

FBI Attitude toward FOIA

withholding of public domain - what had already been disclosed

To Quin Shea from Harold Weisberg, JFK assassination record worksheets; exemptions claimed, etc. 6/12/79

It has been so long since I had the attached copies of worksheets from 105-82555 made for you I cannot be certain but I believe these may be selections from the worksheets of which I hand delivered a complete set some months ago.

My purpose would have been to provide illustrations of improper claims to exemption or to withhold. These include an improper attitude toward disclosure in an historical case, intent to withhold what is within the public domain, withholding of what was disclosed by the Warren Commission, withholding of what was already disclosed by the FBI itself years ago, and even the belated consulting with the Archives, after withholding so many years later, to discover whether what was withheld had in fact been disclosed.

These records make it clear once again that the FBI uses the FOIA as a withholding statute, not its intent, and that the FBI after the Act was withholding under the Act what it had regularly disclosed prior to the Act.

If you are not familiar with what preceded disclosure of Warren Commission records then you should know that disclosure was approved by the Director, the Attorney General and the White House.

Aside from the determination ~~xxxx~~ not to disclose that is wrong under the Act these withholdings and planned withholding reflect the 1977 intent of the FBI to do other than the FBI had been directed to do and had agreed to do in 1964.

If in giving you the earlier worksheets I did not accompany them with an appeal then I do appeal the withholdings they and the attached selection of worksheets represent.

In C.A. 75-0249 the FBI and the Department have made under oath representations about the se worksheets that are false and/or deceptive and misleading. Those you made, if my recollection is correct, amount to a rubber-stamping in that they did no more than state that the exemptions claimed on the worksheets were made on the records.