OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

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Mr. Bernard Fensterwald, Jr.
Fensterwald, Bevan and Ohlhausen
Attorneys At Law
927 Fifteenth Street, N. W.
Washington, D. C. 20005

Dear Mr. Fensterwald:

Reference is made to your letters of October 9 and August 20, 1969, requesting on behalf of your client, Harold Weisberg, disclosure of certain documents which you state are in the possession of the Department.

I regret that I must deny your request in all particulars. No documents in the files of the Department are identifiable as being copies of the documents transmitted to British authorities through diplomatic channels at the request of the States of Tennessee and Missouri and presented to the Bow Street Court by officials of the United Kingdom. Further, such records pertaining to the extradition of James Earl Ray as may be in our possession are part of investigative files compiled for law enforcement purposes and, as such, are exempt from disclosure under the provisions of 5 U.S.C. 552(b)(7).

The "memorandum of transfer" dated April 26, 1965, relating to the autopsy performed on the remains of President John F. Kennedy is not available for inspection for the reason that disclosure of such memorandum would constitute a clearly unwarranted invasion of personal privacy, thus being exempt under the provisions of 5 U.S.C. 552(b)(6).

Other government records referred to in your letter of October 9, 1969 and which you state are in the possession of the Federal Bureau of Investigation are not subject to disclosure in that they are part of investigative files compiled for law enforcement purposes and exempt under the provisions of 5 U.S.C. 552(b)(7).

I have also taken note of the statements in your letter of August 20, 1969, to the effect that, in your opinion, all documents submitted on behalf of the United States in the extradition proceedings constitute "public records" and that all the "papers" were prepared in the Department of Justice. Our refraining from making any comment respecting such statements should not be taken as acquiescence by the Department in your opinion and representation in this respect.

Sincerely,

Richard G. Kleindienst

Richard G. Kleindienst
Deputy Attorney General