

CRIMINAL 11

To Miss Mrs. from Harold Weisberg re memo POLASCAN, memo appeals 4/4/80
Criminal Division
JFK assassination records
King assassination records
PA records

In anticipation of the coming of new file cabinets, which I have ordered, Mr. Barrett has been going over files and folders and boxes of records I was not able to file. One holds Criminal's 3/74 possibly 1/79 letter to me (the date did not copy or was not included) and my undated response which by its content was written the first day of Spring. My letter shows that I sent you a copy. I have heard nothing since from you or Criminal.

The letter to me was signed by Ross Buckley, for F.D. Ross. It enclosed a 124-page list of records it states are responsive to my 5/21/77 requests and asks which I would like. My response was that I would like all of them, and I explained why and asked a fee waiver and explained that also. I also stated that I would like to hear from Criminal in the same way about my King and PA requests. I find no response from the Criminal Division or from you. While I am certain that I appealed this I take no other chances and herewith appeal.

Every time something like this surfaces I find myself wondering how in the world your office can function when your staff assumes the honesty, concern and only good intent of those who have not responded to information requests, particularly with the large percentage of appeals on which you have found for requesters. If the staff assumptions were justified there would have been no need for the Act or for an appeal authority. Add to this the fact that in several years your staff has not gotten around to doing anything about the list of two-dozen memo requests to which I testified in 1977 and of which I provide you with a copy without obtaining compliance since.

Now this Criminal correspondence should have been provided in response to your reminder of several months ago. I want't.

Criminal

It required only 22 months for ~~Barrett~~ to acknowledge the existence of records

responsive to the request. There is a list of them, by file number, ~~showing~~^{reflecting} the fact that they were identified and located. A full year has passed since I stated which of these I desire. So, 34 months have passed without compliance. This is less than three full years. In fact, it enables the Department and you to almost get a record and copy without litigation and in less than three years.

Is this asking too much of you or the Department?

When you think about this, please also have in mind the recent appeals court Coastal decision as it pertains to exemptions 5 and 7, the passing of time and the historical case determination.