



U.S. Department of Justice

Office of Information and Privacy

Telephone: [redacted]

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Washington, D.C. 20530

20 3 1 2002

Mr. James H. Lesar
Suite 640
1003 K Street NW.
Washington, D.C. 20001

Re: Appeal No. 02-3171
FBI Request No. 405687
RLH:FPM:CHA

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Dear Mr. Lesar:

You appealed on behalf of your client, [redacted] from the action of the Headquarters Office of the Federal Bureau of Investigation on his request for access to records from the Washington Field Office concerning the Watergate investigation. I understand that the FBI is making several interim releases of the newly-reviewed material on this subject, and that this appeal is based on the first release of 1804 pages to you on July 31, 2002.

After carefully considering your appeal, I have decided to affirm the FBI's action on your client's request.

The Watergate investigation is the subject of one main file entitled Interception of Communications, Public Officials or Government Agency.

Some of the information responsive to your client's request is classified. I am affirming the FBI's withholding of it pursuant to 5 U.S.C. § 552(b)(1), which protects classified information from disclosure. I am, however, referring this information to the Department Review Committee so that it may determine if this information should remain classified under Executive Order No. 12958. You will be informed if any of this information is declassified.

The FBI properly withheld other information that is protected from disclosure under the Freedom of Information Act pursuant to:

5 U.S.C. § 552(b)(2), which concerns matters that are related solely to internal agency practices (in this instance, source symbol numbers);

5 U.S.C. § 552(b)(3), which concerns matters specifically exempted from release by statute (in this instance, Rule 6(e) of the Federal Rules of Criminal Procedure, which pertains to the secrecy of grand jury proceedings);

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5 U.S.C. § 552(b)(7)(C), which concerns records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties (including, in this instance, those of investigative interest to the FBI and the names of law enforcement personnel); and

5 U.S.C. § 552(b)(7)(D), which concerns records or information compiled for law enforcement purposes, the release of which could reasonably be expected to disclose the identities of confidential sources and information furnished by such sources.

I have also determined that this information is not appropriate for discretionary release.

If your client is dissatisfied with my action on your appeal, he may seek judicial review in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

Richard L. Huff
Co-Director