December 4, 1975

Mr. Edward Levi
Attorney General
Department of Justice
Washington, D. C.

CERTIFIED - RETURN RECEIPT
ADDRESSEE ONLY

Dear Mr. Levi:

On April 18, 1975, I requested certain still withheld FBI evidence in the assassination of Dr. Martin Luther King, Jr. When the Department did not comply with the law, my lawyer, Mr. Jim Lesar, filed an appeal directly with you on May 5 (copy attached). When you then did not comply with the law, he filed C.A. 75-1996 for me. Yesterday, December 3, in response to a letter stamp-dated December 1 and mailed the next day, he picked up what the FBI falsely represents as all this long-suppressed evidence I have long sought. I have now gone over it.

I am also investigator for James Earl Ray.

Examination of the material received confirms the suspicion I had when the Department's Mr. Varney Brown started asking Mr. Lesar, who also represents Mr. Ray, to merge my stonewalled request with a later one by CBS and to get Mr. Ray's permission to include certain personal information about him. Mr. Lesar recently filed an appeal before the sixth circuit court of appeals in Mr. Ray's efforts to obtain a trial.

The apprehensions I felt from long experience over the unnecessary and I believe illegal delay in acting on my proper request and then seeking to merge with it a later one by CBS is more than justified by an examination of what the FBI has supplied. It told Mr. Lesar that it supplied the material to CBS prior to delivering it to me or even letting me know although I had already filed C.A. 75-1996 for it.

What has been supplied is not as certified, all I requested. Rather is it a careful selection from the FBI's files that, if used by CBS, will inevitably be very prejudicial to Mr. Ray's interests and that of justice, especially at this crucial stage in his pursuit of long and deliberately denied legal and constitutional rights. The FBI cannot be other than deliberate in this, for all practical purposes imposing on the lack of understanding by CBS to stage a TV spectacular to frame Mr. Ray once again or taking advantage of the clear bias CBS has displayed on this general subject to put it in a position of doing exactly the same thing with allegedly official evidence.

What is not still suppressed - and there can be no doubt of the FBI's purposeful continued suppression of evidence embarrassing to it and exculpatory of Mr. Ray - together with other evidence I have collected and of which the Department has copies, proves the deliberateness with which Mr. Ray was framed when the FBI had proof he had not killed Dr. King. It also proves that Mr. Ray is the victim of perjury. The

Department has this proof, has suppressed it and has since perpetuated the success of this felony by violating my rights under 5 U.S.C. 552 with eight months of stonewalling.

When you announced you had ordered a new look inside the Department at this terrible crime, I wrote you telling you that you had put those divisions responsible for this miscarriage of justice in charge of investigating themselves. What has been given me of what I requested together with what I obtained in the past leaves no doubt that the Department's lawyers knew this and took other illegal acts to perpetuate it. (There is only the alternative that every Department lawyer in any way involved on any level is utterly incompetent.) I obtained some of this proof from the Department when federal district court in Washington awarded me a summary judgment in an earlier Freedom of Information Act case, 718-70. The history of that case proves that the Department confiscated from the willing British Government all official copies of that exculaptory evidence outside the files of the United States Government, classified it illegally, and then lied about it.

Tennessee authorities are also involved in this and are the users of the perjurious testimony known to the Department to have been perjurious.

This amounts to a conspiracy to deny Mr. Ray his civil rights as well as to keep him in jail for the rest of his life when the FBI had and suppressed proof that he did not kill Dr. King. I therefore call upon you to see to it that Mr. Ray is freed and to have an independent investigation - not another whitewashing self-investigation - of what amounts to a conspiracy within your Department to deprive Mr. Ray of his civil rights.

This endless official misconduct has also put the pro bono Ray defense to enormous cost for which there now should be proper and adequate compensation and the restoration of all costs.

Had the Department behaved in accordance with the law once I filed the April request, it would not have been necessary to do all the work represented by Mr. Ray's appeal. What the Department did was deliberately delay my proper request until after Mr. Ray's appeal was filed, then until after CBS made requests for its newest commercialization of these tragedies, and then again until after CBS had in effect paid off the FBI with a coast-to-coast whitewashing of the FBI's behavior in the investigation of the assassination of President Kennedy.

Sincerely,

Harold Weisberg