

Mr. Gene Wilson, FOIA/PA Coordinator  
CIA  
Washington, D.C. 20505

Rt. 12, Frederick, Md. 21701  
10/19/76

Dear Mr. Wilson,

Your letter stamp dated yesterday and received today still again does not refer to an FOIA request I have repeated quite a few times without even pro forma acknowledgement. My most recent repetition was in the letter than covered the check you acknowledge. It is for what I suppose, lacking any information or response from you, is the second batch of JFK documents you released. Perhaps another way to identify it is that I believe it is the batch prior to the one covered by my check, assuming there have been three such releases.

You have still again refused to provide me with an kind of list or meaningful identification of the records you have released. I have asked for this under FOIA. This therefore is my appeal from your denial. Your language in this letter signed for you by Mr. Charles E. Savage is "...upon completion with a final list of documents to include exemption numbers under" FOIA. I believe this violates the Act and that the violation is deliberate. You must have lists as you go and you must have some citation of some exemption, no matter how spurious, frivolous or irrelevant, for any withholding at the time of even partial compliance. I want this public information as there is belated compliance, not at some unspecified date far in the future. Not providing this information with the records is a kind of refusal or denial and a deliberate and unnecessary form of obstruction. It also has the effect of denying me my rights under the Act. I cannot, for example, appeal any withholding without knowing the exemption claimed.

This is not to say that I have ever found any exemption invoked with propriety. I have not. My appeal on this is without response. You have withheld names, for example, without basis, many names that are public domain.

You say also that the review "responsive to your [my] request continues. We shall keep you advised of its progress." Well, that would be the first time because to date you have not. I would appreciate an estimate of a) when the review will be completed and the not withheld documents mailed and b) how long acting upon the appeal I have already made and am certain to expand to all withholdings will require. If you do not provide this, particularly at my age and in my condition, it becomes more than a violation of the Act. It become a deliberate interference in my work. When I am still awaiting compliance with a request more than five years old I do not believe this can be taken as as impatience. In this specific request it is a year old. You know the law better than this reflects.

I do not want to file any unnecessary suits - and not only to avoid adding to the statistics you contrive with such loving care.

But by even the statistics you have manufactured you are long, long overdue on responding to a number of my requests and appeals.

Consistent with this perfection in Agency stonewalling there has not been response to interrogatories ordered responded to by the Court on July 28. My counsel has filed a motion to compel response within five days. I really am not looking for points to score. I do want compliance within a reasonable time. You are giving me a record of deliberate non-compliance and I believe of contempt. While I would prefer not to feel compelled to ask counsel to raise these questions before the Court you really are giving me no real choice. I can become party to your deliberate lawlessness or ask the Court for relief. The action just filed is not the only relief I believe is proper. My belief is that unless some Court undertakes to do something about this deliberate abuse of the law, requesters and the courts there will never be a time when the courts are not abused.

I do wish you could see that the Agency's interest does lie with ending all this horsing around and with living within the law, which does not present any real problems. You underestimate my factual knowledge if you believe I cannot testify under oath to the content of the withholdings of names, for example. They are public. Sincerely, Harold Weisberg