



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

August 25, 2009

MR. CLIFF KINCAID

FOIPA Request No.: 1135199-000
Subject: CRONKITE, WALTER

Dear Mr. Kincaid:

This is in response to your Freedom of Information/Privacy Acts (FOIPA) request dated August 1, 2009.

In order to respond to our many requests in a timely manner, our focus is to identify responsive records in the automated and manual indices that are indexed as main files. A main index record carries the names of subjects of FBI investigations. Records which may be responsive to your Freedom of Information-Privacy Acts (FOIPA) request were destroyed on October 9, 2007. Since this material could not be reviewed, it is not known if it was responsive to your request. The retention and disposal of records is governed by statute and regulation under the supervision of the National Archives and Records Administration (NARA), Title 44, United States Code, Section 3301 and Title 36, Code of Federal Regulations, Chapter 12, Sub-chapter B, Part 1228. The FBI Records Retention Plan and Disposition Schedules have been approved by the United States District Court for the District of Columbia and are monitored by NARA.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be identified easily.

Enclosed for your information is a copy of the FBI File Fact Sheet.

Very truly yours,

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure



U.S. Department of Justice

Office of Information Policy

Telephone: (202) 514-3642

Washington, D.C. 20530

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Mr. Cliff Kincaid

Re: Appeal No. 2010-0043
Request No. 1135199
ADW:CGG

Dear Mr. Kincaid:

You appealed from the action of the Headquarters Office of the Federal Bureau of Investigation on your request for access to records pertaining to Walter Cronkite.

After carefully considering your appeal, I am affirming the FBI's action on your request. The FBI informed you that records that might have been responsive to your request were destroyed on October 9, 2007, pursuant to routine records retention schedules and departmental regulations. See 44 U.S.C. § 3302 (2000) and 36 C.F.R. § 1228 (2009). I have determined that the FBI's response was correct.

If you are dissatisfied with my action on your appeal, you may file a lawsuit in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

Janice Galli McLeod
Associate Director