Gary Schoener
Walk-In Counselling Center
2421 Chicago Avenue South
Minneapolis, Minn. 55404

11/8/76

Dear Gary,

Your 11/5 with CIA's 10/27 and your 11/4 response here today. Jim is packing my bag for the coming trip. I've little time for thought. I'll give Jim this correspondence to see if it means anything to him or if he has any suggestions to make to you.

In time you'll be hearing again and writing again. Off the top: ask them if it has any connection with me, directly or indirectly; with your interest in the Shaw trial; your trip to Dallas and/or people you ment there; and if there is any connection with foreign intelligence. You know damned well it has not and you know they have no domestic rights except to protect their plant. This mean - and personnel. This means that they are hiding a source on proscribed domestic intelligence. it makes a good case if you have decent federal judges out there.

You did not send a copy of your request. If it was limited to FOIA alone resubmit it to him including the Privacy Act. He is the officer on both.

Either way ask him what FOIA exemptions apply. They seem to be stretching to use PA, the only exemptions claimed. I m not familiar with its terms. I'm taking it with me to read again. But I think it is significant that he does not invoke FOIA at all.

As him if the privacy invoked relates to an employee. They are not included in the law and one case is Rose, a D.C. federal appeals court decision relating to the Air Force.

I'm not sure but I believe they can't invoke "properly classified" under 11652 except where it relates to their proper function, foreign intelligence.

I'd ask for more particulars. I also can't believe that they'd have two records of this description and no more. These indicate either q request going from Hq, in which the time lag is considerable for a response, or two communications to Hq, in which no other record is unlikely.

They are required to give you masked copies in which they eliminate what they believe is covered by an exemption. Demand it. They have given me a record that has only my name on it. The rest is entirely blank.(They are far from close to compliance with me. They are just stonewalling. We'll sue when we can.)

I think they are embarrassed and are stretching the Acts to stonewall. They do not use quotes around the citations of the Act, for example. It may be word-for-wor but in my experience when it is they use quotes.

I'd even ask them what right they have to have any records on you and in what connection because they are by statute limited to foreign intelligence and have no domestic police powers or any other kind of intelligence obligations or authorities.

How about your former office mate? The one killed in Alaska? Fit him or your interest in him?

You are neither mentioned nor indicated in the few records I've obtained.

My hunch is that this is assassination-related.

Best,