

NSA/CSS FOIA Appeal Authority
Ft. George Meade, Md. 20755

Rt. 12, Frederick, Md. 21701
4/11/77

Re: Serial N 9022B

This is my appeal from the denials in your letter stamp dated 3/23/77.

The denials are based on deliberate misinterpretation of the Act and a deliberate attribution of meanings they do not have to certain words of the Act, for example, "disclose." The denials are also contrary to the expressed statements on these matters by the White House, the Department of Justice and the former Chief Justice/Commission chairman.

In this denial of 1977 you are withholding what is non-secret and what has been public for two years, including in testimony before and in the report of a Senate committee.

You even withhold what on the face of it says will not be withheld, that classification is ended with the removal of the attachments.

You seek to withhold even the fact of the interceptions of communications of various kinds and by various means. You do this without claim of the privacy exemption, which I take it is waived thereby.

Disclose means to make known what is not known.

And this within the meaning of (b)(3).

The actuality is that no intelligence need, purpose or interest is served by these withholdings. They are part of a campaign to ~~perpetuate~~ perpetuate secrecy for the sake of secrecy alone and as a means of hiding failures, misconduct and wrongdoing.

This anti-democratic attitude and practise is what gave us the one Watergate I had hoped practitioners of needless secrecy would regard as too many.

The Congress does not enact laws for those who do not like these laws to misinterpret or rewrite because they are not liked.

The authoritarian concepts embodied in your denial is anathema to all true American belief. If this is lost there is nothing for you to protect us against. Except what you come to represent.

Sincerely,

Harold Weisberg