

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

APR 14 1980

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

Dear Mr. Weisberg:

In processing your Privacy Act (PA) request for access to litigation files in the two cases styled Weisberg v. U.S., No. 16392 (D. Md.) and Weisberg v. U.S., No. 11036 (D. Md.), the Department of the Army referred documents in their files to this Division for our release determination and direct response to you.

The documents referred consist of documents filed with and by the court in these cases, as well as correspondence among the Civil Division, the United States Attorney, and the Department of the Army. The court documents are part of the public record and releasable to you.

The remaining documents are communications prepared in the defense of these suits and, as such, are exempted from the access provisions of the PA, pursuant to 5 U.S.C. §552a(d)(5). However, these documents were reviewed to determine whether any of the information might nevertheless be released to you as a matter of administrative discretion and I have concluded that all of the documents referred are releasable to you on that basis.

Accordingly, copies of all documents referred are enclosed.

Very truly yours,



THOMAS S. MARTIN
Deputy Assistant Attorney General

Enclosures