



U.S. Department of Justice

Office of Legal Policy

Office of Information and Privacy

Washington, D.C. 20530

MAR 6 1989

James H. Lesar, Esq.
918 F Street, N.W.
Room 509
Washington, D.C. 20004

Re: Appeal No. 88-1744
RLH:PJL:CSH

Dear Mr. Lesar:

You appealed on behalf of your client, Harold Weisberg, from the action of the Office of the Attorney General on documents referred to it by the Federal Bureau of Investigation pursuant to his request for access to records pertaining to the assassination of Dr. Martin Luther King, Jr.

After careful consideration of your appeal, I have decided to affirm the initial action in this case. Certain information was properly withheld from your client pursuant to 5 U.S.C. §552(b)(7)(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties. Only the names of Bureau agents and employees were excised on the basis of 5 U.S.C. §552(b)(7)(C). Other information was properly withheld from your client pursuant to the Speech or Debate Clause of the United States Constitution, Article I, §6. See Allen v. FBI, 3 GDS ¶83,004 (D.D.C. 1982). None of the information being withheld is appropriate for discretionary release.

Judicial review of my action on this appeal is available to you in the United States District Court for the judicial district in which he resides or has his principal place of business, or in the District of Columbia, which is also where the records sought are located.

Sincerely,

Richard L. Huff, Co-Director
Office of Information and Privacy