

TELETYPE

PRIORITY

CLEAR

8/10/77

JAH

FM DIRECTOR

1 - Mr. Mintz,
Attn: Mr. Mathews

TO ATLANTA

1 - Mr. Pehl
Attn: Mr. Aldhizer

BIRMINGHAM

LOS ANGELES

NEW ORLEANS

WFO

CHICAGO

ST. LOUIS

BT

CLEAR

HAROLD WEISBERG V.

U.S. DEPARTMENT OF JUSTICE

(U.S.D.C., D.C.)

CIVIL ACTION NO. 75-1996

FREEDOM OF INFORMATION ACT (FOIA) MATTER

BUDED AUGUST 31, 1977

JAH:tlm (6)

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IN CONNECTION WITH CAPTIONED CIVIL ACTION THIS BUREAU HAS ENTERED INTO A STIPULATION TO PROCESS PURSUANT TO THE FOIA CERTAIN DOCUMENTS PERTAINING TO THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR. (MURKIN) CONTAINED IN THE FILES OF YOUR FIELD DIVISIONS.

TO FACILITATE COMPLIANCE WITH THIS STIPULATION, EACH RECIPIENT SHOULD CONDUCT A SEARCH OF YOUR INDICES FOR ALL MAIN FILES IDENTIFIABLE WITH MURKIN. THEREAFTER, ATLANTA, BIRMINGHAM, LOS ANGELES, NEW ORLEANS, AND WFO SHOULD FORWARD TO FBIHQ ONE XEROX COPY EACH OF ALL DOCUMENTS, INCLUDING BULKY EXHIBITS AND]-A'S WHICH MEET THE FOLLOWING CRITERIA: (1) ANY DOCUMENT IN THOSE FILES WHICH WAS NOT DIRECTED TO, NOR RECEIVED FROM, FBIHQ OR THE MEMPHIS FIELD DIVISION (FBIHQ FILES HAVE BEEN PROCESSED AND MEMPHIS FILES ARE CURRENTLY BEING PROCESSED FOR THE REQUESTER); (2) ANY DOCUMENT IN THESE FILES WHICH HAD BEEN SUBMITTED TO, OR RECEIVED FROM, FBIHQ OR MEMPHIS BUT WHICH CONTAINS A SUBSTANTIVE, PERTINENT NOTATION - OTHER THAN AN ADMINISTRATIVE TYPE DIRECTIVE FROM A SUPERVISOR TO AN AGENT - THAT WOULD NOT APPEAR ON THE FBIHQ OR MEMPHIS COPY. BULKY EXHIBITS OR]-A's, HOWEVER, WHICH CONTAIN MATERIAL OTHER

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THAN DOCUMENTS, SUCH AS PHYSICAL EVIDENCE, SHOULD NOT BE COPIED FOR PROCESSING BUT SHOULD BE LISTED SEPARATELY IN YOUR COVER COMMUNICATION.

CHICAGO AND ST. LOUIS SHOULD FORWARD TO FBIHQ A XEROX COPY EACH OF ONLY THOSE DOCUMENTS, INCLUDING BULKY EXHIBITS AND 1-A's, IN THE MURKIN FILES WHICH (1) RELATE TO JOHN RAY, JERRY RAY, JAMES EARL RAY, CAROL PEPPER AND ALBERT PEPPER, AND WHICH WERE NOT SUBMITTED TO, NOR RECEIVED FROM, FBIHQ OR MEMPHIS AND (2) WHICH RELATE TO THOSE SAME PERSONS AND HAVE BEEN SUBMITTED TO, OR RECEIVED FROM, FBIHQ OR MEMPHIS BUT CONTAIN SUBSTANTIVE, PERTINENT NOTATIONS AS DESCRIBED ABOVE. FOLLOW THE SAME INSTRUCTIONS FOR BULKY EXHIBITS AND 1-A's AS DESCRIBED ABOVE.

ALL COPIES SUBMITTED SHOULD BE CLEARLY LEGIBLE, AND SHOULD BE SENT REGISTERED MAIL, MARKED TO THE ATTENTION OF RECORDS MANAGEMENT DIVISION, FREEDOM OF INFORMATION-PRIVACY ACTS BRANCH.

ADDITIONALLY, ONE AGENT IN EACH FIELD DIVISION SHOULD SUBMIT AN AFFIDAVIT WHICH CAN BE FILED IN COURT ATTESTING (1) THAT A SEARCH HAS BEEN MADE IN THE FIELD DIVISION FOR ALL FILES PERTAINING TO MURKIN IN ACCORDANCE WITH INSTRUCTIONS

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FURNISHED ABOVE AND CITING THOSE FILES LOCATED; (2) THAT ALL THOSE MURKIN FILES HAVE BEEN REVIEWED AND COPIES OF ALL DOCUMENTS CONFORMING TO THE ABOVE CRITERIA HAVE BEEN FORWARDED TO FBIHQ.

BY SEPARATE COMMUNICATION, EACH RECIPIENT FIELD OFFICE WILL BE FURNISHED A SAMPLE AFFIDAVIT DETAILING THE FORMAT DESIRED.

INASMUCH AS PROCESSING OF THESE DOCUMENTS IS TO BE COMPLETED AT FBIHQ BY NOVEMBER 1, 1977, EACH OFFICE SHOULD INSURE THAT THE DOCUMENTS, TOGETHER WITH THE AFFIDAVIT, ARE FORWARDED TO FBIHQ BY AUGUST 31, 1977, OR AS SOON BEFORE THIS DATE AS POSSIBLE.

ANY QUESTIONS SHOULD BE RESOLVED BY CONTACTING SUPERVISOR JOHN ALLEN HARTINGH, EXTENSION 5565, OR UNIT CHIEF HORACE P. BECKWITH, EXTENSION 4086, FOIPA BRANCH, FBIHQ.

BT