

MARCH 27, 1975

Mr. Mark Lane
Center for National Security Studies
122 Maryland Avenue, N.E.
Washington, D. C. 20002

Dear Mr. Lane:

Reference is made to our letter to you dated March 13, 1975, in which a 10-day extension was invoked in connection with your request pursuant to the Freedom of Information Act.

This extension was invoked based on the need for consultation with other agencies. It has been a policy of the Secret Service and the Department of the Treasury pursuant to Title 31 of the Code of Federal Regulations, Part 1A, Section 1.5, (b), (2), not to release information contained in our documents that was provided by other agencies. The Treasury Regulation cited requires referral of the request to the agencies that provided the information in order that they may provide guidance concerning possible disclosure. In the absence of timely guidance from the agencies, the Secret Service must make its own determination as is the case with your request.

As you may know, all of the original material pertaining to the assassination of President Kennedy is in the possession of the National Archives to whom you have also written. However, there are a few documents at the National Archives that are under the control of the Secret Service.

We have decided to deny access to these documents based on subparagraph 7 of section b of the Freedom of Information Act (5 U.S.C., Sec. 552). This subparagraph states that investigatory records compiled for law enforcement purposes may be withheld from disclosure if they would . . . (d) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source (e) disclose investigative techniques and procedures.

Should you desire to appeal this decision, you may do so by forwarding the same in writing to Mr. David R. Macdonald, Assistant Secretary (Enforcement, Operations, and Tariff Affairs), Department of the Treasury, 1500 Pennsylvania Avenue, N.W., Room 3448, Washington, D. C. 20220 within 35 days after the date of this letter.

The appeal must include your name and address, identification of the record denied, the date of the original request and its denial, and petition the above-named individual to grant the request for records and state any arguments in support thereof.

In the event of denial upon appeal, the FOI Act makes judicial review available in the U. S. District Court in the district in which the complainant resides, has a principal place of business, or in which the agency records are situated, or in the District of Columbia.

Sincerely,

John W. Warner, Jr.
Assistant to the Director

cc: Bonnie L. Gay
Technical Assistant
Assistant General Counsel (ALPO)

Deputy Director