

Date: December 1, 1964
To: Mr. W. C. Sullivan
From: J. A. Sizoo
Subject: MARTIN LUTHER KING, JR.

Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Reference is made to the attached memorandum DeLoach to Mohr dated 11/27/64 concerning DeLoach's interview with [redacted] and to your informal memo, also attached.

[redacted] stated to DeLoach that he was faced with the difficult problem of taking steps to remove King from the national picture. He indicates in his comments a lack of confidence that he, alone, could be successful. It is, therefore, suggested that consideration be given to the following course of action:

That DeLoach have a further discussion with [redacted] and offer to be helpful to [redacted] in connection with the problem of the removal of King from the national scene;

That DeLoach suggest that [redacted] might desire to call a meeting of Negro leaders in the country which might include, for instance, 2 or 3 top leaders in the civil rights movement such as James Farmer and A. Philip Randolph; 2 or 3 top Negro judges such as Judge Parsons and Judge Hasty; 2 or 3 top reputable ministers such as Robert Johnson, Moderator of the Washington City Presbytery; 2 or 3 other selected Negro officials from public life such as the Negro Attorney General from one of the New England states. These men could be called for the purpose of learning the facts as to the Bureau's performance in the fulfillment of its responsibilities under the Civil Rights statute, and this could well be done at such a meeting. In addition, the Bureau, on a highly confidential basis, could brief such a group on the security background of King [redacted] The use of a tape, such as contemplated in your memorandum, together with a transcript for convenience in following the tape, should be most convincing.

The inclusion of U.S. Government officials, such as Carl Rowan or Ralph Dunche, is not suggested as they might feel a duty to advise the White House of such a contemplated meeting. It is believed this would give us an opportunity to outline to a group of influential Negro leaders what our record in the enforcement of civil rights has been. It would also give them, on a confidential

jas/nls
enclosures

(CONTINUED - OVER)

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Memo to Mr. Sullivan
RE: MARTIN LUTHER KING, JR.

basis, information concerning King which would convince them of the danger of King to the over-all civil rights movement. [REDACTED] is already well aware of this. This group should include such leadership as would be capable of removing King from the scene if they, of their own volition, decided this was the thing to do after such a briefing. The group should include strong enough men to control a man like James Farmer and make him see the light of day. This might have the effect of increasing the stature of [REDACTED] who is a capable person and is ambitious.

There are refinements which, of course, could be added to the above which is set forth in outline form for possible consideration.

we

D. Roy Wilkins of NAACP meets with DeLoach to discuss allegations about Dr. King - November 27, 1964

On November 24, 1964, Director Hoover gave a speech at Loyola University in Chicago in which he referred to moral laxness in civil rights group. On November 27, Roy Wilkins, Executive Secretary of NAACP, phoned DeLoach and requested a meeting. Wilkins told the Committee that he had been disturbed by Hoover's Loyola University speech a few days before, and that he had realized Hoover had been referring to Dr. King because of rumors then circulating that the FBI had developed "derogatory" material about Dr. King. Wilkins was spurred into meeting with DeLoach by pointed inquiries from several reporters about whether Director Hoover's remarks had been directed toward Dr. King. Wilkins described his motivation in requesting the meeting as "protecting the civil rights movement." He said that Dr. King did not learn of his meeting with DeLoach until over a week after it had occurred.²⁵¹

DeLoach and Wilkins have given the Committee differing accounts of what was said at their meeting. DeLoach's version is summarized in a letter that he sent to President Johnson on November 30, 1964:

Wilkins said that . . . the ruination of King would spell the downfall of the entire civil rights movement . . . Wilkins indicated that [if allegations concerning King's personal conduct and supposed connections with communists were publicized], many of his Negro associates would rise to his defense. He felt, however, that many white people who believe in the civil rights movement and who yearly contribute from \$500 to \$50,000 to this movement would immediately cease their financial support. This loss, coupled with the loss of faith in King by millions of Americans, would halt any further progress of the civil rights movement.²⁵²

A memorandum by DeLoach written shortly after the meeting states:

I told him . . . that if King wanted war we certainly would give it to him. Wilkins shook his head and stated there was no doubt in his mind as to which side would lose if the FBI really came out with all its ammunition against King. I told him the ammunition was plentiful and that while we were not responsible for the many rumors being initiated against King, we had heard of these rumors and were certainly in a position to substantiate them.²⁵³

DeLoach's memorandum stated that the meeting had concluded with Wilkins' promise to "tell King that he can't win in a battle with the FBI and that the best thing for him to do is to retire from public life." Wilkins told the Committee that DeLoach's description of the meeting was "self-serving and filled with inaccuracies" and denied DeLoach's description of his remarks as "pure invention."²⁵⁴ Wilkins stated that he had expressed his concern that accusations about Dr. King would cripple the civil rights movement, noting that if charging

were publicly leveled against Dr. King, the black community would side with Dr. King and the white community with Director Hoover. Wilkins said that he advised DeLoach that the FBI should not overreact to Dr. King's criticisms and that he considered Dr. King's criticism of the FBI's failure to vigorously enforce the civil rights laws to be totally justified. Wilkins told the Committee that although he had considered the meeting a "success" at the time, after reading DeLoach's memorandum he realized that he had failed to convey the impression that he had intended, since DeLoach had clearly misinterpreted his remarks.²⁵⁵

When DeLoach was asked by the Committee if the "ammunition" he had threatened to use against Dr. King was the tape recordings, DeLoach replied, "I don't know what I had in mind, frankly, it's been so long ago, I can't recall."²⁵⁶ Wilkins did not remember DeLoach's use of the term "ammunition," but did recall that DeLoach frequently alluded to "derogatory information," although Wilkins was unclear whether DeLoach was referring to allegations about Dr. King's personal conduct or about Communist infiltration of the SCLC.²⁵⁷

The following day, an official of the Domestic Intelligence Division proposed to William Sullivan, head of the Division, that several leading members of the Black community should be briefed about Dr. King by the FBI "on a highly confidential basis." It was proposed that "the use of a tape, such as contemplated in your memorandum, together with a transcript for convenience in following the tape, should be used."

"The inclusion of U.S. Government officials, such as Carl Rowan or Ralph Bunch, is not suggested as they might feel a duty to advise the White House of such contemplated meeting. . . . This group should include such leadership as would be capable of removing King from the scene if they, of their own volition, decided this was the thing to do after such a briefing."²⁵⁸

E. Dr. King and Director Hoover Meet: December 1, 1964

According to one of Dr. King's legal counsels, Harry Wachtel, several prominent civil rights leaders told Dr. King of their concern that public controversy with Director Hoover would hurt the civil rights movement, but promised to support Dr. King should such a confrontation occur. Wachtel recalled that Dr. King and his staff pondered "how to defuse this and prevent it from becoming the principal focus of the struggle, Hoover versus King" which "could only have lead to a division and thus a dilution of the growing strength of the civil rights movement."²⁵⁹ Wachtel testified:

Everything pointed toward the problem of how Hoover would respond if Dr. King said in effect, "you're a liar; prove your case. If you call me a liar, prove it." Every lawyer worth his salt knows this is the beginning of the Alger Hiss type of dilemma. Libel and slander litigation or public debate of

²⁵¹ Staff summary, Roy Wilkins interview, 11/23/76, p. 1.

²⁵² Letter, Hoover to President 11/30/64.

²⁵³ Memorandum from Cartha DeLoach to John Mohr, 11/27/64, p. 2.

²⁵⁴ Wilkins staff summary, 11/23/76, p. 2.

²⁵⁵ Wilkins (staff summary), 11/23/76, p. 2.

²⁵⁶ Cartha DeLoach testimony, 11/25/76, p. 173.

²⁵⁷ Wilkins (staff summary), 11/23/76, p. 2.

²⁵⁸ Memorandum from J. A. Sizoo to W. C. Sullivan, 12/1/64.)

²⁵⁹ Wachtel testified.

George, more on Hoover's O & C files and tapping and bugging Weisberg 6/25/78

Some years ago I wrote that in order to understand FBI records one required the special dictionary it uses. Since then I have learned that it is not only the special meaning it imparts to words - it also is what the FBI can omit because of the control it exercises over records.

As soon as I read the O & C records relating to the King electronic surveillances I knew the file had been arranged to hold Bobby Kennedy responsible for what the FBI had done. (Please bear in mind that I was never a Bobby partisan.)

I can't retrieve all the records I may have on this but I know I have some not in my current files.

If you read the O & C records you will find that while the FBI does not say that there was nothing prior to the Bobby inquiry of Evans (says Evans and the FBI) about electronic surveillances on King only the most cautious and critical reader would even suspect that the idea was not Bobby's. In later records the FBI arranges its quotes and references to say that it was indeed all Bobby's idea.

The two sets of Church Book III records are not clear enough for you to pick up the citations but if you desire to do so you can from your own copy.

It is explicit on p. 115 that there was an earlier "proposal" for this kind of spying to Bobby. A number of DJ people of that period have so testified, including Guthman, now at the LATimes.

Throughout all of these pages it also is explicit that permission to bug and tap was withdrawn, was not approved in Ramsey Clark's last days, and there is no record of the approval of the Nixon administration, for which the FBI prepared in advance. The O & C records reflect some of this preparation. Not any approval.

Page 120 reports the church committee's finding that it could find no record of any approval of that period. I know of an inquiry of Sol Lindanbaum, who stated he had no knowledge of any approval. The FBI, which has the need for it, has come up with none.

Nonetheless the FBI was still tapping King/SCLE phones a year after King was killed. It then sought to plant what I am satisfied is a distorted if not fabricated defamation of Mrs. King and Ralph Abernathy. (Again I am not their partisan.) I have it over De Loach's signature that they picked up the allegation that these two were seeking to commercialize the assassination by means of a wiretap. I am pretty sure I have put this into the record in C.A.75-1996. In any event, I can give you a copy if you want it. The date is 1969, just days before the first anniversary of that assassination.

This should read they picked up a conversation. DeL. made the allegation, presenting it as unequivocal fact. Can't possibly be true. And he said nobody would be able to connect the story to the FBI or prove it came from a tap.

Only devils loving scripture. So you have another reason why officials, especially spooks, hate FOIA.

jections do not apply, wherever possible in organized crime matters.¹²²

The Justice Department later summarized this practice in a brief to the Supreme Court:

Under Departmental practice in effect for a period of years prior to 1965, and continuing into 1965, the Director of the Federal Bureau of Investigation was given authority to approve the installation of devices such as [microphones] for intelligence (but not evidentiary) purposes when required in the interest of internal security or national safety, including organized crime, kidnappings, or matters wherein human life might be at stake.¹²³

On March 30, 1965, at the urging of Attorney General Katzenbach, the FBI adopted a uniform procedure for submitting both wiretaps and microphones to the Attorney General for his approval prior to installation. Director Hoover described the new procedures in a memorandum to the Attorney General:

In line with your suggestion this morning, I have already set up the procedure similar to requesting of authority for phone taps to be utilized in requesting authority for the placement of microphones. In other words, I shall forward to you from time to time requests for authority to install microphones where deemed imperative for your consideration and approval or disapproval. Furthermore, I have instructed that, where you have approved either a phone tap or the installation of a microphone, you will be advised when such is discontinued if in less than six months and, if not discontinued in less than six months, that a new request be submitted by me to you for extension of the telephone tap or microphone installation.¹²⁴

One week later Katzenbach sent to the White House a proposed Presidential directive to all Federal agencies on electronic surveillance. This directive, formally issued by President Johnson on June 30, 1965, forbade the nonconsensual interception of telephone communications by Federal personnel, "except in connection with investigations related to the national security" and then only after obtaining the written approval of the Attorney General. The directive was less precise concerning microphone surveillance:

Installation of mechanical or electronic devices to overhear non-telephone conversations is an even more difficult problem.

Mr. Evans from Courtney Evans to Alan Belmont, July 7, 1961. A Bureau memorandum by Director Hoover several years later states that Evans subsequently gave then Senator Robert Kennedy a letter, dated February 17, 1966, that Evans had never discuss the use of microphones with Kennedy and that Evans did not know of any written material that was sent to you [Kennedy] regarding microphone surveillance. The letter from Evans to Kennedy was published in the press. Director Hoover concluded in his memorandum reporting this to you that in view of Evans' disclaimer for the truth and duplicity toward the FBI, he should not be contacted without prior Bureau approval. Memorandum, J. Edgar Hoover, Re: Courtney A. Evans, Person Not To Be Contacted, December 15, 1968.¹²⁵

¹²² *Hicks v. United States*, 387 U.S. 26 (1968).
¹²³ Memorandum from Director, FBI to Attorney General, 3/30/65, p. 2.

which raises substantial and unresolved questions of constitutional interpretation. I desire that each agency conducting such investigations consult with the Attorney General to ascertain whether the agency's practices are fully in accord with the law and with a decent regard for the rights of others.¹²⁶

B. Wiretap Surveillance of Dr. King and the SCLC: October 1963-June 1966

On September 6, 1963, Assistant Director William Sullivan first recommended to Director Hoover that the FBI install wiretaps on Dr. King's home and the offices of the Southern Christian Leadership Conference.¹²⁷ Sullivan's recommendation was apparently part of an attempt to improve the Domestic Intelligence Division's standing with the Director by convincing him that Sullivan's Division was concerned about alleged communist influence on the civil rights movement and that the Division intended, as Sullivan subsequently informed the Director, to "do everything that is humanly possible" in conducting its investigation.¹²⁸

Sullivan's recommendation was viewed with skepticism by the FBI leadership since Attorney General Kennedy had rejected a similar proposal two months earlier. Associate Director Clyde Tolson noted in the memorandum containing Sullivan's proposal: "I see no point in making this recommendation to the Attorney General in view of the fact that he turned down a similar recommendation on July 22, 1963."¹²⁹ Director Hoover scrawled below Tolson's note: "I will approve though I am dizzy over vaccination as to influence of CP/SA."¹³⁰

In late September 1963 the FBI conducted a survey and concluded that wiretap coverage of Dr. King's residence and of the New York SCLC office could be implemented without detection.¹³¹ On October 7, 1963, the Attorney General's permission for a wiretap "on King at his current address or at any future address to which he may move" and "on the SCLC office at the current New York address or to any other address to which it may be moved."¹³² Attorney General Kennedy signed the request on October 10 and, on October 21, also approved the FBI request for coverage of the SCLC's Atlanta office.¹³³ Two memoranda by Courtney Evans indicate that the Attorney General was uncertain about the advisability of the wiretaps. On October 10, the Attorney General summoned Evans to discuss the FBI's request for the wiretaps on Dr. King's home telephone and the New York SCLC telephones. Evans wrote:

Two memoranda by Courtney Evans indicate that the Attorney General was uncertain about the advisability of the wiretaps. On October 10, the Attorney General summoned Evans to discuss the FBI's request for the wiretaps on Dr. King's home telephone and the New York SCLC telephones. Evans wrote:

¹²⁴ Lyndon B. Johnson, Presidential Directive, 6/30/65.

¹²⁵ Memorandum from James Blund to William Sullivan, 9/6/63.

¹²⁶ Memorandum from William Sullivan to Alan Belmont, 9/25/63, p. 5. The dispute between Sullivan and Hoover, and the intensification which developed from it, are described pp. 104 et. seq.

¹²⁷ Memorandum from James Blund to William Sullivan, 10/4/63, attachment.

¹²⁸ Blund memorandum, 10/4/63, attachment.

¹²⁹ Memorandum from J. Edgar Hoover to Attorney General Robert Kennedy, 10/7/63.

¹³⁰ Hoover memorandum, 10/7/63; Memorandum from J. Edgar Hoover to Attorney General Robert Kennedy, 10/18/63.

istration. Less than a month later the Director informed the Atlanta office that an SCLC wiretap "is in line to be presented to the new Attorney General, and a survey, with full security assured . . . is desirable."¹⁰⁰ FBI files contain no indication of the disposition of this final request.

C. MICROPHONE SURVEILLANCE OF DR. KING: JANUARY 1964-NOVEMBER 1965.

From January 1964 through November 1965, the FBI installed at least 15 hidden microphones in hotel and motel rooms occupied by Martin Luther King.¹⁰¹ The FBI has told the Committee about the following microphone surveillances:

- Willard Hotel, Washington, D.C. (Jan. 5, 1964).
- Shrewder Hotel, Milwaukee (Jan. 27, 1964).
- Hilton Hawaiian Village, Honolulu (Feb. 18, 1964).
- Ambassador Hotel, Los Angeles (Feb. 20, 1964).
- Hyatt House Motel, Los Angeles (Feb. 22, 1964).
- Statler Hotel, Detroit (Mar. 19, 1964).
- Senator Motel, Sacramento (Apr. 23, 1964).
- Hyatt House Motel, Los Angeles (July 7, 1964).
- Manger Hotel, Savannah, Ga. (Sept. 28, 1964).
- Park Sheraton Hotel, New York (Jan. 8, 1965).
- Americana Hotel, New York (Jan. 28, 1965).
- Sheraton Atlantic Hotel, New York (May 12, 1965).
- Astor Hotel, New York (Oct. 14, 1965).
- New York Hilton Hotel, New York (Oct. 28, 1965).
- Americana Hotel, New York (Nov. 29, 1965).¹⁰²

1. Reasons for the FBI's Microphone Surveillance of Dr. King.

The wiretaps on Dr. King's home telephone and the phones of the SCLC offices were authorized by the Attorney General for the stated purpose of determining whether suspected communists were influencing the course of the civil rights movement. FBI documents indicate that the microphone coverage, (which was initiated without the knowledge of the Attorney General, in conformance with practice then current), was originally designed not only to pick up information bearing on possible Communist influence over Dr. King, but also to obtain information for use in the FBI's secret effort to discredit Dr.

¹⁰⁰ Memorandum from Director, FBI to SAC, Atlanta, 2/14/60.

¹⁰¹ Witnesses have indicated that other microphones might have been used to cover the activities of Dr. King and his associates, although those microphones might have been placed by local law enforcement officers. Bureau documents indicate that the New York and Miami police did in fact place microphones in Dr. King's hotel rooms. (Memorandum from Director, FBI to Special Agent in Charge, New York, 5/7/65; Memorandum from Frederick Baumgardner to William Sullivan, 5/27/66). Congressman Andrew Young, who was one of Dr. King's chief aides, testified: "We found a bug in the pulpit in a church in Selma, Alabama, in 1965, and we didn't even move it or destroy it. We took it out from under the pulpit, taped it on top of the pulpit, and Reverend Abernathy called it, this here where there is a whole lot of static. I want him to get it straight," and he proceeded to the little bug." (Andrew Young testimony, 2/19/76, p. 55).

¹⁰² Letter from FBI to Senate Select Committee, 7/24/75, pp. 4-5. (The Bureau also authorized the installation of a microphone at the Park Sheraton Hotel in New York on March 29, 1965, but Dr. King did not stay at the hotel and the wiretap was terminated.)

King as the leader of the civil rights movement.¹⁰³ By 1965, references to discrediting efforts had been dropped, and documents requesting authorization for microphones mentioned only the purpose of obtaining information about possible communist influences.¹⁰⁴ The details of the Bureau's efforts to undermine Dr. King are discussed in the ensuing chapters.

The first microphones were installed about two weeks after a December 23, 1963, FBI conference at which methods of "neutralizing" Dr. King were explored.¹⁰⁵ Microphone surveillance was again discussed at an all-day conference at FBI Headquarters in February 1964, attended by representatives of the FBI laboratory "preparatory to effecting coverage of the activities of Martin Luther King, Jr., and his associates in Honolulu."¹⁰⁶ Justifying the need for microphone coverage, the Chief of the FBI's Internal Security Section wrote that the FBI was "attempting" to obtain information about "the [private] activities of Dr. King and his associates" so that Dr. King could be "completely discredited."¹⁰⁷

The FBI memorandum authorizing the placement of the first microphone on Dr. King—at the Willard Hotel in early January 1964—gave as a basis "the intelligence and counterintelligence possibilities which thorough coverage of Dr. King's activities might develop. . . . The Willard Hotel "bug" yielded 19 reels of tape. A memorandum summarizing the tapes was sent to the Director with William Sullivan's recommendation that it be shown to Walter Jenkins, President Johnson's Special Assistant, "inasmuch as Dr. King is seeking an appointment with President Johnson."¹⁰⁸ Cartha D. DeLoach, Assistant to the Director, showed the summary memorandum to Jenkins, and later wrote:

I told Jenkins that the Director indicated I should leave this attachment with him if he desired to let the President personally read it. Jenkins mentioned that he was sufficiently aware of the facts that he could verbally advise the President of the matter. Jenkins was of the opinion that the FBI could perform a good service to the country if this matter could somehow be confidentially given to members of the press. I

¹⁰³ See, for example, Memorandum from William Sullivan to Alan Belmont, 1/6/64; memorandum from Frederick Baumgardner to William Sullivan, 1/28/64. Some Bureau witnesses have suggested that the microphones were installed only to intercept conversations between Dr. King and other individuals, such as Adviser A, to determine the extent of communist influence over King. The Bureau, however, was unable to produce any evidence that it had anticipated meetings between Dr. King and Adviser A or between Dr. King and any other of his advisers whom the Bureau alleged had communist connections on the initial occasions when microphones were used.

¹⁰⁴ Memorandum from Frederick Baumgardner to William Sullivan, 10/29/65; memorandum from Frederick Baumgardner to William Sullivan, 11/29/65.

¹⁰⁵ Memorandum from William Sullivan to Alan Belmont, 1/13/64. This conference and the FBI's attempts to discredit King are discussed *infra*, pp. 123 et seq.

¹⁰⁶ Memorandum from Frederick Baumgardner to William Sullivan, 2/4/64; Baumgardner memorandum, 1/28/64.

¹⁰⁷ Memorandum from William Sullivan to Alan Belmont, 1/8/64.

¹⁰⁸ Memorandum from William Sullivan to Alan Belmont, 1/13/64. The memorandum did not indicate how the information had been obtained.