

File #:
DO NOT
DESTROY
FOIPA# NIA

62-117290

SECTION 18

Serial Scope:

1083
1086 THRU 1089
1092
1096
1102 THRU 1104
1106 THRU 1108

1109, 1110

1112

1112X1

1113 THRU 1117

1120

1122 THRU 1129

1131

1133 THRU 1134

1136 THRU 1140

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- AIRTEL

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

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

Date 8/4/78

TO: DIRECTOR, FBI (62-117290)
(ATTENTION: CONGRESSIONAL INQUIRY UNIT,
RECORDS MANAGEMENT DIVISION).

FROM: SAC, ST. LOUIS (62-5097)

HOUSE SELECT COMMITTEE ON ASSASSINATIONS

Re St. Louis telephone call to Bureau 8/4/78.

Enclosed herewith are three copies each of an FD-302 on interview of former SA HOWARD C. KENNEDY and a memorandum from SAC ROY B. KLAGER, JR.

(91)

- 3 - Bureau (Encs.)
- 1 - St. Louis

ST-137

REC-66

62-117290-1083

AUG 15 1978

RBK:nlm
(4)

JW
ENCLOSURE

Copies of enclosures detached and retained O.H. Div. 4, Rm 8988 JW

JWB
4 BREKKE

JWB
A

#278882
2/20/86
Sprence

Approved: *RBK*

Transmitted _____

Per _____

3 AUG 24 1978

(Number)

(Time)

FBI/DOJ

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/4/78

Mr. HOWARD C. KENNEDY resides at 55 Harneywold Drive, Ferguson, Missouri 63136, residence telephone number (314) 521-8221.

Mr. KENNEDY is presently self-employed as a private investigator and polygraph examiner. He retired from FBI service on February 28, 1977. Prior to his retirement he was assigned to the St. Louis Division of the FBI from 1954 to the date of his retirement. During 1974 he was assigned to general criminal matters and worked as a Special Agent under the supervision of Field Supervisor ROBERT L. BENDER.

Mr. KENNEDY's recollection was refreshed regarding an interview with him at the FBI Office in St. Louis, Missouri, on July 28, 1978, by SAC ROY B. KLAGER, JR., concerning a closed St. Louis file 137-16185; more specifically, serial 5 of that file. Mr. KENNEDY recalled having read this serial in detail. He further recalled earlier discussion on July 28, 1978, concerning a notation appearing on the above serial which states, "Notify locals of info re killing", and his earlier reply that in his recollection this comment pertained to a matter appearing on page 2 of the memorandum and unrelated to the MARTIN LUTHER KING information.

Mr. KENNEDY was asked if he did in fact disseminate the information in keeping with the above-cited handwritten notation. He related that he recalls with reasonable certainty that he did disseminate the information appearing on page 2 to someone in the St. Louis Police Department whose identity he does not now recall.

Mr. KENNEDY called further attention to the last paragraph of page 3 of the memorandum in question which refers to another killing, unrelated to the MARTIN LUTHER KING matter. He volunteered that this additional unrelated information was also disseminated, to the best of his recollection, to the St. Louis Police Department; however, he similarly does not recall to whom this information was given.

Interviewed on 8/4/78 at St. Louis, Missouri File # SL 62-5097

by SAC ROY B. KLAGER, JR./nln Date dictated 8/4/78

FILE (62-5097)

8/4/78

SAC ROY B. KLAGER, JR.

HSCA

Attention is directed to two FD-302s in this file, reflecting interviews conducted on 7/23/78 and 8/4/78, respectively, by me, of former SA HOWARD C. KENNEDY. Particular attention is directed to the interview with KENNEDY on 8/4/78 as it pertains to dissemination of information by him, which information is reflected in serial 5 of St. Louis file 137-16185. In this interview of 8/4/78, KENNEDY stated that he recalls with reasonable certainty that certain information was disseminated by him to the St. Louis Police Department.

In order to document such dissemination, this is to record that I personally searched our dissemination control file, 66-2340, for the months of April through July of 1974 and found no record of such dissemination having been made.

It should be noted that the volume of 66-2340 for the month of March, 1974, and prior months are no longer maintained as they have been destroyed under the file destruction program.

There is no FD-159 (dissemination form) concerning this matter contained in 137-16185 or the related file 87-21859.

RBK:nln
(4)

245832

2/20/86

Spinnacm

ENCLOSURE

FEDERAL GOVERNMENT

August 14, 1978

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch
Director, FBI

- 1 - Legal Counsel Division
Attn: Mr. Heller
- 1 - Mr. Bailey
- 1 - Mr. Foster
- 1 - Mr. Busching

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

Reference is made to letter to the Attorney General from G. Robert Blakey, Chief Counsel and Director, HSCA, dated July 17, 1978 which, in connection with the HSCA's investigation into the assassination of Martin Luther King, Jr., requested certain materials from FBI files.

Enclosed are an original and one copy of a memorandum responding to the above request. It is requested that you furnish a copy of the enclosed memorandum to the HSCA.

Enclosures (2)

62-117290

RCB
RCB:pfm (7)

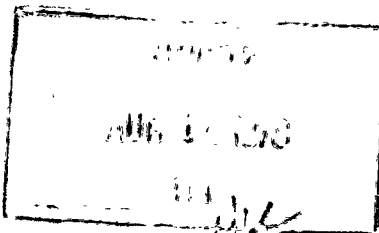
GOT/ME

REC-66 () - 117-290-1086
137

AUG 15 1978

ENCLOSURE

- 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 _____



DR

me

Springman

AUG 24 1978 MAIL ROOM

- 1 - Mr. Mintz
Attn: Mr. Heller
- 1 - Mr. Bailey
- 1 - Mr. Foster
- 1 - Mr. Busching

August 14, 1978

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

Reference is made to letter to the Attorney General from G. Robert Blakey, Chief Counsel and Director, HSCA, dated July 17, 1978, which, in connection with the HSCA's investigation into the assassination of Martin Luther King, Jr., requested certain materials from FBI files.

With respect to Item 1, retrievable information in Bureau files and Milwaukee Field Office files regarding Robert Franklin Sanders is available for review at FBI Headquarters.

With respect to Item 2, serials requested were delivered to HSCA representative Phoebe Orr on August 11, 1978.

With respect to Item 3, this letter will confirm that on August 10, 1978, HSCA representative Lisa Berlow was advised that two informants supplied information in the noted three serials. One of these informants is deceased, and the other was recently contacted and refused to be interviewed by the HSCA for fear of his life should his identity be revealed.

This letter completes response to HSCA request of July 17, 1978.

RCB
RCB:pfm (7)

GJM
62-117290

ORIGINAL AND ONE SENT TO ASSISTANT ATTORNEY GENERAL,
CRIMINAL DIVISION, ATTENTION: MR. ROBERT L. KEUCH.

- 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 _____

NOTE: See Director, FBI, letter to Assistant Attorney General, Criminal Division, Attention: Mr. Robert L. Keuch, dated August 14, 1978, captioned as above.

D.R. HANBURY

ENCLOSURE

MAIL ROOM

FBI/DOJ

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- _____

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

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

Date 8/4/78

TO: DIRECTOR, FBI (62-117290)

FROM: SAC, SPRINGFIELD (62-2567) (P)

SUBJECT: HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)
~~Buded 8/9/78~~

Re Bureau teletype 8/2/78.

Enclosed for the Bureau are two copies each of 74 serials from Springfield closed file entitled "UNSUB; LEBANON TRUST AND SAVINGS BANK, LEBANON, ILLINOIS, 10/31/69, BR, OO: SPRINGFIELD, BUFILE 91-34673", as requested in above referenced teletype.

The Bureau's attention is directed to communication marked serial 40, an FD-209 dated 11/14/69. This communication contains information other than pertaining directly to bank robbery of Lebanon Trust and Savings Bank.

2/14/86 Springfield

-137

REC-13

62-117290-1087

ENCLOSURE

23 AUG 9 1978

- 2 - Bureau (62-117290) (Encl. 148)
- 3 - Springfield (2-62-2567)
(1-91-4669)

74 maintained in RM 8988 RCB

ReB

JFD/cml
(5)

Approved: *[Signature]*

Transmitted _____

Per _____

(Number) (Time)

FBI/DOJ

LOUIS STOKES, OHIO, CHAIRMAN
RICHARDSON PREYER, N.C.
WALTER E. FAUNTROY, D.C.
YVONNE BRATHWAITE BURKE, CALIF.
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HAROLD E. FORD, TENN.
FLOYD J. FITHIAN, IND.
ROBERT W. EDGAR, PA.

SAMUEL W. EVINE, OHIO
STEWART MCKINNEY, CONN.
CHARLES W. WEAVER, NEBR.
HAROLD S. SOWYER, MICH.

Stokes
Select Committee on Assassinations

U.S. House of Representatives

3331 HOUSE OFFICE BUILDING, ANNEX 2
WASHINGTON, D.C. 20515

(202) 225-4624

~~FEDERAL GOVERNMENT~~

August 7, 1978

The Honorable Griffin B. Bell
Attorney General of the United States
Department of Justice
Washington, D. C. 20430

Attention: Mr. Robert L. Keuch
Deputy Assistant Attorney General
Criminal Division, Room 2113

Dear Mr. Attorney General:

As part of the ongoing investigation by this Committee into the circumstances surrounding the death of Dr. Martin Luther King, Jr. it would be appreciated if you could render your assistance in making William O'Connor, formerly Deputy Assistant Attorney General with the Civil Rights Division of the Department of Justice, available for immediate staff interview.

Your cooperation and assistance is as always, greatly appreciated.

Very truly yours,

G. Robert Blakey

G. Robert Blakey
Chief Counsel and Director

FX-136

REC-34

62-117290

REC-34

62-117290-1088

GRB: ghb

20 AUG 22 1978

treat as original

LOUIS STOKES, OHIO, CHAIRMAN
RICHARDSON PREYER, N.C.
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Stines
Select Committee on Assassinations

U.S. House of Representatives

3331 HOUSE OFFICE BUILDING, ANNEX 2
WASHINGTON, D.C. 20515

(202) 225-4624

August 7, 1978

~~FEDERAL GOVERNMENT~~

Busby

(
The Honorable Griffin B. Bell
Attorney General of the United States
Department of Justice
Washington, D. C. 20430

Attention: Mr. Robert L. Keuch
Deputy Assistant Attorney General
Criminal Division, Room 2113

Dear Mr. Attorney General:

The Subcommittee investigating the circumstances surrounding the death of Dr. Martin Luther King, Jr., has obtained authorization to be furnished any and all information maintained by the Federal Bureau of Investigation, concerning and/or received from the Honorable Andrew Young, during the period March 1, 1968 through June 1, 1968. *(JK)*

Submitted herewith is Ambassador Young's release, and accordingly, it is requested that the Federal Bureau of Investigation make available all Headquarters and Field Office files and subfiles of any nature pertaining to Ambassador Young for the period enumerated.

As time is extremely crucial in this matter, your prompt attention is greatly appreciated. *EX-130*

REC-34

62-117290-1089

Very truly yours,

REC-34

G. Robert Blakey
G. Robert Blakey
Chief Counsel and Director

2 AUG 16 1978

9/1
ENCLOSURE

cc: Ron Heller

GRB: ghb

62-117290

54 AUG 30 1978

teat as original

4/28

LOUIS STOKES, OHIO, CHAIRMAN

RICHARDSON PREYER, N.C.
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SAMUEL L. ... OHIO
STEWART B. ... KINNEY, CONN.
CHARLES THOMAS, NEBR.
HAROLD S. SAWYER, MICH.

Select Committee on Assassinations

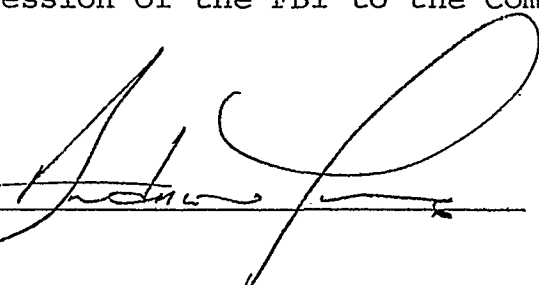
U.S. House of Representatives

3331 HOUSE OFFICE BUILDING, ANNEX 2

WASHINGTON, D.C. 20515

(202) 225-4624

I, the undersigned, hereby authorize the Federal Bureau of Investigation (FBI) to release any and all information which it has or maintained concerning me, and/or which it has received or obtained from me, including such information which may have been revealed to the FBI on a confidential basis, during the period from March 1, 1968 through June 1, 1968 to the Select Committee on Assassinations of the United States House of Representatives (Committee) and its staff. By this authorization, I knowingly and voluntarily waive whatever rights I may have to withhold disclosure of information in the possession of the FBI to the Committee and its staff.

Signed: 

Date: Aug. 3, 1978

62-117290 1089
ENCLOSURE

FBI

TRANSMIT VIA:

- Teletype
- Facsimile
- Airtel

PRECEDENCE:

- Immediate
- Priority
- Routine

CLASSIFICATION:

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

Date 7/30/78

7/30/78



TO : DIRECTOR, FBI (62-117290)

FROM : SAC, CHICAGO (87-45634) (P) (SQUAD 2)

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
(HSCA)

Re Bureau teletype to Chicago, 7/25/78;
and Bureau telcall to Chicago, 7/31/78.

The following is for the information
of the Bureau to set forth the attempts to contact
RICHARD FRANCIS O'HARA as instructed in referenced
teletype.

On 7/26/78, O'HARA's Art Gallery was
located at 620 North Wells Street, Chicago
Illinois, rather than 720 North Wells, Chicago.
This gallery is known as the Connoisseur Gallery.
Then present at the gallery was an unidentified
Negro female who claimed to be the secretary of
RICHARD O'HARA. The interviewing agent identified

ALL INFO CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/20/86 BY SP/ma/mca

EX-136

62-117290-1092

REC-66

- 2 - Bureau (RM)
- 1 - Chicago

20 AUG 2 1978

RES/cmb
(3)

DOO: [Signature]

[Signature]

FOUR [Signature]

Approved: [Signature]

Transmitted _____ (Number) _____ (Time) Per _____

54 AUG 30 1978

himself to this female and stated that he wished to speak with O'HARA for the purpose of informing O'HARA of something. Beyond that, the purpose of the visit was not explained to this female.

This female then stated that she was alone in the art gallery, but was able to reach O'HARA by telephone. She did so, and the interviewing agent spoke with O'HARA. Again, since this contact was by telephone, O'HARA was informed only as the female was informed above. The interviewing agent and O'HARA agreed to meet the following day.

The following day, 7/28/78, the interviewing agent went to O'HARA's above gallery. A man claiming to be O'HARA came to the door of the gallery and refused to admit the agent to the gallery. He stated that he would not discuss anything or permit the agent to inform him of anything without the intervention of his attorney identified as RICHARD S. JALOVEC, of Chicago, Illinois.

Thereafter that day, the interviewing agent contacted Mr. JALOVEC and arranged for JALOVEC to be present while the agent presented O'HARA with certain papers which would inform O'HARA of the matters set forth in referenced teletype. Thereafter, O'HARA would have the option of responding to the interviewing agent and of discussing the matter with his attorney. This meeting was arranged for the following day.

On the following, 7/28/78, the interviewing agent met with Mr. JALOVEC in Mr. JALOVEC's office as arranged. Mr. JALOVEC then stated that Mr. O'HARA had just decided not to appear at the meeting against the advise of Mr. JALOVEC. Mr. JALOVEC stated that he could not convince Mr. O'HARA that the FBI was not planning to cause some kind of a problem for Mr. O'HARA. Mr. JALOVEC was not informed of the purpose of the attempted contact of O'HARA except that the interviewing agent told Mr. JALOVEC that the FBI wished to pass some information to Mr. O'HARA.

In view of the foregoing events and the instructions of the Bureau expressed in referenced telcall, Chicago is making no further attempts to contact O'HARA.

Memorandum

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 _____

Ryph...

DATE: 7/28/78

TO : Mr. Bassett

FROM : D. Ryan

SUBJECT: HOUSE SELECT COMMITTEE ON
ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

- 1 - Mr. Bailey
- 1 - Mr. Mintz
- Attn:
Mr. Heller
- 1 - Criminal Investigative
Division
- Attn: Mr. J.J. Jamar
- 1 - Mr. Foster

PURPOSE: To furnish information regarding captioned Committee's efforts to gain access to Memphis Field Office files of five (5) former informants and to recommend, in accordance with a decision by the Department of Justice, that excised copies of these files be made available only to the HSCA's Chief Counsel and Director.

SYNOPSIS: The HSCA is trying to resolve allegation that FBI informants reporting on the Invaders, a Memphis youth gang, acted as "agent provocateurs" in instigating violence, causing King to return to Memphis where he was killed. HSCA requested access to FBI Headquarters (FBIHQ) files on five informants reporting on Invaders. This access was granted to HSCA Chief Counsel and Director only as effort to compromise with HSCA and assist in resolving allegation. HSCA then requested access to Memphis Field Office files on the same informants. This request was denied in Director letter to Congressman Stokes, Chairman, HSCA, (copy attached) primarily because it would be detrimental to our informant development program. By letter to the Attorney General from HSCA Chairman dated 7/5/78 (copy attached), a meeting with the Attorney General was requested to resolve the issues. Mr. Robert L. Keuch, Assistant Attorney General, stated HSCA plans to subpoena files and that FBI should make files available. Informants were contacted, but refused to permit disclosure of their identities to the HSCA. In letter to the Director dated 7/24/78 (copy attached), Mr. Keuch advised that in his judgement, as Special Counsel for the Attorney General, the HSCA should be given access to excised copies of these files primarily because the Committee's legislative and investigative needs are not based on "pure speculation" and to give access to excised copies both protects informant identities and demonstrates our cooperation. While we believe Mr. Keuch's decision is sound, our reasons

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 12/28/80 BY SP7/MSM/MLC

REC 32 62-117790-1096

4 ENCLOSURE
Enclosures

SI-126

CONTINUED - OVER

JTA:me1 (5)
SEP 2 1978

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



H. J. Jamar

Memorandum to Mr. Bassett
 RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
 U. S. HOUSE OF REPRESENTATIVES (HSCA)

why files should not be made available were informally provided him and are outlined in this memorandum. On 7/27/78, Mr. Keuch stated our arguments are persuasive, but he still believed the decision in his letter of 7/24/78 was the best course of action in this matter. However, he desired to use our arguments in responding to Congressman Stokes' letter and asked this information be furnished him on a formal basis. Mr. Keuch has determined that our action in this matter will have no bearing on the Socialist Workers Party litigation in New York. The Congressional Inquiry Unit (CIU) believes that since copies of these files will be excised to prevent compromise of informants' identities, we should agree with Mr. Keuch's position and make files available.

RECOMMENDATIONS:

1. That we follow the decision of Mr. Keuch in making excised copies of these informant files available to the HSCA's Chief Counsel and Director only.

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____	
Director <i>[Signature]</i>	Crim. Inv. _____	Plan. & Insp. _____	<i>WLB</i>
Asso. Dir. <i>[Signature]</i>	Ident. _____	Rec. Mgmt. <i>[Signature]</i>	
Dep. AD Adm. <i>[Signature]</i>	Intell. _____	Tech. Serv. _____	
Dep. AD Inv. <i>[Signature]</i>	Laboratory _____	Training _____	
		Public Affs. Off. _____	

2. If the above is approved, an appropriate communication be prepared directing to Mr. Keuch information he desires to use in his response to Congressman Stokes.

APPROVED: <i>[Signature]</i>	Adm. Serv. _____	Legal Coun. _____	
Director <i>[Signature]</i>	Crim. Inv. _____	Plan. & Insp. _____	<i>WLB</i>
Asso. Dir. <i>[Signature]</i>	Ident. _____	Rec. Mgmt. <i>[Signature]</i>	
Dep. AD Adm. <i>[Signature]</i>	Intell. _____	Tech. Serv. _____	
Dep. AD Inv. <i>[Signature]</i>	Laboratory _____	Training _____	
		Public Affs. Off. _____	

Memorandum to Mr. Bassett
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

DETAILS: By letter to the Attorney General dated 4/12/78, the HSCA requested access to files on our informants within the Invaders, a Memphis youth gang. This request was apparently made after a review of the Invaders file at FBIHQ which disclosed the Memphis Office had five informants who were providing coverage of that organization. Mr. G. Robert Blakey, Chief Counsel and Director, HSCA, had advised Legal Counsel Division that the HSCA is trying to resolve whether or not the Invaders fomented racial violence to get King to return from Atlanta to Memphis where he was killed and to determine if any of these informants acted as "agent provocateurs" in starting this violence.

None of the five informants involved are currently active. Only one informant actually became a member of the Invaders and that was not until after King's assassination. Memphis files on these informants total 47 sections.

By Mr. Ryan to Mr. Bassett memorandum dated 4/27/78, it was approved to release FBIHQ files on these informants with all informant identifying data excised. It was hoped these files would satisfy the HSCA that informants were not responsible for violence. This action was taken primarily as a "compromise" to demonstrate cooperation with the Committee. Any additional efforts by the HSCA to review field office files of the informants or to determine informant identities would be opposed. Access to FBIHQ informant files was limited to Mr. Blakey, since some staff members were familiar with substantive file on the Invaders and to allow staff access could jeopardize informants' identities.

As reported in Mr. Ryan to Mr. Bassett memorandum dated 5/19/78, Mr. Blakey reviewed excised copies of all five FBIHQ informant files on 5/17/78, in the presence of two Agents of the CIU. Following a review, Mr. Blakey stated he found no evidence that any of our informants acted as "agent provocateurs." He furnished FBIHQ 15 pages of notes which he took during review and desired these notes be kept at FBIHQ for possible later use in constructing a paragraph in the final HSCA report to the effect that he found no evidence that any of these informants instigated violence. Following this review, Mr. Blakey made no verbal request that field office files of these informants would be needed.

Memorandum to Mr. Bassett
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

By letter to the Attorney General dated 5/23/78, Mr. Blakey requested access to Memphis Field Office files of these same five informants. This letter stated that the procedure used for review of FBIHQ files was unacceptable and contrary to the Memorandum of Understanding, but could be utilized again.

In response to this request, a letter from the Director to Congressman Louis B. Stokes, Chairman, HSCA, dated 6/13/78, was sent denying access to these files. A copy of this letter and the letter transmitting it to the Department of Justice are attached to this memorandum. Our denial was based primarily on the overall detrimental effect this access could have on our informant development program and, as this letter pointed out, the lives and safety of our informants could be placed in jeopardy. This letter also stated that our decision to make the FBIHQ informant files available was not meant to serve as a precedent for the HSCA to request field office files for the same informants. Mr. Robert L. Keuch, Deputy Assistant Attorney General, concurred with our position in the absence of additional information from the HSCA bearing on the allegation that our informants acted as "agent provocateurs" in instigating the violence in Memphis.

On 7/11/78, representatives of the CIU and Legal Counsel Division met with Mr. Keuch, at which time Mr. Keuch furnished a copy of a letter from Congressman Stokes to the Attorney General dated 7/5/78. A copy of this letter is attached to this memorandum. This letter sets out in detail the basis on which the HSCA feels it has for requesting access to informant field office files. This letter appealed to the Attorney General to resolve the matter of the informant files and requested a meeting with the Attorney General to discuss the issues involved. Mr. Keuch advised that the HSCA was prepared to subpoena these files. In his opinion, Mr. Keuch believed the Department would lose a court decision over the files and it would be in the Bureau's best interest to comply with the HSCA request of 5/23/78 and allow access. Mr. Keuch believed the letter from Congressman Stokes contained additional information bearing on the allegation against the Bureau in that the Committee's own investigation

Memorandum to Mr. Bassett
RE: HOUSE SELECT COMMITTEE ON ASSASSINATIONS
U. S. HOUSE OF REPRESENTATIVES (HSCA)

had established a need to review the field office informant files and the request was not based on irresponsible allegations. Mr. Keuch requested that the FBI reexamine its position and advise if the files could be made available to Mr. Blakey only.

On 7/13/78, Mr. Keuch advised that if files were not forthcoming, the HSCA planned to issue a subpoena for them, an action to commence 7/17/78.

At a meeting with representatives of the CIU, Mr. Bassett and Mr. Bailey on 7/13/78, Mr. McDermott directed that all five informants be contacted to determine if they have any objections to their identities being disclosed to the HSCA. If any did not object, then a signed waiver would be obtained authorizing release of their files to the HSCA. Subsequent to the meeting, Mr. Keuch was telephonically advised of this action.

On 7/17/78 and 7/18/78, the field advised that all five informants had been contacted and refused to allow their identities to be disclosed to the HSCA. On 7/18/78, Mr. Keuch was telephonically advised that all five informants objected to their identities being disclosed to the HSCA.

By letter to the Director dated 7/24/78 (copy attached), Mr. Keuch outlined the basis which he, as Special Counsel to the Attorney General, believed that excised copies of these informant files should be made available to the HSCA. In his opinion, Mr. Keuch believes the HSCA's legislative and investigative needs for the files are not based on "pure speculation and/or naked allegations"; that the Committee will issue subpoenas for the files and if we lost a court decision regarding subpoenas, access would be broadened and informants' identities could be disclosed; the nature of the Committee is "that the Bureau and Department of Justice are targets or subjects of the investigation" and we are obligated to be as cooperative as possible; and, that "if and when we reach the ultimate confrontation over the possible disclosure of informants" our position will be strengthened by taking cooperative steps consistent with our needs to protect informants' identities.

