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4-7-97

Der Harold + Lil -

The enclosed are for your information.
No word yet, of course. The N.H. Register
changed every "records" to "files" in
my piece, incidentally. It made me
think of your admonition to me. Just now,
I spoke with Senator Lieberman's office to
see if they can nudge some more.

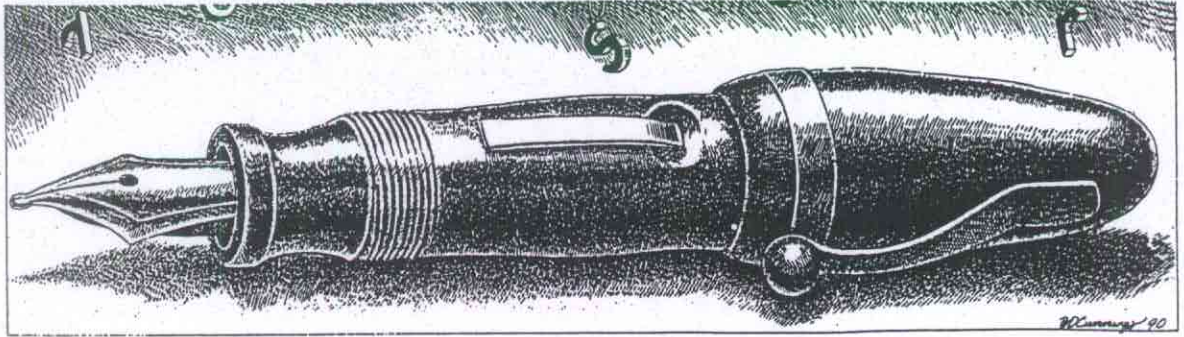
The years have not been kind to
my mother. She had a catastrophic mental
breakdown in November, was hospitalized, and

is now responding well to anti-psychotic medication.
A tremendous burden has consequently fallen on me —
all of her affairs, plus, as you can imagine, every responsibility
for John. I do wish I had some other siblings to
share the load. But Dick has been wonderfully supportive,
and I have two great children, and my own work goes
very slowly but well. (Just turned down for a Guggenheim,
however.)

Hoping this finds you both well —

all best —

Kathy



FBI will write, but won't send file

In this election season, each time Filegate bubbles to the surface of the media soup, I'm not only outraged, I'm envious of certain low-level White House staffers. Some people, it seems, can just order up individual FBI files by the hundreds. But I'm not White House staff, and I've been waiting since George Bush was president for my father's FBI records.

My father, Sidney Kaufman, was a filmmaker whose Communist sympathies brought him close to the Hollywood 10 and other left-leaning sorts. Mysterious, secretive, a man who traveled extensively behind the Iron Curtain in the '60s (there was always talk about a never-made film based on the story of Baron Munchhausen), he died in 1983. We weren't speaking at the end of his life.

Knowing perfectly well that most of my questions can never be answered by FBI files, nine years after my father died I filed a request under the Freedom of Information Act.

By law, the FBI is required to respond to request No. 369,150-001 in a timely fashion and provide me with a copy of the 800-page file on Sidney Kaufman which they identified in a letter in April of 1993.

Jackpot! Eager to see these surprisingly voluminous documents, I confirmed that I would pay approximately \$70 for copying costs, only to be notified that there were over 10,600 requests "in various stages of processing," which required the "review of an estimated 3.4 million pages." I was further advised that "delays in excess of one year are not uncommon."

A year passed. I wrote to J. Kevin O'Brien, chief, Freedom of Information — Privacy Acts Section, Information Resources Division of the FBI to remind him that I was waiting.

He sent me a form letter that made me nostalgic for the specificity of my previous correspon-



KATHARINE WEBER

dence. Now there were "many thousands of requests and millions of pages awaiting review." This time they said, "We are unable to give you a definite date regarding the completion of your request."

In a somewhat cross tone, the letter went on to say, "Our analysts handle cases of all degrees of complexity and it is virtually impossible to estimate when a particular request will come up for review. To process your request out of turn would be unfair to the other requesters who submitted their requests prior to yours. You will be advised only after the processing of your request has been partially or fully completed."

This missive ended on a somewhat peevish note, complaining that "the FBI has made repeated requests for additional FOIA personnel to the Office of Management and Budget to no avail. We, therefore, do our best with the resources available to us."

Any government boilerplate containing those commas and the phrase "to no avail" is at least moderately entertaining, and that letter sustained me for another year, after which time I wrote once again.

In January of 1995, J. Kevin let me know that "at the end of November 1994, our total requests numbered over (blank). J. Kevin was clearly too busy to fill in this ever-changing number, which in my fantasies sits out in front of FBI headquarters, like the McDonalds signs — "Millions and millions of inquiries processed!"

Apparently, backlogged re-

quests now required a review of "an estimated 12,200 million pages." The letter concluded with a reprimand, as though I had been trying to cut the line, about how assigning my request "out of turn would be unfair to the other requesters who submitted their requests earlier."

Time passed. J. Kevin didn't call. He didn't write. I wrote again in November of 1995. I got back another vague form letter, nearly identical to the one from 1994, though, regrettably, the aggrieved tone of "to no avail" had been changed to a more moderate "have not been successful."

J. Kevin also enclosed a copy of new Department of Justice guidelines for exceptions if a requester can "demonstrate exceptional need or urgency." I must admit that the FBI records on Sidney Kaufman probably do not contain material that qualifies as a "threat to life or safety." Those records probably do not affect a "loss of substantial due process rights," either. But how could I really know?

I can't say that my father's records meet the two newest standards for expediting requests, either, namely: "That there exists widespread and exceptional media interest in the requested information," or "Expedited processing is warranted because the information sought involves possible questions about the government's integrity which affect public confidence."

But who's to say? Eight hundred pages — there has to be something in there. And while another year has elapsed, what I do know is that while I can't speak for the public, my confidence has been affected and I have a lot of questions about the government's integrity. And I'm still waiting.

Katharine Weber of Bethany, is the author of the novel "Objects in Mirror Are Closer Than They Appear" (Picador USA). Readers may write her in care of the Register, 40 Sargent Drive, New Haven 06511.

very old
terrible
photo from
a day when
I had a
numb face
from the
dentist!