

Dear Jim,

1/20/78

This letter to Shea addresses only those cases that are not in court, save for a passing mention or two where the letter is not an appeal in them. Or it does not address litigation that is filed or has been before a court.

Unless they elect the same as they gave Gesell, that with the 1/18/78 release they comply with all my JFK requests.

I've made a new request, if he objects it that way, that is really an appeal on my PA request, for all the FOIA requests and the relevant records.

I don't think they'll look any better if they can't come up with all the requests to which I testified in 1996 and they'll look no better if they can't show any action on any of them.

If he obtains these it will be apparent that they are not complying with what has been sent. This gives them problems.

If he does not obtain them he has no way of knowing if they have been complied with in or by what was sent 1/18. In that event he has to comply or abdicate, which now would give him problems it has not in the past.

I raise the Privacy issue because their offense is grievous if they have released any records to which I might want to respond. I can't imagine them resisting temptation. I'm also certain this review was completed some time ago and that there were significant additions to it. The differences in their own numbers. For two months this release was to be of 40,000 pages. Now it is almost half again that size.

If any of the requests or questions now goes to court he bears a heavy responsibility for it.

If there is a response that claims they have complied with this shipment I'll ask for each reference in response to each request. They have also redefined what they mean by a "project" case and they have done it in court, if not under oath. I don't think it is nice to fool this way with Mother Gesell, and in 80 thousand pages how can I know which relate to any one request as they see it? Or mean it.

I don't know how much internal communication they have but in this I've not assumed that they have none and I've made no reference to the first 40,000 pages. I leave that part to you when you meet with them next week, as we discussed it.

Don't misunderstand. I think they can get away with it if they give me a list of the records they claim respond to my requests. But I don't think they can get away with claiming that anyone who requests any JFK assassination record, say of a single page, can be required to spend close to \$10,000 to get it, which is what this newest definition of "project" means.

If they think they can solve this by giving me the other 40,000 pages when you ask, I'll be happy to accept them. Then I'll ask for the lists. If they provide such lists they may well have frustrated me on all those requests, at least until I have time to check them, which I do not expect to find easily. But that is a bridge for crossing when it is before me.

Outside their power this is a no-win one for them. They have that power anyway. Inside our lack of power this is a no-lose one for us by which we can win before long and win big. With the Gesell decision fresh in mind Shea is now reminded of all the ignored requests and all the ignored appeals. I don't think that for all his arrogance he would like this to go to court.

Or to have it go anywhere else, for that matter.

This will reach him while he is still angry, probably freshly angry, if not also when recently criticized. It will reach him when he has a greater chance of indulging that incredible arrogance and limitless dishonesty.

It may box him in. I decided to waste no time in the effort. I had planned to send this to you first but especially with the weather and all the extra work on you now I think we can't afford that time. As we both feel the time is quickly. And if we have no mail tomorrow, as I believe we will, I'll still be able to get it out because I have a friend who has a truck and had to have a bulldozer clear his lane so his wife could get in this afternoon. He has already asked if I need any help. If the crust is not icy, though, I'll be able to walk across the field next to the lane and avoid the ice under the snow in the lane. (With my trust pitchfork from farming days, which I use on ice anyway and have for years.) I'm sure that unless I don't detect a drift the snow is not above my knee-high boots. So if he does not have it Monday he'll have it Tuesday. And I do think they notice my envelopes in that office now. Correction: will more now.

This is fresh upon Gesell's cracks about not responding in time and after that fresh upon my appeal of the FBI's not even acknowledging my request for the worksheets after a month and a half.

The timing is good. It would have been better yesterday, my first chance and when I thought of it, but there was no mail anyway.

By now also maybe there has been some kickback from all the lawyers who did not do so well before Gesell precisely because of this kind of record. Figley or whatever the name of the character who likes like a Dickens undertaker is appears to be their new Dugan/Ryan. He should begin unhappy and become unhappier when he learns they enticed him into lying to Gesell. I don't think we should let them know yet, though. First see what they do about the first 40,000 pages. Without me figuring in that.

One of our problems is going to be time. The time is now. But there is only one of you, I am here and it is not easy to get there, so pressing the time factor is not easy.

On time, now he has 20 days only from Monday.

Best,