



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

SEP 9 1986

Mr. Harold Weisberg
7626 Old Receiver Road
Frederick, Maryland 21701

FOIA No. 62,749

Dear Mr. Weisberg:

Reference is made to our disclosure letter dated September 19, 1985, concerning your Freedom of Information Act request concerning Yuri Ivanovich Nosenko.

Please be advised that we have received a response from the Department of State on our referral of information to them. Enclosed are copies of their documents releasable from our files totaling 90 pages. Excisions have been made from these documents and entire documents have been withheld in order to protect materials which are exempt from disclosure by the following subsections of Title 5, United States Code, Section 552:

- (b) (1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy;
- (b) (3) information specifically exempted from disclosure by statute;
- (b) (5) inter-agency or intra-agency documents which are not available through discovery proceedings during litigation; or documents whose disclosure would have an inhibitive effect upon the development of policy and administrative direction; or which represent the work 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;

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- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:
- (C) constitute an unwarranted invasion of the personal privacy of another person;
 - (D) reveal the identity of a confidential source or reveal information furnished only by the confidential source.

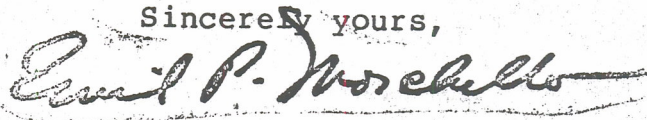
The statute which exempts information from disclosure is Title 8, U.S.C. 222(f) - the Immigration and Nationality Act. Section 222(f) provides:

"The records of the Department of State and of the diplomatic and consular offices of the United States pertaining to the issuance or refusal of visas or permits to enter the United States shall be considered confidential and shall be used only for the formulation, amendment, administration or enforcement of the immigration, nationality and other laws of the United States, except that in the discretion of the Secretary of State certified copies may be made available to a court which certifies that the information contained in such records is needed by the court in the interest of the ends of justice in a case pending before the court."

The appeal for any denial of information from the Department of State, you may submit by writing the following office within thirty days from receipt of this letter. The envelope and letter should be clearly marked "FOIA Appeal" and please cite the FOIA number given with the following address:

The Assistant Secretary for Public Affairs 8500029
Chairman Appeals Review Panel
Department of State
Washington, D. C. 20520

Sincerely yours,



Emil P. Moschella, Chief
Freedom of Information-
Privacy Acts Section
Records Management Division

Enclosure