Dear Howard, 1/31/77

Reur 1/17/77 from CIA's Gene Wilson on your request for the transcripts of the LHO Mexico intercepts, he uses deceptive language, on purpose, bu may have made a mistake. I think you should follow this up.

If I am not clear come back at me. I've been in DC all day and I'll go over the other enclosures in your mailings of 1/26 and 28, both here today. I want to get out of my supports because the legs itch so I'll do that an read abed.

I have no idea how many requests have been made for this material. I'm sure Bud's cover it, probably Belin's. I have a general one that does and two specific ones that do, one to Archives. Mark Allen filed on too narrow so I filed one broadening that. Wilson even tried to talk me out of that one, in writing.

Where I think the fink slipped up, perhaps getting carried away with his operations against Americans and the Act, is in his second paragraph. This reads, in full: "Item #9 of your request is being processed by this Agency under the Freedom of Information Act and we shall be in further communication with you as soon as the processing has been completed." I hope you know what he is really saying and can agree with the potential of what he did say.

They are using a stall they rarely spell out, processing all the JFK records together and using this as an excuse for wihholding pinpoint requests. They want to complete professing all. I do not believe they have the right to do this with an indetifiable record, thus my separate request.

Instead of telling you there regular stuff he says this one item of your request " is being processed." and when this processing, not that of all their JFK stff "has been completed" they "shall be inf further communication with you."

I have heard from them that they will be making more releases in a couple of weeks. They did not indicate of what.

He refers to what he considers "as soon as feasible" in his next graf. With me that has been six years without compkiance. Do not accept it. Siege upon it, using your own dictionary's definition of feasible.

I would tell xm him that you do not want any extra work for them or for you but his is required by law to give you specifics. When they are now processing this Item they should be able to give you a date of delivery. Ask him when and for whom they began the processing m if not for you, why the long delay on an uncomplicated item and why when they are in this processing of this item he does not give you an estimated date. I'd tell him that if he is not going to give a date within reason you are appealing and that you want your eltter taken as an appeal. He is the review committee. You address him on that, too.

Once they have begun the processing of the request that ends their legitimate claim to backlog. Their 10 days have expired.

You realize the difference between this and their letter to me. They may stop to think about a suit down there where you could insist on first-person answers on delays in compliance when they have eliminated all considerations except a review of the original professing. Here the narowness is, I think, helpful. With this item there is also the fact that the story itself is not new, was published long ago, to it is not a new matter to them, even less so after their leakings.

I'll give Jim a copy of the letter to you. Best,