

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

G. Robert Blakey,)
)
 Plaintiff,)
)
 v.) Civil Action Number
) 81-2174
 Department of Justice, et al.,)
)
 Defendants.)
 _____)

DEFENDANT FEDERAL BUREAU OF INVESTIGATION'S RESPONSE
TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS

I, John N. Phillips, being duly sworn, depose and say
as follows:

(1) I am a Special Agent of the Federal Bureau of
Investigation (FBI), assigned in a supervisory capacity to
the Freedom of Information-Privacy Acts (FOIPA) Section, Records
Management Division, FBI Headquarters (FBIHQ), Washington, D. C.
The statements made herein are based upon my familiarity with the
procedures followed in processing requests for information received
pursuant to the Freedom of Information Act (FOIA) and upon infor-
mation furnished to me by other individuals in the FBI.

(2) In my official capacity I have become aware of
plaintiff's various FOIA requests which are the subject of instant
litigation. Pursuant to Rule 34 of the Federal Rules of Civil
Procedure, I am hereby providing the defendant FBI's response
to plaintiff's request for production of documents.

Request Number 1: All search slips utilized in attempting to
locate records responsive to plaintiff's FOIA request in this
action, as well as all letters, notes or memoranda pertaining
to said searches.

Response: Attached is a copy of the search slip relating to
plaintiff's request regarding Rogelio Cisneros. No indices
search was required to locate the documents responsive to

plaintiff's request for material relating to Lee Harvey Oswald and Jack Ruby because this material has already been processed and is available in the FBI Reading Room; therefore, plaintiff's request would require only the duplication of already processed material and no further search was conducted. Plaintiff's requests for the three organized crime studies, when completed, were specific enough that these items could be located directly from their FBI files and no further search was required.

FBI material is not traditionally indexed under the captions used by plaintiff in his request to locate "all supporting documents, data and calculations" pertaining to the FBI's acoustical review of the material relating to the Kennedy assassination or any material relating to the FBI's participation in a January 31, 1981, meeting with the National Academy of Science (NAS) Acoustical Panel. Therefore, no search of FBI indices was conducted.

However, in an attempt to locate any documents which would be responsive to plaintiff's request, the FBI's representative to the January 31, 1981, meeting was contacted. Through information provided by him two documents relating to the January 31, 1981, meeting with NAS were located. One document was referred to the Department of Justice for response and the second document was withheld in its entirety under the provisions of Title 5, United States Code, Section 552, subsection (b) (5).

Request Number 2: All records relating to any plan or proposal to place copies of FBI Headquarters records on the assassination of President Kennedy in the Library of Congress or any other library or research facility, including but not limited to:

- a. all correspondence exchanged with any library or research facility;
- b. all internal memoranda;
- c. all records reflecting or pertaining to the actual or estimated costs of reproducing Kennedy assassinations records in connection with their placement in any library or research facility.

Response: The only record which can be located concerning placement of Kennedy assassination records in a library or research facility is the attached letter from the Library of Congress to the Director,

Lab
NAS
JFK file
Dallas PD

FBI dated December 6, 1977.

Request Number 3: There is no number 3 in plaintiff's request for production of documents.

Request Number 4: All records which reflect the use of the FBI Reading Room for research on the assassination of President Kennedy.

Response: Attached is a copy of appointment books for the years 1978 through 1981 which are the best records reflecting the use of the FBI Reading Room.

Request Number 5: All correspondence, notes, memoranda, and contracts, if any pertaining to Microfilm Corporation of America and FBI records on the assassination of President Kennedy.

Response: No correspondence could be located pertaining to the Microfilm Corporation of America and Kennedy assassination records.

Request Number 6: All list(s) of requests for records on the assassination of President Kennedy.

Response: The FBI objects to plaintiff's request for a list of all requesters of material on the assassination of President Kennedy. First on the grounds that the identities of other requesters of material are irrelevant to any fact at issue in this litigation. Secondly, plaintiff has been supplied with the identities of the eight requesters who have asked for substantially the same material as the plaintiff, in defendant's response to plaintiff's interrogatory number 3. To require defendant to further identify the 159 requesters who have requested portions of the Kennedy assassination file would be unduly burdensome on defendant, as this information is retrievable only from the requesters' files themselves or from a computer used to administratively monitor the processing of requests. This computer is without a printout capability and the information is only available through the monitor on a cathode ray tube.

Request Number 7: All records showing the costs of processing and reproducing the FBI Headquarters documents on the assassination of President Kennedy that were released to the public on December 7, 1977 and January 18, 1978.

*What records
synopsis
copy*

Response: The only records concerning the cost of processing and reproducing these records are a memorandum from A. J. Decker, Jr., to Mr. McDermott dated November 17, 1977, attached, and the information supplied in defendant's answer to question number 10 of plaintiff's interrogatories.

John N. Phillips
John N. Phillips
Special Agent
Federal Bureau of Investigation
Washington, D. C.

Subscribed and sworn to before me this 19th day of January, 1982.

Lee Ann Walslagh
Notary Public

My Commission expires April 30, 1984.

Respectfully submitted,

CHARLES F. C. RUFF
United States Attorney

ROYCE C. LAMBERTH
Assistant United States Attorney

Nathan Dodel
NATHAN DODELL
Assistant United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the following documents was mailed to James H. Lesar, Esquire, Fensterwald & Associates, 1000 Wilson Boulevard, Suite 900, Arlington, Virginia 22209, this 26th day of January, 1982:

Defendant Federal Bureau of Investigation's
Answers to Interrogatories

Defendant Federal Bureau of Investigation's
Response to Request for Production
of Documents

Response by Federal Defendant, Criminal
Division to Plaintiff's First
Set of Interrogatories

Response by Criminal Division to
Plaintiff's Request for
Production of Documents

A copy of the bulky set of documents supplied with the FBI's response was personally handed to Mr. Lesar on this same date.

NATHAN DODELL
Assistant United States Attorney
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Third and Constitution Avenue, N.W.
Washington, D.C. 20001
(202) 633-4978