

JACK ANDERSON  
1401 16th Street, N.W. Washington, D.C. 20036

LES WHITTEN

April 13, 1976

Freedom of Information Appeals Unit  
Office of the Deputy Attorney General  
Washington, D.C. 20530

REF: Keuch letter March 18, 1976  
Buckley letter March 24, 1976  
Buckley letter/data Apr.12, 1976

Gentlemen:

Under the authority of 5 U.S.C. 552 I hereby appeal the failure of the Department of Justice to produce all of the records sought under my Freedom of Information Act request of November 14, 1975.

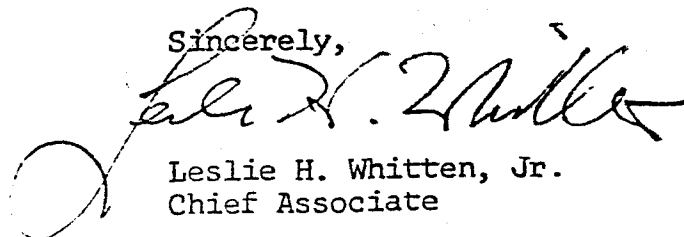
My original request should have been interpreted to mean any of the five attorneys who represented me (their names were listed with specificity) wherein their communications were intercepted by government agents, which communications included mention of me.

I have it on good authority that the Department of Justice has made searches of its "consensual surveillance file" for other FOIA requesters at a far lesser cost than what you demand of me. Contrary to the representation in Mr. Buckley's letter of March 24, 1976, the actual man hour time consumed in searching 140 (a period of 9 years) sections of this file was 54 hours.

My original request reasonably described with specificity the records I seek relating to me, wherein I am named or otherwise alluded to that may appear in chronological and/or other records maintained by your Agency under the name of Jack Anderson or Jack Anderson Enterprises.

As a legal matter, I consider your Agency's failure to timely produce the records sought in my FOIA request as arbitrary and capricious and if these records are not produced, during this appeal period, I will seek compliance through the U.S. District Court for the District of Columbia. I would instruct my lawyers to ask the court for a written ruling, and if given, would thereafter register a complaint with the Civil Service Commission and/or other administrative and/or judicial authority against any federal employee remotely involved in withholding these records from me. It is my further intention to vigorously prosecute any required litigation or administrative actions.

Sincerely,



Leslie H. Whitten, Jr.  
Chief Associate