

JL re indices, PA searches

HW 1/21/79

I'm not too well put together at this moment so if I'm not clear question me because what I address may be important.

Yesterday I did not feel right. By last night I decided that this was because my previous two nights of sleep were shortened by phone calls. So I slept later today. But I've had the need to clear the lane where the snow-blower is useless and I've just finished the second bout of it, with encouraging results. However, there is a virtual flood and I must return to it after an adequate rest. Otherwise it will be like last winter, a battle through arch. Unfortunately I felt that it would be unwise to use the snow-blower yesterday or I'd not face this now.

While resting I've been reading the Comptroller General's 4/78 report on the FBI and FOIA. I knew it was being prepared and I knew they were staying away from me even though the committee recommended otherwise. It is, from my knowledge, as protective of the FBI as could be risked.

However, it holds what I regard as important information on processing, on means and on records. What struck me immediately is what I'm not absolutely certain about, the distinction between index cards and see index cards. They use "see" without quotation marks. It appears to me from this report that normally the FBI does not use its existing see cards and that "main files" refers to a file with a name or title.

Let me illustrate what I believe but can't be sure about. There is no New Orleans "main file" on me but there is on Garrison. New Orleans has "see" cards that hold my name, are not references to a "main file" on me, with my name but are to Garrison. So they avoid their see cards and report that there are no main files on me and thus avoid providing what the see card indexes to the Garrison main file.

As I've been reading this report I'm indicating pages for copying and I'll send you copies of them when I can.

I write this at this time so we can remember to ask to have a conference with Shea and Mitchell prior to Mitchell's departure for Dallas.

While he is there he can ask to examine the see cards, on me and on other people, critics and witnesses alike.

The card system seems to be uniform, the central files and all FOs and Legats. To this point I've seen no reference to residencies, like Frederick and Fort Worth.

The report also found that during Operation Onslaught the agents were doing exactly as I stated and Shea avoided testifying to, withholding more than the AF's guidelines called for withholding.

All these factors relevant in 1996. No affidavit attesting to nature and extent of files searched except under stipulations, where I've faulted them without response. So I'm wondering do we want an affidavit setting forth this kind of stonewalling and non-compliance, with excerpts from the report indicating defendant awareness.