

Mr. Mark A. Allen
Post Office Box 9032
Washington, DC 20003

30 SEP 1985

Dear Mr. Allen:

This is in response to your request for a copy of the House Select Committee on Assassinations' (HSCA) investigative leads provided to the Department of Justice pertaining to the assassinations of John F. Kennedy and Dr. Martin Luther King, Jr. and all documents related to it. Please excuse our delay in responding to you.

The Department of Justice documents pertaining to the John F. Kennedy assassination originated in the Federal Bureau of Investigation (FBI). Pursuant to Department of Justice regulation 28 C.F.R. §16.4, your request was referred to the FBI and the Criminal Division of the Department of Justice on June 6, 1981. These Department of Justice components may also possess documents related to your request for records pertaining to the HSCA investigation on the Martin Luther King, Jr. assassination. According to our records you have already been in direct communication with these offices.

The Civil Rights Division documents responsive to your request consist of 3 intra-agency memoranda related to the HSCA investigation involving Martin Luther King, Jr.'s assassination. As intra-agency memoranda, these documents are exempt from disclosure pursuant to 5 U.S.C. §552(b)(5) of the Freedom of Information Act. Please refer also, by analogy, to the opinion Judge Green filed on November 24, 1982, in your lawsuit seeking HSCA related documents on the John F. Kennedy assassination. After consideration of the holding in Allen v. FBI, No. 81-1206, which pertained to similar documents involving the subject matter of the HSCA investigative leads, I have determined that your request should be denied.

Should you wish to appeal my decision with respect to your request, you may do so by writing, within thirty days, to the Office of Information and Privacy, United States Department of Justice, 10th and Constitution Avenue, NW, Washington, DC 20530. The envelope should be marked "FOIPA Appeal". Following review by the Department, judicial review of the decision of the Attorney General is available in the United States District Court in the judicial district in which you reside, in which you have your principal place of business, or in the District of Columbia.

Sincerely,

James P. Turner
Deputy Assistant Attorney General
Civil Rights Division