

**The
Martin Luther
King, Jr.,
FBI File**



**BLACK STUDIES RESEARCH SOURCES:
Microfilms from Major Archival and Manuscript Collections**

**August Meier and Elliott Rudwick,
General Editors**

**THE
MARTIN LUTHER KING, JR.,
FBI FILE**

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David J. Garrow**

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**A Microfilm Project of
UNIVERSITY PUBLICATIONS OF AMERICA, INC.
44 North Market Street • Frederick, MD 21701**

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ISBN 0-89093-678-1.**

NOTE ON SOURCES

The materials in this project were collected from the FBI File on Martin Luther King, Jr. These materials can be found at the FBI Headquarters, Washington, D.C.

I. Introduction.

The recently released 17,000-page file on Dr. Martin Luther King, Jr., compiled by headquarters officials at the Federal Bureau of Investigation, details the heavy surveillance and painful harassment that J. Edgar Hoover's FBI directed against America's foremost civil rights leader throughout the 1960s. Most of this file has never been published until now, and it should not be confused with other less comprehensive collections of FBI material on King. This file contains hundreds of substantive documents and is an essential source for the study of Dr. King and his role in the civil rights movement.

Beginning in 1962, when highly valued informants within the top ranks of the American Communist Party told the FBI that one of King's closest confidants, New York lawyer Stanley Levison, was a long-time Communist functionary, Bureau agents closely monitored King's activities and listened in on thousands of his phone conversations. Such round-the-clock surveillance kept FBI executives aware of King's every move and enabled them to pass along memos detailing King's upcoming political plans to interested superiors, including Attorney General Robert Kennedy and Presidents John Kennedy and Lyndon Johnson.

The copious FBI headquarters file on Dr. King allows the scholar, student, or interested citizen to track the Bureau's pursuit of King blow-by-blow, as reports flow in from FBI field offices in New York and Atlanta and other cities, as top FBI executives write to each other about ways to expand their blanket-like coverage on King, and as reports summarizing the Bureau's information on King and the civil rights movement flow outward to the White House, the Pentagon, and other federal offices.

The FBI's declassified documents also allow the reader to follow the development of King's own career and civil rights activities in a way never before possible, for ironically the Bureau's heavy-handed pursuit of King produced an invaluable historical record of the day-to-day thoughts and endeavors of one of America's most famous and important citizens, a man whose hectic life did not allow him the time to put on paper many of the important ideas and concerns that the omnipresent agents of the FBI carefully noted.

FBI worries about King's supposedly dangerous associates came to be shared by top-ranking Justice Department officials, and in the fall of 1963 Robert Kennedy authorized the Bureau to expand its surveillance of King even further. Wiretaps were placed on King's own home and office phones, and hostile FBI officials began plotting ways in which they might harm King's public reputation and destroy his political influence. One upshot of this virulent antipathy was an extensive—and expensive—FBI effort to listen to and record King's most private moments by means of surreptitious "bugs" or microphones secretly implanted in King's hotel rooms by specially skilled teams of Bureau agents. Although a 1977 federal court order sought to limit the after-effects of these outrageous violations of King's personal privacy by removing from the FBI's files all of the "fruits" of this repugnant electronic surveillance and by sealing these items in the National Archives until 2027, the remaining documents fully detail all of the FBI's efforts against King, while not invading those private matters not appropriate for public review.

This important research collection supplies invaluable firsthand information on King's planning of civil rights protests in such Southern hotspots as Birmingham and Selma, on his tension-ridden 1966 foray into the segregated ghettos of Chicago, and on his controversial 1967 decision to vocally oppose the Vietnam war policies of President Lyndon Johnson. It also maps the planning of King's final great crusade, the 1968 Poor People's Campaign, which was about to get underway when King was cut down by a sniper's bullet in Memphis, Tennessee, on April 4, 1968. The final sections of the FBI's comprehensive King file trace the recurring controversies that emerged after King's death concerning the FBI's harassment of him, and these sections guide the curious researcher through the Bureau's responses to the many complaints and investigations of the 1970s that focused on the FBI's distasteful activities against King throughout the previous decade. Taken as a whole, this publication of the FBI's file on King and on his role in the civil rights movement makes available to researchers in history, political science, sociology, and law a crucially important documentary record on one of the central leaders and one of the central issues of our time.

II. Using and Understanding the King File.

This file, designated number 100-106670 by the FBI, is the main or comprehensive "security" file that the Bureau kept on Dr. King at FBI headquarters. The "100" designation is a basic coding that the Bureau long has maintained for domestic security or subversive matter inquiries; the "106670" is a sequential file number initially assigned when the FBI first took note of Martin Luther King—in 1942, when the Bureau briefly looked into allegations that Reverend Martin Luther King, Sr., Dr. King's father, had uttered some disloyal comments. Only in March 1962, several months after the FBI had begun intensive collection of information about Dr. King, Jr., did Bureau supervisors realize that they were placing their documents about the well-known civil rights leader in a file whose first two memos, dating from 1942, concerned a separate but identically named individual, his father. The Bureau resolved this confusion by transferring those two old items to a new file, 100-432863, while Dr. King, Jr., inherited the file number initially assigned his father two decades earlier.¹

Each FBI document whose original or first copy is designated for a particular file is assigned an individual serial number, beginning with one—100-106670-1—and continuing on up into the hundreds and thousands for a lengthy file such as Dr. King's—e.g. 100-106670-999. Those handwritten serial numbers, commonly used for citing individual documents, generally can be found in the lower right hand corner of a document's first page. Sometimes, in the latter reaches of the King file, two separate but related documents will bear the same serial number, and will be referred to by Bureau officials as "100-106670-999-incoming" and "100-106670-999-outgoing." This file, like most others, is also replete with copies of documents whose originals were titled and designated for some other file, and hence will *not* bear King file serialization numbers. Such documents—"Communist Party USA, Negro Question," or "Communist Infiltration of the Southern Christian Leadership Conference"—will have their own individual serial designations—100-3-116-48 and 100-438794-57, for instance—but often such inscriptions will not be fully visible or legible on these copies. Most commonly these secondary serials are spoken of in Bureau parlance as "not recorded" in this file, or 100-106670-NR in FBI coding. Occasionally, serials initially designated for one file subsequently were transferred or changed to another, as is visible early in the King file with six serials—numbered three through eight—which were shifted to headquarters file 100-135-61, an Alabama "Racial Conflict" rubric where the Bureau placed most of its documents concerning the Montgomery bus boycott of 1955-1956.

Several particular types of serials deserve special comment. "Correlation Summaries," such as 100-106670-11, are lengthy inventories listing every FBI file reference to a specific individual, such as Dr. King, not contained in the main

file on that person. FBI field offices in cities such as Atlanta and New York commonly communicated with Bureau headquarters through teletypes, "airtels"—airmail letters—and more formal letterhead memos, or "LHMs." Headquarters officials often prepared formal memoranda for each other, and for transmittal to the two men at the top of the FBI's pyramid, Associate Director Clyde Tolson and Director J. Edgar Hoover. Such memos often were *not* prepared by the apparent sender himself, but by a supervisor working under him, whose authorship commonly can be detected by examining the typed initials located in the bottom left corner of most headquarters documents. On many such memos, the handwritten initials of Hoover, Tolson, and other top executives, sometimes accompanied by lengthier annotations, indicate their personal reading of that document.

The King file reflects several different types of authorized deletions. In the first and major segment of the King headquarters file—one hundred and four "sections" or binders that proceed in rough chronological order—certain documents concerning electronic surveillance authorizations do not appear. Such items, spoken of arcanelly as "JUNE mail" in FBI parlance, were housed in an extrasecure special file room within Bureau headquarters, and have been released by the FBI in two separate "JUNE sections," which appear here as the second segment of this overall file.² Though filed separately, these special documents were serialized in the normal, chronological fashion, and referral sheets pointing the reader toward their separate location appear in the main sections in the places where these memos otherwise would be filed.

Deletions from the King file—either in the form of blacked out sections on released pages or in the form of totally withheld pages—have taken place for two basic reasons. First, the Freedom of Information Act, under which these documents were requested, processed, and released, allows the FBI and other federal agencies to delete and withhold a variety of types of information. These exemptions—listed in full in Appendix 1 of this guide—authorize the Bureau to withhold any classified information (exemption (b) [1]), any material "related solely to the internal rules and practices of the FBI," such as informant coding symbols ((b) [2]), any records that would invade someone's personal privacy by, for instance, discussing their sexual habits ((b) [7] [c]), or material that would "reveal the identity of a confidential source or reveal confidential information furnished only by the confidential source" ((b) [7] [d]), among others. Whichever exemption or exemptions the FBI is claiming in withholding a certain passage or document is cited as such in the margin of a partially released document or on the top line of the "deleted page" sheets, which are inserted when a single page or entire document is withheld. Deleted page sheets also appear in place of referral documents, memos prepared by agencies other than the FBI and which the FBI forwarded to the originating agency for separate (and subsequent) FOIA processing.

The second basic grounds for deletions from the King file is an order issued by the U.S. District Court for the District of Columbia in 1977 in a lawsuit filed by one of Dr. King's closest former aides, Bernard S. Lee, and the SCLC, seeking damages for the extensive electronic surveillance that the FBI carried out against Dr. King during the 1960s. Though no money damages were awarded, the court did instruct the FBI to remove from its files, and turn over under seal to the National Archives, for a period of at least fifty years, all recordings, transcripts of recordings, and descriptive summaries generated by the telephone wiretaps the FBI had placed upon Dr. King's Atlanta home and office between 1963 and 1966, and by hotel room "bugs" or microphones that the Bureau had targeted against King on numerous occasions between 1964 and 1966. The full text of this court order appears as Appendix 2 of this guide; special deleted page sheets indicating serials removed from the King file pursuant to that order appear throughout the file sections covering that time period.

Six years later, in 1983, U.S. Senator Jesse Helms (R.-N.C.), in a futile effort to block congressional passage of a Martin Luther King, Jr., holiday bill, unsuccessfully but stridently sought to have that 1977 order altered so as to allow him access to the previously sealed surveillance materials on the grounds that such access was necessary in order for him and other Senators to cast fully informed

votes on the King holiday measure. Though the attempt garnered Helms the extensive publicity he was seeking, the D.C. federal court made short shrift of his legal arguments seeking access to the King materials. The court's opinion and order in this matter appears as Appendix 3 to this guide.³

The third and final segment of the King file—following the 104 initial sections and the two JUNE sections—is a fifteen section "sub-A" file composed of newspaper clippings, wire service stories, and other public source materials concerning King that FBI headquarters officials collected, and sometimes annotated, over the course of their investigation. Read in conjunction with the Bureau's internally generated documents concerning King's activities, this subfile allows a researcher to sample extensively from nationwide press coverage of King's undertakings without having to search through scores of individual newspapers.⁴

Notes

1. This matter is detailed further in David J. Garrow, *The FBI and Martin Luther King, Jr.: From "Solo" to Memphis* (New York: W.W. Norton & Co., 1981, Penguin Paperback, 1983), p. 234, n. 9. Researchers planning to make extensive use of the King security file may want to become familiar with additional citations and information from this volume before proceeding with intensive study of the King file.
2. The procedures and origins of the "JUNE mail" system are ably set forth in Athan Theoharis, "FBI Surveillance During the Cold War Years," *Public Historian* 3 (Winter 1981): 4-14.
3. A more comprehensive account of the 1983 controversy over the holiday bill is given in David J. Garrow, "The Helms Attack on King," *Southern Exposure* 12 (March 1984): 12-15.
4. The editor welcomes any and all questions or inquiries concerning the use or interpretation of items from the King security file or attendant matters. His address is: Department of Political Science, The City College of New York, Convent Avenue and 138th Street, New York, New York 10031.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BERNARD S. LEE,)	
)	
Plaintiff)	Civil Action
)	
v)	No. 76 - 1185
)	
CLARENCE M. KELLEY, et al.,)	
)	
Defendants)	
)	
SOUTHERN CHRISTIAN LEADERSHIP)	
CONFERENCE,)	
)	
Plaintiff)	Civil Action
)	
v)	No. 76 - 1186
)	
CLARENCE M. KELLEY, et al.,)	
)	
Defendants)	

MEMORANDUM OPINION AND ORDER

Bernard Lee, former assistant to Dr. Martin Luther King, and the Southern Christian Leadership Conference (SCLC), headed by Dr. King until his death in 1968, are suing Clarence Kelley, Cartha DeLoach, William Sullivan, John Mohr (executor of the estate of Clyde Tolson), and two unknown (and unserved) FBI agents for violation of rights guaranteed them under the First, Fourth, and Fifth Amendments to the Constitution of the United States. Specifically, Lee alleges that defendants surreptitiously tape-recorded his conversations in a room at the Willard Hotel in 1963 and that a copy of the tape was sent to Mrs. King in 1964. He further contends that other of his conversations have been recorded since that time, including some after the enactment, in 1968, of Title III of the Omnibus Crime Control and Safe Streets Act, 18 U.S.C. §§2510-2520. SCLC complains that, "beginning in 1963 and ending in the Fall of 1968," defendants eavesdropped on the conversations of the organization's employees. It too contends that recordings of these conversations have been made available to the news media and others outside the FBI. Both plaintiffs seek money damages and request that all records of the monitored conversations be destroyed or impounded.

Defendants' Motion to Dismiss, now before the Court, raise several substantial defenses. However, in view of the fact that the Court now finds the damage claims to be barred by the statute of limitations, consideration of the other defenses is pretermitted.

When suing either under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), or under Title III, plaintiffs are governed by the most analogous statute of limitations of the state in which the Court sits. *Holmberg v. Armbricht*, 327 U.S. 392, 395 (1946); *Johnson v. Railway Express Agency, Inc.*, 421 U.S. 454 (1975); *Ernst & Ernst v. Hochfelder*, 44 U.S.L.W. 4451 4459n.29 (1976); *Forrestal Village, Inc. v. Graham*, No. 76-1314 (D.C.Cir. January 13, 1977). In this case, the three-year District of Columbia statute controls. Pub.L.88-241, 77 Stat. 509, 12 D.C. Code §301(8). The statute began to run when plaintiffs actually discovered, or in the exercise of due diligence should have discovered, the operative facts of the cause of action. See *Lewis v. Denison*, 2 App.D.C. 387 (1894); *Holmberg v. Armbricht, supra*.

Starting in the mid-1960s and reaching a peak in 1968 and 1969, at the time of former Attorney General Robert Kennedy's campaign for the Presidency and thereafter, the nation's leading newspapers were rife with accounts of buggings of Dr. King. See Exhibit A to Federal Defendants' Motion to Dismiss. Under these circumstances, plaintiffs' avowal that they had no knowledge of the source of the tapes until the 1975 report by the Senate Select Committee on the FBI is not well taken. Accordingly, the motions to dismiss the amended complaints are granted.

With reference to the custody of the intercepted conversations, an inventory of all such records shall be presented to the Court, and the records themselves shall be turned over, under seal, to the Archivist of the United States. See 44 U.S.C. §2101 et seq.

Therefore, it is by the Court this 31st day of January 1977

ORDERED that the Motions by defendants Clarence M. Kelley, Cartha DeLoach, William C. Sullivan and John P. Mohr to dismiss the Amended Complaints be, and the same hereby are, granted; and it is further

ORDERED that, within ninety (90) days of the date of the entry of this Order, the Federal Bureau of Investigation shall assemble at its headquarters in Washington, D.C., all known copies of the recorded tapes, and transcripts thereof, resulting from the FBI's microphonic surveillance, between 1963 and 1968, of the plaintiffs' former president, Martin Luther King, Jr.; and all known copies of the tapes, transcripts and logs resulting from the FBI's telephone wire-tapping, between 1963 and 1968, of the plaintiffs' offices in Atlanta, Georgia and New York, New York, the home of Martin Luther King, Jr., and places of public accommodation occupied by Martin Luther King, Jr.; and it is further

ORDERED that at the expiration of the said ninety (90) day period, the Federal Bureau of Investigation shall deliver to this Court under seal an inventory of said tapes and documents and shall deliver said tapes and documents to the custody of the National Archives and Records Service, to be maintained by the Archivist of the United States under seal for a period of fifty (50) years; and it is further

ORDERED that the Archivist of the United States shall take such actions as are necessary to the preservation of said tapes and documents but shall not disclose the tapes or documents, or their contents, except pursuant to a specific Order from a court of competent jurisdiction requiring disclosure.

James Lewis Smith, Jr.
United States District Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BERNARD S. LEE,

Plaintiff,

v.

Civil Action No. 76-1186

CLARENCE M. KELLEY:

CARTHA DeLOACH:

WILLIAM C. SULLIVAN:

**JOHN P. MOHR, Executor of
the Estate of Clyde A.
Tolson, deceased; and**

**TWO UNKNOWN AGENTS,
individually and as agents
of the Federal Bureau of
Investigation,**

Defendants.

**SOUTHERN CHRISTIAN
LEADERSHIP CONFERENCE,**

Plaintiff,

v.

Civil Action No. 76-1186

CLARENCE KELLEY, et al.,

Defendants.

UNITED STATES OF AMERICA,

Defendant-Intervener

JESSE HELMS,

Counterclaimant-Intervener

v.

**GERALD CARMEN, Administrator
of the General Services
Administration
General Services Building
18th and F Streets, N. W.
Washington, D. C. 20405,**

**ROBERT M. WARNER
ARCHIVIST OF THE UNITED STATES
National Archives and Records
Service
Pennsylvania Ave. & 7th St., N. W.
Washington, D. C. 20408, and**

**WILLIAM H. WEBSTER, Director
of the Federal Bureau of
Investigation
Department of Justice
Constitution Ave. & 9th St., N. W.
Washington, D. C. 20530**

Defendants in Intervention

MEMORANDUM AND ORDER

Senator Jesse Helms seeks leave to intervene pursuant to Fed.R.Civ.P. 24(a)(2) in two cases decided by this Court in 1977. In *Lee v. Kelley*, No. 76-1185, and *Southern Christian Leadership Conference v. Kelley*, No. 76-1186 (D.D.C. Jan. 31, 1977), this Court ordered that tapes and transcripts generated by Federal Bureau of Investigation electronic surveillance of Dr. Martin Luther King be held under seal in the National Archives for a period of fifty years, and that the tapes or their contents not be disclosed except under specific court order. The case is currently before the Court on Senator Helms' motion to intervene and his motion, under Fed.R.Civ.P. 60(b)(5), to vacate or modify the Court's 1977 order.

Senator Helms requests access to the sealed materials before the Senate considers, on October 19, 1983, legislation establishing a national holiday honoring Dr. King. Such legislation has been introduced numerous times in prior sessions of Congress. On August 2, 1983, the House of Representatives passed a King holiday bill and sent it to the Senate for consideration. More than two months later, on October 11, 1983, and barely one week before the Senate is scheduled to vote on the bill, Senator Helms filed this motion for intervention.

Fed.R.Civ.P. 24(a)(2) provides that:

"Upon timely application anyone shall be permitted to intervene in an action: . . . (2) when the applicant claims an interest relating to the property or transaction which is the subject of the action and he is so situated that the disposition of the action may as a practical matter impair or impede his ability to protect that interest, unless the applicant's interest is adequately represented by existing parties."

Assuming that Senator Helms' motion is "timely made," *Foster v. Gueroey*, 655 F.2d 1319, 1324 (D.C. Cir. 1981),¹ Fed.R.Civ.P. 24(a)(2) requires that the applicant show that he has an "interest relating to the property or transaction" at issue, and that disposition of the action "may as a practical matter impair or impede his ability to protect that interest." Fed.R.Civ.P. 24(a)(2). See *Donaldson v. United States*, 400 U.S. 517, 531 (1971) (applicant must assert a "significantly protectable interest"). See also *Nuessa v. Camp*, 385 F.2d 694, 700 (D.C. Cir. 1967); *Smuck v. Hobson*, 408 F.2d 175, 177-80 (D.C. Cir. 1969). Cf. *United States v. ATT*, *supra*, 642 F.2d at 1291 (interest inquiry "in essence a question of standing to participate").

Senator Helms claims a "protectable interest" in obtaining the sealed materials because of his "constitutional duty to cast an informed vote on all matters on which he is permitted to vote" as a member of the Senate. Senator Helms contends that this is an "individual interest," relying primarily on the Court of Appeals' 1974 decision in *Kennedy v. Sampson*, 511 F.2d 430 (D.C. Cir. 1974). In that case, the Court held that an individual Senator had standing to challenge the constitutionality of a Presidential pocket veto because the veto rendered his earlier vote on the bill ineffective and deprived him of his constitutional "right to demand or participate in a vote to override the President's veto." *Id.* at 433. The Court observed that the Senator's "stake in the litigation is a quantum of his official influence upon the legislative process." *Id.* at 436. Senator Helms relies on this language to support his claim of an interest in "effectively exercising his vote."

Senator Helms, however, fails to take into account the Court of Appeals' decision in *Harrington v. Bush*, 553 F.2d 190 (D.C. Cir. 1977). In that case, a member of the House of Representatives challenged the funding and reporting provisions of the Central Intelligence Agency Act of 1949, 50 U.S.C. § 403 *et seq.* (1968), claiming, *inter alia*, that the Act denied him information relevant to his interest in "consider[ing], debat[ing]

¹As noted, Senator Helms did not file this motion until one week before the scheduled Senate vote on the King legislation. Under the circumstances, see *NAACP v. New York*, 413 U.S. 345, 366 (1973), it appears to the Court that Senator Helms' motion may be untimely. See *Hodgson v. United Mine Workers of America*, 473 F.2d 118, 129 (D.C. Cir. 1973); *United States v. ATT*, 642 F.2d 1285, 1294-95 (D.C. Cir. 1980). However, because "a court should be more reluctant to deny an intervention motion on grounds of timeliness if it is intervention as of right than if it is permissive intervention," *id.* at 1295, the Court will consider whether Senator Helms' application satisfies the second requirement of Fed.R.Civ.P. 24(a)(2).

[and] vot[ing] upon... Executive requests for appropriations for the Agency." *Id.* at 201. Furthermore, the Congressman sought the information to enable him to be a "more effective participant in the appropriations process." *Id.* at 202.

The Court held that the Congressman lacked standing to maintain the suit and narrowly limited the applicability of *Kennedy v. Sampson*. The *Kennedy* rationale does not support standing where the Congressman "relies on uncertainty due to the lack of information as the injury to his future votes." *Id.* at 211. Rather, the "concern expressed in *Kennedy* over injury to a future vote" is limited to situations where the "future vote in question [is] a constitutionally prescribed followup to the vote already cast on the same precise legislative bill." *Id.* (emphasis supplied). In view of *Harrington v. Bush*, Senator Helms' reliance on the *Kennedy* decision is misplaced; he cannot point to the past "nullified vote" necessary to invoke the *Kennedy* principle. See also *Goldwater v. Carter*, 617 F.2d 697 (D.C. Cir.) (*en banc*), vacated on other grounds, 444 U.S. 996 (1979).

Further discussion of the requirements for intervention is unnecessary. Even if it is concluded that Senator Helms asserts a sufficient "interest" for intervention purposes, and that he satisfies the other requirements of Fed.R.Civ.P. 24(a)(2), this Court must refuse his request for judicial relief. In two recent cases, *Riegel v. Federal Open Market Committee*, 656 F.2d 873 (D.C. Cir.), cert. denied 454 U.S. 1082 (1981), and *Vander Jagt v. O'Neill*, 699 F.2d 1166 (D.C. Cir.), cert. denied 52 U.S.L.W. 3263 (U.S., Oct. 4, 1983), the Court of Appeals considered the "separation of powers problems inherent" in cases where "individual members of the legislative branch," *Harrington v. Bush*, *supra*, 553 F.2d at 214, seek relief in federal court. In *Riegel v. Federal Open Market Committee*, the Court concluded that the standing, ripeness, and political question doctrines are incapable of "reflecting the prudential concerns raised by congressional plaintiff suits." 656 F.2d at 880-81. Consequently, the Court announced a doctrine of "circumscribed equitable discretion." In cases where the Congressional plaintiff "alleges an injury which could be substantially cured by legislative action," this standard "counsel[s] judicial restraint":

"[I]t is in these cases that the plaintiff's dispute appears to be primarily with his fellow legislators. In these circumstances, separation of powers concerns are most acute. Judges are presented...with the possibility of thwarting Congress' will by allowing a plaintiff to circumvent the processes of democratic decisionmaking." *Id.* at 881. See also *Vander Jagt v. O'Neill*, *supra*, 699 F.2d at 1168.

Senator Helms' attempt to intervene in effect represents a "dispute with his fellow legislators." In his supporting papers, Senator Helms emphasizes what he views as an inadequate factfinding process in the Senate: because the "Senate leadership waived the normal rules," "no hearings have been conducted concerning the proposed legislation in order to inform the Senators of facts either to justify or to defeat the passage of this legislation." Helms Memorandum of Points and Authorities at 5 (emphasis supplied). "No Senate committees have been charged with the responsibility to investigate Dr. King." Helms Supplemental Memorandum of Points and Authorities at 6. By intervening in this case to obtain the King surveillance materials, Senator Helms seeks to perform the investigative function of the committee hearings the Senate leadership decided to forego.²

²By noting the absence of Senate hearings on the bill, Senator Helms acknowledges the principal role of committees in exercising the investigatory powers of the Congress. See 2 U.S.C. § 192 (1977) (establishing contempt penalty for failure to testify before authorized committee); *Rules and Manual of the United States Senate* § 26.1, p. 14 (1979) (authorizing committees "by subpoena or otherwise [to require]... the production of... correspondence, books, papers, and documents") (emphasis supplied); *Eastland v. United States Servicemen's Fund*, 421 U.S. 491, 505 (1975) (subcommittee subpoena power necessary for it "to do the task assigned to it by Congress"). Indeed, this Court in 1977 permitted a properly authorized committee, the House Select Committee on Assassinations, access to a limited portion of the King surveillance materials at issue here. Senator Helms, however, does not appear here on behalf of a committee authorized to consider the King legislation. Rather, he appears as an individual Senator, without Senate authorization, in what is undeniably an investigatory role. Although Congress' investigatory power is very broad, *Watkins v. United States*, 354 U.S. 178, 187 (1957), the "principle is important that disclosure of information can only be compelled by authority of Congress, its committees or subcommittees not solely by individual members..." *Exxon Corp. v. FTC*, 589 F.2d 582, 592-93 (D.C. Cir. 1978). Moreover, the Fifth Circuit refused to permit two members of the House of Representatives to intervene in a private suit and seek materials held under

It is not for this Court to review the adequacy of the deliberative process in the Senate or to question decisions of the Senate leadership. *Cf. Vander Jagt v. O'Neill, supra*, 699 F.2d at 1176; *Metcalf v. National Petroleum Council*, 553 F.2d 176, 188 (D.C. Cir. 1977). To conclude otherwise would represent an "obvious intrusion by the judiciary into the legislative arena." *Riegel, supra*, 656 F.2d at 882. Senator Helms, of course, is not prevented from entering the "legislative arena"; he can argue to the Senate that the sealed materials should be obtained and considered by a committee before a vote. In any event, the proper forum for this contention is the Senate, for "[i]t would be unwise to permit the federal courts to become a higher legislature where a Congressman who has failed to persuade his colleagues can always renew the battle." *Id. See also Sanchez-Espinoza v. Reagan*, 568 F.Supp. 596, 600-01 n.5 (D.D.C. 1983); *Crockett v. Reagan*, 558 F.Supp. 893, 902-03 (D.D.C. 1982); *Moore v. United States House of Representatives*, 553 F.Supp. 267, 270-71 (D.D.C. 1982) (all applying *Riegel* equitable discretion doctrine).

In view of these considerations, the Court concludes that Senator Helms' attempt to obtain the sealed materials must be rejected. Senator Helms' application for intervention does not satisfy the "interest" requirement of Fed.R.Civ.P. 24(a)(2). More importantly, separation-of-powers principles require this Court to exercise its equitable discretion and deny relief in these circumstances. *See Vander Jagt v. O'Neill, supra*, 699 F.2d at 1177.

Accordingly, Senator Helms' motions to intervene and to vacate or modify the January 1977 order are denied.

An appropriate order follows.

James Lewis Smith, Jr.
United States District Judge

a protective order, on the ground that the Congressmen "failed to obtain a House Resolution or any other similar authority before they sought to intervene" in the case. *In re Beef Industry Antitrust Litigation*, 589 F.2d 786, 791 (5th Cir. 1979). *Exxon Corp.* and *In re Beef Industry* illustrate the fundamental importance attached to proper consideration and authorization of formal investigatory efforts by Members of Congress. *See Gojack v. United States*, 384 U.S. 702 (1966); *Watkins v. United States, supra*. *See generally* Nowak, Rotunda & Young, *Constitutional Law* 248-50 (2d ed. 1983). Senator Helms cannot simply rely on his "[e]lection to the Congress," *Exxon Corp. v. FTC, supra*, 589 F.2d at 593, as the basis for an order by this Court ordering public disclosure of sensitive materials resulting from an FBI electronic surveillance program.

Dated: 10/18/83

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

BERNARD S. LEE,)

Plaintiff,)

v.)

Civil Action No. 76-1185

CLARENCE M. KELLEY:)

CARTHA DeLOACH:)

WILLIAM C. SULLIVAN:)

JOHN P. MOHR, Executor of)
the Estate of Clyde A.)
Tolson, deceased: and)

TWO UNKNOWN AGENTS,)
individually and as agents)
of the Federal Bureau of)
Investigation,)

Defendants.)

SOUTHERN CHRISTIAN)
LEADERSHIP CONFERENCE,)

Plaintiff,)

v.)

Civil Action No. 76-1186

CLARENCE KELLEY, et al.,)

Defendants.)

UNITED STATES OF AMERICA,)

Defendant-Intervener)

JESSE HELMS,)

Counterclaimant-Intervener)

v.)

GERALD CARMEN, Administrator)
of the General Services)
Administration)
General Services Building)
18th and F Streets, N.W.)
Washington, D.C. 20405)

ROBERT M. WARNER)
ARCHIVIST OF THE UNITED STATES)
National Archives and Records)
Service)
Pennsylvania Ave. & 7th St., N.W.)
Washington, D. C. 20408, and)

WILLIAM H. WEBSTER, Director)
of the Federal Bureau of)
Investigation)
Department of Justice)
Constitution Ave. & 9th St., N.W.)
Washington, D.C. 20530,)

Defendants in Intervention.)

ORDER

Upon consideration of Senator Jesse Helms' motions for leave to intervene and for an order vacating or in the alternative modifying the order sealing records, the opposition thereto, and the record herein, it is by the Court this 18th day of October, 1983.

ORDERED that the motion of Senator Jesse Helms for leave to intervene in this action is denied, and it is

FURTHER ORDERED that the motion of Senator Jesse Helms for an order vacating or in the alternative modifying the order sealing records is denied.

James Lewis Smith, Jr.
United States District Judge

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods
- (b)(2) materials related solely to the internal rules and practices of the FBI
- (b)(3) information specifically exempted from disclosure by statute (see continuation page)
- (b)(4) privileged or confidential information obtained from a person, usually involving commercial or financial matters
- (b)(5) inter-agency or intra-agency documents which are not available through discovery proceedings during litigation; documents, the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction; or documents which represent the work product of an attorney-client relationship
- (b)(6) materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy
- (b)(7) investigatory records compiled for law enforcement purposes, the disclosure of which would: (A) interfere with law enforcement proceedings; (B) deprive a person of the right to a fair trial or an impartial adjudication, or give one party of a controversy an undue advantage by exclusive access to such information; (C) constitute an unwarranted invasion of the personal privacy of another person; (D) reveal the identity of a confidential source or reveal confidential information furnished only by the confidential source; (E) disclose investigative techniques and procedures, thereby impairing their future effectiveness; and (F) endanger the life or physical safety of law enforcement personnel
- (b)(8) information collected by Government regulatory agencies from financial institutions
- (b)(9) geological and geophysical information, including maps, produced by private companies and filed by them with Government agencies.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals, except records of arrest

- (k)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which would reveal the identity of an individual who has furnished information pursuant to a promise that his identity would be held in confidence
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056
- (k)(4) required by statute to be maintained and used solely as statistical records
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.

FBI/DOJ

TABLE OF CONTENTS

Part I

Reel I	1
1958-1960	1
1961	1
1962	1
1963	2
Reel II	2
1963 cont.	2
1964	3
Reel III	3
1964 cont.	3
Reel IV	4
1964 cont.	4
Reel V	4
1964 cont.	4
1965	4
Reel VI	5
1965 cont.	5
Reel VII	5
1965 cont.	5
Reel VIII	6
1965 cont.	6
Reel IX	6
1965 cont.	6
1966	7
Reel X	7
1966 cont.	7

Reel XI	8
1966 cont.	8
1967	8
Reel XII	9
1967 cont.	9
1968	9
Reel XIII	9
1968 cont.	9
Reel XIV	10
1968 cont.	10
1969	10
1970	11
Reel XV	11
1970 cont.	11
1971	11
1972	12
1973	12
1974	12
1975	12
1976	12
1977	13

Part II—June Mail

Reel XV cont.	13
1963-1965	13
1965-1969	13

Part III—Sub-A File

Reel XVI	13
1958-1976	13

REEL INDEX

Part I

Reel I

1958-1960

Section 1—Main File

- 0001 April 1960. 2pp.
- 0003 October 1958. 1p.
- 0004 March 1959. 2pp.
- 0006 February 1960. [Includes: Letters.] 3pp.
- 0009 April. [Includes: "Meet the Press" Appearance.] 3pp.
- 0012 May. [Includes: "Meet the Press" Appearance.] 1p.
- 0013 August. [Includes: "Committee to Secure Justice for Morton Sobell."] 2pp.
- 0015 September. [Includes: Correlation Summary.] 76pp.
- 0091 October. [Includes: Violation of Probation; NAACP and the "Committee to Secure Justice for Morton Sobell."] 4pp.

1961

- 0095 February. [Includes: Article in *The Nation*.] 2pp.
- 0097 May. [Includes: Congressional Record on the Article that Appeared in *The Nation*; Alleged Plot to Kill Martin Luther King, Jr.] 18pp.
- 0115 June. [Includes: Letter regarding Information on Martin Luther King, Jr.] 2pp.
- 0117 August. [Includes: Name Check Report; Alleged Communist Ties.] 9pp.
- 0126 September. [Includes: Alleged Communist Ties; Position on Communist China.] 7pp.
- 0133 October. [Includes: Movie "Advise and Consent."] 4pp.
- 0137 November. [Includes: Name Check Report; Alleged Communist Ties.] 6pp.
- 0143 December. [Includes: Racial Situation in Albany, Georgia.] 3pp.

1962

- 0146 January. [Includes: Correlation Summary.] 39pp.
- 0185 February. [Includes: Racial Situation in Birmingham; Stanley Levison.] 9pp.
- 0194 March. [Includes: Security Matters—Atlanta.] 7pp.
- 0201 April. [Includes: Stanley Levison; Judge William Henry Hastie; Racial Situation in Augusta; FBI Reports; CPUSA—Negro Question. 110pp.

Section 2

- 0311 April, continued. [Includes: "March on Washington"; Hunter Pitts O'Dell.] 7pp.
0318 May. [Includes: Hunter Pitts O'Dell; Stanley Levison; SCLC.] 54pp.
0372 June. [Includes: "Committee to Aid the Southern Freedom Struggle"; Stanley Levison; SCLC.] 48pp.
0420 July. [Includes: Hosea Herman Hudson, Sr.; Ghandi Society for Human Rights; Racial Situation in Albany, Georgia; Stanley Levison.] 24pp.
0444 August. [Includes: Hosea Herman Hudson, Sr.; Hunter Pitts O'Dell.] 25pp.
0469 September. [Includes: Stanley Levison; Clarence B. Jones; Federal Maritime Commission.] 20pp.
0489 October. [Includes: Security Matters.] 13pp.
0502 November. [Includes: Hunter Pitts O'Dell; CPUSA.] 16pp.
0518 December. [Includes: Hunter Pitts O'Dell; Racial Situation in Albany, Georgia.] 9pp.

Section 3—Main File

- 0528 December, continued. [Includes: FBI Investigations of Civil Rights Cases; Hunter Pitts O'Dell; Ghandi Society for Human Rights.] 16pp.

1963

- 0544 January. [Includes: Stanley Levison; Hunter Pitts O'Dell; Racial Situation in Albany, Georgia.] 60pp.
0604 February. [Includes: Stanley Levison; Security Matters.] 9pp.
0613 March. [Includes: Racial Matters; Stanley Levison; Voter Registration Project; Highlander Folk School.] 43pp.
0656 April. [Includes: Criminal Record; Racial Matters—Newark; Nation of Islam.] 13pp.
0669 May. [Includes: Nation of Islam; Racial Matters—Camden and Birmingham; James R. Hoffa.] 50pp.
0719 June. [Includes: Racial Matters; Stanley Levison.] 14pp.

Section 4—Main File

- 0733 June, continued. [Includes: Racial Matters; Hunter Pitts O'Dell.] 92pp.
0825 July. [Includes: Racial Matters—Newark and Birmingham; Highlander Folk School; Racial Agitation.] 68pp.

Section 5—Main File

- 0893 July, continued. [Includes: Racial Matters; Racial Agitation.] 17pp.
0910 August. [Includes: Racial Matters; CPUSA—Negro Question; "March on Washington"; Stanley Levison.] 116pp.
1026 September. [Includes: Racial Matters; Clarence B. Jones.] 48pp.

Reel II

1963 cont.

Section 6—Main File

- 0001 September, continued. [Includes: Clarence B. Jones; CPUSA—Negro Question; Racial Matters.] 38pp.
0039 October. [Includes: Racial Matters; CPUSA—Negro Question.] 123pp.
0162 November. [Includes: CPUSA—Negro Question; SCLC; Catholic Peace Medal; Letters.] 106pp.

Section 7—Main File

- 0268 November, continued. [Includes: CPUSA—Negro Question; SCLC.] 46pp.
0314 December. [Includes: CPUSA—Negro Question; Racial Matters—Appearances.] 142pp.

1964

- 0456 January. [Includes: CPUSA—Negro Question; Stanley Levison.] 78pp.

Section 8—Main File

- 0534 January, continued. [Includes: CPUSA—Negro Question; Death Threats.] 112pp.
0646 February. [Includes: Rooney Committee; CPUSA—Negro Question; House Appropriations Committee.] 17pp.

Section 9—Main File

- 0663 February, continued. [Includes: CPUSA—Negro Question; Reports with Appendices; New York City Schools, Racial Matters—Texas.] 179pp.
0842 March. [Includes: CPUSA—Negro Question; Bayard Rustin; Racial Matters.]

Section 10—Main File

- 0901 March, continued. [Includes: Racial Matters; HCUA; Hermine Popper; CPUSA—Negro Question.] 158pp.

Reel III**1964 cont.****Section 10—Main File cont.**

- 0001 March, continued. [Includes: CPUSA—Negro Question.] 70pp.

Section 11—Main File

- 0071 April. [Includes: CPUSA—Negro Question; Miscellaneous Information Concerning Martin Luther King, Jr.; Racial Matters—SCLC; Appearances.] 165pp.
0236 May. [Includes: CPUSA—Negro Question; Congressional Record.] 43pp.

Section 12—Main File

- 0279 May, continued. [Includes: Subject Activities Report; CPUSA—Negro Question; SCEF, Inc.] 126pp.
0405 June. [Includes: CPUSA—Negro Question; Demonstrations; Lee Calvin White; Malcolm X Little.] 172pp.

Section 13—Main File

- 0577 June, continued. [Includes: CPUSA—Negro Question; Subject's Activities Report; Nation of Islam.] 72pp.
0649 July. [Includes: CPUSA—Negro Question; Lee Calvin White; Security Matters; NOI; Racial Matters.] 124pp.

Section 14—Main File

- 0773 July, continued. [Includes: Racial Matters; Death Threats; Mississippi; Letters.] 133pp.
0906 August. [Includes: CPUSA—Negro Question; Birmingham; Judge L.E. Warren; Letters.] 64pp.

Reel IV

1964 cont.

Section 15—Main File

0001 August, continued. [Includes: Racial Matters—Communist Influence; SCLC; CPUSA—Negro Question; Racial Matters—Democratic Convention.] 150pp.

Section 16—Main File

0151 September. [Includes: Racial Matters—Communist Influence; Infiltration of SCLC; SCEF, Inc.] 87pp.

Section 17—Main File

0238 September, continued. [Includes: Letters; Racial Matters; Infiltration of the SCLC.] 33pp.

0271 October. [Includes: Racial Matters—Communist Influence; Nobel Peace Prize; Racial Matters—Cleveland; SCLC.] 122pp.

0393 November. [Includes: Security Matters.] 9pp.

Section 18—Main File

0402 November, continued. [Includes: Racial Matters—Cleveland; Racial Matters—Communist Influence; Fay Wells.] 172pp.

Section 19—Main File

0574 November, continued. [Includes: Racial Matters—Miami; Acting Attorney General Katzenbach; CORE; Highlander Folk School.] 121pp.

0695 December. [Includes: Racial Matters—Communist Influence.] 13pp.

Section 20—Main File

0708 December, continued. [Includes: Racial Matters—Communist Influence; Letters; Newspaper Clippings.] 152pp.

Section 21—Main File

0860 December, continued. [Includes: Racial Matters—Communist Influence; Appearances and Visits; FBI Report; Racial Matters.] 180pp.

Reel V

1964 cont.

Section 22—Main File

0001 December, continued. [Includes: Voting Registration; Racial Matters—Selma, Alabama; Mississippi Freedom Democratic Party.] 28pp.

1965

0029 January. [Includes: "Information Concerning" Memos; European Trip; Security Matters; Racial Matters—Communist Influence; Mississippi.] 177pp.

Section 23—Main File

0206 January, continued. [Includes: Racial Matters—Communist Influence; American Nazi Party; Voting Discrimination.] 97pp.

0303 February. [Includes: Voting Discrimination; Security Matters; SCLC.] 130pp.

Section 24—Main File

0433 February, continued. [Includes: Nation of Islam; Racial Matters—Communist Influence; Voting Discrimination; Infiltration of the SCLC; Death Threats.] 225pp.

Section 25—Main File

0658 February, continued. [Includes: Racial Matters—Communist Influence.] 5pp.

0663 March. [Includes: Death Threats; Racial Matters—Communist Influence; Los Angeles Activities; Federal Protection; Voting Discrimination.] 187pp.

Section 26—Main File

0850 March, continued. [Includes: Death Threats; Protesting U.S. Intervention in Vietnam; Racial Matters—Communist Influence; March from Selma to Montgomery.] 180pp.

Reel VI

1965 cont.

Section 27—Main File

0001 March, continued. [Includes: Racial Matters; Death Threats; Letters; March from Selma to Montgomery; Racial Matters—Communist Influence.] 136pp.

0137 April. [Includes: Correlation Summary; Allegations Against the FBI; Congressional Activities.] 85pp.

Section 28—Main File

0222 April, continued. [Includes: Death Threats; Proposed Boycott; Letters; Voting Discrimination; Racial Matters—Communist Influence; Threats Against the President; Public Opinions.] 218pp.

Section 29—Main File

0440 April, continued. [Includes: Death Threats; Racial Matters—Communist Influence; Infiltration of the SCLC; Racial Violence; Civil Rights Activities; "Boycott of Alabama."] 147pp.

Section 31—Main File

0804 April, continued. [Includes: Death Threats; Racial Matters—Marches; Racial Matters—Communist Influence; Infiltration of the SCLC.] 99pp.

Section 32—Main File

0903 April, continued. [Includes: Letters Requesting Information; Racial Matters—Communist Influence.] 40pp.

0943 May. [Includes: Assassination Plots; Racial Matters—Communist Influence; SCLC; KKK.] 103pp.

Reel VII

1965 cont.

0001 May, continued. [Includes: Letters Requesting Information; Death Threats—KKK; Racial Matters—Communist Influence.] 145pp.

Section 34—Main File

0146 May, continued. [Includes: Communist Infiltration of the "Committee for a Sane Nuclear Policy"; Racial Matters—Communist Influence; Racial Matters—Joliet, Illinois and Los Angeles; Death Threats.] 70pp.

0216 June. [Includes: Racial Matters—Los Angeles; Racial Matters—Communist Influence; Death Threats.] 79pp.

Section 35—Main File

0295 June, continued. [Includes: Racial Matters—Communist Influence; Racial Matters—Los Angeles; SCEF, Inc.; Racial Matters; Infiltration of the SCLC.] 165pp.

Section 36—Main File

0460 June, continued. [Includes: Racial Matters—Communist Influence; Racial Matters—KKK.] 52pp.

0512 July. [Includes: Letters; Racial Matters—Communist Influence; SCLC; Racial Matters—Los Angeles.] 80pp.

Section 37—Main File

0592 July, continued. [Includes: Position on Vietnam; Racial Matters—Communist Influence; Letters; Infiltration of the SCLC.] 135pp.

Section 38—Main File

0727 July, continued. [Includes: "SCLC Northern Tour"; Infiltration of the SCLC; Racial Matters—Communist Influence; Death Threats.] 64pp.

0791 August. [Includes: Infiltration of the SCLC; NAACP; Nation of Islam; "SCLC Northern Tour"; Racial Matters—Communist Influence.] 115pp.

Section 39—Main File

0906 August, continued. [Includes: "SCLC Northern Tour"; American Nazi Party; Alleged Uprising—Orlando, Florida; Racial Matters—Communist Influence; Andrew Young; Infiltration of the SCLC.] 125pp.

Reel VIII

1965 cont.

Section 40—Main File

0001 August, continued. [Includes: Infiltration of the SCLC; Racial Matters—Communist Influence; Watts Riot; Racial Matters—Philadelphia.] 160pp.

Section 41—Main File

0161 August, continued. [Includes: Racial Matters—Communist Influence.] 17pp.

0178 September. [Includes: Infiltration of the SCLC; Racial Matters—Communist Influence.] 28pp.

Section 42—Main File

0206 September, continued. [Includes: Racial Matters—Communist Influence; William S. Stein; Infiltration of the SCLC.] 57pp.

Section 43—Main File

0263 September, continued. [Includes: Position on the War in Vietnam; Racial Matters—Communist Influence.] 117pp.

Section 44—Main File

0380 September, continued. [Includes: Senator Strom Thurmond, R-S.C.; Letters; Infiltration of the SCLC.] 73pp.

0453 October. [Includes: Infiltration of the SCLC; Blackmail by Public Disturbance Incident.] 38pp.

Section 45—Main File

0491 October, continued. [Includes: Infiltration of the SCLC; Racial Matters—Communist Influence.] 146pp.

Section 46—Main File

0637 October, continued. [Includes: C.T. Vivian; Infiltration of the SCLC; Elijah Muhammad; European Trip; Racial Matters—Communist Influence.] 92pp.

0729 November. [Includes: Letters; KKK; Infiltration of the SCLC.] 67pp.

Section 47—Main File

0796 November, continued. [Includes: Infiltration of the SCLC; White House Meeting—"To Fulfill These Rights"; KKK.] 145pp.

Reel IX

1965 cont.

0001 December. [Includes: Stanley Levison; Vietnam; Chicago Freedom Movement.] 50pp.

Section 49—Main File

0051 December, continued. [Includes: Letters; Racial Situation—Birmingham and Greenville.] 60pp.

1966

0111 January. [Includes: Infiltration of the SCLC.] 49pp.

Section 50—Main File

0160 January, continued. [Includes: Death Threats; American Nazi Party; Voter Discrimination; Infiltration of the SCLC.] 83pp.

Section 51—Main File

0243 January, continued. [Includes: *The Citizen's Report*; Nation of Islam; Infiltration of the SCLC.] 45pp.

0288 February. [Includes: Infiltration of the SCLC; Racial Matters—Communist Influence; Death Threats; Vietnam Situation.] 44pp.

Section 52—Main File

0332 February, continued. [Includes: Infiltration of the SCLC; Racial Violence—Urban Areas; "Trusteeship of Slum Building."] 116pp.

Section 53—Main File

0448 February, continued. [Includes: Infiltration of the SCLC; Nation of Islam.] 36pp.

0484 March. [Includes: Vietnam; Racial Matters—Communist Influence; Infiltration of the SCLC.] 101pp.

Section 54—Main File

0585 March, continued. [Includes: American Nazi Party; Infiltration of the SCLC; Death Threats.] 84pp.

Section 55—Main File

0669 March, continued. [Includes: Infiltration of the SCLC; Death Threats.] 30pp.

0699 April. [Includes: Infiltration of the SCLC.] 43pp.

Section 56—Main File

0742 April, continued. [Includes: Infiltration of the SCLC; Correlation Summary; Racial Matters—Communist Influence; Death Threats.] 146pp.

Section 57—Main File

0888 April, continued. [Includes: Infiltration of the SCLC; Racial Incidents.] 29pp.

0917 May. [Includes: Infiltration of the SCLC; Chicago School Boycott.] 108pp.

Reel X**1966 cont.****Section 58—Main File**

0001 May, continued. [Includes: Racial Matters—Communist Influence; Chicago Freedom Movement; Chicago School Boycott.] 49pp.

0050 June. [Includes: Chicago Activities; "Freedom Day" Rally; Vietnam Situation; Racial Matters—James Meredith; Racial Matters—Communist Influence.] 41pp.

Section 59—Main File

0091 June, continued. [Includes: Racial Matters—James Meredith; Racial Matters—Communist Influence.] 119pp.

Section 60—Main File

0210 June, continued. Includes: Racial Disturbances—Chicago; Chicago Freedom Movement; "March to Jackson"; Racial Matters—Communist Influence.] 97pp.

0307 July. [Includes: Infiltration of the SCLC; Chicago Freedom Movement.] 27pp.

Section 61—Main File

0334 July, continued. [Includes: Chicago Freedom Movement; SCLC; Demonstrations; KKK.] 104pp.

Section 62—Main File

0438 July, continued. [Includes: Infiltration of the SCLC; KKK; Racial Violence—Reading, Pennsylvania; Stokely Carmichael; Chicago Freedom Movement.] 63pp.

0501 August. [Includes: Chicago Freedom Movement; American Nazi Party; Infiltration of the SCLC; Activities in Chicago.] 200pp.

Section 63—Main File

0701 September. [Includes: Stanley Levison and Bayard Rustin; Chicago Freedom Movement; American Nazi Party; Death Threats.] 140pp.

Section 64—Main File

0841 September, continued. [Includes: "Civilian Resistance Command"; Stokely Carmichael; Infiltration of the SCLC.] 133pp.

Reel XI

1966 cont.

Section 65—Main File

0001 October. [Includes: Chicago Freedom Movement; Activities in Chicago; Clarence B. Jones; Infiltration of the SCLC.] 48pp.

0049 November. [Includes: Infiltration of the SCLC; Activities in Chicago; Death Threats; Meeting with Jimmy Hoffa; Chicago Freedom Movement.] 145pp.

Section 66—Main File

0194 December. [Includes: Activities in Louisiana; Infiltration of the SCLC; Racial Matters—Communist Influence.] 69pp.

1967

0263 January. [Includes: Los Angeles; Racial Matters—Communist Influence; Infiltration of the SCLC.] 81pp.

Section 67—Main File

0344 February. [Includes: Infiltration of the SCLC; "The Nation Institute."] 49pp.

0393 March. [Includes: Infiltration of the SCLC.] 85pp.

Section 68—Main File

0478 March, continued. [Includes: Coordinating Council for Black Power; Infiltration of the SCLC; Activities in Chicago; American Nazi Party.] 91pp.

Section 69—Main File

0569 April. [Includes: Death Threats; Nation of Islam; Chicago Freedom Movement; SCLC; Vietnam Situation.] 103pp.

Section 70—Main File

0672 April, continued. [Includes: Demonstrations; Vietnam; Racial Matters—Communist Influence.] 135pp.

Section 71—Main File

0807 April, continued. [Includes: Racial Matters—Communist Influence; Death Threats; Infiltration of the SCLC; American Nazi Party.] 88pp.

0895 May. [Includes: Vietnam Situation; SCEF, Inc.; Racial Matters—Communist Influence.] 104pp.

Reel XII

1967 cont.

Section 72—Main File

- 0001 May, continued. [Includes: Stanley Levison; Vietnam Situation.] 52pp.
0053 June. [Includes: Activities in Chicago; Infiltration of the SCLC; Racial Matters—Communist Influence.] 79pp.

Section 73—Main File

- 0132 June, continued. [Includes: Stanley Levison; Activities in Chicago; Chicago Freedom Movement.] 78pp.
0210 July. [Includes: Correlation Summary; Infiltration of the SCLC; Racial Matters—Communist Influence; Racial Violence—Birmingham.] 151pp.

Section 74—Main File

- 0361 July, continued. [Includes: Racial Matters—Detroit; Charleston, South Carolina; Civil Disobedience Statements.] 35pp.
0396 August. [Includes: Infiltration of the SCLC; Racial Matters—Communist Influence; SCLC; Racial Violence—Birmingham and Other Urban Areas. 148pp.

Section 75—Main File

- 0544 August, continued. [Includes: Infiltration of the SCLC.] 38pp.
0582 September. [Includes: "FBI Report on King"; Racial Matters—Communist Influence; Infiltration of the SCLC.] 93pp.
0675 October. [Includes: Racial Matters—Communist Influence; Infiltration of the SCLC.] 14pp.

Section 76—Main File

- 0689 October, continued. [Includes: Infiltration of the SCLC; Racial Violence—Birmingham.] 87pp.
0776 November. [Includes: Racial Violence—Birmingham; Congressional Records; Infiltration of the SCLC.] 96pp.

Section 77—Main File

- 0872 November, continued. [Includes: KKK; Racial Matters—Communist Influence; Racial Violence—Urban Areas.] 41pp.
0913 December. [Includes: KKK; Racial Matters.] 60pp.

1968

- 0973 January. [Includes: Defense of Dr. B. Spock; Vietnam; Racial Matters.] 27pp.

Reel XIII

1968 cont.

Section 77—Main File cont.

- 0001 January, continued. [Includes: "Washington Spring Project"; Vietnam Situation.] 22pp.
0023 February. [Includes: "Washington Spring Project"; Vietnam Situation; Racial Incidents—Democratic Convention; Freedomways Associates, Inc.] 161pp.

Section 79—Main File

- 0184 February, continued. [Includes: "Washington Spring Project."] 4pp.
0188 March. [Includes: Threats Against the President; Freedomways Associates, Inc.; Infiltration of the SCLC; "Washington Spring Project"; Racial Violence—Urban Areas.] 179pp.

Section 80—Main File

- 0367 March, continued. [Includes: "Washington Spring Project"; American Mau Mau.] 145pp.
- 0512 April. [Includes: "Washington Spring Project"; Assassination of Martin Luther King; Racial Disturbances; Reactions.] 42pp.

Section 81—Main File

- 0554 April, continued. [Includes: Assassination of Martin Luther King; Reactions; Funeral; Racial Disturbances.] 178pp.

Section 82—Main File

- 0732 April, continued. [Includes: Letters Requesting Information; Stanley Levison; Coretta King; Hoover and the "Liar" Incident; Racial Disturbances.] 182pp.

Section 83—Main File

- 0914 April, continued. [Includes: Stanley Levison; Andrew Young; Newspaper Articles; Activities of Coretta King; SCLC; Letters Requesting Information.] 110pp.

Reel XIV

1968 cont.

Section 83—Main File cont.

- 0001 April, continued. [Includes: Stanley Levison; SCLC; Letters Requesting Information.] 68pp.
- 0069 May. [Includes: Letters; Correspondence Reports.] 21pp.

Section 84—Main File

- 0090 May, continued. [Includes: Letters Requesting Information; KKK; SCLC; Racial Disturbances; Approval of Wiretaps.] 163pp.
- 0253 June. [Includes: Letters Requesting Information; Correspondence and Tours; SCLC.] 73pp.

Section 85—Main File

- 0326 June, continued. [Includes: SCLC; Letters Requesting Information; Correspondence and Tours; Student Nonviolent Coordinating Committee.] 39pp.
- 0365 July. [Includes: Letters Requesting Information; Racial Situation—Florida; Rooney Committee.] 107pp.
- 0472 August. [Includes: Letters Requesting Information.] 32pp.

Section 86—Main File

- 0504 October. [Includes: Letters Requesting Information.] 32pp.
- 0536 November. [Includes: Letters Requesting Information.] 15pp.
- 0551 December. [Includes: Letters Requesting Information.] 9pp.

1969

- 0560 January. [Includes: Demonstrations; Letters Requesting Information.] 9pp.
- 0569 February. [Includes: Letters Requesting Information.] 21pp.
- 0590 March. [Includes: Letters Requesting Information.] 21pp.
- 0611 April. [Includes: Letters Requesting Information.] 33pp.
- 0644 May. [Includes: Letters Requesting Information.] 13pp.
- 0657 June. [Includes: Cassius M. Clay—Selective Service; Letters Requesting Information; Wiretap.] 70pp.

Section 87—Main File

- 0727 June, continued. [Includes: Cassius M. Clay; Letters Requesting Information.] 44pp.
- 0771 July. [Includes: Letters Requesting Information; Wiretapping.] 49pp.

Section 88—Main File

- 0820 July, continued. [Includes: Letters Requesting Information; Crime Records.] 57pp.
0877 August. [Includes: Letters Requesting Information; Wiretaps; Bureau Reports; Access to FBI Files.] 111pp.

Section 89—Main File

- 0988 August, continued. [Includes: Racial Matters; Letters Requesting Information.] 6pp.
0994 September. [Includes: Racial Matters; Letters Requesting Information.] 13pp.
1007 October. [Includes: Coretta King; Letters Requesting Information.] 21pp.
1028 November. [Includes: Letters Requesting Information.] 19pp.
1047 December. [Includes: Letters Requesting Information.] 13pp.

1970

- 1060 January. [Includes: Martin Luther King Holiday Committees; Marches Commemorating Birthday; Racial Matters.] 79pp.
1139 February. [Includes: Letters Requesting Information; Film Documentary.] 38pp.
1177 March. [Includes: Racial Matters—Anniversary of King's Death; Black Panther Party; Letters Requesting Information.] 32pp.

Section 90—Main File

- 1209 April. [Includes: Racial Matters; Wiretap; Letters Requesting Information; Book Review; Demonstrations Against the War; Black Panthers.] 34pp.
1243 May. [Includes: Letters Requesting Information.] 26pp.
1269 June. [Includes: Proposed Book; *Point Blank*; Letters Requesting Information.] 53pp.
1322 July. [Includes: Letters Requesting Information.] 10pp.
1332 August. [Includes: Letters Requesting Information; Wiretapping; "King Affair."] 127pp.

Section 91—Main File

- 1459 August, continued. [Includes: Letters Requesting Information; Wiretapping; Post-Mortem Slander.] 70pp.
1529 September. [Includes: Letters Requesting Information.] 54pp.
1583 October. [Includes: Letters Requesting Information.] 17pp.

Reel XV**1970 cont.****Section 91—Main File**

- 0001 November. [Includes: Letters Requesting Information.] 5pp.
0006 December. [Includes: Wiretapping; Tapes; "King Affair."] 34pp.

Section 92—Main File

- 0040 December, continued. [Includes: Letters; Washington King Holiday Committee.] 45pp.

1971

- 0085 January. [Includes: Letters; Washington King Holiday Committee; Demonstrations.] 115pp.
0200 February. [Includes: Letters; Washington King Holiday Committee.] 30pp.
0230 March. [Includes: Letters; Demonstrations.] 14pp.
0244 April. [Includes: Letters; Demonstrations.] 32pp.

Section 93—Main File

- 0276 May. [Includes: Demonstrations.] 1p.
0277 June. [Includes: Letters.] 6pp.
0283 July. [Includes: Letters.] 14pp.
0297 October. [Includes: Letters.] 2pp.
0299 November. [Includes: Letters.] 3pp.

1972

- 0302 January. [Includes: "Black United Front"; Demonstrations.] 13pp.
0315 February. [Includes: Letters.] 6pp.
0321 March. [Includes: Letters.] 6pp.
0327 April. [Includes: Letters.] 7pp.
0334 May. [Includes: Letters; Correlation Summary.] 38pp.
0372 August. [Includes: Letters.] 6pp.

1973

- 0378 May. [Includes: File Review; Wiretapping.] 12pp.
0390 August. [Includes: Allegations Made by a Former Special Agent.] 21pp.

1974

- 0411 May. [Includes: Letters.] 1p.
0412 September. [Includes: Malcom "X" Little.] 3pp.
0415 December. [Includes: Letters.] 5pp.

1975**Section 94—Main File**

- 0420 February. [Includes: The Washington Post and Hoover's Personal Files.] 10pp.
0430 March. [Includes: Security Matters; Information concerning King.] 10pp.
0440 May. [Includes: Letters.] 12pp.
0452 June. [Includes: Letters.] 3pp.
0455 July. [Includes: FOIA Requests.] 44pp.
0499 September. [Includes: Senate Select Committee; Articles; Letters.] 9pp.
0508 October. [Includes: Articles.] 9pp.

Section 95—Main File

- 0517 November. [Miscellaneous Letters and Memos; CRD Investigation.] 33pp.
0550 December. [Includes: Demonstrations; Reports and Memos; Reviews of Indices and Files.] 151pp.

Section 96—Main File

- 0701 December, continued. [Includes: Reviews of Indices and Files.] 154pp.

Section 97—Main File

- 0855 December, continued. [Includes: Reviews of Indices and Files.] 115pp.

Section 98—Main File

- 0970 December, continued. [Includes: Reviews of Indices and Files; Statements and Articles.] 47pp.

1976

- 1017 January. [Includes: Requests for Information; Departmental Review—Cost Data.] 29pp.

- 1046 March. [Includes: Criticism of the FBI.] 3pp.
- 1049 April. [Includes: Media Relations; Review of Materials.] 26pp.
- 1075 May. [Includes: Department of Justice Task Force (DJ-Task Force).] 7pp.
- 1082 June. [Includes: Senate Select Committee; Letters; DJ-Task Force.] 16pp.
- 1098 July. [Includes: Information Requests; Review Materials; Task Force.] 23pp.
- 1121 August. [Includes: Information Requests; Review Materials; Task Force.] 87pp.

Section 100—Main File

- 1208 August, continued. [Includes: Departmental Review Cost Data; Requests for Information.] 14pp.
- 1222 September. [Includes: Requests for Information.] 47pp.
- 1269 October. [Includes: Requests for Information; Task Force Activities.] 43pp.
- 1312 November. [Includes: Requests for Information; Task Force Activities.] 17pp.
- 1329 December. [Includes: Requests for Information; Task Force Activities.] 15pp.

Section 102—Main File

- 1344 December, continued. [Includes: Task Force Activities; Requests for Information; Review Cost Data.] 15pp.

1977

- 1374 January. [Includes: Task Force Activities; Requests for Information; Review Cost Data.] 70pp.

Section 103—Main File

- 1444 January. [Includes: Task Force Report.] 225pp.

Section 104—Main File

- 1669 February. [Includes: Departmental Review; Bernard S. Lee.] 34pp.

Part II—June Mail

Section 1

- 1713 1963-1965. [Includes: Wiretapping; Racial Matters—Communist Influence; Sensitive Coverage.] 177pp.

Section 2

- 1890 1965-1969. [Includes: Coverage; Wiretapping; Nation of Islam; Racial Matters—Communist Influence.] 135pp.

Reel XVI

Part III—Sub-A File

Section 1

- 0001 1958. [News Items.] 11pp.
- 0012 1959. [News Items.] 3pp.
- 0015 1960. [News Items.] 16pp.
- 0031 1961. [News Items.] 8pp.
- 0039 1962. [News Items.] 33pp.
- 0072 1963. [News Items.] 66pp.
- 0138 1964. [News Items.] 71pp.

Section 2

- 0209 1964, continued. [News Items.] 136pp.

Section 3

0345 1964, continued. [News Items.] 121pp.

0466 1965. [News Items.] 44pp.

Section 4

0510 1965, continued. [News Items.] 154pp.

Section 5

0664 1965, continued. [News Items.] 134pp.

Section 6

0798 1965, continued. [News Items.] 122pp.

Section 7

0920 1965, continued. [News Items.] 39pp.

0959 1966. [News Items.] 55pp.

Section 8

1014 1966, continued. [News Items.] 80pp.

Section 9

1094 1966, continued. [News Items.] 88pp.

Section 10

1182 1966, continued. [News Items.] 55pp.

1237 1967. [News Items.] 23pp.

Section 11

1260 1967, continued. [News Items.] 136pp.

1396 1968. [News Items.] 3pp.

Section 12

1399 1968, continued. [News Items.] 91pp.

Section 13

1490 1968, continued. [News Items.] 11pp.

1501 1969. [News Items.] 43pp.

1544 1970. [News Items.] 83pp.

1627 1971. [News Items.] 3pp.

1630 1973. [News Items.] 5pp.

1635 1975. [News Items.] 23pp.

Section 14

1659 1975, continued. [News Items.] 75pp.

1734 1976. [News Items.] 48pp.

Section 15

1782 1976, continued. [News Items.] 43pp.

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