



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

April 13, 1978

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in reference to your letter to the Knoxville Field Office dated March 15, 1978. This letter has been forwarded to FBI Headquarters for handling.

Though your attorney, Mr. Lesar, states in the request letter to Knoxville dated December 19, 1977, that the request is for any records or information pertaining to Mr. Fensterwald which is contained in FBI files, the privacy waiver which you obtained from Mr. Fensterwald and submitted in conjunction with your request does not authorize the release of any records or information pertaining to Mr. Fensterwald. In paragraph two of his privacy waiver Mr. Fensterwald states "any records responsive to Mr. Weisberg's requests which mention or pertain to me." In paragraph one of the referenced privacy waiver, Mr. Fensterwald clearly identifies the requests he is referring to as "the two Freedom of Information Act requests dated April 15, and December 23, 1975, which Mr. Harold Weisberg has made for Department of Justice records pertaining to the assassination of Dr. Martin Luther King, Jr. A perusal of Mr. Fensterwald's privacy waiver results in a determination that Mr. Fensterwald has granted you a very specific and limited waiver. The release of any records pertaining to Mr. Fensterwald which does not meet the criteria of his privacy waiver would constitute a violation of Mr. Fensterwald's privacy rights by the FBI. Should you acquire another privacy waiver from Mr. Fensterwald, we shall gladly conform to any standards he should set forth therein.



Mr. Harold Weisberg

For clarification purposes, Knoxville's letter dated March 9, 1978, should have been captioned Freedom of Information Request of Mr. Harold Weisberg, and sentence two should have read: The Knoxville Office of the FBI does not have any records concerning Mr. Fensterwald which pertain to your April 15, and December 23, 1975 requests.

Your patience and cooperation are appreciated.

Sincerely yours,

Allen H. McCreight (Knox)

Allen H. McCreight, Chief
Freedom of Information
Privacy Acts Branch
Records Management Division