To Quin Shea from Herold Veisberg PA appeal 9/12/80 Givil Division FSI

It is no wonder that there is endlace stonewalling and unnecessary litigation in FOIA cases when, under date of 9/9/80 I receive from Civil Division, which presides over the stonewalling and is responsible for the unnecessary litigation, what it represents as response to by 1977 request. (Actually, 1976.)

Not until 2/7/80, according to its sum letter, did I hear from Givil Division of its referral of unidentified records to the FHL. As an enclowed copy of these records I have just received shows, that referral was of 1979.

And what I have just received is not Civil Division records but FBI file copies. Of course this appeal includes the withholding of the Civil Division copies which, if nothing else, will disclose the files that should be searched, as the copies from FBI Central Records do not.

Civil Division's attitude beard compliance is reflected on the one record that does not come from FBI Central Records rather than Civil files, the FBI memo of 8/20/70. It is annotated "WITHHOLD ENTIRE DOCUMENT." Nothing in this record is within any exemption.

It is obvious, from records I received other than from or through Givil, that it still withholds other records provided to it by the FHI and other agencies. I know because I have copies, not provided to me in response to this request.

What I have just received, further reflecting Civil's attitude, was not stapled, not in order, and had to be reassembled, where there was more than a single page to a record.

Further reflecting Civil's attitude is the fact that no explanation of the claimed exemptions is included. One does not appear to cite an exemption. It is "OS." If there is any exemption that it properly identified as "OS" Civil did not provide that identification. I as also left to guess what HQ means.

It might be unfair to chide Civil for not including the usual information about the right to appeal and how it is done because, after all, what it represents as (partial) 1980 compliance with a 1977 mequant is actually in response to my 1976 appeal of a denied 1976 mequant of the Department (of the PEI in 1975) and in belated acknowledgement of your 1979 mudging.

The first of the attached copies of what I have just received is a copy of a Civil the FHI's Division carbon copy of inx letter of an unclear date in March, 1971. I can only wonder hav a carbon copy received a Civil Division file number rather than the FEI's. I also can only nonder how the FDI managed not to find this letter when it was, supposedly, complying with the finstructions of the Court in C.A. 75-1996, to provide information pertending to compliance or non-compliance with some two desen of ay prior and ignored FOIA requests.

From the contont of this letter is is obvious that Civil Division had its own reasons for not complying with what the Court requested because Civil Division was involved with the FEI in not complying with the requests referred to in this letter. Giving the date of my DJ 116 form and (cashed) check, the FEI reminds Civil of its own responses to Vivil. (These appear not to be progided yet.) The FEI also refere to some of my even earlier requests, so it and Civil also know of others it failed to provide to the Court.

Iframind you that Civil Division represents the Department in C.A. 75-1996, so it appears to have a reason for not complying with the request of the Court because it was involved in the extensive - and continuing- noncompliances.

Liendfiontion.

The copy of the 1/19/76 FM letter to Civil bears no file matter, not the FM's and not Civil's, yet it appears to be made from a carion copy. It is hardly all the records of either component pertinent to either the cited appeal or the case C.A. 75-226 in district court, From the content of this letter why there is no much unnecessary litigation is apparent. (Since then, two more remains.) The divid Division attached to it. Instead he asked the FMI for his information and received sizinformation. Does this really reflect the manner in which the Department Litigates?

For your information and for the record, I provide two/of the possible explenations. Where the Director reports that SA Blake seid that SA Kiliy said about what SA Frazier testified to, the most casual reading of the publiched testimony reflects the fact that the explanation or interpretation attributed to ⁵ilty is not truthful, also untruthful is (page 2), "It thus can be seen that there were neither two separate spectrographic encloses noto two separate reports." If the Civil Division attorney had any familiarity with the case record he should have known that when some of the many spectrographic analyses were performed in 11/63 and others as late as 8/64, a single report filled in 1963 counct possibly reflect the results of all the testing rought in that litigation.

If this is the normal manner of litigation there is no wonder that this request, first made on 5/23/66, is still in litigation after it want to the Supreme Court and fighred in the 1974 amonding of POLA.

Attended next is a copy of the Johnson to Flanders 12/14/79 letter referred to Was above as reflecting the fact that my request as referred/to the FMI in 1979/ Please note that it includes reference to five Civil Division files copies of which have not been provided.

Attached next is the proviously referred to FEL original marked "WITHIDLU ENTIRE DOCUMENT." It refers to an Axelred memo not included in what was just provided.

The two other abtechments are from the FMI's rather than the Civil Division's files and originated in the FML.

The FD302 again relates questions about why there was litigation. In this case I provide an explanation that may provided to me by prior counsel.

¹y wife and I filed a damage suit for damages to a poultry farm we then had, a nationally famous, prize-winning operation. You have some knowledge of this from those many appeals on which you have not actod. This record reflects the fact that the fill and the Department both know that the allegations of our suit were correct, get we were forced to litigate to recover part of the relatively minor expand for which we such. This witness informed the FBI that he was present at our farm when military helicopters trespassed, that "he knows helicopter flights also cause a loss in egg production of Ar. Weisberg's hens" and that the halicopters scared the chickens, which would "pile on top of each other" and caused deaths.

When the FBI had this knowledge, and mosches it and the Civil Division managed to trouble withhold it from the Court while going to considerable trouble and expenses to mislead the court, in which they succeeded, perhaps you can understand the FBI's prove boast with which it concludes the attached 5/11/61 record, "The savings to the Government in this/matter totaled 39,200.00." (INVANIANE SECOND INVERSES INVERSES INVERSES

Savings indeed! The FEL does not include its our costs, which were great, or those of litigation, which were not inconsiderable, or the \$5,000,000 won by subsequent litigators who cited this case as precedent in the first subsequent case, which went to the Supreme Court. Or the many later awards based on this precedent, or the costs of the Congressional inquiries which, as of my last information, had not resulted in any resolution of the problem brought about by the FEL's "savings" or Givil Division's litigation of what its own records establish was an entirely legitimate claim, save that the award sought was much too modest. (Heasn costs appear not to be a consideration, nor costs to decency or honesty in government.)

For your further information, if I were to guess who, the witness whose mane is withheld, along with much other information that does not appear to qualify for withhelding, it is the man who confessed to my wife and me that he had been perduaded to testify falsely at the trial by the FEI agent who was his nephew. (I did inform the USA in Baltimore of this but naturally he conducted no inquiry, not when his records held the enclosed truthful report and he adduced false testimony, WHEEK I then did not know// institutions that his own files held the truth.) This witness has been doed for years, as I informed you long ago. So are others, easily identified. He legitimate purpose is served by withhelding their names.

Withheld memors include those who testified as government witnesses. While I have no way of knowing what remains in Civil Division files, because I have copies of records obtained by other means I know that the FBI provided many FD302s and other information that Civil Division does not provide. Among these is the vicious fabrication that my wife and I minually colebrated the Ressian revolution at out farm. This is in the FBI's holicopter case investigation.

And do you suppless that with this the FHI did not provide the other fabrication of which I provided you a copy, the false allegation that I had personal relationships within the Russian Embassy in D.C.?

Several years app you cannot us to assign priorities to the appeals you would process. I then informed you that while I live I desire to be able to face all the FHI's evil inventions, distortions and misrepresentations, which is one of the reasons I filed these PA requests. You agreed. You asked for further information and to the best of my ability and at some lengthy and at the cost of some time I provided it. While these requests and appeals now go back five years, you have failed to perform your responsibilities.

If I remember correctly, you and I as certain the FEI have informed the courts that these requests are processed in the order in which they are received. If you do not have any older than these they you should have completed these before now, long before. Yet for months if not longer you have been totally non-responsive, so non-responsive that I do not even have acknowledgements of receipt.

You see no and the country a botter job-performance record than this. FOIA imposes responsibilities on you and all the other official stoneounllers, as PA also does. The off content of this appeal, as/so many balance it, provide mative for this stonewalling and the contenned abdications and withholdings and failures to make good-faith searches.

I am about to be hospitalized for arterial surgary. I should be have before the end of the routh. I would like to be able to hope that by the time I as home you will have found the time for a full and fair statement of why you have failed to do your job or keep your word and some indication of when I can appent this official lawlessmose to end.