

ER:RGD:JLG:jal

cc: Mr. Mintz (FBI) *JLG*  
Mr. Saloschin  
Ms. Novotny  
Mr. Gallinger  
Mrs. Gauf  
Files

JUN 5 1973

*sent 6/5/73*

[Redacted]

Dear [Redacted]

This refers to your letter of April 5, 1973 to my predecessor appealing, pursuant to 28 C.F.R. § 16.7, from a denial of access to the FBI investigatory file on [Redacted] and to our letter of May [Redacted] advising you that the time limit for responding to your appeal had been extended.

Upon careful consideration of your appeal, I have decided to hold open the previous denial of your request for further consideration pending a decision by the Court of Appeals for the District of Columbia Circuit en banc on the three judge panel's decision in Harold Weisberg v. Department of Justice, No. 71-1026. The panel decided that case on February 28, 1973 and remanded it to the District Court for further proceedings. Recently, however, the Court of Appeals granted the Department's petition for a rehearing en banc. Like your request, Weisberg involves the question of access under the Freedom of Information Act to FBI records compiled for law enforcement purposes. While the records sought in that case are not the same records you are seeking, we believe that the issues are sufficiently similar so that the court's decision may have a significant bearing on the proper disposition of your case.

EX-100

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As soon as the results of the court's further consideration are available and can be considered by this Department,

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*Handwritten notes and signatures at bottom right.*

in connection with your appeal, you can expect to hear further from us.

Sincerely,

Elliot L. Richardson

Attorney General