

APR 22 1977

memorandum

DATE:

REPLY TO
ATTN OF:

~~Robert L. Keuch~~
Robert L. Keuch
Special Counsel to the Attorney General

RLK:mal

SUBJECT:

Status Report

RLK -

Approved - Good job

4/28/77 GBB

APR 25 1977

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL

TO:

The Attorney General

This is to brief you on the steps I have taken in establishing and conducting liaison with the House Select Committee on Assassinations. In accordance with my conversation with Mike Kelly, it is my present intention to provide you with such reports approximately every two weeks.

I have met personally with the Chairman and the ranking minority member of the full Committee and with the Chairman of the Subcommittee on the Kennedy assassination matter and will meet in the very near future with the Chairman of the King Subcommittee. I informed each of the gentlemen that it is the Department's desire to be cooperative and as open and candid as we can possibly be and that in those areas where there are disagreements I will make every attempt to explain fully our position and to work the matter out consistent with their interests and the needs of the Department. These meetings, being the first, were cordial and of no great import.

I have agreed to expand the number of individuals to be given priority clearances to approximately 12-15 in order to take care of the major staff positions of the full Committee and the major staff positions for each Subcommittee. The Chairman of the Committee executed the Agreement of Understanding concerning the use to which information developed by the clearance procedures would be put and which you had previously executed and the Bureau has initiated a number of these clearances. I have been informally advised by the Security Director for the Committee staff that the Committee may wish to ultimately request clearances for as many as 80-90 members of the staff. It is my intent, should the number of requested clearances go significantly beyond 15-20 positions to raise the question of reimbursement by the Committee for the costs of the clearance procedures for people other than the most essential staff.

cc: Records
RLK



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AG #27

In numerous conferences with Committee staff we have worked out generally procedures to be followed in processing the Committee's requests for information. I have required that all requests be signed by the Chairman and that the number of individuals in the staff who would contact either me or the designated Bureau representatives be limited to approximately four people. After consultation with the Committee staff and Bureau representatives, I have set up a procedure for providing the Committee with information relating to any ongoing investigations in their areas of interest and have agreed that in special circumstances I will, after consultation with the Bureau, direct special notification on a priority basis when appropriate.

In response to questions from the Chairman of the Committee relayed by Committee Counsel, I stated that the Department is not and will not conduct a full de novo investigation into either the King or Kennedy assassinations but that our investigative efforts will be limited solely to exploring any new allegations or leads which may develop. The Committee staff has stated that they will provide us promptly with any information involving criminal activities.

After numerous attempts to develop a full set of written procedures to cover all contingencies, I have concluded that the appropriate method to follow is to process each request on an ad hoc basis. Those materials that can be provided will, of course, be provided and those areas in which I determine that information cannot be provided to the Committee staff because it involves extremely sensitive national security information or information otherwise critical to our investigative efforts, I will notify the appropriate Chairman, either the Chairman of the full Committee or the Chairman of the appropriate Subcommittee and explain the Department's concerns. Should these gentlemen disagree with my judgment then the matter, of course, will have to be referred to you for decision. I believe such material will constitute a very minute amount of the materials requested and will make every effort to make your necessary participation in these decisions as limited as possible.

The Bureau and I are presently processing the lists of requests made by the Committee in the Chairman's letter to you of March 9. This will include among other things making Mr. Pottinger and Mr. Shaheen available for interviews with the staff and producing the interview reports related to the King Task Force report. At the present I see no problems in providing the items that they have requested to date.

As you are aware the Committee received information that a Louisville police officer claimed he was approached by FBI agents to kill Dr. King. The Committee has obtained a tape from the officer which is allegedly of this conversation. The Bureau was authorized to interview the police officer in the presence of the United States Attorney, however, the police officer, Mr. Baird, has refused to be interviewed by the Bureau. The Committee has agreed to provide the tape recording for duplication by the Bureau and have further agreed to maintain strict custody control of the tape so that the necessary chain of custody could be established should the tape possibly be ever used as evidence.

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