

To Quin Shea from Harold Weisberg, re JFK and King assassination records 6/10/80
My appeal and communications referred to in it, 4/20/80
Field office and HQ records
Referrals
Refusal to specify exemptions claimed
Withholding the public domain
✓ Amending FOIA?

For your convenience I provide a copy of the 4/20/80 appeal and the attachments. These are my FOIA request of 1/28/80; the FBI's February reply (the ink of the stamped date is not picked up on copying); my 2/15 response, copy to you as appeal with amplification of the same date; the FBI's non-responsive letter of 4/18.

I believe that the matters in question, the FBI's handling of them and non-responsiveness and your failure to do anything on appeal make this a simple and readily comprehensible illustration of the combined FBI/Department campaign against me, my requests and the Act itself. They represent abuse of requesters and the Act that is not accidental and the deliberate wasting of time and money to artificially create cost figures that are dishonest and are then used to persuade the Congress that "relief" is needed.

I refer to the Congress and to the campaign against the Act because I am giving serious thought to doing what to now I have not done, calling the FBI and Department actual record, as distinguished from its representation, to the attention of the Congress. If this combination is going to continue to impliment the 1967 decision to "stop" me and my writing, as reflected in these communications, this may be the only means by which I can contest it. Much as I would prefer merely to do the work I have undertaken.

Coinciding with this stonewalling of referrals in the JFK case there was a question of referrals in C.A. 75-1996, for King assassination records. I filed a Motion for Partial Summary Judgement pertaining to some of these referrals. The Department's response, for the FBI, was that the FBI may not provide referred records directly. This is disputed by the FBI's record.

These referrals were in 1977 and early 1978. When I did not get them I filed the new

request, which asked for a list of all referrals and what remains ignored, "all other records pertaining to them, including if any, its (the FBI's) efforts to persuade the other agencies and Department components to act on them."

My many earlier appeals were ignored. Not until I took this step, that could lead to simpler litigation, did the FBI inform me that "We are currently working on the referrals which have been returned to the FBI and you should be receiving this material in the near future."

This was with referrals of two years earlier, under a 10-day Act.

As the FBI's accounting reflects, even then 678 referrals remained - and remain - ignore, after two years or more.

As my letter of 2/15/80 states without contradiction, some of these referrals had been acted on and returned to the FBI more than two years earlier.

Traditionally, the CIA is the biggest stonewaller. In this instance it has 479 referrals not acted on. This is the same CIA that demanded of the Congress, "Trust us." The same CIA that is stonewalling requests and appeals going back a decade and still has not complied with my JFK assassinations requests of 1975. The same CIA that operates a reciprocating Catch-22 on FOIA with the FBI.

Contrary to the representation in C.A. 75-1996, that the FBI may not provide referred information directly, it sent me 2,511 pages of referrals on April 18.

Some of these referrals are of about three years ago. Even now the FBI has gone out of its way to make it impossible to know what exemptions it claims. It withholds what the other agencies disclosed and what it disclosed itself. It withholds also what the Warren Commission disclosed. And all of this and more in the face of the Attorney General's and FBI's boast of making all public.

As you know, I have requests that have not been complied with in more than 12 years. FBI and Departmental intent are obvious and in direct contradiction of what the Congress was assured. So while it may be that nobody will want to review four file drawers of pertinent information, shorter records might present no problem. It is for my own filing that I include the new caption, "Amending FOIA?"

