



United States Department of Justice
ASSISTANT ATTORNEY GENERAL
CIVIL DIVISION
WASHINGTON, D.C. 20530

FEB 7 1980

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

Dear Mr. Weisberg:

The Civil Division recently became aware that we had not responded to you regarding your Privacy Act (PA) request dated June 6, 1977. In accordance with Departmental regulations (28 C.F.R. 16.57) your request was processed under both the PA, 5 U.S.C. §552a, and the Freedom of Information Act (FOIA), 5 U.S.C. §552, to insure your maximum access to the responsive documents.

A search of our indices indicated that the records maintained by the Civil Division pertinent to your request were contained in the files of the cases styled Harold Weisberg v. Justice, Civil No. 75-0226 (D.C.), Harold Weisberg v. Justice, et al., Civil No. 75-1996 (D.C.), Harold Weisberg v. GSA, et al., Civil No. 25-69-70 (D.C.), Harold Weisberg v. GSA, Civil No. 205-2-73 (D.C.), Harold Weisberg v. GSA, Civil No. 75-1148 (D.C.), Harold Weisberg v. Justice, Civil No. 2301-70 (D.C.), and Harold Weisberg v. Justice, et al., Civil No. 718-70 (D.C.). All releasable documents pertaining to the cases styled Harold and Lillian Weisberg v. U.S., Civil No. 16392 (D. Md.) and Harold and Lillian Weisberg v. U.S., Civil No. 11036 (D. Md.) were forwarded to Mrs. Weisberg by our letter dated April 5, 1977.

The documents contained in our files consist of pleadings, motions, and papers filed with the courts and communications within the Civil Division as well as letters and memoranda among the Civil Division and other Departmental components and agencies involved in the defense of this litigation.

The documents filed with the courts are part of the public record and therefore releasable to you.

The remaining inter- and intra-agency communications as described above were generated in the defense of these suits and as such are exempted from the access provision of the PA, pursuant to 5 U.S.C. §552(a)(d)(5). However, these documents were reviewed to determine whether access might nevertheless be granted to you as a matter of administrative discretion and I have concluded that all of the documents originating from the Civil Division are releasable to you in their entirety on that basis.

Finally, documents contained in our files originating from other components of the Department or agencies were referred, pursuant to 28 C.F.R. 16.43(a)(2) and (3), to those respective entities for their release determination and direct response to you. You may expect a further response concerning documents referred to the Federal Bureau of Investigation, the Office of the Deputy Attorney General, the Civil Rights Division, the Central Intelligence Agency, the General Services Administration, and the Executive Office of the President.

The releasable contents of our files consist of approximately 2,000 pages of documents. 28 C.F.R. 16.9 authorizes a charge of ten cents per page to cover duplication costs, unless the fees for your request would amount to less than \$3.00. Please specify which, if any, of the releasable documents described above you wish, and send your check or money order made payable to the Treasurer of the United States to Carolyn Brammer of this office. Upon receipt of your payment, the documents will be forwarded to you.

Very truly yours,



THOMAS S. MARTIN
Deputy Assistant Attorney General