

Phillips 3rd

Opposition to the Motion Concerning the Adjudication of Certain Exemption Claim). By putting the words critics and criticism in quotes, it seems clear that the Associate Attorney General meant that those were the topics for which the FBI was to search. At no time did the Associate Attorney General or his staff in the Office of Information and Privacy Appeals (OPIA) indicate that he actually intended the FBI to search for names of unspecified individuals. Not until the parties' private discussions during the last status call on March 25, 1982, did plaintiff's counsel ever suggest that the FBI should search for names of individuals. When asked to specify those individuals, plaintiff's counsel came up with only two: Harold Weisberg^{*} and Mark Lane.

In order for the FBI to ascertain whether files exist on the individuals specified by plaintiff and to publicly acknowledge the existence of such files, plaintiff must comply with the requirements of the Privacy Act, 5 U.S.C. § 552a, and submit notarized authorizations of the named individuals, giving plaintiff access to their files. The FBI will then process for release to plaintiff only that information which he has been authorized to receive. If plaintiff is authorized to receive information that does not pertain to the JFK assassination, he must pay for any search and copying fees that are associated with such information.

(g) Films, tapes and pictures. By letter dated December 3, 1980 (see Exhibit 3 attached hereto), plaintiff was advised that the FBI had eight tape recordings pertaining to the JFK assassination, the location of these recordings and the disposition of each, as follows:

DL file	89-43-1A361	referred to DEA ^{**/}
DL file	89-43-1A362	referred to DEA
DL file	89-43-1A363	referred to DEA
DL file	89-43-1A364	referred to DEA
DL file	89-43-1A259	denied (b)(7)(C), (D)
DL file	89-43-1A343	denied (b)(7)(C), (D)
NO file	89-69-1A141	denied (b)(7)(C), (D)
NO file	89-69-1A132	released 12/3/80

^{*}/ Pursuant to his Privacy Act request of December 5, 1975, Mr. Weisberg was furnished all FBI documents which pertained to him in any manner.

^{**/} The tapes referred to the Drug Enforcement Administration were for their direct response to plaintiff. (See Exhibit 3 attached hereto).