

Appeals - Dallas indices

To Quin Shea from Harold Weisberg, JFK assassination records appeals 6/17/79  
Field offices - New Orleans, Little Rock, Newark  
Referrals  
Withholdings from Dallas documents index w/o claim to exemption

As I work my way down in the accumulated stacks I have come to two attached communications, Mr. ~~AMES~~ McCreight's 12/12/78 letter to me and my counsel's 4/10/79 to Mr. Bresson, copy to Mr. Metcalfe. I presume that the reason for my keeping these on my desk was the expectation of hearing further about them.

I don't know what Mr. McCreight meant by "unrelated files" as holding relevant records totally 206 pages in New Orleans, but I believe that knowing the identifications of those files might be helpful to both of us because my appeals do include relevant files not searched.

There also is reference to referrals. I received some unidentified ones last month. I do not know if they include these or not. There are thousands of pages of referrals going back to 1965. For quite some time I have been expecting a written statement of what is going to happen with regard to ignored referrals. I presume that is one of the reasons I held this letter out. To date I have not received any such written statement.

Mr. Lesar's letter begins with a request for identifications of records not yet provided from the New Orleans and Dallas field offices. I do not recall receiving this.

At my request he also told Mr. Bresson that the Dallas documents index makes no claim to exemption for withholdings from it. I am ~~not~~ of the belief that there are improper withholdings from it and believe I appealed this.

He also informed Mr. Bresson at my request that records relevant in C.A. 78-0249 remain withheld, something I am certain I appealed and you have not acted on.

Some notes I have paperclipped to this letter remind me that I have heard from Mr. Bresson correcting me about a record I had said had not been provided from Newark or Little Rock files. I gave that letter to the student who had been using my files and told me this and it has since been mislaid. It is possible that Mr. Bresson may have responded to what I have in the notes if I included them in what I wrote him. If not then this is an appeal from withholding.

There  
is a gap in the Little Rock files from 6/9/64 to 9/8/75. In Newark records there is none dated after 1970. It would appear that all offices should have records for these missing periods of time.

In Newark 105-15291 I noted Serials 156, 157, 159 and 160 in a sense that reminds me that what is withheld is in fact part of the public domain via one Harry McBurney, and I am sure that I have filed a relevant appeal, with detailed explanations.

Another notation relates to the continued use of b2, which I have appealed. Still another note refers to my not having received copies of all such JFK releases, made to other requesters. I am certain I appealed both earlier. I recall no responses. And I do wonder what appeal means if the FBI persists in using b2 after it has acknowledged to me that it should not and you as appeals authority have testified to its inappropriateness in these cases.

One of the major problems in C.A. 75-1996 is the perpetuating of improper withholdings, after which the FBI claimed that correcting the deliberate errors it made to withhold would be too costly. Thereby improper withholdings to now have been perpetuated and if as I expect will be corrected, it will be costly to the Government and to me. This will also be a major problem in C.A.s 78-0322 and 0420 because there have already been such withholdings. I appealed them long ago without response and they are being perpetuated. One example is in Mr. Lesar's letter, about which I've since heard nothing although two months have passed. This, too, gets to the meaning of appeal. The FBI knows very well that if it claims an exemption it must specify the exemption claimed. Failure to do this is harassment of all other parties, including courts.

*Handwritten signature*