

Rt. 12, Frederick, Md. 21701
8/1/76

Mr. Clarence Kelley, Director
FBI
Washington, D.C. 20535

Dear Mr. Kelley,

Your letter of January 26, 1976, which I might describe other than you do, as "response" to mine of January 12, 1976, told me "Our records indicate that you have pending with this Bureau requests for information involving three separate subject matters."

You dated these requests as of October 27 for two and December 23 of last year for the third. Subsequently you acknowledged a fourth.

While it is not the purpose of this letter, I note a contradiction between this letter of yours and the representations of your counsel in my C.A. 75-1986. You do not acknowledge the second request in this case, which I take to mean that you regard it as I do, an amended complaint. However, in the five calendar weeks I recall your counsel has steadfastly maintained this is in the status of a request and must await some as yet unspecified future date for processing. Or, you are trying to have it both ways, which is to say preserve the entire case.

In a way this is also appropriate to the purpose of my letter. It does address your counsel's protestations of all good faith and due diligence. I hear and read these words often enough.

Your penultimate paragraph is, "We will advise you further within the next 30 days with data regarding the results of our search for the information you have requested and a determination as to its releasability."

That was January. We are now in August. Have there not been 30 working days yet?

This brings up another conflict in your representations as compared with that of your counsel. Have you refer to three requests, the latest of December 23, and in January you say you will have completed your search within 30 days. But a half-year later your counsel was claiming that he could not yet say when you would reach the requests outlined in the amended Complaint in C.A. 75-1986 which is as old as the requests referred to in your latest promise of January 26.

You and your counsel keep insisting that all requests are processed in the order of their receipt. Yet when I asked you for the sequence numbers you have not responded. I know my requests have not been processed in sequence. It is months since my counsel presented proof of this to your counsel in court. I have not heard a word from you since then on this. Or from him.

I do hope you keep your checkbook in better order than you do your FOIA records.

In your letter of December 12, 1975, which seems to have escaped you by January 26, you asked that I submit my "authorized signature." Prior to and subsequent to that date I submitted a number of substantial signatures. I therefore did not send a separate one but as you have a number, I would not assume that you would not send such constants, and your request is limited to the assurance "that information concerning an individual is released only to that person."

Now that we are in August without the keeping of your January assurances I quote a sentence from that letter in enclosed verbatim "Please be assured that the FBI in no way intends to 'obscure' you with respect to your Freedom of Information Act requests."

Sincerely,

Arnold Weisberg

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