

FREEDOM OF INFORMATION ACT AND PRIVACY ACT APPEAL

Robert Clarkson
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August 1, 2007

David M. Hardy, Section Chief, Record
Information Dissemination Section, FBI
170 Marcel Drive
Winchester, VA 226002-4843

Dear Mr. Hardy:

I sent to you my Privacy Act Request for Documents dated June 28, 2007. On July 10, 2007, you responded by sending me your form letter requesting certain information.

My Privacy Act request form was all you needed. It was filled out correctly, in good order and used in thousands of cases without a problem. This request form is acceptable to the courts and all administrative agencies. In fact, most of the federal agencies now use a variation of this form and send provide it out to many people. My form is the standard of most federal agencies and has all the information you need.

Incidentally, this form was first drawn up in 1977 by me. Since that time this form has been adopted by other organizations and many agencies.

Your response to my legitimate request constitutes harassment, stonewalling, and a cheap attempt to thwart or dissuade me from exercising my statutory right under the Privacy Act. You attempted to frighten me from exercising my legal rights or burden me.

You are not entitled to the information you demanded. It is not needed for any useful purpose to you for honoring my request. My request form was clearly adequate. You are not entitled to this information under the law.

However, I will not allow you to delay me from receiving documents that I requested and force me into endless appeals. Therefore I will furnish the information to you: My date of birth _____ and my place of birth is Camden, SC.

Attached is your form letter harassing me with request for unneeded information and a copy of my Privacy Act request form dated June 28, 2007. Also attached is your form letter to me which appears to be an unnamed/ unnumbered form, which is complete.

Further, this is also an FOIA-PA appeal:

1. This is an appeal made pursuant to the Freedom of Information Act, 5 USC 552, and the Privacy Act 5 USC 552a, for disclosure of certain documents contained in the systems of your agency.

2. A copy of my PA Request of said date, and your response dated as mentioned above, are attached to this letter. This is the subject of this appeal.

3. The statements that are checked below describe the facts of your agency's refusal to disclose the requested information and the determination which I hereby appeal.

a. The agency responded with a nonsensical pretext for its failure to comply with my request and listed several ridiculous excuses which are clearly harassment or "stonewalling."

b. I have received no response of any sort from your agency as of the date of this appeal, whereas the statute requires that the requested documents be disclosed in ten days under FOIA or thirty days under PA.

c. A copy of the agency's response that I have received is attached to this letter, and the response contains an unjustified refusal to disclose some or all of the requested documents.

d. The denial was improper and the claimed exemptions were improper, illegal, unreasonable, and unfair.

e. I requested that an indexing, itemization, and detailed justification be provided about any documents withheld from disclosure, but none was supplied.

f. I requested that an accounting of other disclosures of the requested documents be made, and none was provided.

g. I requested in my letter that certain documents or parts thereof be expunged from my records pursuant to the Privacy Act, §e, but the agency refused to comply.

h. I was charged an excessive amount on printed material, i.e. published documents which did not need to be photocopied. charged only the smaller, printed-material cost. Also, I was for copies of envelopes, blank pages, etc.

i. Many of the actual documents and types of documents have been disclosed to others but denied to me!

j. I requested that the cost of searching, printing and copying the requested documents be waived, which was denied. I herein appeal for excessive and unreasonable cost that has been charged for the documents disclosed and I request the charges be reduced or eliminated. The reason's) for my request for the waiver of fees included: (1) my request was in a public interest; (2) I am a person of limited funds; or (3) I am a person entitled to the federal benefits.

K. Other reasons: The FBI used a fake exemption for not producing the documents that I requested. The law enforcement exception can only be used for lawful, legal law enforcement investigations/purposes. The courts have ruled strongly against the COINTELPRO project which is similar to the current dismantlement program

The FBI Dismantlement program against the Patriot Network is illegal and unauthorized. Therefore, the law enforcement from the FOIA does not apply and was wrongfully asserted.

4. The disclosure of the requested information is in the public interest, and your institution's refusal to comply with my request is a violation of law. A prompt hearing and resolution of this Appeal is therefore requested for the public's interest and my own.

Yours,

Robert Clarkson