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August 10, 1987

Mr. Emil P. Moschella, Chief  
Freedom of Information/Privacy Acts Section  
Records Management Division  
Federal Bureau of Investigation  
Washington, D.C. 20535

Re: FOIPA No. 245,852

Dear Mr. Moschella:

Enclosed is a check in the amount of \$159.46 as demanded by your letter of July 24, 1987. Please send the documents to me at the above address.

As you are aware, Congress recently amended the Freedom of Information Act's fee waiver provisions. In light of this, I am asking you to reconsider the decision not to grant Mr. Weisberg a complete waiver of duplication costs but instead to reduce these costs by only 30%.

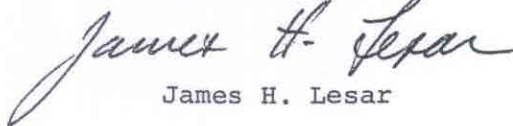
Mr. Weisberg, as you know, is a journalist, researcher, investigator and author who has written six books on the assassination of President John F. Kennedy and one on the murder of Dr. Martin Luther King, Jr. He has also written, in draft form, a second book on Dr. King's assassination. His enormous archive of records on both assassinations is readily made available to journalists, scholars, writers and other members of the public interested in these subjects. Additionally, he has willed his records on these subjects to a university which will take possession of them after his death and make them accessible to the public.

The disclosure of the records encompassed in Mr. Weisberg's request will contribute to understanding of the operations and activities of the United States Government. They concern an investigation of the United States Congress into the assassination of Dr. King. This investigation considered in turn the adequacy of prior investigations conducted by the Federal Bureau of Investigation and the Justice Department. The legislative history of the 1986 amendments states that "the phrase 'operations and activities of the government' should be broadly construed. Agencies deal with private entities on a range of regulatory, enforcement,

procurement and other activities, and records which cast light on those relationships should be routinely made available with a waiver." Statement of Sen. Leahy, 132 Cong. Rec. S 14298 (daily ed., September 30, 1986 (emphasis added). Furthermore, "there is legitimate public interest in being able to obtain a fee waiver in order to learn about Government inaction, as well as Government action." Id.

The records sought by Mr. Weisberg are precisely the kind of records which "should be routinely made available with a waiver." In view of this, duplication costs should be completely waived.

Sincerely yours,

A handwritten signature in cursive script that reads "James H. Lesar". The signature is written in dark ink and is positioned above the printed name.

James H. Lesar