



OFFICE OF  
THE DIRECTOR

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, D.C. 20226

FEB 1 1980

Mr. Harold Weisberg  
Rt. 12  
Frederick, Md. 21701

Dear Mr. Weisberg:

This is in response to your Freedom of Information Act (FOIA) request for access to information maintained by the Bureau of Alcohol, Tobacco and Firearms.

Your request is granted in part. We are releasing the segregable portions of the records that contain exempt information and withholding those portions of the records that, if released would cause demonstrable harm.

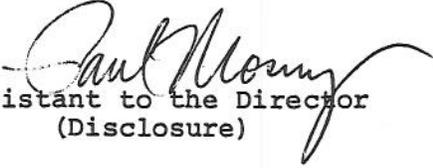
The exemptions are listed on the enclosed form, List of Exemptions Claimed and Appeal Rights Procedures. The specific exemption for each deletion appears on the documents containing the deletions.

The search and copy fees have:

- been waived in the public interest
- not been waived. Please submit your check in the amount stated on the attached invoice.

Insofar as your request has been partially denied, and deletions have been made, you may submit a request for an administrative appeal by following the procedures outlined on the attached form.

Sincerely yours,

  
Assistant to the Director  
(Disclosure)

FREEDOM OF INFORMATION ACT 5 U.S.C. 552 APPEAL RIGHTS

You have the right to appeal any item of information that has been withheld. You may challenge the withholding of the information by filing a request for an administrative appeal with the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226. Such appeal should:

- (1) Be made in writing and signed by the requester;
- (2) Be addressed to, and mailed or hand delivered within 35 days of the date of our initial determination (this letter), to the Director;
- (3) Reasonably describe the records requested from the denial of access to which an appeal is being taken;
- (4) Set forth the address where the requester desires to be notified of the determination on appeal;
- (5) Specify the date of the initial request and date of denial of the initial request; and
- (6) Petition the Director to grant the request for records and state any arguments in support thereof.

Your appeal will be considered by the Director and you will be notified of his determination by mail. The determination to affirm the initial denial (in whole or in part) or to grant the request for records shall be made and notification of the determination mailed within 20 days (exclusive of Saturdays, Sundays, and legal public holidays) after the date of receipt of the appeal, unless extended (by any time remaining of the original 10 days plus 10 days extension which started at the time of the receipt of the original request). If the administrative appeal determination can not be completed within the 20 workdays (in addition to the initial extension days if any are available), then the requester should be promptly notified in writing that the determination will be made as soon as practicable, but that the requester is nonetheless entitled to commence action in a United States district court. A voluntary extension by the requester does not waive his/her right to commence an action in a district court. Such action may be commenced in the district in which the requester resides, in which his principal place of business is located, in which the records are situated, or in the District of Columbia. Service of process in such actions shall be in accordance with the Federal Rules of Civil Procedure (28 U.S.C., App.) applicable to actions against an agency of the United States. Delivery of the process upon the Bureau must be directed to the Director, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226.

LIST OF EXEMPTIONS CLAIMED AND APPEAL RIGHTS PROCEDURE

Below is a list of exemptions provided by the Freedom of Information Act, Title 5 U.S.C. (b)(1) through (9). Each box checked indicates that the exemption has been claimed at least once to withhold information. A review of the enclosed records will indicate each deletion made, and the specific exemption for each deletion.

- (b)
- (1) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive order;
- (2) related solely to the internal personnel rules and practices of an agency;
- (3) specifically exempted from disclosure by statute:
- Tax Reform Act - 26 U.S.C. 6103;
  - National Firearms Act - 26 U.S.C. 5848;
  - Disclosure of Confidential Information, generally, 18 U.S.C. 1905;
- (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (6) personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (7) investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would:
- (A) interfere with enforcement proceedings;
  - (B) deprive a person of a right to a fair trial or an impartial adjudication;
  - (C) constitute an unwarranted invasion of personal privacy;
  - (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, or
  - (F) endanger the life or physical safety of law enforcement personnel;
- (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (9) geological and geophysical information and data, including maps, concerning wells.

If any of the above are checked, you have the right to request an Administrative Appeal. Please refer to the reverse side of this sheet for procedures to follow for filing an appeal.