



UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

SEP 27 1978

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

This responds to your letter of August 27, 1978, in which you appealed concerning the manner in which the Federal Bureau of Investigation responded to your request for access to records pertaining to the "Byers matter." You raised specific issues concerning this particular release, as well as other points pertaining generally to your various other pending requests and administrative appeals.

To the extent you specifically seek new copies of the Byers release containing the first portion of the informer's file number, I have decided to grant your appeal. Such copies, reflecting the filing of this material in a "37" File, will soon be released to you directly by the F.B.I. To the extent you seek access to any other content excised from the released records, your appeal must be denied. I have personally reviewed these materials again. Neither the case in which the records were generated nor the informant involved had any connection with Dr. King or his assassination, except as indicated in the released portions. Any additional release, assuming without conceding that the other portions of these records are within the scope of any request of yours, would disclose purely internal Bureau practices and would invade the personal privacy of other persons to an unwarranted extent, compromise the identity of a confidential source, and disclose confidential information furnished only by a confidential source. 5 U.S.C. 552(b)(2), (7)(C) and (7)(D). Although the manner in which this material was handled by the Bureau, both at the time the records were generated and when they were sent to Headquarters and the Select Committee, was unfortunate, the withheld portions are, nonetheless, wholly inappropriate for release as a matter of agency discretion.

In your letter of August 3, as on several previous occasions, you suggested that the fact that records which have been requested and which are to be released may be erroneous, incomplete, or misleading has some F.O.I.A. relevance. As a

Shea Memo September 27, 1978