

UNITED STATES GOVERNMENT

# Memorandum

Director

TO : Federal Bureau of Investigation

DATE: December 28, 1978

FROM : Philip B. Heymann  
Assistant Attorney General  
Criminal Division

PBH:ALH:RBC:pa  
144-72-662

FEDERAL GOVERNMENT

SUBJECT: House Select Committee on Assassinations

*Boyd  
H...*

Reference is made to your letterhead memorandum dated November 27, 1978, at Memphis, Tennessee, and captioned "Assassination of Martin Luther King, Jr., April 4, 1968, Memphis, Tennessee." Reference is also made to your teletype dated November 21, 1978, at Memphis, Tennessee, of the same caption.

These documents were released to the Criminal Division by Robert L. Keuch, Special Counsel for the Attorney General, for a determination as to whether or not any possible criminal violations were indicated which merited further investigation. The Criminal Division has carefully reviewed these documents and has determined that no further investigation is necessary.

EXP. PROC.  
DEC 29 1978

EX-12

REC-50

62-10-1411

*FEB 4  
DIV. 4*

16 DEC 29 1978



FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

- TOP SECRET
- SECRET
- CONFIDENTIAL
- UNCLAS E F T O
- UNCLAS

Date 1-12-79

TO: DIRECTOR, FBI  
 (Attention: DANNY O. COULSON, Unit Chief,  
 Legal Section, Room 3658,  
 JEH Building)

FROM: SAC, ALBANY

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Re Bureau airtel of 1-2-79.

Enclosed for the Bureau is one copy of a letter directed to LOUIS STOKES, Chairman of captioned Committee, which clarifies certain statements he made concerning the testimony of SA JAMES J. ROSE before that Committee on November 18, 1978. It is herein requested that a copy of the letter be forwarded to SA ROSE'S personnel file at FBIHQ.

- 3 - Bureau (Enc.) (RM)
- 1 - Albany
- JJR:dml
- (4)

EX-114  
 REC-39

62-117299-1412

3/10/86 [Signature]

66 JAN 10 1979

Approved: \_\_\_\_\_ Transmitted \_\_\_\_\_ (Number) \_\_\_\_\_ (Time) Per \_\_\_\_\_

TO:

DIRECTOR, FBI  
(Attention: DANNY O. COULSON, Unit Chief,  
Legal Section, Room 3658,  
JEH Building)

FROM:

SAC, ALBANY

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Enclosed is one copy of a letter directed to  
LOUIS STOKES, Chairman of captioned Committee.

ENCLOSURE

3/11/70

*Jp Macmire*

**ENCLOSURE**

62-117290-1412

502 USPO and Courthouse  
Albany, New York 12207  
January 12, 1979

Louis Stokes  
Chairman  
House Select Committee on  
Assassinations  
House of Representatives  
Washington, D.C.

Dear Mr. Chairman:

As you may recall on November 18, 1973, I voluntarily appeared to testify before the House Select Committee on Assassinations concerning certain remarks that I allegedly made to former Special Agent Arthur Murtaugh.

On January 5, 1979, portions of the subsequent testimony of Mr. Charles Brennan, retired FBI Agent, were made known to me. During Mr. Brennan's testimony you stated that I had admitted under oath that I was racially prejudiced. I wish to bring to your attention that at no time during my testimony did I ever make any statement concerning racial prejudice toward Dr. King. I have carefully reviewed my testimony and at no time did the matter of race ever arise. I testified before you that my "personal prejudice" toward Dr. King was based on my conviction that his reported association with the Communist Party was the basis for his being a threat to national security.

As it was the purpose of the House Select Committee on Assassinations to seek the truth regarding the King assassination, I feel it is incumbent that this matter be clarified.

I completely refute your statement that I was racially prejudiced, as racial bigotry is personally repugnant to me. For these reasons I respectfully request that a copy of this communication be included as an addendum to the House Select Committee on Assassinations report.

Respectfully,

JAMES J. ROSE  
Special Agent  
Federal Bureau of  
Investigation  
Albany, New York

3/18/86 Sprmaemte