

For CA75-1996 - Prior Use and Citation of FOIA HW 9/29/76

This supplements my longer list and subsequent memo. It is based on carbon copies found later in a different file.

These additional records show that from 2/12/70 to 3/23/71 in a dozen letters I cited the Act. In three of these letters I cited the Act 4 times, in one of these four times on a single page. In two others I cite the Act 3 times on a single page.

The additional records also show that I made 2 requests for answers under the Act 5 times.

The dates of the letters in the first group above are:
1970: 2/12; 2/19; 3/20; 4/22; 5/14; 6/12; 7/8; 8/13; 8/20; 10/20.
1971: 3/22; 3/23.

These citations are from a file I had to discontinue keeping in ~~my~~ 1971. This is also true of the following citations of requests for response under the Act:
1970: 8/13; 8/20; 10/20
1971: 3/23; 12/11

There is a letter of 4/10/69 in which I remind the Department I have not had responses to earlier requests.

Not only is it clear that I was using the Act, I even cited the Attorney General's own Memorandum on it, as under date of 2/12/70. In response to this H. Richards Rupp phoned me to tell me that they pay no attention to their own interpretation of the law for other agencies and persons using the law.

On 8/13/70 I refer to my prior requests for King assassination records.

These records not available earlier show that only when I was asked to use the DJ-118 form did I use it and that thereafter I was unable to obtain copies of this form except when Justice sent me a copy in response to a request. The first instance I have found of this is 12/29/69. When I was responded to by the sending of a DJ-118 form I was sent but one so I would not have a duplicate in my own files. Thereafter I made repeated requests for form, instruction, interpretations and any changes that may have been made in them.

4/6/70 I requested forms. This letter shows my appeal from earlier denials.

4/22/70, which again shows I made the requests under the Act, says I am going to need copies of these forms if Justice is going to insist that I use them.

5/14/70, in filing 3 forms, I note they do not even respond to requests for forms. I note that the forms cover ~~my~~ "requests ... made some time ago." I also note (p.2, par. 3) that I have not had any word since a review of some requested records was promised in 1968.

Paragraph 1, p.1 reports that I went to two different DJ offices to obtain instructions I could not obtain any or even the promise of mailing them to me. It also says that my appeals under the Act have been ignored, as have earlier requests, with the very first sentence referring to the Act. (I think the marked part should be read in full.)

8/20/70, my complaint to the Attorney General includes no statement that I "have been given access to the entire file." It goes into some of their lies on this, King evidence and charges perjury. Page three says they have other photographs that even today they deny having. It shows they also pretend to have only one file on Ray. Pages 4 and 5 go into what they have not supplied even after summary judge-

ment against them. On page 5 I say they "violated the law for a year and a half, which goes back to my 3/69 King material requests. And that they "ultimately denied me three parts of my request." On 8/12 I asked ~~it~~ for assurance that all had been made available to me.

In summary I believe that this segment of my files that I had not been able to search earlier by themselves show that I was using the Act from the first, that their responses reflect this as their understanding, too, and that from the time they insisted upon my use of DJ 118 forms they did all possible to prevent my use of the forms, extending to not providing them on repeated requests and then also not providing their own instructions, even when I went to the Department and tried to obtain them.

They also show a pattern of non-compliance and of stalling and placing unnecessary impediments in my way. This relates to records on the King assassination as well as to other subjects.

They also reflect what is established in other records, that this intent not to comply extends to swearing falsely to compliance to a federal court when in fact there not only had not been compliance but when some of what was falsely sworn to having been given me was later mailed to me under dated, covering letters.

Also shows interference with, delay in work.