

May 11, 1976

- 1 - Mr. Mintz
ATTN: Mr. Blake
- 1 - Mr. Cochran
ATTN: Mr. Kiltz

James H. Lesar, Esq.
1231 4th Street, S. W.
Washington, D. C. 20024

Dear Mr. Lesar:

FOIA GENERAL

HAROLD

Reference is made to the meeting of May 5, 1976, between you and your client, Mr. Weisberg, and representatives of the FBI. In accordance with your wishes expressed at this meeting, enclosed is a copy of a receipt signed by Special Agent Thomas L. Wiseman for the \$87 check for special search fees and reproduction costs.

As you were advised at the May 5, 1976, meeting, our Memphis Field Office had been requested to search their records for any additional material which might be responsive to your Freedom of Information Act request dated April 15, 1975, not available at FBI Headquarters. At this meeting you were shown 14 photographs of suspects in the King assassination investigation; of these 14 photographs Mr. Weisberg selected five that he desired copies of which will be reproduced and furnished him. Also, a set of aerial view negatives of the crime scene and vicinity were displayed. Mr. Weisberg did not care to receive copies of any negatives viewed.

Additionally, 107 photographs, the property of Time, Incorporated, but in possession of the FBI, were displayed to Mr. Weisberg and he was advised that Time, Incorporated, had not granted authority to release copies of these photographs, although they had no objection to his viewing them. Mr. Weisberg indicated that he would be interested in obtaining copies of 15 of these photographs and he was advised that he would have to request these of Time, Incorporated. The reproduction of these 15 photographs by the FBI is exempted by the following subsections of Title 5, United States Code, Section 552:

(b) (3) information specifically exempted from disclosure by statute;

(b) (4) commercial information obtained from a person and privileged or confidential.

See Note Page 4

ENCLOSURE

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

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 (b) (3)
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James H. Lesar, Esq.

In addition to the above material, Mr. Weisberg was advised that our Memphis Field Office had furnished a group of photographs which were provided to the FBI by a non-Federal law enforcement organization which has specifically requested that this material continue to be held confidentially. One other photograph was received from another non-Federal law enforcement organization. This photograph depicts an individual taken under circumstances implying criminality and its disclosure would be an unwarranted invasion of this individual's privacy. Therefore, these photographs are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552:

- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
 - (C) constitute an unwarranted invasion of the personal privacy of another person;
 - (D) disclose the identity of a confidential source, or confidential information furnished only by the confidential source.

Finally, you were given the reason why a picture of James Earl Ray was being withheld because its disclosure would be an unwarranted invasion of his privacy, and thus exempted from disclosure by the following subsection of Title 5, United States Code, Section 552:

- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
 - (C) constitute an unwarranted invasion of the personal privacy of another person.

As you have previously been advised we believe this discretionary release completes our response to your Freedom of Information Act request dated April 15, 1975.

James H. Lesar, Esq.

The 10 photographs you selected for reproduction from a review of crime scene photographs during the March 23, 1976, meeting with representatives of the FBI are available. The reproduction costs are forty cents each for the twenty black and white photographs, and three dollars each for the eight color phototgraphs for a total of \$32.

Sincerely yours,

D. M. Kelley

Clarence M. Kelley
Director

Enclosure

- 1 - Honorable John Dugan
Assistant Attorney General
United States Courthouse
Washington, D. C. 20015
- 1 - Assistant Attorney General
Civil Division
Attention: Richard Greenspan
- 1 - The Deputy Attorney General - Enclosure
Attention: Susan M. Hauser