



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

MAR 11 1983

Bernard Fensterwald, Jr., Esq.  
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., directed to Federal Bureau of Investigation (FBI) Headquarters (HQ), Washington, D. C.

By letter dated February 14, 1983, you were informed that 1,527 pages of material would be forwarded to you upon receipt of your payment of \$152.70 for duplication costs. This material is being forwarded to you at time and is in response to the following requests:

<u>REQUEST NUMBER</u>	<u>SUBJECT</u>	<u>NUMBER OF PAGES</u>
224,860	*Silvia Duran	97
225,428	Existence of Lee Harvey Oswald imposter	9
226,146	*Dean Adams Andrews, Jr.	744
226,171	*Carlos Binguier	343
226,590	*John Thomas Masen	47
226,639	*Manuel Rodriguez Orcarberro	28
226,859	*Silvia Odio	254

Duplication fees were also charged for material which was forwarded to you by letter dated February 8, 1983. This material is in response to your request directed to the Dallas Field Office of the FBI for information pertaining to an Airline Flight from Dallas to Havana on November 22, 1963 and consists of five pages.

Bernard Fensterwald, Jr., Esq.

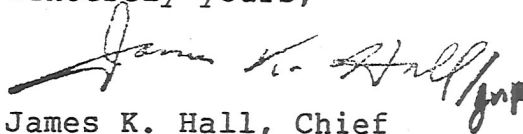
Excisions have been made, from the enclosed documents, in order to protect materials which are exempted from disclosure pursuant to Title 5, United States Code, Section 552, Subsections (b)(1), (b)(2), (b)(7)(C) and (b)(7)(D). Please see Form 4-694a, which is enclosed, for an explanation of these exemptions.

The material which is being forwarded to you at this time in response to those FOIPA requests marked with an asterisk (\*) preceding the subject should be considered an interim release. Additional material will be made available to you as the FOIPA processing is completed.

For your information, the search for material responsive to your clients' FOIPA requests, previously discussed in this letter, was limited to those records, in our central records system, which are maintained at FBIHQ. Any of your clients' requests, which were directed to specific field offices, for information pertaining to the same subjects will be handled by FBIHQ at a later date.

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 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,

A handwritten signature in black ink, appearing to read "James K. Hall" with a stylized flourish at the end.

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

Enclosures (9)

EXPLANATION OF EXEMPTIONS

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b) (1) information which is currently and properly classified pursuant to Executive Order 12065 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods
- (b) (2) materials related solely to the internal rules and practices of the FBI
- (b) (3) information specifically exempted from disclosure by statute (see continuation page)
- (b) (4) privileged or confidential information obtained from a person, usually involving commercial or financial matters
- (b) (5) inter-agency or intra-agency documents which are not available through discovery proceedings during litigation; documents, the disclosure of which would have an inhibitive effect upon the development of policy and administrative direction; or documents which represent the work product of an attorney-client relationship
- (b) (6) materials contained in sensitive records such as personnel or medical files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy
- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would: (A) interfere with law enforcement proceedings, including pending investigations; (B) deprive a person of the right to a fair trial or an impartial adjudication, or give one party of a controversy an undue advantage by exclusive access to such information; (C) constitute an unwarranted invasion of the personal privacy of another person; (D) reveal the identity of a confidential source or reveal confidential information furnished only by the confidential source; (E) disclose investigative techniques and procedures, thereby impairing their future effectiveness; and (F) endanger the life or physical safety of law enforcement personnel
- (b) (8) information collected by Government regulatory agencies from financial institutions
- (b) (9) geological and geophysical information, including maps, produced by private companies and filed by them with Government agencies.

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE. SECTION 552a

- (d) (5) information compiled in reasonable anticipation of a civil action proceeding
- (j) (2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals, except records of arrest
- (k) (1) information which is currently and properly classified pursuant to Executive Order 12065 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods
- (k) (2) investigatory material compiled for law enforcement purposes, other than criminal, which would reveal the identity of an individual who has furnished information pursuant to a promise that his identity would be held in confidence
- (k) (3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056
- (k) (4) required by statute to be maintained and used solely as statistical records
- (k) (5) investigatory material compiled solely for the purpose of determining suitability eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence
- (k) (6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process
- (k) (7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.