



NATIONAL SECURITY AGENCY  
CENTRAL SECURITY SERVICE  
FORT GEORGE G. MEADE, MARYLAND 20755

Serial: N 9022B

23 MAR 1977

Mr. Harold Weisberg  
Route 12  
Frederick, MD 21701

Dear Mr. Weisberg:

1. This replies to your letter of 8 February 1977 in which you request all records on or in any way relating to political assassinations in the United States and subsequently limited to the assassinations of President Kennedy and Dr. Martin Luther King, Jr. in your undated letter postmarked 7 March 1977.

2. We have made a search which has located records which appear to fall within the scope of that portion of your request concerning the assassination of President Kennedy, however, the search did not locate any records concerning the assassination of Dr. Martin Luther King, Jr. In accordance with the provisions of Title 5 U.S.C. 552 as amended by Public Law 93-502, this Agency has reviewed these records and provides the following response to you.

3. Certain of these records cannot be released to you for the following reasons:

a. We cannot provide you access to, or release copies of, these records because they are classified and therefore exempt from access or release pursuant to Title 5 U.S.C. 552 (b)(1). The records have been reviewed and are judged to be currently and properly classified in their entirety under criteria set forth in paragraph 2-303, DoD Regulation 5200.1-R, which implements Executive Order 11652. The records are currently and properly classified within the categories provided in Chapter 1, Section 5 of DoD Regulation 5200.1-R and Section 1 of Executive Order 11652. Further they are properly excluded from automatic downgrading and declassification according to the exemption categories provided in Chapter 3, Section 3 of DoD Regulation 5200.1-R and Section 5(B) of Executive Order 11652.

b. In addition, this Agency is precluded by law from providing information on specific results of its classified activities except to those persons authorized to receive such information. Title 5 U.S.C. 552(b)(3) exempts matters which are specifically protected from disclosure by statute. The appropriate statutes in this case are: Title 18 U.S.C. 798, Title 50 U.S.C. 403(d)(3); and Section 6 of Public Law 86-36. DoD Directive 5400.7, Sections III and VI.C.3., specifically recognizes this exemption.

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4. The remaining records may be released to you and are attached as inclosures 1 through 12. Inclosures 1 through 4 are released to you in their entirety. However, certain items in inclosures 5 and 6 have been deleted because they are covered by Title 5 U.S.C. 552(b)(1) and (3) for the same reasons cited in paragraph 3 above.

5. The items deleted in inclosures 7 through 12 have been deleted from these records in conformance with the requirements of Public Law 86-36. Section 6 of Public Law 86-36 provides that no law shall be construed to require disclosure of the organization or any function of the National Security Agency, or any information with respect to the activities thereof, or the names, titles, salaries, or number of the persons employed by such agency. Title 5 U.S.C. 552(b)(3) provides that information is exempted from public disclosure when any statute exempts such disclosure. The above items are therefore exempt under Title 5 U.S.C. 552 (b)(3) as they are exempted from public disclosure by Public Law 86-36.

As this may be construed as a partial denial of your request, you are hereby advised of this Agency's appeals procedures:

Any person denied access to records may, within 30 days after notification of such denial, file an appeal to the NSA/CSS Freedom of Information Act Appeal Authority. Such appeal shall be in writing addressed to the NSA/CSS FOIA Appeal Authority, National Security Agency, Fort George G. Meade, MD 20755. The appeal shall reference the initial denial of access issued by the Agency to the requester and shall contain in sufficient detail and particularity, the grounds upon which the requester believes release of the information is required. The NSA/CSS Appeal Authority shall respond to the appeal within 20 working days after receipt of the appeal.

Sincerely,

  
for **PHILLIP A. COBB**  
NORMAN BOARDMAN  
Information Officer

12 Incls:  
a/s