

# ATTACHMENT

9

CIVIL ACTION NUMBERS:

82-1602  
82-2108  
82-2109  
82-2110  
82-2128  
82-2130  
82-2156  
82-2379  
82-2522  
82-2523  
82-2679  
82-2680



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

DEC 9 1982

Bernard Fensterwald, Jr., Esquire  
Fensterwald and Associates  
Suite 900  
Twin Towers Building  
1000 Wilson Boulevard  
Arlington, Virginia 22209

Dear Mr. Fensterwald:

Reference is made to your numerous Freedom of Information-Privacy Acts (FOIPA) requests on behalf of your clients Mr. J. Gary Shaw of Cleburne, Texas and Mr. Mark Allen of Washington, D.C., to the Office of Information and Privacy (OIP) letter dated October 15, 1982, and to the Federal Bureau of Investigation (FBI) letter dated June 23, 1982.

By referenced FBI letter you were advised that based on our review of your request letters each of your clients' FOIPA requests has been placed in a specific category for administrative purposes. A portion of your clients' FOIPA requests were placed in Category D. These requests were for information pertaining to individuals, other than your clients, presumed to be alive. Another portion of your clients' requests were placed in Category E. These requests were for information pertaining to individuals whom you asserted, in your request letters, to be deceased. You were also advised that, before proceeding with the processing of these requests, it would be necessary for you to submit notarized authorizations from those individuals listed in Category D and supportive evidence to sustain your assertion of death of those individuals listed in Category E and that absent the requested documentation it is the policy of the FBI not to indicate whether we do or do not have the records you seek.

By referenced OIP letter you were advised of the decision by OIP to modify the FBI's complete denial of access to records pertaining to those individuals listed in Categories D and E. Please be advised that a complete and thorough review of the Master Index to the John F. Kennedy (JFK) Assassination Investigations as compiled by Ms. Sylvia Meagher and a search of the indices to the Central Records System at FBI Headquarters (FBIHQ) has been completed for a portion of your clients' FOIPA

9

Bernard Fensterwald, Jr., Esquire

requests listed in Categories D and E and that based on the information furnished by you in your request letters, the review of the Meagher index and the search of the FBIHQ indices revealed no record of any JFK Assassination related material identifiable with the below-listed individuals from Categories D and E.

CATEGORY D

<u>REQUEST NUMBER</u>	<u>SUBJECT</u>
224,265	Laszlo Vargas
224,266	Gyula Sari
224,394	Pierre Sergent
225,580	Ferenc Farkas De Kisbarnak
225,581	Jean Denis Raingeard
225,583	Jean Petit
225,872	Louis Mortimer Bloomfield
226,078	Elizabeth Catlett Mora
226,741	Miquel Casas Saez
226,935	Jacques Soustelle

CATEGORY E

<u>REQUEST NUMBER</u>	<u>SUBJECT</u>
224,264	Ferenc Nagy
225,079	Jean Claude Perez
225,553	M. Francois Duprat

Bernard Fensterwalc, Jr., Esquire

In addition to the above-listed requests a complete and thorough review of the Meagher index and a search of the FBIHQ indices is still being conducted for JFK Assassination related material for the other FOIPA requests listed in Categories D and E. With regards to your requests for information pertaining to Mr. David G. Copeland (FOIPA request number 226,760) and Mr. Delesseps Morrison (FOIPA request 226,358), documents which appear to be responsive to these requests have been located and will be reviewed pursuant to the provisions of the FOIPA and all documents which can be released will be made available to you at the earliest possible date. Please be assured that both of these requests are being handled as equitably as possible.

In addition, as you were advised by referenced OIP letter, if you or your clients submit to the FBI credible evidence of a significant connection between any of the individuals in Categories D and E, for whom the indices search has been completed, and the Kennedy Assassination the FBI will evaluate the evidence and make a determination as to whether or not a re-check of the indices to the Central Record System at FBIHQ.

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 Freedom of Information-Privacy Acts request.

If you desire, you may submit an appeal from any denial contained herein. Appeals should be directed in writing to the Assistant Attorney General, Office of Legal Policy (Attention: Office of Information and Privacy), United States



**Bernard Fensterwald, Jr., Esquire**

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.

Sincerely yours,

James K. Hall, Chief  
Freedom of Information-  
Privacy Acts Section  
Records Management Division