



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

SEP 19 1985

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

FOIA No. 62,749

Dear Mr. Weisberg:

This is in reference to your Freedom of Information Act request for information on Yuri Ivanovich Nosenko. It is the FBI's policy regarding living persons to advise the requester to obtain a notarized authorization from the third party whose records are being requested. When the FBI records of a third party are publicly known, only those records that are known to be in the public domain are released. Therefore, the records pertaining to Mr. Nosenko were reviewed through November 16, 1978, (the last noted date of testimony by a CIA and FBI officials on Nosenko). After this date the release of information will be a violation of those conditions of disclosure set forth in the Privacy Act, 5 U.S.C. 552a (b).

Enclosed are copies of the documents releasable from our files totaling 507 pages. Excisions have been made from these documents and the 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) (2) materials related solely to the internal rules and practices of the FBI;
- (b) (3) information specifically exempted from disclosure by statute;
- (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 statutes which exempt information from disclosure are: Title 50 of the NSA of 1947 and Section 6 of the Central Intelligence Agency Act of 1949; and 8 U.S.C. 1202 (F) - The Immigration Act and Nationality Act, Application for Visa; Immigration Visas.

During the processing of your request, several documents surfaced which originated with the Department of State (DOS). These have been referred to DOS for determination as to the releasability of the information. When the documents are returned to the FBI, you will be advised accordingly.

As noted in this release, a Bureau memorandum (serial 65-68530-1742NR2), states section 8 of the Nosenko file was missing. This section was reconstructed in 1978 and was included in the review for this request.

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. Should you desire a search of "see" references, please advise of the details describing the specific incident or occurrence and time frame. Thereafter, efforts will be made to locate, retrieve and process any such record.

You may submit an appeal from any denial of FBI and CIA information herein by 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

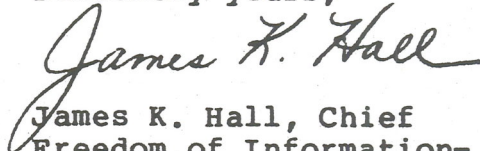
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this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIA number assigned to your request so that it may be easily identified.

For an appeal for any denial of information from the Departments of Army, Navy, Air Force, and State, you may submit by writing the following offices 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 addresses:

1. Department of Army FBI FOIA/PA 62,749
Freedom of Information/Privacy Office
U.S. Army Intelligence and
Security Command
Attention: IACSF-FI
Ft. Meade, Maryland 20755
2. Department of Navy Case #12-07-84 (2)
Director
Defense Intelligence Agency
Attn: CAO (FOIA)
Washington, D. C. 20301-6111
3. Department of Air Force None
Secretary of the Air Force
THRU HQ AFOSI/DADF
Bolling Air Force
Washington, D. C. 20332-6001
4. Department of State 8501049
The Assistant Secretary for Public Affairs
Chairman Appeals Review Panel
Department of State
Washington, D. C. 20520

Sincerely yours,



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

Enclosure