Rt. 12, Frederick, Md. 21701
7/2/77

Mr. Thomas F, Conley
Chief, FOIA Center
U.S.Army Intelligence Agency
Ft. Meade, Md., 20755 IACI-CAF

Dear Mr. Conley,

Your letter of the 29th, received today, is helpful Thank you for the time you have taken in explanations.

Your 4. is quite explicit and may be a complete explanation of that item. Without the date, which you do not provide, destruction of records relating to me need not be in accord with the cited change in the cited AR. Not if my request for such records preceeded the effective date of that Change, for example.

If my persistence troubles you, which certainly is not my intention, the most recent addition to a rather large collection of records the existence of which was denied for years is in today's mail. It is about two inches thick. And it is from the Army.

There is, within my experience, no deviation from the rule that every agency of government that denied having records requested, including the Army, has had records that were requested.

I do not attribute evil intent to the part of the Army from which these records came in today's mail. The problem was with inadequate searching. This inadequacy included not checking sources to which I did refer those people. I,finally provoked them into making one telephone call. All else followed that. By the time records that had to be referred to other agencies are here I am confident the stack will be more than twice what came today and will include records four other agencies denied having. And this is modest within my FOIA/PA experiences. Because you are Army I limit myself to Army.

FOIA personnel are at the mercy of others who do the searching and decide what files to search - as well as those not to search.

While your letter is valuable for its detail it also lacks responses on precisely this point. With regard to Powell you have not told me that there is no records of the disposition of those records if in fact they were disposed of. If you do come back with a statement that there is no record of their destruction and there is no record of their referral, believe me I will tell you where they were referred. And you will be required to obtain them or obtain compliance for me from another or other agencies. With a proper search of available Army records you should also have come up with still another answer for me. I have it. If you g ive it to your searchers, whose record of not of due diligence, I might expect them to provide no other answers. Therefore I do not provide it. This also is applicable to other records relating to the JFK assassination.

In 3.a you identify DCSI, US CONARC as meaning Deputy Chief of Staff for Intelligence, United States Continental Army Command. In 2. you identify it as having been at Fort Monroe, Va., and as no longer a unit in existence. (Whether this means anywhere or at Fort Monroe is not clear to me.) Now it just happens that early in my efforts to obtain th e records I seek I did specify that one of the points at which they might be stored is this same unit whose official name I did not have and this identical location. Before the moving or disollution of that unit and since I do not recall being informed of any search of its records there or if transferred, elsewhere. If it is ideally located for deep-sixing I have reason to believe all those records were not destroyed.

When you inform me that CONARC is not a code but is an abbreviation I believe you are confirming what I told you, that there were other files to be checked. There has not been any report of any checking of them for the requested records or for records of their disposition, if any.

Early on I mentioned Holabird. It has not been referred to in any responses.

In short, what is a detailed letter that appears to be definitive is not definitive and many questiones exist about what was searched and what was not searched.

Your letter of the 24th came when I was in Washington on another FOIA matter. It surely seems to be explicit and definitive but I can illustrate how it is not.

You do not explain what is meant by "a NO RECORD status" in your 2. You further limit this to your responsibility "for the custody of all intelligence investigation files generated by the US Army."

How about those not generated by the Army? What happened to those it did generate relating to the JFK assassination? There simply is not and cannot be any doubt that the Army possessed JFK assassination records of both descriptions. A "no records status" is appropriate where there never were any records. I hope you and all those superior to you in the Army would not want it believed that you regard the disappearance of any records relating to the assassination of a President is adequately explained by this "no records status" which even then is further limited to "maintained at this facility."

The problem with computers is not what comes out of them. It is what goes into them. This controls what comes out of them. You feed your computers just a little differently and there is another answer you will obtain. This is not conjecture.

I can well understand that this may perplex you. This is why I have given you specifics. The specifics include your own phrasings, which are semantical, equivocal.

Nobody has yet told me that the Army never had any records relating to the assassination of its commander in chief. Nobody will. You have not accounted for the disposition of a single one you have not found and you have not found a single one.

Please try a little harder. What you write does not represent due diligence in a good-faith search.

Sincerely,

Harold Weisberg