I have given reasons for claiming the waiver. Now I want to add to them what I think is relevant in this case.

Their denial of all compliance for so long has destroyed the original use I intended for these records. Now I have no use at all for them other than making them available and including them in the public archive I have established.

In formation has various uses. Those made by a newspaper are not identical with those of a magazine or a scholar. The passing of tike influences the uses that are possible.

The Act requires compliance within a certain period of time. Their failure to comply with the provisions of the Act, even if they had in the end complied fully, eliminated my possibility of use of the records sought in the writing then planned.

However, they remain valuable records, on a subject in which I am an expert, so in continuous to seek them, I serve not personal but public interest. Assuming even that in seeking them for a book my interest could properly be called personal, as I think is not the case.

If provided within the time specified by the Act I could jave used these records to obtain greater compliance in 1996. Now I cannot because I cannot spend the time on it. The official determination of waiver has already been made in 1996, in my favor.

(The fact is, as you know, that as soon as I received the records recently provided I made copies at my cost and gave them to a major newspaper, a public use, not a personal one.)

More later is you want it.

HW 7/5/78

Class

Frederick affidavit form, standard opening describing self

Paragraph 4 of my affidavit of May 11,1978 should read:

"One of the/affidavits in support of its Motion for Summary Judgement in this instant case is by the same Gene Wilson to whom I sent Exhibit 1 and many other false evidences of the persisting falsity of CIA's representations. (The/affidavit with regard to Mr. Nosenko referred to in Paragraph 1 above was executed by Charles A. Brisgs. Mr. Briggs also filed other false affidavits in other of my FOIA cases.)"

Paragraph 19 should be changed as follows:

Tem not including any explanation in the belief none is needed but I can

The word "One" beginning the second sentence should be "None." The fifth word in this sentence, "same," should be deleted.

At the end of this sentence, in line 4, the following sentence should be inserted:

"In prior cases Mr. Briggs was cited as the proper authority for the providing
of such affidavits."

Statement of Genuine Issues ... No. 5 and Affidavit, Par. 99, p. 6. The CIA has offered to apply the deposit to what it wants me to pay for the previously-withheld drug records. It did not make this offer until I filed suit. I asked for the return and a waiver of all charges, which I've appealed. I offered to pay for the drug records if reserving the right to seek its return. They have not replied. So what I am now seeking is waiver of copying charges, about which I'll write separately, and it might be accurate to say the return of the \$500 as part of the claim to waiver. But be aware that they have, as they see it, offered the return of the \$500 by applying it to the charges for the drug records.