

Dear Jim,

3/10/80

After reading the first 900 abstracts, covering the first 7 sections of FBIHQ MURKIN, I tell you unequivocally that the FBI is still playing the same games and has entirely confirmed my affidavits in which I stated how and why it would do this.

There is no reason for the processing to be as slow as it is. The entries are brief, requiring only seconds for reading. Many if not most have no content that is within any exemption. No names, etc. It took me about as much time to turn the pages and check the serial numbers as reading took.

The same errors in processing the underlying records are faithfully duplicated. As I stated would be the case, the FBI insists upon trying to hide the initial improprieties. It even perpetuates the same inconsistencies. Where it withheld entirely under "national security" claim rather than releasing the reasonably segregable content, it persists in the same entire withholding even though it has already disclosed the withheld information. The sole purpose, aside from harassment, is to try to hide the fact that the records were improperly processed.

The inconsistencies are quite visible with regard to (7)(C) and (D) claims, the latter when there is no confidentiality, merely a source of the kind the FBI did not withhold prior to FOIA - in fact, the kind Hoover insisted be disclosed. On one abstract such information is not withheld and on another it is. This also is true of names and privacy claims.

I wrote Shea about this prior to the processing of any abstracts because although the judge did not so understand it, and perhaps Cole also didn't, it is the clear meaning of Cole's claim that each abstract had to be compared with the original record. I asked Shea to monitor the processing to ~~might~~ avoid unnecessary problems and delays. I've not heard from him and he clearly has not done this because the processing is not in accord with his reports or testimony and is opposite both.

Even if the initial processing was OK, as it wasn't, since then there have been changes that make the processing improper. For example, the Department's 5/5/77

FOIA policy statement. Virtually all the withholdings violate this, is not in fact all.

There is the same stonewalling with referrals. In this second batch there is a referral to the CIA, which never acts on referrals without compulsion and in this case didn't. Why refer the abstract after the underlying record was referred?

One "national security" claim is persisted in after the source is disclosed in the underlying records and after the information was disclosed by the Department in the OPR releases and even after the FBI agreed to the House assassins committee's publication of the same information, the identical record. (Report of a threat against King.) Because the FBI initially withheld the entire record, it now withholds the entire abstract, after publication of the content by the government and when it is in the FBI's reading room.

Where there is reasonable segregable information and the claim is not (b)(1) and where the reasonably segregable information was not disclosed initially, it remains entirely withheld today, in the abstracts.

With ~~regard~~ regard to these and similar abuses there really is no excuse. Shea testified as a Department witness that the underlying records require reprocessing to eliminate improprieties and in one of his 1978 reports, where he states this, he also states that the FBI itself agrees. So in 1980 it refuses to do what it admitted in 1978 it should do.

The MURKIN abstracts also disclose that as I told the Court on many occasions, all MURKIN information is not filed under MURKIN. An example is the very first - the call from the Memphis SAC to FBIHQ reporting the assassination and FBIHQ's orders to him to move into the case. The reason this is not filed under MURKIN is clear. It is to hide the fact that the FBI moved in without authorization, which came later. This is included in more detail in one of the affidavits I have just sent you, along with a Memphis record of a missing record, the SAC's authorization. There is no abstract covering this because the record is not filed under MURKIN. This is also true of

other NERKIN information, like the yanking of Officer Ed Redditt, who was spying on King from the firehouse.

Redditt was of the Memphis Police Department's Community Relations Service, assigned as a spy because he knew all the blacks from that work.

The abstracts also reflect the existence of DJ Community Relations Service records not provided by DJ. There is specific reference to CRS information that CRS has not provided.

One of my recent and shorter affidavits deals with CRS as an intelligence arm, exactly what the local one was for the Memphis police. DJ wants to hide the fact that it used its CRS to spy on those it supposedly was serving.

My letter to Shea was prompt - the morning after the last calendar call - so that he might perform the function for which the Court involved him in this case. This was before the processing of the first batch of abstracts. So I find myself again wondering, whether he can't do anything, or won't.

In any event, he hasn't.

I'm sending him a carbon.

Sincerely,