

JFK appeals

Mr. Allen McCreight, Chief
FOIA/PA Branch
FBI
Washington, D.C. 20535

10/22/78

Dear Mr. McCreight,

Thank you very much for your letter of October 16, 1978 regarding assassination records and records relating to Dr. King, for your letter of October 18 relating to JFK assassination records, and the records covered by each letter, which have reached me.

There is no indication of what exemption is claimed for the withholdings in the King records except for your reference to them in general in your letter. Because your second paragraph indicates there is to be further processing of my request for what you refer to as the security records I make only a protective appeal of this, holding it in abeyance pending receipt of the other records. As I believe you are aware, the courts have already held that the practice you followed is not a proper practice and the practice makes it impossible for a requester to know what exemption is claimed for what is withheld. (In some cases exemptions were noted.)

Serial 100-448006-93 of March 29, 1968 is one of a series of related records I asked for in particular about two years ago. It is in Attachment A. I would appreciate the other relevant records because I will be addressing this in my writing and because not being able to draw upon them can result in continued unfairness to the FBI. I say "continued" because I regard the use made by Mark Lane and others as unfair.

I have long been ~~appet~~ aware that the effort to plant the story critical of Dr. King was authorized by the FBI. This recommendation and its approval coincided with violence that accompanied his appearance in Memphis on that day. You may recall that my request includes the Invaders and the sanitation strike he supported. A group within the Invaders caused that violence. They also picketed and demonstrated against Dr. King at the Rivermont Motel, to which he was taken after the violence.

Having heard reports of this press campaign I sought evidence that the story had in fact been planted. While this was in early 1971 and my recollection may be flawed I believe that in fact the story was not planted and that the Invaders took the same line in their demonstration against Dr. King.

Lane and others interpret what the FBI approved (and one of the missing records is this approval) as forcing Dr. King to the Lorraine Motel, where he was killed. In fact Dr. King generally stayed at the Lorraine and it is the Memphis police, I believe wisely, who took Dr. King to the Rivermont. I go into this because you are not a subject expert. What I am saying is that even if the story was planted it did not "drive" Dr. King to the Lorraine, which is one of the alleged areas of FBI responsibility in Dr. King's death, according to Lane.

I know there was a departmental investigation about this story and related matters, as part of the GRB or GPR investigations. I have records indicating it but not the results. I presume there was at least one time when FBIHQ became interested in this, the time of the crime, and possibly when Lane and others started their propaganda. In addition, there was preparation for Mr. Adams' Senate testimony. (Incidentally, I have not yet received the copy of this Mr. Shea told me long ago you would send.) Because I do not believe that as the Lanes allege the FBI killed Dr. King I want to be able to address this matter as definitively and as accurately as possible in my writing. I therefore hope that you will provide all available and relevant records relating to the efforts against Dr. King in this regard as well as the results of any subsequent inquiry, which I am confident will show that the story had no connection with the killing.

You in this letter and Mr. Shea in the letter to which you refer say that I will be receiving JFK records processed and provided to others. I have expected this for all of this year but as yet I have not received one. I would appreciate it if you would please inform me when I may expect this. The long delay presents additional problems because some of these records are relevant in current litigation.

The Dallas bulkys you refer to in your Letter of October 18 have arrived. Recurrence of an old back strain temporarily delays my examination of them. I am not able to lift the boxes.

In this letter you cite three Dallas files. You do not cite any Marina Oswald file, for example, and I know there is one. You also do not refer to the file that in the description provided is referred to as Presidents Commission of Assassinations. The records provided from this file include but one that predates the end of that Commission's life. I therefore believe that in Dallas there must be another such file or files or that records of this general description are filed under a different designation. Copies of some only are included in the other files provided. And here again there is relevance in current FOIA litigation. May I please hear from you on when I may expect the other Dallas records? As you know from my PA request, I have special interest in the Dallas file on writers and their books. There is such a file.

I am pleased that I will soon be receiving the 5x8 Dallas index, as your letter states. Of greater interest is the other index, I believe of 3x5 cards and I have appealed the withholding. (I also believe that having this in Washington can be very helpful to you and can save you and your staff such time, effort and cost.) I look forward to being informed when I may expect this. It is an exceptionally valuable research tool and I want to be able to make proper arrangements for it in advance.

Among the other matters about which I have not heard from you is JFK assassination photographs. I have received one Powell print but none of the relevant reports or other records. I hope you can inform me when I may expect copies of these photographs.

Sincerely,

Harold Weisberg