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NINETY-FIFTH CONGRESS

Congress of the United States

House of Representatives

GOVERNMENT INFORMATION AND INDIVIDUAL RIGHTS
SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
RAYBURN HOUSE OFFICE BUILDING, ROOM B-349-B-C
WASHINGTON, D.C. 20515

OLC #78-1643/B

FOIA
General

December 4, 1978

Honorable Stansfield Turner
Director
Central Intelligence Agency
Washington, DC 20505

Dear Admiral Turner:

As part of our ongoing oversight of the Freedom of Information Act, this subcommittee has begun a study of the application of the third exemption of the Act. As you know, the third exemption incorporates into the FOIA other laws that require the withholding of information.

One of the major missing pieces of freedom of information law is an itemization of all statutes that qualify under the third exemption. As a first step toward the possible codification of these laws, I ask that you prepare a list of all statutes available to your agency that in your opinion qualify under exemption three. Since it is not always clear whether a statute qualifies under the exemption as amended by the 1976 Government in the Sunshine Act, you may wish to list separately those laws about which there is doubt. Please include this data with your 1978 annual report on the Freedom of Information Act, due on March 1, 1979. Prompt submission of this report will enable the subcommittee to complete its study early in the 96th Congress.

Our review of 1977 annual reports revealed a number of careless practices in the use of exemption three to deny requests. The most common mistakes included citation of an inappropriate law, citation of regulations rather than statutes, and failure to specify which law was relied upon when the third exemption was invoked. When contacted by the subcommittee, agencies were cooperative in correcting these errors and we anticipate the 1978 reports will be much improved.

Cordially,

Richardson Preyer
Richardson Preyer
Chairman

MORI/CDF

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EXECUTIVE SECRETARIAT (O/DCI)
Routing Slip

DLG

TO:		ACTION	INFO	DATE	INITIAL
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10	LC	✓			
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SUSPENSE DATE: *22 Feb*

Remarks:
Note report due 1 MAR 1979

Executive Secretary
11/1/79
 Date

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