



U.S. Department of Justice

Office of Legal Policy

Office of Information and Privacy

AG 26 1986

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

Washington, D.C. 20530

Re: AG/86-R0505
MMN:PAK:CW

Dear Mr. Lesar:

The Federal Bureau of Investigation located 16 documents of interest to the Office of the Attorney General while processing your Freedom of Information Act request on behalf of your client, Harold Weisberg, for records pertaining to Dr. Martin Luther King, Jr. The documents, which total 21 pages, were referred to this Office for review and direct response to you. I apologize for the delay in responding to your request.

I have determined that 11 documents, which total 14 pages, are appropriate for release and copies are enclosed. The remaining five documents, which total seven pages, are barred from release by the Speech or Debate Clause of the Constitution, Article I, §6. See Allen v. FBI, Civil No. 81-1206 (D.D.C. Nov. 24, 1982). Further, one of the withheld documents contains information which is also exempt 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 FBI special agents have been excised pursuant to this exemption. None of the information being withheld is appropriate for discretionary release.

If Mr. Weisberg is dissatisfied with my action on this request, he may appeal from this partial denial by writing to the Co-Director, Office of Information and Privacy, U.S. Department of Justice, Washington, D.C. 20530, within 30 days of your receipt of this letter. Both the letter and envelope should be clearly marked "Freedom of Information Act Appeal." In the event he is dissatisfied with the results of any such appeal, judicial review will thereafter be available to him 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 he seeks are located.

Sincerely,

Miriam M. Nisbet, Deputy Director
Office of Information and Privacy

Enclosures