before a congressional committee about receiving a pre-assassination tip in 1968 that Martin Luther King might be killed.

Charles Sapp, the former policeman, said the information came in April 1968 from a Miami Police Department paid informant, Willie Somerset, who five years earlier had claimed advance notice of President John Kennedy's assassination.

"I've been contacted by a spokesman for the House Assassinations Committee," Sapp said Sunday, "and I've told them I'd be happy to testify as to what I know."

SAPP SAID he "can't recall the exact time element, but it was shortly before King was killed." King was killed on April 4, 1968.

Other sources told The Herald that the telephoned tip was received by the lieutenant April 3. Sapp, who retired in 1971, headed the department's intelligence-gathering unit.

Somerset, an admitted racist who then was trying to organize his own National Foundation of Labor, "claimed to have overheard the death threat at a union affair in Washington," according to Sapp.

"He said he overheard two men condemning King for meddling in union affairs. If you remember, King was helping the Memphis sanitation workers, who were out on strike," Sapp said.

"Somerset told me the men said they'd have to 'take care of King' or words to that effect."

"SOMERSET called me because he wanted me to know he was in Miami and shouldn't be suspected if something happened."

Somerset was once a member of the National States Rights Party and claimed to have heard, during a conversation 13 days before the Kennedy slaying, of plans to shoot him.

Sapp said Sunday, "I can't remember the exact day he called me, but I'm certain the FBI got an immediate report on the tip, because the agents were in our office every day, and they got the same information I sent on to the chief."

Sapp's distant connection with the King case came to light last September as part of a Miami magazine article dealing with the assassinations of King and Kennedy.

Two weeks ago, Sapp said, he was contacted by an investigator for the House committee.

"WE TALKED for a while, and he said they'd be in touch with me. But I haven't heard anything from them yet," Sapp said.

OCTOBER 1976

Miami
MAGAZINE

King Assassination:

FBI ignored its Miami informer

Told of information uncovered in our investigation, a Justice Department attorney — obviously taken aback — called the previously unpublished police memo 'as interesting a piece of information as I've ever heard'

By Dan Christensen

At 6:01 p.m. on April 4, 1968, a single shot rang out in Memphis, Tennessee. In that moment, the civil rights movement lost its greatest leader.

The assassin(s) who struck was not alone in knowing that Dr. Martin Luther King Jr. was destined for violent death. A Miami police/FBI informer had learned of a plot and warned his superiors the previous day.

This astonishing revelation is one of several previously unpublished facts contained in a series of 1968 Miami Police Department memoranda obtained by Miami Magazine in its probe of Dade County's link to the assassinations of President John F. Kennedy and Dr. Martin Luther King Jr.

Last month Miami Magazine exposed new evidence and raised new questions concerning the Kennedy killing. Much of our information came from materials provided to law enforcement agencies by professional informant and two-bit union organizer, Willie Augustus Somersett. In this



Illustration: Martin Krloff

Courtesy of Miller & King Gallery

report on King, Somersett, who died in 1970, is again the chief provider.

Copies of Somersett's debriefings, contained in police memos on King, were furnished us, almost as an afterthought, by Dade Circuit Judge Seymour Gelber while he was aiding our investigation of the Kennedy assassination. The Dade State Attorney's office cannot find its files on the matter, despite an exhaustive search undertaken several months ago at Miami Magazine's request. Miami police, through a public information officer, would only say, "We don't have any files on that subject at all. I don't know if it was destroyed or what."

Martin Luther King Jr. first went to Memphis in March, 1968 to help organize the 1,300 mostly black sanitation workers who had been striking since Feb. 12 for higher wages and better working conditions. While there, he led a parade on behalf of the strikers, represented by Local 1733 of the American Federation of State, County and Municipal Employees.

ENCLOSURE 62-117290-187 N

Violence flared and one black youth was killed, 60 were injured and 200 arrested. Deeply disturbed, King suspended his activities, but promised to return to Memphis when the situation calmed.

Somersett's dour prediction in Miami came in a confidential memorandum dated April 25, 1968, written by former police Lt. Charles H. Sapp and addressed to Miami's late Chief of Police Walter E. Headley.

The memo begins:

"On Wednesday, April 17, 1968, informant '88' (Somersett's police code name) went to Atlanta, Ga. in an effort to find more information concerning the death of Martin Luther King. This informant remained in Atlanta until April 22 and returned to Miami on April 23, 1968. Informant contacted me (Lt. Sapp) and we met in the downtown area of Miami. This informant states that on April 1, 1968 he was in Washington, D.C., attending a (National) Labor Relations Board meeting, and when it adjourned he overheard a conversation between members of the Longshoremen's Union and the Sanitation Workers' Union in which they discussed the sanitation workers' predicament in Memphis, (the crisis that brought King to Memphis). One spokesman stated that 'when Martin Luther King returns to Memphis, we don't have any alternative but to kill him. He has stopped being a preacher and is interfering as a labor organizer and has caused one riot in Memphis and one man's death and that he is hurting the labor cause rather than helping it.'

"When the informant returned to Miami on April 4, he heard by the news media that Martin Luther King had in fact returned to Memphis and was going to lead a parade the following day. This informant feared that he might be a suspect and questioned concerning anything that might



Richard Gerstein: big assist



Seymour Gelber: initial leads

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happen to Martin Luther King. He went to a filling station and garage operated by Mr. Frank Love, on the corner of NE 1st Avenue and 10th Street, and during a conversation, told him that he believed that Martin Luther King would be assassinated that night and stated his reasons for believing so. This statement was allegedly made in front of Frank Love (now dead) and two or three of his Negro employees at the garage. This occurred at approximately 4 p.m., after which King was murdered at approximately 7 p.m. (EST).

"On April 25 this reporter (Lt. Sapp) contacted Frank Love at his place of business and Mr. Love reluctantly verified the statements made by the informant. Also, one of the Negro employees, at this time known only as George, verified the informant's statement (George remains unidentified today)."

What Sapp doesn't say in the memo, but told me when I asked him was that Somersett had made the same

prediction to him, as well, the day prior to the murder.

"He called me at my home the night before King was killed to let me know that if something happened he didn't want to be connected to it," Sapp recalled. (Apparently, Somersett feared his background as a KKK member and blatant racist made him a suspect.)

"I don't think that I told the FBI before Martin Luther King was assassinated because the information he gave me was so vague," Sapp continued, "but I know I definitely did (tell them) after. We also passed on all subsequent information developed."

Did Willie Somersett, a veteran FBI undercover informant, give the news directly to the FBI prior to the shooting? Says Sapp, "I couldn't even guess if he did... but he certainly was working for the FBI during that time, as well as with us."

Martin Luther King Jr. returned to Memphis on April 3, 1968, and along with his entourage, checked into the Lorraine Motel.

That night, in a fiery speech before 2,000 followers, King seemed to know what fate awaited him. "It really doesn't matter with me now," he shouted, "because I've been to the mountaintop! And I don't mind. Like anybody I would like to live a long life; longevity has its place. But I'm not concerned about that now. I just want to do God's will! And he's allowed me to go up to the mountaintop, and I've looked over and I've seen the promised land... So I'm happy tonight; I'm not

Please turn to page 45

Sen. Kennedy's name pops up, too

An interesting sidelight appears in the April 25 memo in which Willie Somersett's prediction of Martin Luther King's assassination is recorded. In the fifth and final paragraph of that memo, Somersett speaks of another person who would soon be cut down by gunfire, Robert F. Kennedy.

The memo states: "Informant also learned that for some reason Senator Robert Kennedy is being 'guarded' by members of the KKK at all of his public appearances throughout his presidential campaign. At this time it is not known if Senator Kennedy is under surveillance for his own protection or for other motives."

Kennedy was shot to death on June 5, 1968, in the pantry of the Ambassador Hotel in Los Angeles.

Continued from page 31

worried about anything; I'm not fearing any man!"

Within 22 hours this Nobel Peace Prize winner would be killed on the balcony of the Lorraine Motel by a sniper's bullet that would rip into his neck and jaw and sever his spinal column. He would die instantly.

Two months later, after an international manhunt, James Earl Ray — habitual criminal, penny-ante hood and escapee from the Missouri State Penitentiary — was captured at London's Heathrow Airport. On March 10, 1969, he pleaded guilty to first-degree murder in Dr. King's death and was sentenced to 99 years in jail. In what has come to be called his 'mini-trial,' Ray hinted of a conspiracy.

By 1968, Willie A. Somerset's relationship with the FBI had been a long and enduring one. Independent accounts given by his brother, Rufus, and Miami Detective Sgt. Sapp, indicate the relationship began in the early 1950s while Somerset served time for white slavery in a federal prison in Atlanta. In return for his good works as a stool pigeon on the inside, he was released early and continued to sing for the federals whenever they called. He later expanded his clientele to include the Miami PD, ostensibly, says Sapp, because he feared and mistrusted the Bureau.

Perhaps his most important role came on Nov. 9, 1963 when he and right-wing extremist Joseph A. Milteer were tape-recorded by Miami police undercover agents as Milteer described President Kennedy's impending murder in Dallas. Almost incidentally during that conversation, Milteer spoke of an earlier plot to kill King in Atlanta by one Jack Brown, a Klan member who reportedly died in 1965.

After King's death in 1968, this 1963 tape-recording would help trigger the Miami PD and Dade State Attorney's investigation into his death. Judge Gelber, then an assistant attorney general for Florida, says another reason was a similar threat made in May, 1964 by a former Miami housepainter, (name withheld), who Somerset reported, planned to kill King on May 17, 1964 in Mobile, Ala.

In a letter dated April 9, 1968 Gelber wrote then-U.S. Attorney General Ramsey Clark, telling him of these threats. A reply, sent the following week by one of Clark's aides, indicated the FBI had been informed of Gelber's statements. Gelber, however,

ever heard from either Clark or the FBI again.

Throughout the spring and summer of 1968, at the State of Florida's expense, Somerset continued to explore the King assassination in trips around the South. In the additional memos we have obtained (dated April 30, June 11, July 3, July 8 and August 29) no mention is ever again made of Somerset's prediction. The proposal for Somerset's undercover investigations, contained in the April 30 memo written by Sgts. Everett Kay and E.W. McCracken, simply refers to the 1963 Milteer tape as the basis for action.

"Informant '88' feels that by contacting such persons as the above (Milteer and Brown) information will be gained as to what extent these people, if any, are involved in this assassination."

The use of "concealed electronic devices" to tape-record Somerset's conversations also was suggested.

It appears that Somerset, out of contact with Milteer and Brown since the Kennedy assassination when they began to suspect he was an informant, did not know of Brown's death in 1965. Despite using the tape-recording as a rationale for investigating, there is no real indication that Somerset ever contacted Milteer on the Martin Luther King Jr. matter.

According to former Miami Police Sgt. Everett Kay, surreptitious taping was tried only once, in Atlanta, and failed to produce any results. No memorandum on this particular incident was ever located.

Perhaps Somerset's suspicions about Milteer were valid. In a trip to Milteer's home in Quitman, Ga., in late July, I found a letter dated April 19, 1968 written to Milteer by Woody Kerns, his close friend and political ally (they both belonged to the right-wing Constitution Party).

In the first paragraph, Kerns, a West Virginian, makes a cryptic reference, apparently to the King assassination.

"Looks as though you (Milteer) and the hunted suspect were in the capital area about the same time. They found a car there — they say." Kerns evidently was referring to Atlanta, where the FBI had recovered a car that purportedly belonged to King's killer.

That brief statement is the only reference to King's death found amid the detailed correspondence Milteer kept. More might have been expected because Milteer hated King. But no gloating . . . nothing.

Getting back to Somerset, the



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June 11 memo describes trips he made to South Carolina, New Orleans and Alabama. In South Carolina, Somerset met with Belton Mims, whom he called the first assistant to the Grand Dragon of the South Carolina Klan. The memo indicates Mims said nothing of King, but did say a plot to kill the late Congressman Adam Clayton Powell was in the works, and suggested Somerset see Leander Perez, an extreme racist and political boss in Louisiana, while he was in New Orleans. When Perez, who died in 1969, couldn't be found, Willie Somerset moved on to Mobile, Ala., where he talked with the former Miami housepainter referred to earlier.

The painter didn't speak of King either, at this time, but did describe to Somerset some terrorist acts he claimed to have participated in recently. He also told Somerset plans were being formulated to kill Charles Evers, brother of the slain civil rights leader Medgar Evers.

In the July 3 memo, events turn once again to Martin Luther King Jr.'s killing. In it, "88" states that he traveled again as an agent of the Miami PD to Memphis on June 21 "and began circulating around in order to obtain information in regards to the assassination of Martin Luther King..."

"After getting settled in (a) room, I went to the neighborhood where King was killed and made friends with a number of people, both Negro and white, and had a few drinks with them and began discussing this incident along with other racial matters. I was introduced to a man by the name of Charles O. Stevens (sic) at Jim's Club... who said that he had been questioned with regards to the killing of Martin Luther King and he had lied to the police and FBI, saying he knew something about it, whereas he did not."

Charles Q. Stephens, to whom Somerset apparently referred, was one of the State of Tennessee's chief witnesses against James Earl Ray. Harvey Gipson, Stephens' lawyer, claims, "He is the only witness who can directly connect Ray to the crime. They couldn't have extradited Ray (from England) without Stephens' identification."

Somerset's statement severely impeaches Stephens' credibility, which has already been under attack by many critics because of his excessive drinking. If Stephens truly perjured himself, the already shaky case against James Earl Ray is further damaged. (As a result of his testimony, Stephens is currently fighting a legal

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attle to collect assorted reward monies offered in this case totalling \$100,000.)

In the same July 3 memo, Willie Somerset also tells of side trips he made to Whitehaven, Tenn. and Southaven, Miss., suburbs of Memphis.

"I attempted to locate a fellow (name withheld) who works as a private detective and ham radio operator in Whitehaven, Tenn. and is supposed to be racially involved. I could not locate him, but my conversation with people around there made insinuations to the fact that this (man) and an unknown deputy sheriff may have been involved in jamming the radio somewhere in the Martin Luther King case."

Somerset was confused about this incident. The CB radios were not jammed after the shooting, rather false broadcasts were sent out which drew attention away from the south side of the city, where, Ray claims, he fled during his escape from the scene. (Perhaps it should be noted here that Ray, who has long since renounced his guilty plea, does not deny having been at the site of the crime. He contends that he was simply an unwitting accomplice and that he was later coerced by his attorney, the famed Percy Foreman (whom Miamians will recall from the sensational Candy Mossler murder trial here) to plead guilty. Ray's latest efforts to win a new trial have been quashed, and he has stopped appealing.)

Returning to the memos, we find that on the morning of July 8, 1968, Somerset received a call from the previously mentioned Miami housepainter. The painter spoke of his rage at the death of a young schoolteacher, Kathy Ainsworth, who was shot by police as she allegedly participated in an attempt to blow up the home of a prominent Jewish citizen in Meridian, Miss. Her companion, Thomas Albert Tarrants III, was wounded. "X (the housepainter) said that they are going to set up things in Mississippi and he is going to kill all the Jews, niggers and the policemen if they interfere. . . 'We will burn Mississippi if necessary,' " X raved. Tarrants is now serving a 30-year sentence in Mississippi.

In the final memo of August 29 Somerset describes a meeting with X in Mobile during which the Ainsworth-Tarrants incident was discussed. According to X, not only was Tarrants being held in the Mississippi bombing attempt, he also was being investigated in connection with the



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King murder. "X says that the car that was used to jam the police cars on relaying messages of the killing of King on Aug. 4 (sic) was a car used by Thomas Tarrant. X says that they have information from the police that Tarrant is talking to the FBI and it looks as if several people may be indicted by the federal government in connection with a bank robbery and murder in the state(s) of Mississippi and Tennessee, including himself, X, who allowed Tarrant to stay at his home a week or ten days after the killing of Martin Luther King." Miami Magazine has been unable to determine if X's information proved true.

In that same memo of August 29, Somerset also tells of a meeting with representatives of Jim Garrison, the New Orleans district attorney who gained notoriety for his sensational JFK murder conspiracy trial. Garrison's people were eager to obtain the fruits of Somerset's 1963 labors, but there is no indication that he ever cooperated with them.

As in the case in Miami Magazine's story last month on President Kennedy's assassination, we can only speculate on the real significance of all this. The list of specific questions raised is practically endless, but revolves around one central issue: What did the FBI do about this information?

There is no evidence, on the record or off, to indicate the FBI did anything, for no mention of these incidents has ever been made publicly before. When given the opportunity to comment on our findings, the FBI refused.

Thomas L. Wiseman, FBI special agent in Washington, "assigned in a supervisory capacity to the Freedom of Information-Privacy Acts section of the Records and Management Division," says, in an affidavit filed in response to a Freedom of Information lawsuit by assassination researcher Harold Weisberg, that "the only suspect in the Martin Luther King assassination was Eric Starvo Galt, subsequently identified as James Earl Ray."

How can this be? Willie Somerset was a long-time FBI informant and, according to declassified FBI documents, the G-men considered him "reliable." If so, how could FBI agents simply ignore the bombshells he was dropping in their collective laps? They

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claim, they conducted a thorough investigation. They must also have had grave doubts about the reliability of star witness Charles Stephens.

No one has been as accurate as Willie Somerset in predicting political assassinations since the Soothsayer warned Caesar to "beware the Ides of March" two millenia ago. The FBI knew this, but apparently did nothing about it.

Motivation for this non-action by the Bureau may have come from the late J. Edgar Hoover. It is no secret that Hoover despised King and used all the power in his command to try and thwart King.

This climate was hardly one in which to conduct an impartial investigation.

Because of the revelation of the attempts to harass Dr. King, the Department of Justice has been reviewing the files compiled on King both before and after his assassination. Until now, Justice officials have been saying that nothing has been uncovered which would suggest that the FBI's investigation of the assassination was less than thorough. Told of Miami Magazine's findings, most specifically about Somerset's prediction, Michael Shaheen Jr., the Department of Justice attorney in charge of internal investigations in Washington, was stunned.

"This is as interesting a piece of information as any I've ever heard," he said. "I am very interested in receiving it."

There are also other people who feel, for these and other reasons, that the King case should be fully and publicly reopened. The Rev. Bernard Lee, executive vice president of Dr. King's Southern Christian Leadership Conference, said, "We believe Ray is not the lone assassin and that Dr. King was the victim of a well thought-out conspiracy. We had hoped Ray would get a new trial, but that did not materialize. There should be some kind of new investigation."

Judge Gelber believes, "All the avenues haven't been explored in the King assassination. The investigation was cut short by Ray's guilty plea. There was no Warren Commission to publicly air the facts. What is necessary is a legislative investigation to satisfy the public that everything has been looked into."

Finally, State Attorney Richard Gerstein, who has spent several hours aiding us in our dual investigations, noted wryly, "I don't believe any person with even minimal intelligence believes Ray acted alone or without help."




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FROM : Director, FBI

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ASSASSINATION OF JOHN FITZGERALD KENNEDYReference is made to _____ memorandum dated _____
(your file _____).There is enclosed one copy of the report of Special Agent _____
dated **3/25/77** at **Miami, Florida**.A. This covers the preliminary investigation and no further action concerning a full investigation will be taken by this Bureau unless the Department so directs.B. The investigation is continuing and you will be furnished copies of reports as they are received.C. The investigation requested by you has now been completed. Unless advised to the contrary no further inquiries will be made by this Bureau.D. Pursuant to instructions issued by the Department, no investigation will be conducted in this matter unless specifically directed by the Department.E. Please advise whether you desire any further investigation.F. This is submitted for your information and you will be advised of further developments.G. This is submitted for your information and no further investigation will be conducted unless specifically requested by the Department.H. This covers the receipt of a complaint and no further action will be taken by this Bureau unless the Department so directs.Enc. **(3)****1 - Criminal Division (encls. 3)****1 - Office of Professional Responsibility, U.S.D.J. (encls. 3)****NOTE: Also enclosed are copies of articles appearing in the "Miami Magazine" in September and October of 1976.****CDICK****6***
FBI/DOJ**C**

UNITED STATES GOVERNMENT

Memorandum

TO : The Associate Director

DATE: 3/24/77

FROM : Legal Counsel *[Signature]*

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

- 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 meeting with Staff Director of captioned Committee, Richard Sprague.

DETAILS:

At the request of Deputy Assistant Attorney General Robert Keuch, SA Paul V. Daly of this Division, accompanied Mr. Keuch to a meeting with Mr. Richard Sprague on 3/21/77. The subject of the meeting was to inform Sprague that Mr. Keuch was named by the Attorney General to handle liaison with captioned Committee and to raise in a general fashion some problems being encountered in responding to Committee request.

Keuch informed Sprague that it is his understanding that Chairman Louis Stokes of captioned Committee, in his discussion with the Attorney General had indicated that there was no concern by the Committee as to the FBI conducting investigations and examinations of evidence in the assassination matters. Sprague requested that the Committee, however, be advised of such examinations or investigations. Consistent with this position, Keuch asked Sprague to make arrangements for the FBI to conduct the firearms examinations of the bullet in its possession which must be compared with a sample bullet currently in the Archives. This examination has been

Enclosure / ENCLOSURE

REC-126

62-117270-189

20 APR 7 1977

- 1 - Mr. Adams (enc.)
- 1 - Mr. McDermott (enc.)
- 1 - Mr. Moore (enc.)
- 1 - Mr. Cochran (enc.)
- 1 - Mr. Leavitt (enc.)
- 1 - Mr. Mintz (enc.)
- 1 - Mr. Lawn (enc.)
- 1 - Mr. Coulson (enc.)
- 2 - Mr. Daly (enc.)

PVD:jsr (1977)

APR 2 1977

CONTINUED - OVER



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

CP

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

thwarted by agreement with the Archivist. Sprague stated that the FBI cannot have access to the sample in question without some agreement with the Committee. In the same context, Keuch asked Sprague to furnish the FBI the tape and evidence surrounding a news allegation that the FBI had attempted to hire somebody to kill Dr. Martin Luther King, Jr. News media accounts state the Committee has possession of this material.

Sprague stated that Stokes' statement was not entirely accurate and emphasized the need to guarantee the integrity of the evidence. He stated that he had no question that the FBI would in any way mishandle the evidence but was concerned that outside critics would make that allegation and Sprague would be faced with continually refuting it. Keuch asked in the alternative concerning the tape that if the original cannot be made available to the FBI that the FBI be furnished a copy. Keuch also informed Sprague that it was the Department's position that Justice Department personnel would be made available for interview only pursuant to a written request over the Chairman's signature which would state the topic of the interview and also a Departmental representative would be present during the interview. The representative present during the interview would be there not to represent the interviewee in a legal capacity but rather to advise the Agent or Department employee in what areas he should respond to questions and what areas he may not. Keuch also asked Sprague whether he was agreeable to the procedures which the Department had furnished the Committee for review on 3/18/77. Attached is a copy of these procedures, these are procedures which we are operating under at the present time in responding to captioned Committee and deals only with access to information in FBI space. There are no provisions for delivery. Delivery will be contingent on the Committee adopting rules to protect information it receives.

Concerning the procedures, Sprague stated that he could not agree to them, that it was his position that the Committee receive all information relevant to its inquiries without excision and would not agree to anything less. He also volunteered that anything the Committee might receive which was relevant, regardless ~~of~~ ^{of} classification, would be disclosed by the Committee in a report or some other fashion. He also stated that he did not accept the procedures which

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Fehl *JF*

DATE: 4/28/77

FROM : J. S. Peelman *JSP*

- 1 - Mr. Held
- 1 - Mr. Adams
- 1 - Mr. Fehl
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 1 - Mr. Mintz
- 1 - Mr. Daly

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

- 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. Mgt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

PURPOSE: To recommend forwarding of attached memorandum to the Attorney General.

SYNOPSIS: Since the assassinations of President John F. Kennedy and Martin Luther King, Jr., the FBI has been investigating various new allegations and rumors concerning the assassinations. Results of these investigations have been made available to the HSCA. During HSCA review and investigation of these assassinations, it has been found in several instances that the HSCA is conducting independent and parallel investigation and has obtained evidence which it refuses to make available to the Department or the FBI. Prior memoranda to the Attorney General requesting the assistance of the Department has brought neither response nor resolution to these requests. To avoid duplication of investigative effort, it is recommended the attached memorandum be forwarded to the Attorney General advising him that, unless advised to the contrary, the FBI will refer all allegations relating to these investigations to the Department for consideration prior to the FBI conducting any active investigation.

RECOMMENDATION: That attached memorandum be forwarded to the Attorney General.

JSP
M

APPROVED: _____

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

Enclosure - *See 5/2/77*

JCL:sas
(8) *WSD*

REC-26 62-117240-207
MAY 4 1977

EX-101 CONTINUED - OVER



5 MAY 13 1977

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

CP

Memorandum to Mr. Fehl
Re: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

DETAILS: Since the assassinations of President John F. Kennedy and Martin Luther King, Jr., the Bureau has been investigating and reporting various new allegations and rumors concerning the assassination. The Bureau is currently making its investigative results of both these assassinations available to the HSCA through an agreement between the Department and the HSCA. During the HSCA review and investigations into these assassinations, additional allegations have been received. The Bureau has continued to attempt to investigate all of these additional allegations; however, has found in several instances the HSCA is conducting independent and parallel investigation. The HSCA has also obtained certain evidence which it has refused to make available to either the Department or the Bureau.

By memorandum dated March 11, 1977, we requested the assistance of the Department in obtaining the test bullets in the John F. Kennedy assassination investigation for comparison purposes which National Archives had denied the FBI at the request of the HSCA. This matter remains unresolved.

By memorandum dated April 5, 1977, we again requested the assistance of the Department in obtaining all information available pertaining to an allegation received by HSCA that unnamed FBI Agents and police officers offered a Louisville police officer \$500,000 to kill Martin Luther King. This matter remains unresolved.

In order to avoid duplication of investigative effort, the Bureau proposes to refer all allegations relating to these investigations to Mr. Robert L. Keuch in the Department for departmental consideration as to whether any investigation is required of the FBI, prior to the FBI conducting active investigation. Additionally the Department is being requested to delineate the continuing jurisdiction of this Bureau in both the John F. Kennedy and Martin Luther King assassination investigations. It is recommended the attached memorandum be forwarded to the Attorney General advising him of the Bureau's proposal.

JKF

FEDERAL GOVERNMENT

1 - Mr. Held
1 - Mr. Adams

The Attorney General

April 28, 1977

Director, FBI

1 - Mr. Fehi
1 - Mr. Peelman
1 - Mr. Lawn
1 - Mr. Mintz
1 - Mr. Daly

HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

Reference is made to my letter dated March 11, 1977, with enclosure, under the caption "Assassination of President John F. Kennedy, November 22, 1963, Dallas, Texas," in which the assistance of the Department of Justice was requested in obtaining the test bullets from the National Archives for comparison purposes.

Reference is also made to my letter dated April 5, 1977, under the caption "Assassination of Martin Luther King, Jr.," in which the assistance of the Department of Justice again was requested in obtaining from the HSCA all information available pertaining to an allegation received by the HSCA from a former Louisville police officer who allegedly advised that he received an offer from FBI Agents and police officers to kill Martin Luther King, Jr., for \$500,000.

The HSCA did not bring this allegation pertaining to Dr. King to the attention of the FBI or to the Department, nor has the result of its investigation been furnished to the Department. At the request of the Bureau, the Attorney General authorized the FBI to attempt to interview the individual who made these allegations. He refused to be interviewed and terminated contact by stating, "I'll say it all to the House Committee."

In refusing to make available the information received by the HSCA pertaining to this allegation, as has been requested by the Criminal Division, Department of Justice, the HSCA has again attempted to affirm its "primary investigative responsibility" in these assassinations.

The FBI continues to cooperate with the HSCA in making the investigative results of both of these assassinations available, with necessary excisions, to the HSCA based on an agreement reached between the Department and the HSCA. Material available to the HSCA includes access to those volumes containing current investigation in both assassination investigations.

Delivered by P.D. to Adams office 5/1/77

ST-108 REC 61 62-117290-210

MAY 12 1977

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

APPROVED:

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

Adm. Serv. _____
Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
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Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
S. & T. Serv. _____
Spec. Inv. _____
Training _____

CL: SRS

(15)

MAY 17 1977

TELETYPE UNIT

C

The Attorney General

However, while the FBI continues to cooperate fully with the NSCA, both of these matters, as set out in the referenced letters, remain unresolved, continue to impinge upon our investigative responsibilities, and in essence, raise the question of this Bureau's continuing criminal jurisdiction in these investigations.

As you are aware, in November, 1963, the FBI initiated an immediate investigation into the assassination of President John F. Kennedy based upon a request from President Lyndon B. Johnson to former Director John Edgar Hoover. Prior to the assassination, no Federal statute existed concerning the killing of, or assault on the President. Mr. Hoover, in testimony before the President's Commission on the Assassination of President Kennedy (Warren Commission) stated that President Johnson communicated with him within 24 hours of the assassination and requested the FBI to investigate. (Hearings before the President's Commission on the Assassination of President Kennedy, Volume 5, Page 98.)

Although the Bureau's investigative responsibilities concerning the assassination of President Kennedy would have logically ended with the termination of the Warren Commission, Director Hoover, in his testimony before the Commission, agreed with a statement by a Commission Member, Representative Gerald R. Ford, that the responsibility to conduct the investigation is not an authority with a terminal point, but an authority that goes on indefinitely. (Hearings before the President's Commission on the Assassination of President Kennedy, Volume 5, Page 100.) The FBI has continued to investigate and report to the Department any new allegations or information received concerning the assassination.

In reference to this Bureau's criminal jurisdiction in the investigation of the assassination of Martin Luther King, by memorandum dated April 4, 1968, Assistant Attorney General Stephen J. Pollak, Civil Rights Division, requested that this Bureau conduct a full investigation into a possible violation of Title 18, Section 241, U. S. Code, in connection with the shooting of King in Memphis, on that date. (FBI jurisdiction was based on the possibility of a conspiracy to violate the civil rights of King, namely the right to travel interstate. King had traveled to Memphis, on April 3, 1968, from Atlanta, to take part in a demonstration scheduled for April 8, 1968.)

The Attorney General

On April 16, 1968, the Attorney General authorized the filing of a complaint charging Galt with violation of Title 18, Section 238, U. S. Code, for conspiring to interfere with the constitutional rights of King.

On April 17, 1968, Federal process was obtained and Galt was charged with conspiracy (Section 238) in that he and an individual whom he alleged to be his brother, entered into a conspiracy in Birmingham on March 29, 1968, by reason of their purchase of the rifle later used in the shooting of King.

On March 10, 1969, in State Court, Memphis, Tennessee, James Earl Ray entered a plea of guilty to charges of murder and received a 99-year sentence.

Federal process against Galt was dismissed on December 2, 1971, by U. S. Commissioner Macy Taylor, Northern District of Alabama, based upon a motion filed by Ray's Attorney, Bernard Fensterwald, Jr.

In December of 1975, the Civil Rights Division began a review of the FBI's investigation of the King assassination and this review was recently completed by the Office of Professional Responsibility (OPR), U. S. Department of Justice. The OPR issued a report of its review and reported, among other things, that ". . . the sum of all the evidence of Ray's guilt points to him so exclusively that it most effectively makes the point no one else was involved . . ." (Report of the Department of Justice Task Force to Review the FBI Martin Luther King, Jr., Security and Assassination Investigations, Page 109.)

Since the time of the Kennedy and King assassinations, the FBI has continued to investigate various allegations concerning these assassinations and has furnished the results to the Department. No viable information has been developed to negate the original findings of the FBI or the subsequent conclusions of the Warren Commission or the OPR.

During the HSCA review and investigation into these assassinations, additional allegations regarding these assassinations have been received. The FBI has continued to attempt to investigate all of these additional allegations; however, the FBI has found in several instances that the HSCA conducted independent and parallel investigations, the results of which are not available to the FBI.

The Attorney General

While this Bureau remains unaware that the FBI's criminal jurisdiction pertaining to these two investigations has been abrogated, the position taken by the Department of Justice, in not obtaining authority for the FBI either to gain access to the test bullets in the John F. Kennedy assassination investigation or to obtain from the HSCA the information pertaining to the alleged involvement of FBI personnel in a conspiracy to kill Martin Luther King, appears to support the position of the HSCA that "primary investigative responsibility" rests with that Committee.

Therefore, in order to avoid duplication of investigative effort and the attendant problems between the FBI and the HSCA that could arise in the future, and until the jurisdiction of this Bureau in these investigations is delineated by the Department, unless you advise to the contrary, the FBI will refer all allegations relating to these investigations to Mr. Robert L. Keuch, Special Counsel to The Attorney General, for departmental consideration as to whether any investigation is required of the FBI, or whether the Department desires to furnish these allegations directly to the HSCA. Copies of communications concerning allegations regarding the King assassination will also be furnished to the Civil Rights Division and the OPR.

- 1 - Deputy Attorney General
- 1 - Assistant Attorney General
Criminal Division
- 1 - Assistant Attorney General
Civil Rights Division
- 1 - Office of Professional Responsibility
- 1 - Office of Legislative Affairs

Assistant Attorney General
Criminal Division
(Attention: Mr. Robert L. Keuch)
Director, FBI

FEDERAL GOVERNMENT

1 - Mr. Fehl
1 - Mr. Peelman

May 11, 1977

1 - Mr. Lawn
2 - Mr. Mintz (Att:
Mr. Daly)

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

Reference is made to a letter dated March 9, 1977,
to the Attorney General from U. S. Congressman Louis Stokes,
Chairman, HSCA.

We are responding to the portion of referenced
letter which requests information in possession of the FBI
concerning [REDACTED]

HSCA

Enclosed are two copies of a memorandum which
responds in part to this HSCA request. Information regarding
Somerset is being processed and will be made available at
an early date. It is requested that you furnish a copy of
the enclosed memorandum to the HSCA to serve as notification
that this portion of their request is available for review.

Enclosures - 2

REC-126

62-117290-212

1 - Assistant Attorney General
Office of Legislative Affairs (Enclosure)

21 MAY 16 1977

JTA/gjw

(9)

ENCLOSURE

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Crim. Inv. _____
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- Training _____
- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

APPROVED:

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

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- Public Affs. Off. _____

MAILED 24
MAY 12 1977

56 MAIL ROOM

TELETYPE UNIT

1 - Mr. Fehl
1 - Mr. Peelman

May 11, 1977

1 - Mr. Lawn
2 - Mr. Mintz (Att: Mr. Daly)

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)

RE: MARCH 9, 1977, REQUEST OF HSCA FOR INFORMATION
IN POSSESSION OF THE FBI PERTAINING TO
WILLIE AUGUSTUS SOMERSETT, JOHN LARRY RAY,
JERRY WILLIAM RAY, AND W. GUY BANISTER

Reference is made to a letter dated March 9, 1977,
to the Attorney General from U. S. Congressman Louis Stokes,
Chairman, HSCA. This letter requested access to certain
FBI material to include information on captioned individuals.

As result of a meeting on April 14, 1977, between
Stephen J. Fallis and representatives of the Department of
Justice and FBI, it was agreed that the FBI, in partial
response to the March 9, 1977, request of HSCA, prepare for
HSCA access all information retrievable in FBI Headquarters
files concerning [REDACTED]



HSCA

All references to John Larry Ray and Jerry William
Ray in the FBI Martin Luther King, Jr., civil rights assas-
sination file (44-38861) and all references to W. Guy Banister
in the FBI investigation of John F. Kennedy assassination
file (62-109060), have already been available for HSCA review.

Based upon a review of FBI Headquarters indices,
all other pertinent information regarding John Larry Ray,
Jerry William Ray, and Banister have been processed and
are available for HSCA access at FBI Headquarters. Material
regarding Sommersett is currently being processed and upon
completion, you will be advised of its availability for
review.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Crim. Inv. _____
- Fin. & Pers. _____
- Ident. _____
- Intell. _____

The following summary of Banister's FBI service
was obtained through review of his personnel file. This
file disclosed that William Guy Banister, born March 7,
1901, Vixen, Louisiana, made application for employment
with the FBI on June 20, 1934. He entered on duty as a

- Laboratory _____
- Legal Coun. _____
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- Spec. Inv. _____
- Tech. Servs. _____
- Training _____
- Public Affs. Off. JTA/gjw (9)
- Telephone Rm. _____
- Director's Sec'y _____

SEE NOTE PAGE TWO.
MAIL ROOM TELETYPE UNIT

ENCLOSURE 62-117290

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Feh *HF*

DATE: 5/5/77

FROM : J. S. Peelman *JS*

- 1 - Mr. Adams
- 1 - Mr. Feh
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 1 - Mr. Decker
- 1 - Mr. Ryan
- 1 - Mr. Leavitt
- 1 - Mr. Daly

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

- Asso. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Crim. Inv. _____
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- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

PURPOSE: To advise that the Department of Justice has furnished to this Bureau: (1) [REDACTED]

(2) [REDACTED]

The Department has requested that these documents be reviewed for classification prior to any decision being made in making this material available to HSCA as they have requested.

SYNOPSIS: HSCA has requested [REDACTED]

The Department requested that this material be reviewed for classification prior to a decision being reached in making this material available to HSCA as they have requested.

RECOMMENDATION: That the Projects Unit, Records Management Division, review this material for classification.

APPROVED:

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

Adm. Serv. _____
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 Training _____
 Public Affs. Off. _____

REC-18 62-117290-227
MAY 11 1977

JCL/gjw (12)
62-117290

- 1 - 44-38861 (Murkin)
- 1 - 64-42454 (Ramirez)
- 1 - 100-106670 (King)

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

97 JUN 9 1977

FBI/DOJ

DIRECTOR LET TO AAG, CRIM DIV 6/6/77 JTA/me

UNRECORDED COPY FILED IN 62-117290-227

*(b)(7)(C)
HSCA
[Signature]*

HSCA

[Signature]

c

Peelman to Mr. Fehl Memorandum
Re: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

DETAILS: Mr. Robert L. Keuch, Special Counsel to the Attorney General, advised on 5/4/77 that HSCA has requested access to: (1) [REDACTED]

(2) [REDACTED]

(b)(7)(c)
HSCA

These files were made available by Mr. Keuch to the Congressional Inquiry Unit on 5/4/77, at which time Mr. Keuch requested that they be reviewed by the FBI for classification purposes.

Review of this material for classification has been coordinated with the Projects Unit, Records Management Division.

FEDERAL GOVERNMENT

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

Director, FBI

HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

1 - Mr. Adams
1 - Mr. Fehl
1 - Mr. Peelman
1 - Mr. Lawn
June 6 1977

1 - Mr. Aldhizer
1 - Mr. Ryan
1 - Mr. Leavitt
1 - Mr. Daly

On May 4, 1977, Mr. Robert L. Keuch, Special Counsel to the Attorney General, made available to the FBI the Department of Justice file (two volumes) on [REDACTED]

[REDACTED] HSCA
Mr. Keuch advised that the HSCA has requested access to these documents and, prior to any decision concerning access, Mr. Keuch requested these documents be reviewed by the FBI for classification purposes.

This letter is to confirm a meeting between Mr. Keuch and representatives of the FBI on May 31, 1977, during which the above documents were returned and the following observations noted:

ANTULIO ORTIZ RAMIREZ

REC-126 62-117290-229
7 JUN 10 1977

As requested, the FBI documents in this file were reviewed for classification purposes. This review disclosed that only three classified documents appeared in the file. These are listed below and the following observations pertaining to these documents were brought to Mr. Keuch's attention on May 31, 1977:

(1) In Section One, the FBI report of Special Agent (SA) [REDACTED] dated May 10, 1961, in New York, has been declassified and the Department has been advised. (b)(7)(C)

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
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- Telephone Rm. _____
- Director's Sec'y _____

JTA:sas (12)

MAILED 14

JUN 7 1977

FBI

HAND DELIVERED 6/9/77 to MR. KEUCH OFFICE. SEE NOTE PAGE 4

JTA

APPROVED: _____

Director _____

Assoc. Dir. _____

Dep. AD Adm. _____

Dep. AD Inv. _____

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TELETYPE UNIT

JUN 2 2 1977

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

(2) In Section One, FBI letter to the Office of Security, Department of State, dated May 15, 1961. (Confidential) and in Section Two, report of SA [REDACTED], dated July 28, 1961, at Washington, D. C., (Secret) cannot be declassified because they contain classified information of the Department of State and Central Intelligence Agency (CIA), respectively. It was suggested to Mr. Keuch that the Department contact directly these agencies to determine if information in these documents warrants continued classification. Except for the State and CIA information, all other data is unclassified in these two communications. (b)(7)(C)

POTTINGER REPORT

This report enclosed a memorandum by Robert A. Murphy, Chief, Criminal Section, Civil Rights Division. Both of these documents, classified "Secret," contain results of the Civil Rights Division's review of our King investigation. At the time of delivery, Mr. Keuch marked in red pencil portions of this report which he felt should be excised prior to release to the HSCA.

Following classification review, it is recommended that the Pottinger report and its enclosed memorandum by Murphy be classified "Top Secret." The Pottinger report and its enclosure were returned to Mr. Keuch on May 31, 1977, and sections of the report warranting "Top Secret" classification were pointed out.

With regard to excisions prior to release to the HSCA, Mr. Keuch was advised that his recommended excisions are satisfactory to protect the primary Bureau sources reporting on King. Mr. Keuch was advised that additional excisions are believed necessary prior to release to the HSCA and that certain inaccuracies were present in the report of Murphy.

Mr. Keuch requested that these additional suggested excisions and inaccuracies be set forth by the Bureau in writing. In response to this request, suggested additional excisions and inaccuracies are as follows:

(1) In a number of places in the report and its enclosure, additional excisions are necessary to protect third agencies of the U. S. Government and foreign intelligence agencies. Such

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

excisions will be consistent with the FBI's preparation of material for HSCA access, and for access to other congressional committees.

(2) Page 5, Paragraph 2, Murphy memorandum - states that the King investigation was continuously handled by SA [redacted] (b)(7)(c)
Actually, [redacted] supervision of the case ended [redacted]

(3) Page 34, Paragraph 1, Murphy memorandum - contains information regarding [redacted] which should be excised as (b)(7)(E)
a sensitive investigative technique.

(4) Page 44, Paragraph 2, Murphy memorandum - states that former Assistant Director William C. Sullivan took the tapes and stationery and later gave [redacted] a package to deliver to SA [redacted] [redacted] has no knowledge regarding to whom this package was to be delivered. In addition, he was unaware of the package contents or the purpose of its delivery. (b)(7)(c)

(5) Page 46, Paragraph 1, Murphy memorandum - incorrectly states that SA [redacted] was the originator of the Lorraine Hotel "COINTELPRO activity." (b)(7)(c)

(6) Page 49, Paragraph 2, Murphy memorandum - contains information which should be excised in order to protect an individual who requested his identity be protected.

Mr. Keuch stated on May 31, 1977, that he will advise FBIHQ prior to the release of this material to HSCA, if in fact the Department determines to release this material to the Committee as the Committee has requested.

1 - Mr. Michael E. Shaheen, Jr.
Counsel, Office of Professional Responsibility
Department of Justice

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

NOTE: Documents provided by the Department were reviewed for classification purposes by SA W. N. Preusse, Projects Unit, Records Management Division. 227

By memorandum J. S. Peelman to Mr. Fehl dated 5/5/77, receipt of these documents from the Department was recorded. The Ramirez file consisted of two volumes but only three FBI documents were classified. Mr. Keuch agreed to contact State and CIA concerning classification of information in two of these documents. Ramirez hijacked an airplane to Cuba in 1961 and was convicted for Air Piracy 3/4/76.

Although the Department requested review of the Pottinger report only for classification purposes, it is essential that we record our concern that this document should not be released to the HSCA without prior consultation regarding its inaccuracies and need for additional excisions. It is particularly important to call to the attention of the Department errors in the report which relate to FBI personnel. No copy of the Pottinger report is being retained in Bureau files.

The Civil Rights Division's review of our King investigation was ordered by the Attorney General in November, 1975. This review was continued by the Office of Professional Responsibility of the Department and terminated in January, 1977.

FBI representatives meeting with Mr. Keuch on May 31, 1977, were J. C. Lawn and J. T. Aldhizer of the Congressional Inquiry Unit.

00 00

Assistant Attorney General **FEDERAL GOVERNMENT**
Criminal Division
(Attention: Mr. Robert L. Keuch)
Director, FBI

1 - Mr. Pehl
1 - Criminal Invest. Di
June 30, 1977

1 - Mr. Peelman
1 - Mr. Lawn
2 - Mr. Mintz (Attn:
Mr. Daly)

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

Reference is made to a letter dated March 9, 1977,
to the Attorney General from U. S. Congressman Louis Stokes,
Chairman, HSCA. This letter requested access to certain
material in possession of the FBI.

By letter and memorandum dated May 11, 1977, we
responded to a portion of this request and advised that
information concerning Willie Augustus Sommersett (true name
William Augustus Sommersett), was being processed.

On June 24, 1977, Mr Robert L. Keuch, Special
Counsel to the Attorney General, advised that, through
consultation with Robert J. Lehner, Deputy Chief Counsel,
HSCA, it was agreed that HSCA access to information on
Sommersett would be limited to the period 1959 to present.

Enclosed are two copies of a memorandum advising
that information concerning Sommersett has been processed
in accordance with the above limitation, and is available at
FBI Headquarters for HSCA review. It is requested you furnish
a copy of the enclosed memorandum to the HSCA to serve as
notification that this portion of their request is completed.

Enclosures - 2

1 - Assistant Attorney General
Office of Legislative Affairs (Enclosure)

1 - 66-16458 (William Augustus Sommersett)

REC-26

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AUG 10, 1977

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cc oo

- 1 - Mr. Fehl
- 1 - Criminal Invest. Div.
- 1 - Mr. Peelman
- 1 - Mr. Lawn
- 2 - Mr. Mintz (Attn: Mr. Daly)

June 30, 1977

**HOUSE SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)**

RE: MARCH 9, 1977, REQUEST OF HSCA FOR INFORMATION IN POSSESSION OF THE FBI PERTAINING TO WILLIE AUGUSTUS SOMERSETT

Reference is made to a letter dated March 9, 1977, to the Attorney General from U. S. Congressman Louis Stokes, Chairman, HSCA. This letter requested access to certain material in possession of the FBI.

As result of a meeting on April 14, 1977, between Steven J. Fallis and representatives of the Department of Justice and FBI, it was agreed that the FBI, in partial response to the March 9, 1977, request of HSCA, prepare for HSCA access all information retrievable in FBI Headquarters files concerning Willie Augustus Somersett (true name William Augustus Sommersett), John Larry Ray, Jerry William Ray, and W. Guy Banister. FBI memorandum dated May 11, 1977, advised that pertinent material regarding John Larry Ray, Jerry William Ray, and Banister was available for HSCA review and that information concerning Sommersett was being processed.

On June 24, 1977, Mr. Robert L. Keuch, Special Counsel to the Attorney General, advised that, through consultation with Robert J. Lehner, Deputy Chief Counsel, HSCA, it was agreed that HSCA access to information on Sommersett would be limited to the period 1959 to present.

Based upon a review of FBI Headquarters indices, information regarding Sommersett has been processed in accordance with the above limitation, and is available for HSCA review at FBI Headquarters. References to Sommersett in the FBI's investigations into the assassinations of Martin Luther King, Jr. (44-38861), and John F. Kennedy (62-109060), have already been available for HSCA review.

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- Director's Sec'y _____

- 1 - Assistant Attorney General
Criminal Division
- 1 - Assistant Attorney General
Office of Legislative Affairs
- 1 - 66-16458 (William Augustus Sommersett)

SEE NOTE PAGE TWO.

JTA/gjw (11) TO BE FORWARDED TO CONGRESSIONAL AFFAIRS FOR DELIVERY

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62-117290-251

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HOUSE SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)

NOTE: Sommersett was a Bureau informant from 1949-1961, reporting on criminal and racial activities. He was discontinued at the Bureau's direction due to evidence of indiscretion and poor judgment, and that he was under suspicion as an informant by various state and union officials. Following his discontinuance, Sommersett was used as an informant by the Miami Police Department for several years during which time he maintained periodic contact with the Miami Office, furnishing unsolicited information of interest to the Bureau. Sommersett is deceased.

In the King case, Sommersett furnished information regarding threats by white hate groups to kill King. After King was assassinated, Sommersett told our Miami Office that, as an informant for local law enforcement officials in Florida, he was directed to Memphis to develop information concerning the killing. Sommersett, as a Miami police informant, figured into the Kennedy case when the police recorded a conversation between Sommersett and J. A. Milteer wherein Milteer discussed killing Kennedy. This conversation took place prior to the assassination.

The informant file of Sommersett consists of five volumes, but with the 1959 cutoff date, HSCA access will involve only about 1 1/2 volumes. Except for normal excisions such as third and foreign agency material and identity of informants other than Sommersett, only Sommersett's symbol number will be excised from HSCA's access.

Articles appearing in the Fall 1976 issue of "The Miami Magazine" disclosed Sommersett worked as an informant of the FBI for about a decade. These articles advised that sources of information regarding Sommersett's relationship with the Bureau were Miami police officials and Sommersett's brother, Rufus. Sommersett was also identified as a Bureau informant in a "Washington Post" article by Jack Anderson on 1/19/77. Sommersett was known as a Bureau informant to the Florida State Attorneys Office and in 1964 Sommersett related in great detail his activities as an FBI informant to former Florida Governor Leroy Collins, who at that time was associated with the Community Relations Service, Department of Commerce.

It has not been our policy to permit HSCA access to informant files. However, in the case of Sommersett this can be done without establishing an undesirable precedent because, as illustrated above, he has been publicly identified

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. McDermott

FROM : H. N. Bassett

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

- 1 - Mr. J. B. Adams
- 1 - Mr. J. J. McDermott
- 1 - Mr. J. A. Mintz
- 1 - Mr. H. N. Bassett

DATE: 1/16/78

- 1 - Mr. A. H. McCreight
- 1 - Mr. D. Ryan
- 1 - Mr. D. O. Coulson
- 1 - Mr. G. J. Foster

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PURPOSE: To advise of meeting on 1/13/78 with Mr. G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations (HSCA), and his current requirements which will heavily task this Bureau's resources.

DETAILS: On 1/13/78 William Bailey, Deputy Assistant Director; Danny O. Coulson, Legal Counsel Division; George J. Foster, Unit Chief, Congressional Inquiry Unit; David Ryan, Section Chief, Document Classification and Review Section, and I met with Mr. Blakey in my office. Mr. Blakey indicated that while the Bureau has been prompt in handling requests from his committee, he wanted to emphasize that the "crisis" will be in the next 60 to 90 days and that prompt delivery of the material requested will be necessary since they will be conducting "grand jury" type hearings.

Mr. Blakey commented he has met with CIA officials regarding the need for expeditious delivery of material requested by the committee and the Agency has agreed to endeavor to make available such material within five days. To accomplish this deadline, the Agency has placed ten full-time employees on the project. Blakey expressed the opinion more material would be requested of the Agency than of the FBI.

When asked his estimate of the volume of material to be requested of the FBI, Blakey responded it would be somewhere in the vicinity of 500 volumes (100-150 pages per volume).

Blakey stated the four prime objectives of the committee are to determine (1) if Oswald was responsible for the assassination; (2) if Ruby was involved in a conspiracy; (3) if the Government agencies (FBI,

62-117290

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DR:lfj
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4-*[Signature]*
CP

Memorandum to Mr. McDermott
Re: House Select Committee on
Assassinations (HSCA)
62-117290

CIA, Secret Service, Warren Commission, etc.) acted efficiently and properly; and (4) to prepare positive recommendations in accordance with the committee's mandate. He stated a key issue in the committee's endeavors relates to the credibility of the FBI and it was necessary for the Bureau to make full and complete disclosure. The same basic objectives follow as regards the Martin Luther King, Jr., assassination, with a prime issue being a determination as to whether James Earl Ray acted alone and independently.

While Mr. Blakey assured of his complete cooperation in pin-pointing areas of requests, there was no doubt the committee is going to be demanding on a highly expeditious basis a wide range of material which will severely task this Division's resources. Inasmuch as the Attorney General and the Bureau have pledged complete cooperation, we have no alternative but to comply with these anticipated requests. In fact, in order to handle the current requests, we have temporarily assigned four support persons from other Units in the Document Classification and Review Section to assist the Congressional Inquiry Unit. Further, we have assigned Records Branch personnel temporarily to expedite necessary Xeroxing. It is very probable we may have to rely upon Freedom of Information/Privacy Acts Branch personnel if the committee demands accelerate as Mr. Blakey has indicated.

RECOMMENDATION: For information.

DR

WCB

APPROVED: <u>DR</u>	Adm. Serv. _____	Legal Coun. _____
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TELETYPE

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FM DIRECTOR

- 1 - Mr. Foster
- 1 - Legal Counsel Div.
- 1 - R. J. Gray

TO LONDON (ROUTINE)

MADRID (ROUTINE)

MEXICO CITY (ROUTINE)

OTTAWA (ROUTINE)

PARIS (ROUTINE)

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HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

REFERENCE BUREAU TELETYPE TO ALL SAC'S AND LEGATS DATED NOVEMBER 24, 1976, WHICH ADVISED OF THE CREATION OF THE HSCA AND ITS FUNCTION TO INVESTIGATE THE ASSASSINATIONS OF PRESIDENT JOHN F. KENNEDY AND MARTIN LUTHER KING, JR.

THE PURPOSE OF THIS TELETYPE IS TO ALERT ABOVE LEGATS THAT THE HSCA IS ACCELERATING ITS EFFORTS REGARDING THE FOREIGN ASPECTS OF THE KENNEDY AND KING INVESTIGATIONS.

BASED ON CONTACT WITH STAFF MEMBERS, THE HSCA IS INTERESTED IN REVIEWING RECORDS OF FOREIGN GOVERNMENTS AND

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EX-124 SEE NOTE PAGE 20 FEB 6 1978

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COMMUNICATIONS SECTION

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PAGE TWO E F T O

POLICE AGENCIES FOR ALL DETAILS CONCERNING BOTH ASSASSINATION INVESTIGATIONS. AT FBIHQ THE LEGAL LIAISON AND CONGRESSIONAL AFFAIRS UNIT, LEGAL COUNSEL DIVISION, IS HANDLING LIAISON WITH THE HSCA. THE CONGRESSIONAL INQUIRY UNIT (CIU), RECORDS MANAGEMENT DIVISION, IS PROCESSING ALL MATERIAL WHICH IS BEING EITHER DELIVERED OR MADE ACCESSIBLE TO THE COMMITTEE. POLICY IS TO EXCISE IDENTITY OF FOREIGN AGENCIES AND THE INFORMATION WHICH THEY PROVIDED. NO IDENTIFICATION OF ANY FOREIGN AGENCY IS MADE TO THE HSCA UNLESS PRIOR APPROVAL IS RECEIVED DIRECTLY FROM THE AGENCY INVOLVED.

TO DATE, THE ROYAL CANADIAN MOUNTED POLICE HAS REFUSED HSCA ACCESS TO ITS RECORDS OR TO ITS RECORDS IN POSSESSION OF THE FBI. HOWEVER, THE HSCA EFFORTS IN THIS REGARD ARE CONTINUING. THROUGH THE U. S. STATE DEPARTMENT, THE HSCA IS ARRANGING DISCUSSIONS WITH BRITISH AUTHORITIES FOR RECORD ACCESS, INCLUDING THOSE OF SCOTLAND YARD. HSCA STAFF MEMBERS HAVE RECENTLY EXPRESSED AN INTEREST IN IDENTIFYING ALL MEXICAN AGENCIES WHICH PROVIDED INFORMATION ON THESE CASES. [REDACTED]

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PAGE THREE

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THROUGH NEGOTIATIONS WITH G. ROBERT BLAKEY, CHIEF COUNSEL AND DIRECTOR, HSCA, FBIHQ HAS STRESSED THE SENSITIVITY SURROUNDING THE FBI'S LEGAT OFFICES AND MR. BLAKEY HAS GIVEN HIS ASSURANCES THAT THE HSCA HAS NO INTEREST IN JEOPARDIZING THIS SENSITIVITY OR OUR RELATIONSHIP WITH ANY FOREIGN GOVERNMENT OR AGENCY.

FBIHQ SHOULD BE NOTIFIED OF ANY CONTACTS THIS COMMITTEE MIGHT HAVE WITH LEGATS. SHOULD ANY FOREIGN GOVERNMENT EXPRESS CONCERN REGARDING COMMITTEE CONTACT RELATIVE TO DISCLOSURE OF ANY INFORMATION WHICH THEY PROVIDED, THEY SHOULD BE ADVISED OF POLICY SET FORTH ABOVE. ANY QUESTIONS REGARDING ABOVE SHOULD BE DIRECTED TO FBIHQ ATTENTION: LIAISON ^{Unit} AND CIU.

BT

C