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PRIVACY APPEAL--DENIAL OF ACCESS

December 4, 1977

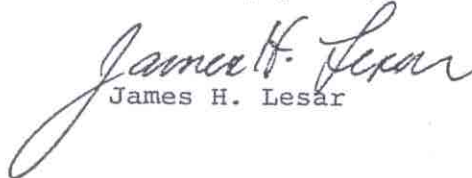
Mr. Peter Flaherty
Deputy Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Mr. Flaherty:

By letter dated November 21, 1977, Mr. Nich Stames, the Special Agent in Charge of the FBI's Washington Field Office, has denied me access to records I seek under the Freedom of Information and Privacy Acts.

I hereby appeal this denial of access to these records.

Sincerely yours,


James H. Lesar



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Washington Field Office, Room 11100-C
Washington, D.C. 20535
November 21, 1977

James H. Lesar, Esquire
910 Sixteenth Street, N.W.
Suite 600
Washington, D.C. 20006

Dear Mr. Lesar:

In response to your request under the Freedom of Information - Privacy Acts (FOIPA), enclosed is a copy of a document from our files. One document has been withheld in its entirety in order to protect material exempted from disclosure by the following subsections of Title 5, United States Code, Section 552:

- (b) (1) information which is currently and properly classified pursuant to Executive Order 11652 in the interest of the national defense or foreign policy;
- (b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:

 - (E) disclose investigative techniques and procedures, thereby impairing their future effectiveness.

Other records pertaining to you are maintained also in this office in one applicant-type file and in one intelligence-type file. Both investigations were reported to Federal Bureau of Investigation (FBI) Headquarters. Your request as it relates to those is being referred for processing to FBI Headquarters pursuant to Title 28, Code of Federal Regulations (CFR), Section 16.57 (c) which states:



When an individual requests access to records pertaining to criminal, national security or civil investigative activities of the (FBI) which are contained in systems of records exempted under provisions of the Privacy Act, such requests shall be processed as follows:

- (1) Where the investigative activities involved have been reported to FBI Headquarters, records maintained in the FBI's Central file, will be processed; and
- (2) Where the investigative activities involved have not been reported to FBI Headquarters, records maintained in files of the Field Office identified by the requester will be processed.

You have the right to appeal to the Attorney General at this time from the denial contained herein, or you may hold your appeal in abeyance until all documents which can be released have been processed and forwarded to you. Appeals should be directed in writing to the Deputy Attorney General, United States Department of Justice, Washington, D.C. 20530. The envelope and letter should be marked "Privacy Appeal - Denial of Access".

Sincerely,

Nick F. Stames

Nick F. Stames
Special Agent in Charge