

Mr. Quinlan J. Shea, Director  
FOIAPA Appeals  
Department of Justice  
Washington, D.C. 20530

3/16/80

Dear Mr. Shea,

As an appeal I enclose my yesterday's letter to Mr. Flanders. I also enclose his undated letter to me. Xeroxes of his letter are dated, March 14.

The FBI has again violated an agreement in the processing of the records it has just sent me. I was certain it would because of a number of developments after the agreement was reached and I asked you to monitor this matter. Apparently you did not, as you have not acted on my appeals relating to the underlying records. As a result the FBI has again processed a large number of records other than as required by the Act and the Department's stated policy. Once again there is this situation: the FBI will get away with deliberate and costly non-compliance or it will weep bitter tears over the cost of undoing its deliberate error, part of its campaign against the Act and requesters of information.

The agreement did not provide for the total withholding of any index entry. It did provide for the rewriting of cards that otherwise would disclose the identities of symbol informants but not any others.

At the rate of this first batch there will be thousands of cards withheld in the entirety, all a violation, and not in any sense a real need for a legitimate purpose. As I have informed you repeatedly, the FBI withholds any and all ~~sources~~ <sup>sources</sup> as confidential sources, particularly those disclosed in the Warren Commission records and because Director Hoover wanted it and ordered it that way.

To put it as I've put it often before, in 1960 the FBI is withholding what it did not withhold a decade and a half ago; is withholding under FOIA what it did not withhold prior to FOIA.

It appears that you negotiated a solution to a <sup>problem</sup> ~~problem~~ and then abdicated so that now, inappropriate and entirely unnecessary ~~problems~~ <sup>problems</sup> could be created in order to withhold improperly and implement the FBI's ongoing Contingency of the Act and requesters. Does the Department want another case that will never end? Sincerely, Harold Weisberg