

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cochran *JJC*

FROM : J. J. McDermott

DATE: 11/3/75

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

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF
JIM LESAR AND ERNEST S. LEISER OF CBS NEWS

Re letter of Jim Lesar dated April 15, 1975, and September 5, 1975, letter of Ernest S. Leiser, copies attached.

Captioned requesters have appealed the denial of requested information regarding documents relating to the assassination of Martin Luther King, Jr., in Memphis, Tennessee. To fully evaluate the legality of withholding the requested information under the FOIA, the U. S. Department of Justice, Freedom of Information Appeals Unit, has requested the Bureau to gather information pertinent to the requests.

Captioned requests are being handled concurrently by the Department of Justice, Freedom of Information Appeals Unit, and due to time pressures in this matter, it is requested the following recommendations be handled as expeditiously as possible.

RECOMMENDATIONS:

EX-116
REC-69 44 6002X

The Laboratory Division forward to the FOIPA Section, Files and Communications Division, the requested documents with any comments and/or recommendations, particularly those which would concern the dissemination of Bureau information or information which has been the subject of affidavits or court testimony.

7 MAR 2 1976

Total agent time utilized, direct cost of service and preparation and material relating to the reproduction, be furnished.

Enc. **ENCLOSURE**

TLW:ms (3)

See Laboratory Addendum, page 2.



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Dear Director Kelley:

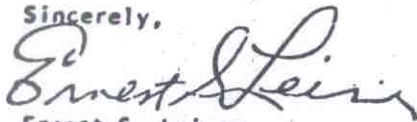
September 5, 1975

Acting under the Freedom of Information Act, I request access to the following FBI documents relating to the assassination of Martin Luther King, Jr. in Memphis, Tennessee, April 4, 1968:

1. Bullet comparison photomicrographs of the evidence bullet and the test bullets made by your ballistics expert, Mr. Robert A. Frazier.
2. Results of laboratory examinations of the evidence bullet.
3. Results of the microscopic examination of the windowsill in the bathroom at 422½ Main Street, Memphis, from which the murder weapon was allegedly fired.
4. Photographic enlargements of the dent in the windowsill and of that part of the rifle which allegedly caused the dent.

I have seen your letter to my colleague, Mr. Haley, in response to his request in the matter of George Wallace and realize you are snowed under with FOIA requests. However, I would appreciate your expediting this as much as possible. Our program is scheduled for broadcast this fall.

Sincerely,



Ernest S. Leiser
Senior Producer

Clarence M. Kelley
Director, Federal Bureau of Investigation
10th and Pennsylvania Aves., N.W.
Washington, D.C. 20535

ENCLOSURE

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-8023

APR 15 1975
DEPUTY ATTORNEY GENERAL

FREEDOM OF INFORMATION REQUEST

The Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20531

Dear Sir:

On behalf of Mr. Harold Weisberg I am requesting disclosure of the following information on the assassination of Dr. Martin Luther King, Jr.:

1. The results of any ballistics tests.
2. The results of any spectrographic or neutron activation analyses.
3. The results of any scientific tests made on the dent in the windowsill of the bathroom window from which Dr. King was allegedly shot.
4. The results of any scientific tests performed on the butts, ashes or other cigarette remains found in the white Mustang abandoned in Atlanta after Dr. King's assassination and all reports made in regard to said cigarette remains.
5. All photographs or sketches of any suspects in the assassination of Dr. King.
6. All photographs from whatever source taken at the scene of the crime on April 4th or April 5th, 1968.
7. All information, documents, or reports made available to any author or writer, including but not limited to Clay Blair, Jeremiah O'Leary, George McMillan, Gerold Frank, and William Bradford Huie.

This request for disclosure is made under the Freedom of Information Act, 5 U.S.C. §552, as amended by Public Law 93-502, 88 Stat. 561.

Sincerely yours,

Jim Lesar
Jim Lesar

ENCLOSURE

It appears that Items 1 through 4 of Lesar's letter of April 15, 1975, and all four items in Leiser's letter of September 5, 1975, are Laboratory matters.

Two copies of each item are being enclosed with this addendum.

The items are as follows:

- (1) Laboratory report dated April 17, 1968, which sets out results of firearms examinations mentioned in Lesar's and Leiser's letters.
- (2) Laboratory worksheet containing notes concerning the firearms examinations.
- (3) Laboratory report, worksheet and notes containing the results of spectrographic and neutron activation examinations of bullets.
- (4) Worksheet and notes concerning the spectrographic analyses of areas of clothing.
- (5) Worksheet and notes concerning the firearms examinations conducted on clothing.
- (6) Laboratory report, airtel, worksheet and notes concerning the examination of a portion of windowsill.
- (7) Laboratory report dated April 19, 1968, which lists items recovered during search of 1966 white Mustang.
- (8) Eleven photographs and photomicrographs of the windowsill area, the muzzle of a weapon and mechanism markings.

None of these items has been released to the public.

Item 4 in Lesar's letter asks for "the results of any scientific tests performed on the butts, ashes or other cigarette remains found in the white Mustang..." Review of the pertinent worksheets and reports has determined that no cigarette butts were recovered during the search of the Mustang. The report dated April 19, 1968, sets out the items that were recovered.

Twenty hours of agent time were utilized in this matter. The cost of printing the photographs is approximately \$20.00, which is the cost of 48 photographs some of which are being retained for future requests. This is \$1.40 per photograph. John Kilty advised 11/20 - 964 photos are 3.00 per set.