

Ms. Barbara Annis  
Freedom of Information Staff  
Office of Public Affairs  
Department of State  
Washington, D.C. 20520

Rt. 12, Frederick, Md. 21701  
7/28/78

Dear Ms. Annis,                      Re King assassination records; C.A.75-1996 - appeal

In his letter dated July 26, 1978, with which Mr. Allen McCreight of the FBI forwarded processed copies of FBI records that had been referred to the Department of State, Mr. McCreight told me to address any questions to you.

After reading the records provided my first question is why those records relating to the extradition of James Earl Ray were not provided by the Department of State in response to my FOIA request or in compliance after I filed C.A. 718-70, in which the Department of State was a named defendant. It is my recollection that the Department did not provide a single record in that case.

This, of course, leads to my wondering when I will hear from the Department in response to my PA and FOIA requests with which it had not complied. I believe that I have appealed all of these. If by any chance I have not appealed any one, then this is that appeal, intended to cover all requests.

A new executive order on classification has been promulgated. It has new standards for classification and review. I believe it would be appropriate for these new standards to be observed with regard to those records withheld from me on claimed national security ground and because of the passing of time with some of them I now ask this.

From the records provided it would appear that almost no Embassies responded at the time of the King assassination because virtually no records have been provided in response to the FBI's request reflected in such records as Mr. McCreight's Document 4. If there are any other such records I would appreciate copies of them.

Document 6 is the London Embassy's cable stating with regard to a statement issued by the Attorney General that the text had been received by phone and "confirms its accuracy." My recollection is that there was factual inaccuracy in this statement and I ask for any records relevant to my recollection.

Documents 17 and 19 appear to be identical. Both withheld the name and other information relating to one who "stated that he ~~had~~ administered a lengthy psychological interview and test to James Earl Ray while he was a prisoner in Missouri." Claim is made to (b)(7)(D). I believe this to be inappropriate because unless the person whose name is withheld is a faker it is public knowledge that the test was administered and by whom. I believe this information is in records released by the FBI and in a number of books and newspaper articles. The information was released contemporaneously to the press. I believe my recollection that the person administering the test was interviewed by reporters. I believe that I quoted news accounts in my own book. But were this not true, I believe that under historical case standards this information should not be withheld. I ask for unexpurgated copies and any other relevant information. In this regard I call to your attention and Mr. McCreight's that there is currently considerable journalistic attention to what was leaked by some official that is related to psychological test in the Missouri jail. The story, attributed to one Byers' report that reached the FBI and was withheld by it, is that there was a search for a palsy, Mr. Byers' word "pig." (I believe the reading was obsessive-compulsive.)

By a carbon copy I also appeal to the Department of Justice.

Sincerely,

Harold Weisberg