

1 - Mr. Valley
1 - Legal Counsel Division
Attn: Mr. Coulson
1 - Criminal Investigative
Division, Attn: M.V. Hall
June 19, 1978
Mr. [redacted]

Honorable Louis B. Stokes
Chairman, House Select Committee on
Assassinations
Rayburn House Office Building
Washington, D. C. 20515

Dear Mr. Chairman:

Reference is made to the letter to the Attorney General from
G. Robert Blakey, Chief Counsel and Director, House Select Committee on
Assassinations (HSCA), dated May 23, 1978, which referred to the HSCA's
access to [redacted]

This reference is to five FBI Headquarters (FBIHQ) informant
files which Mr. Blakey reviewed on May 17, 1978. These files involve
five informants of the Memphis Office of the FBI who furnished information
on various racial matters during the approximate time of the assassination
of Martin Luther King, Jr., including information about the Invaders, a
Memphis youth gang.

Mr. Blakey was granted access to these files based on the
HSCA's request of April 12, 1978. Other than stating [redacted]

[redacted] this request offered no other reasons for the
HSCA's need to review these informant files. However, based on a
discussion between Mr. Blakey and a representative of the FBI's Legal
Counsel Division, Mr. Blakey advised that the HSCA [redacted]

HSCA

1 - G. Robert Blakey, Chief Counsel and Director, HSCA

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

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SEE NOTE, PAGE THREE

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MAIL ROOM

ENCLOSURE

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FBI/DOJ

over

Honorable Louis B. Stokes

The allegation that our informants instigated violence is not a new one. As disclosed in the FBI's file on the Invaders, this allegation was reported in the media in February, 1976. At that time, files of FBIHQ and the Memphis Office of the FBI were reviewed concerning the allegation with negative results. The Memphis Office advised that these informants did not advocate nor take part in the planning of any riot. This information was furnished to the Attorney General by letter dated March 4, 1976.

Further, the Department of Justice Task Force reviewing the FBI's assassination and security investigations of King concluded there was no evidence that the activities of these informants related to King or were in any way connected with his assassination.

Despite the overwhelming evidence disproving the above allegation, this Bureau, in an effort to cooperate with the HSCA as fully as possible and after very careful deliberation, decided to make the FBIHQ informant files available only to Mr. Blakey with all informant identifying data excised. This decision on the part of the Bureau was not meant to serve as a precedent for the HSCA to request the field office files on the same informants nor for that matter to make available the files of other informants which may be of interest to the Committee. If, in fact, the purpose in reviewing these files is to determine whether these informants acted as "agent provocateurs," this Bureau is more than willing to furnish a sworn affidavit denying this allegation.

In referenced letter, Mr. Blakey stated the procedure by which he was permitted access to FBIHQ informant files was unacceptable. It should be noted that Mr. Blakey agreed to these conditions, but prior to the review, requested that members of his staff also be given access to these files. Because some HSCA staff members were familiar with our substantive file on the Invaders, it was necessary to decline Mr. Blakey's request since this knowledge posed an additional threat to our informants' identities.

As you can fully understand, the issue of permitting outside parties to review informant files of the FBI is a very delicate one. It is vital to protect our confidential informants because we may be dealing with the lives and safety of these informants and members of their families. If it becomes general knowledge that FBI informants' files are being opened to outside parties, informant privilege is threatened and our informant development program can be severely hampered. You can appreciate that an Agent in the Field may be unable to develop a confidential relationship with an individual if the agency involved cannot protect the contents of that informant's file.

Honorable Louis B. Stokes

Therefore, for the considerations outlined above, Mr. Blakey's request for access to these field office informant files is denied. This matter has been discussed with Mr. Robert L. Keuch, Deputy Assistant Attorney General, Criminal Division, Department of Justice. Mr. Keuch advised that, in the absence of additional information from the HSCA bearing on the allegation that our informants acted as "agent provocateurs" in instigating violence in Memphis, he concurred with our position on this matter.

Sincerely yours,

William H. Webster
Director

NOTE: By Ryan to Mr. Bassett memorandum dated 4-27-78, it was approved to allow Blakey access to files of informants who furnished information concerning the Invaders. This action was taken in hope of satisfying the HSCA that our informants were not responsible for violence which occurred during the Sanitation Workers Strike in Memphis. After Mr. Blakey reviewed these files, as reported in Ryan to Mr. Bassett memorandum dated 5-19-78, Blakey stated he found no evidence that any of our informants acted as "agent provocateurs." However, he followed with an additional request to see the informants' Field Office files.

Representatives of the Congressional Inquiry Unit, the Legal Counsel Division, and the Top Echelon and Criminal Informant Unit, Criminal Investigative Division, are in total agreement that we should go no further to answer HSCA's demands for informant files in this matter and that Mr. Blakey's request should be denied. Mr. Keuch concurred, based on discussion with D. O. Coulson, Legal Counsel Division, on 5-30-78.

On 6-1-78, SA Buryl Johnson, Memphis Office, was advised of the above. Based on his knowledge of the situation, Memphis would be willing and capable of submitting a sworn affidavit concerning this allegation.

This letter completes response to HSCA's request dated 5-23-78.

Adm. Serv.	Legal Coun.
Crim. Inv. <i>WLB</i>	Plan. & Insp.
Ident.	Rec. Mgmt.
Intell.	Tech. Servs.
Lab.	Training
Off. Cong. & Public Affs. Off.	

RFT
John
Steve

HSCA

This is ridiculous. Three of the five were respected professionals who had no connection with the Oswalds but did get info on it. The FBI did disclose their names to me and David Garrow used them in his first book. How come HSCA had done any investigating at all if would have known that the Oswalds did not cause the million a day children of pennycuik did.