

III. THE SECURITY INVESTIGATION

A. FBI Surveillance And Harassment Of Dr. King

1. Initiation of Technical Surveillance and COINTELPRO Type Activities

In order to reconstruct the actions taken by members of the FBI toward Dr. King, the task force scrutinized the basis for the initiation by the Bureau of any action with respect to Dr. King. During the review it was revealed that on May 22, 1961, Mr. Alex Rosen, then Assistant Director of the General Investigative Division (Division 6), advised Director Hoover in an information memorandum, per his request on Dr. King and four other individuals in connection with the "Freedom Riders," that "King has not been investigated by the FBI" (Memo from Scatterday to Rosen, May 22, 1961, App. A, Ex. 7). The memorandum contained few references on Dr. King. The Director commented, with regard to the omission of a subject matter investigation on Dr. King: "Why not?" The substance of the report was forwarded to Attorney General Kennedy, and the FBI did not pursue the King matter at this time. Thus, FBI personnel did not have nor did they assume a personal interest in the activities of Dr. King through May, 1961. Furthermore, in 1961, information in the Bureau files on

Dr. King had only been gleaned from sporadic reports, and this particular report to the Director was provided by Division 6 which had responsibility for civil rights matters.

In the beginning of 1962, the FBI started and rapidly continued to gravitate toward Dr. King. The sequence of events has already been reported in some detail by the Senate Select Committee as well as in the Robert Murphy Report which you received in March, 1976. The task force in its review of pertinent documents confirms these reports.

In essence, the Director communicated to Attorney General Kennedy during 1962 and 1963 a host of memoranda concerning the interest of the Communist Party in the civil rights movement, and, in particular, Dr. King's relationship with two frequently consulted advisors whom the FBI had tabbed as members of the Communist Party. As a result of the deep interest in civil rights affairs by the Attorney General and by the Kennedy Administration, these FBI reports had the effect of alarming Robert Kennedy and affecting his decisions on the national level.

The net effect of the Bureau memoranda nearly culminated in the summer of 1963 when Attorney General

Kennedy suggested consideration of technical surveillance on King and the SCLC (HQ 100-106670-3631). Previously, the bulk of FBI intelligence on Dr. King was secured by technical surveillance of one of his advisors and from informants close to his associates. However, when Attorney General Kennedy was confronted shortly thereafter with the Director's request for such surveillances, he reconsidered his suggestion and denied the request (HQ 100-106670-165, 171). Attorney General Kennedy as well as several other Department officials were sincerely concerned with King's association with alleged communist members since proposed civil rights legislation was then very vulnerable to the attack that communists were influencing the direction of the civil rights movement. Yet, an affirmative program to gather intelligence with King as the subject was still considered ill-advised. However, a significant turn of events within the circles of the FBI hierarchy would soon reverse the Attorney General's decision, and without his knowledge the FBI would also launch an illegal counter-intelligence program directed to discredit and neutralize the civil rights leader.

Director Hoover's demeanor toward Dr. King has been well publicized and is summarized below. Certainly, as the task force determined, this played a vital role in

FBI affairs, as did the Director's attitude toward the Communist Party. On August 23, 1963, then Assistant Director of the Domestic Intelligence Division, William C. Sullivan, pursuant to the Director's request, presented a seventy-page analysis of exploitation and influence by the Communist Party on the American Negro population since 1919 (HQ 100-3-116-253X). This report and Mr. Sullivan's synopsis showed a failure of the Communist Party in achieving any significant inroads into the Negro population and the civil rights movement. Director Hoover responded:

"This memo reminds me vividly of those I received when Castro took over Cuba. You contended then that Castro and his cohorts were not Communists and not influenced by Communists. Time alone proved you wrong. I for one can't ignore the memos as having only an infinitesimal effect on the efforts to exploit the American Negro by Communists" (HQ 100-3-116-253X).

The Director's comment had a resounding effect on Mr. Sullivan. Seven days later, he replied:

"The Director is correct. We were completely wrong about believing the evidence was not sufficient to determine some years ago that Fidel Castro was not a communist or under communist influence. In investigating and

writing about communism and the American Negro, we had better remember this and profit by the lesson it should teach us." (Memo from Sullivan to Belmont, August 30, 1963, App. A, Ex. 8).

Even more importantly, Mr. Sullivan also said in response to the action that he now believed was necessitated in determining communist influence in the civil rights movement:

"Therefore, it may be unrealistic to limit ourselves as we have been doing to legalistic proof or definitely conclusive evidence that would stand up in testimony in court or before Congressional committees that the Communist Party, USA, does wield substantial influence over Negroes which one day could become decisive." (idem.)

The FBI hierarchy had no written comments on this memorandum either supporting or negating the Assistant Director's proposed line of action.

Then, in September, 1963, Mr. Sullivan recommended "increased coverage of communist influence on the Negro" (Memo from Baumgardner to Sullivan, September 16, 1963, App. A, Ex. 9). The Director refused and commented:

"No I can't understand how you can so agilely switch your thinking and evaluation. Just a few weeks ago you contended that the Communist influence in the racial movement was ineffective and infinitesimal. This - notwithstanding

many memos of specific instances of infiltration. Now you want to load the field down with more coverage in spite of your recent memo depreciating CP influence in racial movement. I don't intend to waste time and money until you can make up your minds what the situation really is" (idem.)

In commenting on a cover memo to the above Sullivan request, Director Hoover also stated, "I have certainly been misled by previous memos which clearly showed communist penetration of the racial movement. The attached is contradictory of all that. We are wasting manpower and money investigating CP effect in racial movement if the attached is correct" (Memo for the Director from Tolson, September 18, 1963, App. A, Ex. 10).

By now the Domestic Intelligence Division was feeling the full weight of the Director's dissatisfaction with their work product. Mr. Sullivan again replied on September 25, 1963, in a humble manner that Division 5 had failed in its interpretation of communist infiltration in the Negro movement (Memo from Sullivan to Belmont, September 25, 1963, App. A, Ex. 11). The Assistant Director asked the Director's forgiveness and requested the opportunity to approach this grave matter in the light of the Director's interpretation. Director Hoover sanctioned this request but again reprimanded Mr. Sullivan for stating

that communist infiltration "has not reached the point of control or domination." The Director curtly commented that "Certainly this is not true with respect to the King connection" (idem). One could now foresee that Dr. King would be closely watched by FBI personnel.

In October, 1963, the Director forwarded a request to the Attorney General for technical surveillance of Dr. King's residence and the SCLC office in New York City. This time the FBI received authorization for technical surveillance and it was instituted almost immediately. In addition, the FBI had prepared a new analysis on communist involvement in the Negro movement (Communism and the Negro Movement, October 16, 1963, App. A, Ex. 12). A cover memorandum of this analysis written by Assistant to the Director A.H. Belmont to Associate Director Clyde A. Tolson reads:

"The attached analysis of Communism and the Negro Movement is highly explosive. It can be regarded as a personal attack on Martin Luther King. There is no doubt it will have a heavy impact on the Attorney General and anyone else to whom we disseminate it ... This memorandum may startle the Attorney General, particularly in view of his past association with King, and the fact that we are disseminating this outside the Department" (Memo from Belmont to Tolson, October 17, 1963 App. A, Ex. 13).

To the latter part, the Director wrote, "We must do our duty." Mr. Belmont further said:

"Nevertheless, the memorandum is a powerful warning against Communist influence in the Negro movement ..."

The Director issued his feeling to this position and added, "I am glad that you recognize at last that there exists such influence."

2. Predicate for the Security Investigation

The security investigation of Dr. Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC) was predicated on the belief that they were under the influence of the Communist Party, United States of America (CPUSA). The basis for this belief was that Dr. King relied upon one particular advisor who was tabbed by the FBI as a ranking Communist Party member (HQ 100-392452-133).

This characterization of the advisor was provided by sources the Bureau considered reliable. The task force was privy to this characterization through both our file review and our September 2, 1976, conference with representatives of the Bureau's Intelligence Division. For security purposes the sources were not fully identified to the task force. Therefore, the veracity of the sources and the characterization are remaining questions.

The advisor's relationship to King and the SCLC is amply evidenced in the files and the task force concludes that he was a most trusted advisor. The files are replete with instances of his counseling King and his organization on matters pertaining to organization,

finance, political strategy and speech writing. Some examples follow:

The advisor organized, in King's name, a fund raising society (HQ 100-106670-47, 48). This organization and the SCLC were in large measure financed by concerts arranged by this person (HQ 100-106670-30). He also lent counsel to King and the SCLC on the tax consequences of charitable gifts.

On political strategy, he suggested King make a public statement calling for the appointment of a black to the Supreme Court (HQ 100-106670-32, 33). This person advised against accepting a movie offer from a movie director and against approaching Attorney General Kennedy on behalf of a labor leader (HQ 100-106670-24). In each instance his advice was accepted.

King's speech before the AFL-CIO National Convention in December, 1961 was written by this advisor (HQ 100-392452-131). He also prepared King's May 1962 speech before the United Packing House Workers Convention (HQ 100-106670-119). In 1965 he prepared responses to press questions directed to Dr. King from a Los Angeles radio station regarding the Los Angeles racial riots and from the "New York Times" regarding the Vietnam War.

The relationship between King and his advisor, as indicated, is clear to the task force. What is not clear is whether this relationship ought to have been considered either a possible national security threat or CPUSA directed. We conclude that justification may have existed for the opening of King's security investigation but its protracted continuation was unwarranted.

Our conclusion that the investigation's opening may have been justified is primarily based on memoranda, summarized below, written during the first six months of 1962. It is pointed out that in October, 1962 the Bureau ordered the COMINFIL SCLC investigation (HQ 100-438794-9).

In January the Director wrote the Attorney General and told him that one of King's advisors was a communist. At this time he also pointed out that the advisor wrote King's December, 1961 AFL-CIO speech and assisted King in SCLC matters (HQ 100-392452-131).

In March the Attorney General was advised that a March 3, 1962 issue of "The Nation" magazine carried an

article critical of the administration's handling of civil rights. The article was ostensibly written by Martin Luther King but in fact the true author was another advisor characterized by the FBI as a ranking member of the Communist Party (HQ 100-106670-30, 31).

In May the Attorney General learned that the CPUSA considered King and the SCLC its most important work because the Kennedy Administration was politically dependent upon King (HQ 100-106670-58).

Lastly, in June, 1962 the Attorney General became aware that King's alleged Communist advisor had recommended the second ranking Communist to be one of King's principal assistants (HQ 100-106670-79, 80). Later King accepted the recommendation.

The conclusion that the investigation's continuance was unwarranted is based on the following task force finding:

The Bureau to date has no evidence whatsoever that Dr. King was ever a communist or affiliated with the CPUSA. This was so stated to us by representatives of the Bureau's Intelligence Division during our September 2, 1976 conference. This admission is supported by our perusal of files, which included informants' memoranda and physical, microphone and telephone surveillance memoranda, in which we found no such indication concerning Dr. King.

The Bureau provided us with no documentation that the SCLC under Dr. King was anything other than a legitimate organization devoted to the civil rights movement.

The Bureau files that we examined lacked any information that the alleged Communists' advice was dictated by the CPUSA or inimical to the interests of the United States. Indeed, in early 1963 the Bureau learned through reliable sources the principal advisor had disassociated himself from the CPUSA. His reason was the CPUSA was not sufficiently involving itself in race relations and the civil rights movement (HQ 100-392452-195).

3. King-Hoover Dispute

The flames of Director Hoover's antipathy for Dr. King were fanned into open hostility in late 1962 when Dr. King criticized the Bureau's performance during an investigation of a racial disturbance in Albany, Georgia. Efforts to interview King by the Bureau were not successful (HQ 157-6-2-965) and the matter lay dormant for a time.

The controversy was publicly rekindled in early 1964 when the Director testified before a House appropriations subcommittee that he believed communist influence existed

in the Negro movement. King countered by accusing the Director of abetting racists and right wingers (HQ 100-3 116-1291). . . During November of 1964, the Director told a group of Washington women reporters that King was "the most notorious liar in the country." A week later, Director Hoover referred to "sexual degenerates in pressure groups" in a speech at Loyola University (HQ 162-7827-16).

Dr. King and his immediate staff requested a meeting with Director Hoover to clear up the misunderstanding. The meeting was held on December 1, 1964. Hoover claimed that "he had taken the ball away from King at the beginning," explaining the Bureau's function and doing most of the talking. On the other hand, King apologized for remarks attributed to him and praised the work of the Bureau. Thus, an uneasy truce was momentarily reached. (HQ 100-106670-563, 607.)

However, the controversy flared again when a letter was circulated by the Southern Christian Educational Fund (SCEF) which referred to the criticism of Dr. King by the Director and urged the recipients of the letter to write or wire the President to remove Hoover from office. In a memo from Sullivan to Belmont on December 14, 1964, Sullivan stated:

"In view of this situation, realism makes it mandatory that we take every prudent step that we can take to emerge completely victoriously in this conflict. We should not take any ineffective or half-way measures, nor blind ourselves to the realities of the situation." (HQ 100-106670-627.)

We believe the persistent controversy between Dr. King and Director Hoover was a major factor in the Bureau's determination to discredit Dr. King and ultimately destroy his leadership role in the civil rights movement.

4. Technical Surveillance

Our review of FBI files and interviews with Bureau personnel substantially confirms with a few additions the findings which have already been reported by Mr. Murphy and the Senate Select Committee on Intelligence with respect to the electronic surveillance of Dr. King and his associates.

We found that some microphone surveillances were installed in New York City against Dr. King and his associates which have not thus far been reported. These installations were as follows:

Americana Hotel (HQ 100-106670-2224, 4048)
4/2-3/65 (symbol)
6/3-3/65 (symbol)
1/21-24/66 (no symbol)

Sheraton Atlantic (NY 100-136585 Sub-Files 7-8)
12/10-11/65 (symbol)

New York Hilton (NY 100-136585 Sub Files 11-12)
10/25-27/65 (symbol)

All of these installations with the exception of the placement at the Americana Hotel in January, 1966 appear to have been unproductive either because Dr. King did not reside at the hotel as planned or the recordings made did not pick up any significant information.

The installation by the New York Field Office at the Americana Hotel on January 21, to 24, 1966, caused some consternation within the FBI hierarchy and is illustrative of how the Bureau apparatus could, on rare occasion, continue to function even contrary to the wishes of the Director. The installation was made at the Americana on January 21, 1966, pursuant to the request of SAC Rooney in New York. Assistant Director William Sullivan authorized the coverage. Bureau files indicate that Associate Director Clyde Tolson, upon being informed of the coverage, wrote back on the same day in a rather perturbed fashion to have the microphone removed "at once." Tolson advised the Director that "no one here" approved the coverage and that he had again instructed Sullivan to have no microphone installations without the Director's approval. Hoover confirmed Tolson's directive. (HQ 100-106670-2224X).

No symbol number was ever attached to this coverage as was the standard practice. This was apparently due to the strong disapproval voiced by Headquarters. Yet, despite

Hoover's orders, the coverage was maintained and a good deal of intelligence on King's personal activities was obtained and transcribed. These activities are reflected in a six page memorandum. (HQ 100-106670-4048.)

Irrespective of the level of Bureau approval which was required for electronic surveillance installations during the King years, our review reinforced the conclusions of the Senate Select Committee that the purposes behind this intelligence gathering became twisted. Several instances of Bureau correspondence are instructive. Section Chief Baumgardner in recommending coverage of King in Honolulu urged an exposure of King's "moral weakness" so that he could be "for the security of the nation, completely discredited" (HQ 100-106670 June File, Memo Baumgardner to Sullivan, January 28, 1964). In a similar memo from Sullivan to Belmont recommending coverage in Milwaukee at the Schroeder Hotel, the expressed purpose was to gather information on "entertainment" in which King might be engaging similar to that "uncovered at the Willard Hotel" (HQ 100-106670 June File, Memo Sullivan to Belmont, January 17, 1964).

Director Hoover, upon being informed of the results of the surveillance, ordered that they all be immediately transcribed despite DeLoach's recommendation that the transcribing be done later (HQ 100-106670-1024). As each of the

file reviews has shown, portions of summaries of the transcripts were widely disseminated among governmental officials. These disseminations included a rather comprehensive six volume transmittal by the Bureau in June, 1968. This was at the apparent request of the President through Special Counsel Larry Temple for all information concerning Dr. King, including the instructions and approval of former Attorney General Kennedy regarding the electronic surveillance of King (Memo R. W. Smith to William Sullivan, June 2, 1968, referring to memo DeLoach to Tolson, May 24, 1968, setting forth the President's request). Included with the transcripts were several summaries, previously disseminated, and several hundred pages of Bureau communications to the White House from 1962 to 1968 regarding King and his associates. The purpose of the White House request was not stated, but it was the most complete accumulation of transmitted information on the electronic surveillance of King which we encountered during our review of Bureau files. The task force noted the timing of the alleged White House request and subsequent transmittal particularly in light of

Director Hoover's communication to the White House on March 26, 1968 (included in the transmittal) which advised that Robert Kennedy had attempted to contact Dr. King before announcing his candidacy for the Presidency (HQ 100-106670-3262).

The task force reviewed selected portions of all of the transcripts in the King file as well as selected portions of several tapes from which the transcripts were obtained. An inventory of the tapes reviewed is set forth below:

- 1) Washington, D.C., 1/5-6/64 (Willard Hotel, 15 reels) - Reel Nos. 1-6, 9, 10, 11, 12 and 14
- 2) Atlanta Tape (symbol) (one reel)
- 3) Composite Tape 12/15/64
Track No. 1 - Washington, D.C. recordings
(edited version of 15 reels)

Essentially, we reviewed the tapes by listening to the beginning, middle, and end of each tape and compared it to the corresponding transcript. They were basically accurate transcriptions in the sense that what was in the transcripts was also on the tapes. However, some material on the tapes was not put on the transcripts apparently because either that portion of the recording was garbled or unclear or it was considered unimportant.

Our review of the composite tape, the Atlanta tape and the agents handwritten notes included in the box with the recordings from the Willard Hotel gave an additional indication of where the Bureau's interest lay with respect to Dr. King. The composite tape contained "highlights" of the fifteen reels of tape from the Willard Hotel and appeared to consist of little more than episodes of private conversations and activities which the Bureau chose to extract from the original recordings. The Atlanta tape was obtained from the telephone tap on the King residence and consisted of several of Dr. King's conversations. These included conversations of Dr. King with his wife regarding his personal life and had nothing to do with his political or civil rights activities. The handwritten notes from the original Willard tapes contained notations as to what point in the tape a particular personal activity or conversation took place.

5. COINTELPRO Type and Other Illegal Activities

The task force has documented an extensive program within the FBI during the years 1964 to 1968 to discredit Dr. King. Pursuant to a Bureau meeting on December 23, 1963 to plan a King strategy and the Sullivan proposal in January, 1964 to promote a new black leader, the FBI accelerated its

program of disseminating derogatory information, which was heavily fraught with the Bureau's own characterizations of King, to various individuals and organizations who were in critical positions vis-a-vis the civil rights leader. Our review has essentially confirmed those already performed by the Civil Rights Division and the Senate Select Committee and we, therefore, do not dwell on those areas which they have already covered. We did find, however, additional proposed activities against Dr. King, some of which were approved by the Director. They are instructive not only in revealing the extent to which the Bureau was willing to carry its efforts but also in showing the atmosphere among some of the rank and file which this program against King created.

In November, 1964, the Bureau discovered that Dr. King was desirous of meeting with high British officials while in England during King's planned trip to Europe. Section Chief Baumgardner recommended a briefing for the purpose of informing British officials concerning King's purported communist affiliations and private life (HQ 100-106670-522, 523). Within three days the briefings had been completed (HQ 100-106670-525, 534, 535).

One particular dissemination, the contents of which was not revealed in the files, was apparently initiated and carried out personally by the Director. On January 22, 1965, the SAC in Atlanta advised Mr. Sullivan that, pursuant to their electronic surveillance, the Bureau learned that King had phoned Ralph Abernathy and complained that Hoover had had a meeting with a particular Atlanta official while in Washington attending the Inauguration. According to King, when this official returned to Atlanta he contacted Dr. King senior and passed on a "good deal" of information. According to Sullivan's memo to Belmont, Dr. King, Jr. was very upset (HQ 100-106670-768). The files did not reveal any formal proposal for this briefing but Section Chief Baumgardner later speculated that the Atlanta official was Chief of Police Jenkins since the Director had met with him on January 18, 1965 (HQ 100-106670-780). The files do not indicate whether the Director suggested that the information be passed on to Dr. King's father.

In connection with the post-assassination efforts to declare a national holiday in memory of Dr. King the Senate Select Committee has outlined in its report the attempts by the Bureau to prevent such a declaration by briefing various members of Congress on King's background (HQ 100-106670-3586). We discovered that the Bureau also sent a monograph on King to the President and the Attorney General in 1969 for this same purpose (HQ 100-106670-3559).

The Bureau's efforts to discredit Dr. King's movement also included attempts to damage the reputation of King's family and friends. The Bureau looked very closely at Coretta King although a security investigation was never opened. This included scrutinizing her travels in an attempt to uncover possible facts embarrassing to her. These attempts also included a plan, proposed

by Assistant to the Director DeLoach and approved by Hoover to leak information to the press that Coretta King and Ralph Abernathy were deliberately plotting to keep the assassination in the news by claiming a conspiracy existed in order to keep monetary contributions flowing for their benefit (HQ 44-38861-5654).

Ralph Abernathy and Andrew Young also became Bureau targets. Shortly after the assassination the field was instructed to report any information on possible "immoral activities" of King's two associates (HQ 62-108052-Unrecorded serial, Atlanta to Director, April 29, 1968). Presumably there were COINTELPRO type purposes behind this request.

The Atlanta Field Office in attempting to demonstrate the initiative and imagination demanded by Headquarters proposed additional measures against Ralph Abernathy. The Bureau learned that after Dr. King's death, Rev. Abernathy may have voiced some concern over possible assassination attempts on his own life. The Atlanta office proposed that the Bureau begin notifying Abernathy directly (instead of only informing the police) of all threats against him in order to confuse and worry him (HQ 62-108052-Unrecorded serial, Atlanta to Director, March 28, 1969). This activity was not approved by Headquarters.

Bureau files indicate that the FBI may have also attempted to help the executive branch in its efforts to deal with Abernathy after King's death. In a memo to Associate Director Tolson, Director Hoover related a telephone conversation with former Vice President Agnew in which Mr. Agnew expressed concern over the "inflammatory" statements which Abernathy had made. The Vice President was seeking information from Hoover which could be useful in destroying the credibility of Rev. Abernathy. Hoover agreed to the request (HQ 100-106670-Unrecorded serial, Hoover to Tolson, May 18, 1970). We did not find what information, if any, was forwarded to the Vice President.

Finally, we discovered that a series of illegal surreptitious entries was conducted by the FBI. Some of these entries had as one purpose, among others, the obtaining of information about Dr. King. The FBI in the review of its indices was unable to locate records of any entries onto the premises of Dr. King or the SCLC.

The agents began to retrieve information about Dr. King during these entries through the use of photographs. In one instance a supervisor in the appropriate field office requested authority to conduct an entry for the express purpose of obtaining information about Dr. King. The proposed entry was approved at Headquarters pursuant to a telephone call by an Inspector and was later conducted.

On four subsequent occasions the Bureau again conducted entries and obtained information concerning King and the SCLC. On one such occasion a specimen of King's handwriting was obtained. The purpose of gathering this piece of intelligence was not revealed.

Bureau policy at the time of these entries required the approval of such field requests by Director Hoover or Associate Director Tolson (Memo Director, FBI, to Attorney General, September 23, 1975). We assume that such approval was granted. Handwritten

notations on the field office memos indicate that the Bureau was advised of the entries in each case.

We also raise the issue of these illegal entries because aside from being violative of Fourth Amendment rights the entries ran the risk of invading a privileged relationship.

We note in passing that the FBI continued to employ an informant in the SCLC despite the fact that the informant conceded to agents that the informant had embezzled some SCLC funds. The Bureau voiced strong disapproval of these activities. Yet, no legal or disciplinary action was ever taken with respect to the informant (HQ 134-11126-56, 57).

B. Critical Evaluation of the Security Investigation

In the area of domestic intelligence the mandate of the FBI has been both broadly and vaguely defined. It is stated in the Code of Federal Regulations as follows:

(The FBI shall:) carry out the Presidential directive of September 6, 1939, as reaffirmed by Presidential directives of January 8, 1943, July 24, 1950 and December 15, 1953, designating the Federal Bureau of Investigation to take charge of investigative work in matters relating to espionage, sabotage, subversive activities, and related matters (28 CFR 0.85 (d)).

Given this charter and the history of the sometimes overpowering influence of the views of the late Director J. Edgar Hoover on his subordinates and on successive Attorneys General, it was understandable that a security investigation should be initiated into the possible influence of the Communist Party, U.S.A., on Dr. Martin Luther King, Jr. Two of King's close advisors, at the outset of the security matter, were reported to be Communist Party members by sources relied upon by the Bureau.

The security investigation continued for almost six years until Dr. King's death. It verified, in our view, that one alleged Communist was a very influential advisor to Dr. King (and hence the Southern Christian Leadership Conference) on the strategy and tactics of King's leadership of the black civil rights movement of the early and mid-sixties. Another had no such weight although he seemed to be of use to King. But this very lengthy investigative concentration on King and on

the principal advisor established, in our opinion, that he did not "sell" Dr. King any course of conduct or of advocacy which can be identified as communist or "Party line". King, himself never varied publicly or privately from his commitment to non-violence and did not advocate the overthrow of the government of the United States by violence or subversion. To the contrary, he advocated an end to the discrimination and disenfranchisement of minority groups which the Constitution and the courts denounced in terms as strong as his. We concluded that Dr. King was no threat to domestic security.

And the Bureau's continued intense surveillance and investigation of the advisor clearly developed that he had disassociated himself from the Communist Party in 1963 because he felt it failed adequately to serve the civil rights movement. Thus the linch-pin of the security investigation of Dr. King had pulled himself out.

We think the security investigation which included both physical and technical surveillance, should have been terminated on the basis of what was learned in 1963. That it was intensified and augmented by a COINTELPRO type campaign against Dr. King was unwarranted; the COINTELPRO type campaign, moreover, was ultra vires and very probably in violation of 18 U.S.C. 241 (and 242), i.e. felonious.

The continuing security investigation reflects also that the Attorney General and the Division charged with responsibility for internal security matters failed badly in what should have been firm supervision of the FBI's internal security activities.