



United States Department of Justice

OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

EXECUTIVE OFFICE FOR
UNITED STATES ATTORNEYS

79-0909

3 - MAY 1980

Mr. Harold Weisberg
Route 12, Old Receiver Road
Frederick, MD 21701

Dear Mr. Weisberg:

On November 14, 1979 the Director, Office of Privacy and Information Appeals referred your Privacy Act request of June 6, 1977 to this office for processing and direct response to you. This letter constitutes a reply to that request with respect to the United States Attorney's office for the District of Maryland.

The files on two federal tort claim cases, Civil No. 11036 and 16392, were obtained from archives and reviewed. The contents therein were:

(1) Material originated by the Federal Bureau of Investigation. Your request and the documents have been referred to that organization for direct response to you. This referral is made pursuant to 28 C.F.R. 16.43 (a)(2).

(2) Fifty-one pages of material which is available for release, less two excisions made pursuant to 5 U.S.C. 552(b)(5). This material will be forwarded to you upon receipt of a check or money order, made payable to the United States Treasury, in the amount of \$5.10. This charge is made pursuant to 28 C.F.R. 16.9(b).

Please note that this is the same fifty-one pages of material offered to your wife, Mrs. Lillian S. Weisberg in response to her request of December 15, 1976.

In addition, while reviewing their files, the Civil and Criminal Divisions of the Department of Justice located

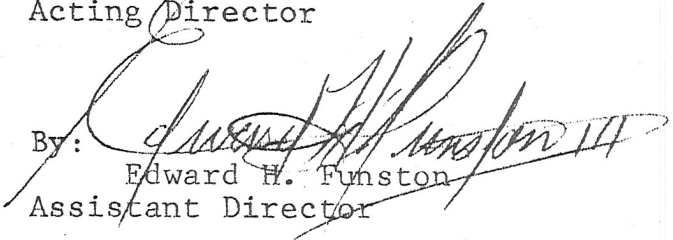
records which had originated within United States Attorneys' Offices and referred those documents to this office. After reviewing those documents we have determined that they may be released but for seven pages withheld in their entirety, and certain excisions in the material to be released.

The withheld material is exempt from mandatory release pursuant to 5 U.S.C. 552(b)(5), (7)(C) and (D), inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency, investigatory records compiled for law enforcement purposes, the disclosure of which would constitute an unwarranted invasion of personal privacy, and disclose the identity of a confidential source, and in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, confidential information furnished only by the confidential source.

You may appeal my decision in this matter, within thirty days, by writing to the Deputy Attorney General, Attention: Freedom of Information Appeals Unit, Washington, D.C. 20530. The envelope and the letter should be marked "Freedom of Information Appeal." Judicial review is thereafter available either in the district in which you reside or have your principal place of business; or in the District of Maryland; or in the District of Columbia.

Sincerely,

WILLIAM P. TYSON
Acting Director

By: 
Edward H. Funston
Assistant Director