

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

G. ROBERT BLAKEY,)
)
 Plaintiff,)
)
 v.) Civil Action No. 81-2174
)
 DEPARTMENT OF JUSTICE)
)
 and)
)
 FEDERAL BUREAU OF INVESTIGATION,)
)
 Defendants.)
)
 _____)

NOTICE OF FILING

In defendants' memorandum of points and authorities in opposition to motion to compel release of two referrals, filed February 23, 1982, defendants asked that an opportunity be afforded until March 19, 1982 to complete the processing of the documents. The processing has been completed and the documents have been released to plaintiff with deletions. See Attachment A hereto.^{1/}

Respectfully submitted,

STANLEY S. HARRIS
United States Attorney

ROYCE C. LAMBERTH
Assistant United States Attorney

Nathan Dodel

NATHAN DODELL
Assistant United States Attorney

^{1/} Because of the schedule of responsibilities of the FBI analyst handling this case, we asked for an opportunity until April 19, 1982 for the filing of a Vaughn index regarding these documents. See text and footnote 1 at page 2 of the memorandum of points and authorities in opposition to motion to compel release of two referrals.

105
82-82555
42634
4270
added to 82-105-
82555 file

wan

Subject of Request: Rogelio Cisneros

FOIPA No. 95,518 /190-

Mr. G. Robert Blakey
Professor of Law
Notre Dame Law School
Notre Dame, Indiana 46556

MAR 19 1982

Dear Mr. Blakey:

Enclosed are copies of documents from our files. Where noted on the enclosed documents, excisions have been made in order to protect materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552 and Section 552a. The exemption number(s) indicated by a mark appearing in the block to the left of the subsection cited constitutes the authority for withholding the deleted material. (See Form 4-694a, enclosed, for an explanation of these exemptions). You will note that whenever page(s) have been withheld in their entirety a sheet has been substituted listing the number of page(s), the identity of their location within the file, and exemptions under which they were withheld. When a deletion is made from the enclosed pages, the appropriate subsection exempting that information is noted opposite the deletion.

- | Section 552 | | Section 552a | |
|---|---|----------------------------------|--|
| <input checked="" type="checkbox"/> (b) (1) | <input type="checkbox"/> (b) (7) (A) | <input type="checkbox"/> (d) (5) | |
| <input type="checkbox"/> (b) (2) | <input type="checkbox"/> (b) (7) (B) | <input type="checkbox"/> (j) (2) | |
| <input checked="" type="checkbox"/> (b) (3) | <input type="checkbox"/> (b) (7) (C) | <input type="checkbox"/> (k) (1) | |
| <input type="checkbox"/> (b) (4) | <input checked="" type="checkbox"/> (b) (7) (D) | <input type="checkbox"/> (k) (2) | |
| <input type="checkbox"/> (b) (5) | <input type="checkbox"/> (b) (7) (E) | <input type="checkbox"/> (k) (3) | |
| <input type="checkbox"/> (b) (6) | <input type="checkbox"/> (b) (7) (F) | <input type="checkbox"/> (k) (4) | |
| | <input type="checkbox"/> (b) (8) | <input type="checkbox"/> (k) (5) | |
| | <input type="checkbox"/> (b) (9) | <input type="checkbox"/> (k) (6) | |
| | | <input type="checkbox"/> (k) (7) | |

Pursuant to your request, 16 pages were reviewed and 0 pages were withheld in their entirety.

The decision to withhold exempt portions of our records is the responsibility of William H. Webster, Director of the FBI.

Unless noted and explained, a search of references to the subject of your request in the files of other individuals or organizations, i.e., "see" references, was not undertaken. To verify most "see" references requires information identifying the individual(s) and/or organization(s) with whom the subject of your request associated and the time frame of the association(s). Should you desire a search of "see" references, please provide the details describing the specific incident or occurrence and time frame. Thereafter, efforts will be made to locate, retrieve and process any such references.

wan/bes (4)

*C.A. 81-2174
Attachment A*

The search for information in response to your request was limited to those records in our central records system which are maintained at FBI Headquarters, Washington, D. C. In certain specific instances, information collected in our field office files is not forwarded to FBI Headquarters. These instances include cases in which the perpetrators of the violation were not developed during the investigation; cases in which the United States Attorney declined prosecution; and cases in which the investigation revealed the allegations were unsubstantiated or not within the investigative jurisdiction of the FBI. Therefore, if you believe records which may be responsive to your inquiry are located within the files of an FBI field office and were never reported to Headquarters, you may write directly to any field office for those materials. If you direct a request to any field office, please indicate in your letter that FBI Headquarters in Washington, D. C., has processed your initial FOIPA request.

Your request for information has been considered in light of the provisions of both the Freedom of Information Act (FOIA) (Title 5, United States Code, Section 552) and the Privacy Act (PA) of 1974 (Title 5, United States Code, Section 552a). It has been determined by the Attorney General that requests by individuals seeking information about themselves are governed by the Privacy Act. In addition, as a matter of administrative discretion, any documents which were found to be exempt from disclosure under the Privacy Act were also processed under the provisions of the FOIA. Through these procedures, you have received the greatest degree of access authorized by both laws.

It has recently become a policy of this Bureau that in responding to FOIPA requests wherein the documents to be released total less than 250 pages, no duplication fee is levied. Therefore, the enclosed documents are being forwarded to you at no charge.

If you so desire, you may appeal to the Associate Attorney General from any denial contained herein. Appeals should be directed in writing to the Associate Attorney General (Attention: Office of Privacy and Information Appeals), United States Department of Justice, Washington, D. C. 20530, within thirty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

See additional information on continuation page.

Chief *James K. Hall/god*
Freedom of Information-
Privacy Acts Branch Section
Records Management Division

Enclosures (2)

(4) an/aw

Mr. G. Robert Blakey

The enclosed documents are those which were referred to the Central Intelligence Agency.

The statute for which (b) (3) was cited is Title 50, United States Code, Section 403(g).

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing notice of filing and Attachment A was mailed to plaintiff's counsel, James H. Lesar, Esquire, Fensterwald & Associates, 1000 Wilson Boulevard, Suite 900, Arlington, Virginia 22209 this 23rd day of March, 1982.



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