



OFFICE OF THE DEPUTY ATTORNEY GENERAL  
WASHINGTON, D.C. 20530

FEB 21 1978

Mr. Harold Weisberg  
Route 12  
Frederick, Maryland 21701

Dear Mr. Weisberg:

This acknowledges receipt of your letter dated January 19, 1978, concerning the letter you received from Special Agent McCreight dated January 18, 1978, and the fact that you have received no determination on your request to the Federal Bureau of Investigation dated December 6, 1977, seeking access to the Bureau's worksheets on the Kennedy assassination records.

As you know, this Office ordinarily responds to appeals based on a lack of a component response to a request with a letter that merely expresses our inability to conduct initial record reviews, indicates that we will monitor the processing of the initial request, and advises the requester of his right to seek judicial relief. In this case, however, I intend to proceed somewhat differently and to maintain your appeal as to the December 6 request in an open status. It has been assigned Number 8-0242 and I intend to hold the file personally. Even prior to the receipt of your letter of January 19, I had been discussing with the Bureau the matter of the possible release of its worksheets; that was in a general sense -- not just the Kennedy case -- and resulted from my testimony before the Abourezk Subcommittee late last year. At that time, former Deputy Attorney General Flaherty and I assured the Subcommittee that we would give serious attention to the problem of giving requesters more information, at the initial stage, about the nature and quantity of records to which access is denied. I have given this problem considerable attention over the past several months, in discussions with personnel from the F.B.I. and other components of the Department as well. Pending resolution of the matter, I intend personally to hold appeals involving "explanatory" records.

With respect to the actual Kennedy assassination worksheets, it may possibly turn out not to be necessary for me to act formally. The Bureau is still considering whether to put



"clean" copies of the final version of these items into the reading room and otherwise to make them available to interested persons. A final decision should be made by the Bureau in the relatively near future. In the event the decision is negative, I will then treat your letter of January 19 as an appeal on the merits and we will adjudicate on a formal basis the issue of access to the worksheets.

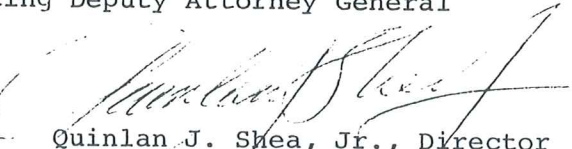
With respect to the excisions from the released Kennedy records, it should be obvious that this Office would also prefer to address any possible issues in the context of specific exemptions and specific documents. This might permit an efficacious appeals procedure to operate -- there is no way my staff and I could do a line-by-line review of all excisions from all of these tens of thousands of pages. Accordingly, pending resolution of the worksheets issue, I will treat your letter of January 19 as a protective appeal encompassing any Kennedy assassination records as to which you ultimately decide to appeal.

As indicated above, I do not anticipate that the decision on access to the Kennedy worksheets will be overly delayed. Should there be any interim developments, I will keep you advised.

Because this response is not a grant of access to the worksheets, I remind you that you have the right to seek judicial relief in the United States District Court for the judicial district in which you reside or have a principal place of business, or in the District of Columbia, which is where the worksheets you seek are located.

Sincerely,

Benjamin R. Civiletti  
Acting Deputy Attorney General

By:   
Quinlan J. Shea, Jr., Director  
Office of Privacy and Information Appeals

CC: James Lesar, Esquire