



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

Mr. Harold Weisberg
Route 2
Frederick, Maryland 21701

MAR 13 1978

Dear Mr. Weisberg:

This responds to your letter of October 18, 1977, a copy of which is enclosed.

Your letter refers to departmental noncompliance with the Act. I must concede that the processing of your various requests and appeals has frequently been delayed. I cannot speak to, and will not accept any responsibility for what may have transpired between you and this Department before my Office became operational in March 1975. Since that time, however, I would attribute the delays to a combination of the magnitude and complexity of your actual requests and appeals, the voluminous ancillary correspondence and litigation they have generated, and the inescapable fact of the thousands and thousands of requests and appeals we have received from other individuals. Neither I nor any member of my staff has ever acted with any motive of impeding the processing of any of your appeals, or of depriving you of access to any records that can properly be released under our understanding of the law and the applicable departmental policies. I really do not believe that any other individual in the Department has acted with an improper motive. All of us have been literally overwhelmed and are trying to do the best we can to satisfy all requesters.

Confirming what Ms. Robinson has already discussed with you, it is my view that any further disputation between us as to motives or the past history of our dealings would be both pointless and counterproductive. In an effort to put our future dealings on a positive basis, we have reviewed our files and have located the cases on the enclosed list. They are listed in approximate chronological order, and include both closed and pending matters.

Each of the matters indicated as pending has been assigned for processing, except for the San Diego Field Office. You have stated to Ms. Robinson that you will check our list against your

Mr. Lewis

own and advise us of any discrepancies. Be assured that your cooperation in this regard is appreciated. It may be that you will be able to help her put her hand on some of the correspondence items for which gaps now appear on our list. Once we agree on which matters are still pending, I will try to get some more of them moving. It would help us tremendously if you, in further correspondence, would indicate the particular matter to which you are referring, by use of our appeal number.

I have noted several comments you have made relating to the (non)accuracy of the content of various records released to you. As an initial, general proposition, let me observe that this Office simply cannot be held responsible for the content of the records maintained by our components. In making access determinations, that factor is ordinarily irrelevant, as are such matters as allegations of misconduct by departmental personnel. We must make our decisions based on the records involved and usually cannot even take the time to do collateral research. Since I am a confirmed history "buff" myself (Central and Eastern Europe, post-Napoleon through the immediate aftermath of World War I and the Russian Revolution), I wish we did have the time and resources to become deeply involved in the substance of the records we review, as well as their superficial content. We simply cannot do it.

I hope you will view our efforts to work with you and Mr. Lesar as constructive. Perhaps in the near future all of us will finally meet.

Sincerely,

Quinlan J. Shea, Jr., Director
Office of Privacy and Information Appeals

Enclosure

CC: James Lesar, Esquire