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| To | |
| Originating: | |
| Person | BARRY F. KOWALSKI |
| Agency | DOJ |
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| Abstract | |

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U.S. Department of Justice

Civil Rights Division

BFK:bbm
DJ 144-72-1991

*Criminal Section
P.O. Box 66018
Washington, D.C. 20035-6018*

AUG 3 1999

Mr. Robert J. Eatinger
Chief, Litigation Division
Office of General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Eatinger:

Thank you for your time on the telephone today.

Enclosed are our letters to Mr. Caudle of July 30 and February 17 which we discussed. Please call after you have had the opportunity to update yourself on this matter. Also thank you for agreeing to arrange a telephone conference with Mr. McCollough.

I appreciate your cooperation with our investigation. Please call if you have any questions.

Sincerely,

Barry F. Kowalski
Special Litigation Counsel
Criminal Section

Enclosures

BFK:bbm
DJ 144-72-1991

JUL 30 1999

Mr. Robert Caudle
Chief, Litigation Division
Office of General Counsel
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Caudle:

Our letter of February 17, 1999, requested review of certain of your agency's files that might contain information relevant to our investigation of new allegations related to the assassination of Dr. Martin Luther King, Jr. Also, we agreed to advise you regarding anything we might include in our public report that relates to information obtained from your agency.

We appreciate your cooperation. Your office collected documents pursuant to our request for information from your agency's files related to three subject areas: (1) the activities of Marrell McCollough in Memphis in March and April 1968; (2) the activities of any member of the Memphis Police Department in that time period; and (3) the activities of any federal asset from your agency, other federal agencies or national security or military intelligence resources in Memphis during that same time period. Mr. Massie reviewed the documents provided in response to this request in May 1999.

Based on our review, we intend to include in the public report of our investigation a conclusion that the CIA has no records that indicate that anyone from the Memphis Police Department or any federal agency or the United States military was involved in anyway in the assassination of Dr. King.

Please advise your views about our proposed public release of this conclusion.

Sincerely,

Barry F. Kowalski
Special Litigation Counsel
Criminal Section

BLL:BFK:bbm
DJ 144-72-1991

FEB 17 1999

Mr. Robert Caudle
Chief, Litigation Division
Office of General Counsel
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Caudle:

Thank you for taking the time to meet with Mr. Bill Lann Lee and others from the Civil Rights Division on February 16, 1999. We felt it was a very productive meeting. I have listed below what I understood to be the results of that meeting.

1. You provided copies of the documents identified in Mr. Lee's letter to you of February 12, 1999, in paragraph A.1-8.

2. You agreed to request the approval of the Federal Bureau of Investigation to provide a copy of the document identified in paragraph B.1.

3. You provided the identity and current location of the author of the document in paragraph B.2. and agreed and to make available a copy of that document for use in an interview of its author.

4. You agreed to make available for interview the two polygraphers identified in paragraph C. and provide them with the materials related to the polygraph each conducted to refresh their recollection.

5. You agreed to return Mr. Massie's original notes with appropriate classification labeling for retention by the Department of Justice.

6. We agreed to consult you regarding any information obtained from your Agency that we may consider referencing in our public report of this investigation to obtain your views regarding your interest in avoiding disclosure of sources and methods.

7. We requested your Agency consider refraining from imposing any discipline or administrative action toward Mr. McCollough in the event that he discloses he withheld information from our investigation.

8. We will both review the records of the House Select Committee on Assassination and the Department of Justice Investigation of 1977 to determine prior disclosures of information by your Agency to assist those investigations.

Finally, as discussed, we are making the following request for additional information that may be in your Agency's files related the allegation that Marrell McCollough and the Memphis Police Department were involved in a conspiracy to assassinate Dr. King to include, but not limited to:

1. McCollough's activities in March and April, 1968, in Memphis, Tennessee;

2. the activities of any member of the Memphis Police Department in March and April 1968; and

3. the activities of any federal asset from your Agency, other federal agency or national security or military intelligence resource in March and April 1968.

We appreciate your continued cooperation and look forward to working with you to fulfil the mission of this investigation.

Sincerely,

Bill Lann Lee
Acting Assistant Attorney General
Civil Rights Division

By:

Barry F. Kowalski
Special Litigation Counsel
Criminal Section