

Searches - JFR

Mr. William J. Shea, Director  
FBI, in Appeals  
Department of Justice  
Washington, D.C. 20530

7/14/79

Dear Mr. Shea,

This relates to both JFR and King cases and to prior appeals in both cases, particularly but not exclusively to good faith, due diligence and in general the nature of the searches and the files searched and not searched. It also relates to an in-place machine for FBI non-compliance under FOIA and I believe to assessing non-compliance as a result of appeals.

The FBI's position is that all its records are in Central files and that a search of the index of Central files is adequate for compliance with FOIA requests. It claims that no other searches are necessary under the act and it refused to make other searches, which I have also appealed.

I have just reviewed the FBI's list of its Central files. These file topics and numbers do not include all records the FBI has and do not include listings appropriate to several of my information requests.

Obviously the FBI has the records I will refer to. Equally obvious there is no appropriate file subject for them in the FBI's list. This appears to me that retrieval is automatically provided in searching Central records. It also appears to mean that divisions have relevant records outside Central files. (I have already appealed refusal to search Division files and provided you with proof that they exist.)

Specific items of my King assassination requests relate to the Laboratory (whose agents have used tapes re government records, re depositions), to surveillance and to residence and information given to other writers. No such subject headings appear in the FBI's own list of files. Therefore I ask how you can properly process my appeal where the search for information of these descriptions is limited to where the FBI does not file and keep these kinds of records?

Going along with this theme is Division use of file titles. The FBI does have records relating to its propaganda efforts and to what it does for and with writers filed under 94, which is styled "Research Matters," not public information, etc. (There is no file for the public information, aka Internal Affairs records.) As I have informed you the FBI also uses 00 or "Laboratory Research Matters" for political filings, illustrated by Jim Garrison filings.

As I review records I have it is becoming increasingly apparent that a thorough search of 94 files is required in the King case. In prior appeals I have asked for this. You have not responded, to the best of my recollection, or distinguished from not acting on the appeal, which you have not. So once again, old as that case is, I ask if you will please respond, first to whether and when you will have decided and then relating to compliance? Sincerely,