

Exhibit 108

----- Forwarded Message -----

From: "george1496@aol.com" <george1496@aol.com>

To: "george1496@aol.com" <george1496@aol.com>

Sent: Friday, October 9, 2020 at 10:06:24 AM EDT

Subject: Bachert Appeal

George Lepre
[10 Tisbury Court](#)
[Scotch Plains, New Jersey 07076](#)

Director
Office of Information Policy (OIP)
U.S. Department of Justice Suite 11050
[1425 New York Avenue, NW](#)
[Washington D.C. 20530-0001](#)

9 October 2020

Re.: Appeal of FOIA request 1469456-001

Dear Sir/Ma'am:

I would like to submit an appeal to a Freedom of Information Act request that I submitted to the FBI.

Sometime ago, I requested documents under the Freedom of Information Act regarding Manfred BACHERT (1938-2018), a U.S. Army defector to East Germany (Request 1469456-000). The FBI responded by (falsely) saying they had no documents about Bachert. But I found Bachert's FBI file number from another source at the National Archives II in College Park, MD. (His file number is 105-HQ-136284.) When I re-submitted my request, the FBI issued a new FOIA number, 1469456-001. In a letter dated 1 October 2020, the FBI wrote: "The FBI can neither confirm nor deny the existence of records responsive to your request."

I would like to appeal this finding on the following grounds:

- The FBI is illegally attempting to avoid releasing records by relying on FOIA exemptions that it shouldn't. The FBI has already released dozens of its files regarding now-deceased, Cold War military defectors to me. It has sent me copies of files on 17 of these men and directed me to retired FBI files on 24 others maintained by the National Archives II in College Park, MD.
- The subject of my FOIA request, Manfred Bachert, is deceased. During his military service, he never possessed any security clearances or access to confidential, secret, or top secret information. The country to which he defected and in which he later lived, the German Democratic Republic (East Germany), dissolved in 1990, thirty years ago.

The FBI actually uploaded records relating to high-level defectors such as the "Cambridge Five" to its website, yet it will not release records on a dead enlisted man.

- The FBI's denial was based on a failure to conduct an adequate search for records. I even provided the man's FBI file number.

I am a history instructor and plan to use these records in my lectures. They are a fascinating educational asset and since the Cold War has been over for decades, East Germany no longer exists, and Manfred Bachert is deceased, FBI documents on him should be released.

Here is a telephone number at which I can be contacted if necessary to discuss my appeal: (973) 908-9553.

Best regards,

George Lepre