King - Pummel

To Quin Shea from Harold Weisberg re: appeal in C.A. 75-1996, 7/24/78
Dr. King records

The attached copies are from the Hoover O & C files as provided to the Center for National Security Studies and not provided to me despite the age of my request for records of which these are part.

I may have provided copies of some of these earlier in connection with my appeal. I use these here to provide illustrations of what I regard as improper withholdings in part in addition to the withholding of what had already been processed.

Similar records were withheld in Jim Lesar's C.A. 77-0692 on the ground that they are required to have been sequestered in the National Archives under Judge Smith's order. These copies were provided to Morton Halperin long after Judge Smith's order.

I do not have copies of the worksheets. Because the FBI did not indicate the exemptions claimed they are not known to me.

Disclosure of the Hoover note on the Sullivan to Belmont memo of 1/27/64 seems to me to make a mockery of the FBI's claim to have to withhold solely to protect privacy and to comply with Judge Smith's order.

It reads,"I don't share the conjecture. King is a ' tom cat' with obsessive degenerat sexual gone word unclear."

This is one of three documents I have stapled together.

In the first the then ASAC in Milwaukee "requested authority for the installation" of a bug, granted by F.J.Baumgardner. There is a single obliteration that, in context, does not appear to justify claim to exemption at this point more than 14 years later and with all that has been disclosed. (I am also appealing these and the other withholdings in and of these records.)

There are four obliterations at three points in the second from which I have quoted the Hoover note. The one-time-only symbol numbers to cover the bugging do not appear to me to meet the requirements for withholding and they certainly are not explained by all the FBI explanations for such withholdings of which I know.

Whether or not the authorization by the AG covered such bugging, and I am not aware of any such authorization, the FBI extended it to include "his associates while in Milwaukee."

I believe the spuriousness of the "national security" claim is clear in paragraph 3 as it is in the Hoover note.

According to the third of these attached records the Milwaukee Field Office was correct in its "conjecture" because it states "that the misur was unproductive." What follows further debunks the "national security" claim, "as there were no activities of interest developed." That "the misur was therefore discontinued" means the end of the use of the symbol in 1964.

This and the second record provide the names of eight officials whose records should be searched. The first adds another name.

The two records of October 19, 1965 and January 21, 1966 bear the file number the prior three identify as "June" but these twobear no such designation. These two also appear to belie the claim that FBI records of that period were never classified. These bear the "Secret" classification. They also make it appear that form-letter explanations and representation were regarded as adequate for the Attorney General.

These representations and that of the next record, the 10/27/65 memo to the AG, appear to exaggerate if not to falsify to obtain the AG's permission for the FBI's campaign against Dr. King. Here the representation is that the suvreillance at SCLC headquarters "has provided considerable valuable intelligence information concerning communist influence..."

I am not aware of any information of this kind being developed. I am aware of official recognitions that there was not any such information and the representation of the Church committee of the same nature.

I believe this relates to the legitimacy of any claim for exemption for any records obtained in this fashion.

Your letter to Mr. Freedlander of CBS News indicates that the FBI told you it has not yet come to my pertinent request. I recall no number being assigned by the FBI and I do not recall any letter in which I was given either the sequence of this request or the approximate time the FBI expected to reach it. I do recall being told verbally that the request would be processed as soon as thex records being transferred to the Archives had been removed. This was about a year ago.

If I have not already appealed this delay I believe I should, and I do, to be able to obtain the kind of information reflected in the preceeding paragraph. From my experiences I am not willing to assume a sequential processing of requests, especially when this request was not processed prior to the reassignment of SAs who had been assigned to Project Onslaught and more, after the judge in C.A.75-1996 suggested that some of these be assigned prior to their being returned to their field posts.