TOOK STATES GOVERNMENT

J. Stanley Pottinger

: Assistant Attorney General

Civil Rights Division

FROM : Robert A. Murphy

Chief

CBJECT:

Criminal Section

Martin Luther King, Jr.

DATE: March 31, 1975

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INTRODUCTION

Pursuant to the direction of November 24, 1975 of the Attorney General, a review was undertaken of the files of the Department and the FBI that pertain to Martin Luther King, Jr. The purpose of the review was to make a recommendation as to whether the investigation of the assassination of Dr. King should be reopened. On December 1, you elaborated on the Attorney General's direction and set as goals for the review the answering of two questions: (U)

> 1) What action, if any, was undertaken by the FBI which had or may have had an effect, direct or indirect, on the assassination of Martin Luther King? (v)

2) What action, if any, was undertaken by the FBI which had or may have had any other adverse effect, direct or indirect, on Martin Luther King?(v)

At various times you, Mr. Turner and I participated in the review. I saw nothing in the files that I read that indicates any involvement of the FBI in the assassination of Dr. King. However, there was a campaign by the FAT to discredit and to neutralize Dr. King and to remove him from a lendorship role in the civil rights movement. There are many examples of improper FBI activity that were directed against Dr. King, his associates and the Southern Christian Leadership Conference . (SCLC). (U)

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II. METHODOLOGY

of Dr. King. (u)

There are more FBI files in the various field offices.
For example, the Atlanta file of the security investigation of Dr. King consists of 80 sections of 8321 serials; the Momphis file of the assassination investigation consists of 120 sections of 3493 sections. [deleted pursuant to 5 U.S.C. §552(b)(7)(C)]

There are additional FBI files, not included above, such as "subfiles" - usually newsclips, and "June" files - usually unsanitized memos regarding microphone or telephone surveillance. Additionally, there are more files with hundreds wore sections in the Department itself which consist primarily of what the FBI has provided and which, therefore, are sanitized and not as informative as the FBI's files.

Prior to reading any files, we met with those members of the staff of the Church Committee who had been working for several months on matters relating to Dr. King. They advised us that they had found nothing to implicate the Eureau in Dr. King's death. As they put it, they had found "no smoking

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pistol". However they had found evidence of the Bureau's campaign against Dr. King and, through public testimony, have already publicized that fact. On Monday, March 22, I read the draft of the Committee's report dealing with this matter.

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III. KEY PEOPLE IN THE DEPARTMENT OF JUSTICE, FBI

Robert F. Kennedy was Attorney General from January 21, 1961 to September 3, 1964; Nicholas deB. Katzenbach was either Acting Attorney General or Attorney General from September 4, 1964 to October 2, 1966; Ramsey Clark was either Acting Attorney General or Attorney General from October 3, 1965 to January 20, General or Attorney General from October 3, 1965 to January 20, 1969. During this same period, the Deputy Attorneys General were Supreme Court Justice Byron R. White (January 24, 1961 - Were Supreme Court Justice Byron R. White (January 24, 1961 - April 13, 1962), Katzenbach (May 3, 1962 - February 10, 1965), Clark (February 11, 1965 - March 1, 1967), and Warren Christopher (July 24, 1967 - January 20, 1969). The Assistant Attorney General for Internal Security was D.C. Court of Appeals Judge J. Walter Yeagley. The Assistant Attorneys General for Civil Rights were Burke Marshall (1961-1964), John Doar (1965-1967) and Stephen J. Follak (1967-1969). (A)

At all relevant times the FBI was headed by J. Edgar Hoover. The Associate Director was Clyde Tolson. Hoover and Tolson are both dead. The Assistant to the Director, responsible for all investigative matters during this period, was Alan H. Belmont.

.. [deleted pursuant to 5 U.S.C. §552(b)(7)(C)]

During this period the Eureau had several operating divisions which were headed by an Assistant Director and a deputy called a number one man. Cartha Deloach was assistant director in charge of the Crime Records Division. His Number one man was in charge of the Crime Records Division. His Number one man was in charge of the Crime Records Division. His Number one man was in charge of the Crime Records Division. His Number one man was in charge of the Crime Records Division. His Number one man was addition to records work this division handled congressional liaison, White House contacts, public information and press relations. During the Kennedy Administration the principal contact for the Eureau and the Attorney General was Assistant Director Courtney Evans (u)

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The Subversive Control Section was headed by James Bland whose number one man was Paul Cox. Both are now retired. The Internal Security Section was headed by Fred J. Baumgardner, assisted first by Dick Corman and later by Charles Brennan. Baumgardner is retired, . . [deleted pursuant to (b)(7)(C)] Corman and Brennan are both retired. Within that section the King case was handled initially by William Forsythe (now deceased) and then continuously by [deleted -(b)(7)(C)] unit chief who is still with the Bureau.(a)

The SCLC was headed by Dr. King. His principal associates in SCLC included Rev. Ralph Abernathy, Congressman Andrew Young and Congressman Walter Fauntroy. [.....(b)(7)(C)......

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IV. INVESTIGATION OF MARTIN LUTHER KING'S DEATH BY THE FEL

A. Adequacy of the Investigation

My reading of the assassination investigation leads me to conclude that the Bureau's investigation was comprehensive, thorough and professional. Every conceivable lead seems to have been pursued. Great numbers of persons who were known to dislike blacks were checked out as suspects. All Bureau field offices were put on alert to participate in the investigation and each SAC was held personally responsible for seeing that leads in his area were run down. I have talked with three attorneys who, at various times, had responsibility for monitoring the investigation and all are satisfied that the FBI had nothing to do with Martin Luther King's assassination. (4)

B. Indications of Bureau Involvement in the Assassination

There are none with the exception of the COINTELPRO activity of proposing that a blind memorandum be sent to a Memaphis paper to embarrans King into moving into the Lorraina Hotel where he was shot. That has been investigated previously and its purpose is subject to a different interpretation, discussed below (a)

Evidence exists that the FBI was not involved in King's assassination. On April 2, 1968 Attorney General Ramsey Clark turned down an FBI request to tape the telephones of SCLC in Atlanta and Washington to learn about plans for the Poor People's Campaign. This request indicates that the FBI expected no change in SCLC's (and King's) plans. The attempt to discredit King by planting an embarrassing story in the Memphis papers indicates a continuation of the Bureau's campaign against King. Logic suggests that the last thing J. Edgar Hoover wanted was to make King a martyr, thereby enhancing his image. This runs counter to years of effort by the FBI to discredit and neutralize King. Finally, the investigation was so massive and

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intense that FBI involvement was likely to be discovered, unless one believes that virtually the entire Eureau was corrupted which I do not. (L)

Finally, even to the present time we investigate allegations that persons other than James Earl Ray may have assassinated King. None of these recent investigations have uncovered any facts which indicate that someone other than Ray was involved.

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V. FBI'S CAMPAIGN TO DISCREDIT OR NEUTRALIZE MARTIN LUTHER KING, JR.

I will set out in a chronological narrative the FBI's interest in, and investigation of, Dr. King. It began as a security investigation to determine whether he was a communist and the extent of communist influence on him. It was corrupted internally by the FBI and largely became an effort to find out facts embarrassing to King that might be used to remove him from a leadership role in the civil rights movement. The attached Report Exhibit should be read in conjunction with this narrative as an aid in recognizing peaks and valleys in the Eureau's campaign against Dr. King.

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In February 1961 King wrote an article in the Nation regarding the dearth of black federal agents, including FBI agents. The thrust of the article appears to have been an appeal to President Kennedy to issue an Executive Order integrating federal law enforcement agencies. In November Atlanta advised Headquarters that there was no information on which to base a security matter inquiry of King. (1)

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Hoover also sent a memo to the SACs in Atlanta and New York on February 27, 1962. It instructed them to review their files and to prepare a report suitable for dissemination which

should include all information of a security nature, plus complete background data, on King. No open investigation was to be conducted and all inquiries were to be limited to established sources. The review was ordered, according to Hoover, because of widespread use of King's name by communist front groups and because of King's constant association with Communist Party members (u)

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In April, the Atlanta office of the FBI submitted a 37 page monograph on Dr. King which included a statement that information obtained during a three year period ending in September 1961 indicated no communist influence on King or SCLC. On May 10, FBI Headquarters advised the SAC in Atlanta that his conclusion was not consistent with facts mentioned elsewhere in the monograph and instructed him to delete that conclusion from the monograph. The next day, Hoover placed King in Section A of the Reserve Index, labeled Communist. (4)

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He reportedly stated, "No matter what a man was, if he could stand up now and say he is not connected, then as far as I am concerned, he is eligible to work for me." In October 1962, articles appeared in the Augusta, Georgia Chronicle, the St. Louis Globe Democrat and other papers exposing I(b)(7)(C)..... I SCLC connections. The Eureau advises that the article was the result of a COINTELPRO activity. The recommended action was to send public source information to friendly media in those southern states which had universities that King had announced would be targets of efforts at integration. [(b)(7)(c)] resigned in November from SCLC. (a) This was here to we have all them

in October 1962, the FBI began its security investigation of King. (a) question: just bucker the FBI called armething that We not - what was in rudble onk - a "security | must gatern" does it this yearly for (3)(1)? Mov, mill out almost any thing?

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In late 1962 King publicly criticized the Bureau by stating that agents in the South were southern born and unsympathetic to the civil rights movement and, therefore, unable to protect Negroes or to investigate their claims of police

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In July Attorney General Kennedy received a memo from the Director reporting a request from Senator Monroney (D-Okla.) for information concerning racial agitation and communist influence in racial matters. (Senator Magnuson (D-Wash.) made a similar inquiry a few days later). The Senator's request was apparently prompted by testimony by Gov. Ross Barnett of Mississippi against an administration public accommodations bill. Barnett had raised the question of communist influence. Two days later Gov. Wallace of Alabama testified in similar fashion.

On July 16, 1963, Attorney General Kennedy apparently initiated a discussion with his FBI lisison, Courtney Evans, concerning the feasibility of electronic surveillance on Dr. King because of possible communist influence on King. Evans discouraged the Attorney General, weighing the risk of public disclosure against the difficulty of electronically surveilling King who moved about the country so much but stating that a feasibility study could be done. After the Atlanta office reported that electronic surveillance was feasible and secure, the Eureau prepared the necessary authorization papers for a tesur on King's resident or at any future address to which he may move, and for a cesur on SCLC or any future address to which it may move, and sent them to the Attorney General on July 23. On July 25, the Attorney General declined, believing it to be ill advised.

On July 17, 1963, President Kennedy answered a ques-, tion at a press conference to the effect that there was no evidence that civil rights demonstrations were communist inspired. It was in this same month that the FBI opened an investigative file called "Communist Influence in Sacial Matters". On July 18, the Director sent a memo to all SAGS instructing them to be alert to any information concerning such influence. The Attorney Coneral said in July that the FBI had no evidence that any civil rights leaders were controlled by Communists. Letters similar in tone were sent to Senators Magnuson and Monroney on July 23. On July 29, Hoover sent the Attorney General an 18 page memorandum captioned: "Martin Luther King: Affiliation with the Communist Movement". | deleted pursuant to (b) (1).....CLASSIFIED: TOP SECRET __ The Attorney General was upset, particularly in view of his recent public statements. He RFK

womentings of More with whom King associated. But next page.

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Department. In the same month, the Bureau overheard a conversation between (LYD)(c) and Gordon Hashell of the ACLU that the Attorney General or Edward R. Murrow, then head of the USIA, might give King an award on behalf of the ACLU. In an affort to prevent the presentation, Murrow was sent a SECRET letter advising him that Hashell had been elected chairman of the Independent Socialist League about six years previously()U

It was also in August 1963 that the Domestic Intelligence Division of the FBI, headed by William Sullivan prepared a memorandum analyzing the communist party's efforts to exploit Negroes. The memorandum concluded that the effort was largely unsuccessful but should be closely watched. It stated that the Communist Party regarded King as the most likely vehicle through which it could achieve its goals. It contained no new information about King and did not conclude that he was a communist.

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Hoover rejected the memo with a sarcastic reminder that the same FBI personnel had once said the same thing about Castro. Sullivan apologized saying the Director was right and he and others were wrong. Sullivan called King the most dangerous Negro in the country from the standpoint of communism, the Negro and national security. The memo disclosed that five people were working full time at Headquarters on the Negro-communist influence question. (1)

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In September the substance of more overheard conversations were reported to the Attorney General. It appears that at this time King had stopped talking directly with (1)(1)(2) because of the pressure from the Kennedy administration. However, indications are that King communicated with (1)(1)(2) ... (1)(1)(2) who had now become counsel to King. Indeed, King asked ... (1)(1)(2) this time if his "friend", ... (1)(1)(2) ... understood why King had not called him. King said he wanted to wait until the civil rights debate was over. The Attorney General was advised that (1)(1)(2) was overheard talking with King, (1)(1)(2) and (1)(1)(2) about various matters including the Eirmingham bombing, a replacement for (1)(1)(2) making money from a record of King's speeches and a forthcoming book of King's Speeches

In September Bureau Headquerters instructed its field offices in Atlanta and New York to do a feasibility study on technical surveillance on King and SCLC in both cities, citing as their justification not only alleged communist influence [deleted pursuant to (b)(7)(C).....] On September 16, Sullivan proposed increased coverage of the Communist Party's efforts to influence Negroes. Hoover rejected the proposal sarcastically saying that it would be a waste of resources in view of the earlier memo of Sullivan's Division. On September 25, Sullivan apologized again and renewed his proposal for intensified coverage. Hoover approved the proposal on October 1, 1963.

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On October 10, 1963 Attorney General Kennedy approved the request on a trial basis (he also approved a tesur on SCLC in New York City at the same time; on October 21, he approved one on SCLC in Atlanta) saying to continue it if productive results and asking to be advised if pertinent information developed on communist connections. Attorney General Kennedy had expressed concern about a tap on King's home from a security standpoint. He told Evans, "the last thing we could afford to have would be a discovery of a wiretap on King's residence". After receiving Evans' assurance of security, Kennedy said that he recognized the importance of coverage if substantial information was to be developed about the relationship between King and the Communist Party. Although the file reflects the coverage was to be evaluated after 30 days because of Kennedy's uncertainty about it, there is no record that the Eureau ever went back to the Attorney General for approval or that Kennedy inquired about the results. However his brother was assassinated soon after the 30 day evaluation was complated. The evaluation was internal and it resulted in a 90 day extension, largely because of information obtained that had nothing to do with communist influence, for example, [deleted- (b)(7)(C)...] SCLC finances and King's travel plans. (u.

Bureau records indicate that seven wiretaps and sixteen microphones were used against King or SCLC over a two year period (L)

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Wiretap Surveillance of Dr. King and the SCLC

Location	Installed	Discontinued
King's home New York City apartment Hyatt House, Los Angeles Hyatt House, Los Angeles	11/8/63 8/14/64 4/24/64 7/7/64	4/30/65 9/8/64 4/26/64 7/9/64
Claridge Hotel, Atlantic City SCLC, Atlanta SCLC, New York	8/22/64 11/8/63 10/24/63 7/31/64	8/27/64 6/21/66 1/24/64 7/31/64
		(u)

Microphone Surveillance of Dr. King: Jan.

Location	Installed
Willard Hotel, Washington, D.C.	1/5/64
Shroeder Hotel, Milwaukee	1/27/64
Hilton Hawaiian Village, Honolulu	2/18/64
Ambassador Hotel, Los Angeles	2/20/54
Hyatt House, Los Angeles	2/22/64
Statler Hotel, Detroit	3/19/64
Senator Motel, Sacramento	4/23/64
Hyatt House Motel, Los Angeles	7/7/64
Mongor Hotel, Savannah	9/28/54
Fark Sheraton, New York	1/3/65
[TO STAND TO A STAND TO THE STAND S	1/28/65
Americana Hotel, New York	3/29/65
Park Sheraton, New York	
Sheraton Atlantic, New York	5/12/65 10/14/65
Astor Hotel, New York	
New York Hilton, New York	10/28/65
Americana Hotel, New York	11/29/65
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In October the Attorney General was advised that King and (box) again discussed a replacement for (b)(1)(c) and that (LXXX) said he would discuss it with King's "friend". Kennedy was also advised that King had received a telegram from a Russian poet.

In October the Bureau sent to various government officials a monograph captioned: Communism and the Negro Movement a Current Analysis. It concerned King primarily and contained unfavorable references to him, including personal conduct unrelated to any association with the Communist Party. The Dureau knew it would upset the Attorney General. It did. ordered all copies recovered. They were (u)

In November the Bureau had the tesurs in place at King's home and at SCLC Headquarters and they began to overhear King talking [.....(b) (7) (C)..... and recounting past meetings. They also overheard conversations between King and (b)() about a forthcoming book and a meeting in New York with . . . (b)(7)(0) . . . (photographs were taken showing King, ... (6)(7)(() · · · · together in New York) and about a fund raising party for King. [CLASSIFIED: SECRET..... EXEMPT-(b)(1).....

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Returning to December 1963 the Bureau learned through one of the taps that King was going to meet with President Johnson. Hoover approved sending to the White House the monograph about King that had been previously disseminated but reciled by Artorney General Kennedy. Hoover did not advise the Actorney Ceneral of his intention. In fact, for some time after President Kennedy's assassination, Hoover communicated directly with the White House and did not always inform the Actorney General of what he was doing (u)

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Also in December, presumably sensing an opportunity because of a new President to become more aggressive in their effort to discredit King, the Bureau had a one day conference at Headquarters to explore the communist influence in racial matters and to "discuss avenues of approach to exposing King's unholy alliance with the CPUSA". A 21 item working paper was propared in advance of the meeting. Sullivan characterized King as a "dupe of the communists but also a man of low character". Sullivan prepared a memorandum for his superiors reporting the results of the December 23 meeting. The meeting was attended by two agents from Atlanta, Sullivan and four other men from Headquarters. Sullivan reported that the meeting pointed up the need for further information on six points. Four dealt with SCLC, its money and its personnel. The other two dealt specifically with King and his personal life. Sullivan stated, "We will, at the proper time when it can be done without embarassment to the Eureau, expose King as an immoral opportunist who is not a sincere person but is exploiting the racial situation for personal gain ... [We] will expose King for the clerical fraud and Marxist he is at the first opportunity". It was agreed to continue the security investigation of King for minety days and to give the case priority attention/u

D. 1964

In January 1964 King was named 'Man of the Year" by Time Magazine. On a UPI press rlease announcing the selection, Hoover wrote: "They had to dig deep in the garbage to come up with this one". On January 8, 1964 a memo was prepared by Sullivan recommending getting King off of his pedestal and replacing him with another of the Bureau's choosing. The idea was endorsed by Hoover. Headquarters told its Atlanta office to start sending daily memos about King. In a follow up to the December 23, 1963 meeting the Bureau began a review of the tax returns for the previous 5 years of King, SCLC and the Gandhi Society; the Director instructed Atlanta to seek information of adverse views of King or SCLC from within the Negro movement, stating these would be good four counterintelligence; (u)

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the Director instructed New York to stay alert for tax evasion information on King or his organizations and to provide information of any effort to utilize the media to enhance King's image. Obviously, these instructions pertained to information that might be obtained through tesurs and misurs. (1) Still no mention has

The first microphone surveillances of King occurred in January 1964 at the Willard Hotel. An eight page summary of the tape was prepared and delivered to Walter Jenkins of the White House staff. [deleted pursuant to (b)(7)(C)

a recommendation that the Attorney General get a copy. Sullivan pointed out that Kennedy might reprimend King, thereby foreclosing the possibility of developing similar information. Sullivan said it was important to have such information in order to completely discredit King as a leader of the Negro people. In briefing Jenkins, Cartha DeLoach acknowledged that the Director wanted additional information prior to discussing it with certain friends-meaning, among others, the media.

On January 27, 1964 Sullivan approved another misur at a Milwaukee hotel. The recommending memo pointed out that because police would be nearby, [deleted pursuant to (b)(7)(C) -

Moover wrote: "I don't share the conjecture -

The Attorney General was advised that King met in New York with ... (L)(7)(c) and others in January. Also in Januar [(b)(7)(C) overheard calling King a "sucker", "ignorant", "inexperienced", a "bad writer" and "without business sense".(L)

On January 17, 1964 Headquarters approved discontinuance of the coverage at SCLC in New York because of the office's inactivity. Coverage was to be reconsidered if the office became active. Hower testified before the House Appropriations

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Committee in January and made some off-the-record remarks about King and the communist influence in the racial movement, which caused a public furor when they were discussed in a Joseph Alsop newspaper column in April. (α)

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On February 13, 1964, Assistant Attorney General Burke Marshall sent files to the White House concerning King, [(b)(7)(C)]

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memo he sent to the Director concerning his, Marshall's, conversation with King in which he provided King with specific information about [...(b)(7)(C)....]. Marshall wanted President Johnson to know of King's background. He did not know that the Eureau had been providing the White House with such information. DeLoach sent Hoover a memorandum about Marshall's letter and a meeting DeLoach had with Bill Moyers and Walter Jenkins about the letter. He reported that the White House mistrusted Attorney General Kennedy's motives in providing the files. Personal marginalia written on the memo by Hoover indicates his dislike of Marshall and Deputy Attorney General Katzenbach. (1)

In response to information about a rumored plct to assassinate King, Headquarters sent Atlanta a memo on the eighteenth stating that the Bureau was to be advised promptly of information concerning violence to be directed against King. Finally in February the Director advised the New York and Atlanta offices to gather all previous references to King's forthcoming book and put them in one memorandum so that the Bureau could take some action in counterintelligence or otherwise "to discredit King or otherwise neutralize his effectiveness because of communist influence on him."(L)

King met en February 29 with [...(b)(7)(C)....] in New York City. (A)

When King went to Hawaii in February,, agents from San Francisco were sent to the island to install microphones in his hotel. Sullivan justified the installation as an attempt to obtain facts about King [..(b)(7)(C). to that might be used against him.(u)

In March 1964, conversations continued to be intercepted and reported. Also in March King was approached by two people in government: one was an invitation from Sargent Shriver to consult on a poverty study being done by OEO; the other was a

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discussion with a member of the State Department (friend of the Kennedy's) about King's participating in a civil rights memorial for President Kennedy. Among the comments on the Bureau memo about these contacts were that it was shocking, in view of Attorney General and White House knowledge of King's Communist Party connections, that is was disturbing, particularly because King was "...an individual so fraught with evil."

On March 4, it was recommended to Sullivan and approved by Hoover that the Attorney General be given the results of the Willard Hotel misur and more recent misurs in Hawaii and Los Angeles. Evans was to tell the Attorney General that King shouldn't be told of the information. He was provided the information now because Berl Bernhard was scheduled to interview King in connection with a possible memorial to President Kennedy and it was thought that the Attorney General might cancel the interview. The White House was also provided with the more recent information. (4)

On March 9, 1964 (b)(7)(c) met with King in Atlanta. In March, the Bureau proposed and carried out several significant actions against King. They installed a misur on Sullivan's authorization in a Detroit hotel where King was staying. After learning that Marquette University was going to award King an honorary degree, Hoover approved having the SAC in Milwaukee give the Chancellor of the University a monograph about King that cited his communist party connections and referred to his being a moral degenerate. Marquette had previously honored Hoover and the Eureau memo that recommended this action thought it was "shocking" that the University would also honor King (a)

(b)(1)(C), whom King was considering adding to his staff, attended a party in New York at the Soviet Mission. As a counterintelligence activity, the FBI provided the New York Daily News with this information for a news article which was published. The Director turned down a request of Representative Smith of Virginia for information about ...(b)(7)(c)

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with the notation, "not now". King was photographed by the FEI in Los Angeles with an aide and

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In April 1964, Deloach briefed Senator Saltonstall (Mass.) and Springfield College President Glenn Olds (now President of Kent State University) about King in an unsuccessful effort to prevent the awarding of an honorary degree. Also in April Joseph Alsop published the article concerning King, communist connections, and Hoover's January testimony concerning communist influence on racial matters. King responded by criticizing the Bureau's concern with communism and not with racial problems of the sureau's concern with communism and not with racial problems.

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