



DEPARTMENT OF STATE

Washington, D.C. 20520

FOI Case No. 7903388

October 17, 1980

Mr. Harold Weisberg  
Rt. 12  
Frederick, MD 21701

Dear Mr. Weisberg:

The Department of State has recently received from the Department of Justice 15 documents for mandatory classification review that were in the files of Justice but which originated with the State Department. The documents were retrieved by Justice in the course of acting on your Freedom of Information Act request regarding the John F. Kennedy assassination, Justice case number FOI-2546.

We do not have a copy of your correspondence with Justice but included in the material referred to us was a copy of a letter from you to Captain Connell of the Naval Intelligence Service dated May 21, 1977, and a second letter to the same addressee, seemingly undated. Presumably this will be sufficient for you to identify your request. Justice asked us to reply directly to you with regard to the State Department documents. The document numbers referred to are those which were assigned by State for the purpose of reviewing this file.

After careful review we have determined that 13 of these documents can be released, and two can be released subject to excisions.

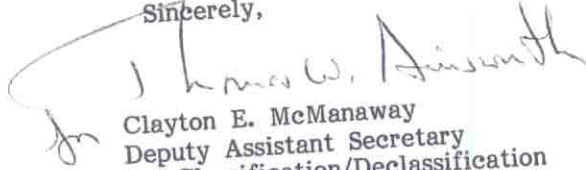
The excised material in one document has been determined to be properly exempt from release under the Freedom of Information Act, Title 5 USC 552, paragraph (b)(1) as currently and properly classified under Executive Order 12065 and authorized by the Order to remain protected in the interest of national defense or foreign policy. All non-exempt material in the excised document that is reasonably segregable from the exempt material is released herewith.

The excised material in another document must be denied under paragraph (b)(6) of Section 552. With respect to material excised, you have the right to appeal this determination within sixty days. Appeals should be addressed to the Assistant Secretary for Public Affairs, Department of State, Washington, D. C. 20520. A letter of appeal should refer to the Freedom of Information case number cited in the heading of this letter.

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The covering letter, from the Department's Foreign Affairs Document and Reference Center, explains how the released material will be made available to you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Clayton E. McManaway". The signature is written in a cursive style with a large initial "C" and "M".

Clayton E. McManaway  
Deputy Assistant Secretary  
for Classification/Declassification  
Bureau of Administration

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SUMMARY SHEET

Released

1-5, 7-11, 13-15

Excised

6, 12

#### APPEALS OF DENIAL OF ACCESS

(a) Review of an initial denial of access to a record under the Freedom of Information Act (5 USC 552), the Privacy Act of 1974 (5 USC 552a), or Executive Order 12065 may be requested by the individual who submitted the initial request for access. The review (hereinafter referred to as the appeal) must be in writing and should be sent certified mail to the Assistant Secretary for Public Affairs, Chairman, Appeals Review Panels, Department of State, 2201 C Street, N.W., Washington, D.C. 20520. The appeal should be received within 60 days of the date of the Department's refusal to grant access to a record in whole or in part.

(b) The time for decision on the appeal begins on the date the appeal is received by the Chairman, Appeals Review Panels. The appeal of a denial of access to records shall include any documentation, information and statements to support the individual's request for access and to refute the use of the exemption(s) cited in the Department's justification concerning the denial of access.

(c) The Chairman of the Appeals Review Panel or his designee and at least two other members of Panels designated by him shall constitute a panel to consider and decide the appeal; there shall be a written record of the reasons for the final determination. The final determination will be made within 30 days (excluding Saturdays, Sundays, and legal public holidays), unless for good cause shown, the Chairman of the Appeals Review Panels extends such determination beyond the 30 day period.

(d) When the final determination is to grant access to the record in accordance with the individual's request, the Chairman of the Appeals Review Panel shall inform the office responsible for the record of its decision. The Chairman shall then request the Information and Privacy Coordinator to notify the individual in writing of the Panel's decision to grant access and at the same time to inform the individual of the Department's regulations concerning access. The individual shall choose the means of access most convenient to her or him.

(e) When the final decision of the Panel is to refuse to grant an individual access to a record, the Chairman of the Panel shall advise the individual in writing:

(1) of the refusal to grant the appeal and the reasons therefor including the exemptions of the Freedom of Information Act, the Privacy Act of 1974, and Executive Order 12065 under which access is denied;

(2) of her of of his right to seek judicial review of the Department's decision.