



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

James H. Lesar, Esq.
Attorney at Law
Suite 900
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Arlington, Virginia 22209

FEB 16 1984

Dear Mr. Lesar:

Reference is made to your letter dated January 9, 1984, regarding the processing of material concerning Dr. Martin Luther King, Jr., which is contained in the FBI's House Select Committee on Assassinations (HSCA) correspondence file.

In response to your inquiry concerning the release to Mr. Mark A. Allen of additional documents pertaining to the King assassination, please be advised that the reprocessing of the HSCA correspondence file has been completed, and the resultant documents sent to Mr. Allen. It is anticipated, however, that additional King materials may be located in the remaining Administrative Folders yet to be reviewed. Duplication costs for these records would then be deducted from Mr. Allen's deposit; the current remaining balance of which is \$87.15.

In your letter you request that those funds not applied to Mr. Allen's request be transferred to cover documents previously requested by Mr. Weisberg pertaining to both the King and Kennedy assassinations. First, the funds provided by Mr. Allen to the FBI are applied to pay the duplication costs for King material located in HSCA documents responsive to Mr. Allen's request concerning the assassination of President Kennedy. We do not know how much the duplication cost for this material will be. When our review of all HSCA Kennedy-related material is completed, we will consider your proposal to apply the remainder of these funds to other requests. However, until our review is completed, these funds will be applied only to Mr. Allen's request as described above.



James H. Lesar, Esq.

Secondly, Mr. Weisberg had requested FBI records furnished to certain Congressional Committees during their investigations pertaining to President Kennedy and Dr. King. By letter dated July 1, 1980, Mr. Weisberg was advised, that the waiver of costs set forth in United States District Court Judge Gerhard Gesell's order of January 16, 1978, was limited to specific materials, and that, customary duplication and search fees would be assessed for all other materials requested by Mr. Weisberg, including his request for FBI records furnished to certain Congressional Committees during their investigations of the King and Kennedy assassinations. Mr. Weisberg was further advised, that the FBI records furnished to the Congressional Committees during their investigations pertaining to Dr. King and President Kennedy, would not be processed in response to his requests, until, he indicated his willingness to pay customary search and duplication fees. Additionally, the FBI offered to provide Mr. Weisberg with cost estimates on any specific material which he designated. Mr. Weisberg has not responded to this Bureau regarding either the above offer or his intentions to pay fees. Because of the time that has elapsed since our July 1, 1980, letter with no response from Mr. Weisberg indicating his willingness to pay fees, his previous request has been administratively closed in accordance with standard FBI policy regarding such matters.

As Mr. Weisberg's previous request for materials provided to Congressional Committees had been administratively closed, your letter of January 9, 1984, is being considered a request on behalf of Mr. Weisberg for those materials located in the HSCA correspondence file which pertain exclusively to Dr. King. Your letter is also being considered a request on behalf of Mr. Weisberg for a fee waiver for these documents. We will comply with this request in accordance with Title 5, United States Code, Section 552 (a)(6)(A)(i) and other Federal statutes and regulations, and consider Mr. Weisberg's request for a fee waiver on the above material located in the HSCA correspondence file in accordance with our standard policy regarding fee waivers.

Sincerely yours,

James K. Hall

James K. Hall, Chief
Freedom of Information-
Privacy Acts Section
Records Management Division