

Dear Jim, FBI-Personal Files, content, compliance. 10/17/77

Two bound volumes came today, with a covering letter of the end of last week, in response to the check ⁴il sent while I was in Wisconsin, which would be the end of last month. This is to say about three weeks ago and close to that much delay in sending.

The volumes bear no identification so it appears that I went over the second before the first and did not discover that until getting what I thought would be the second ready for the morning.

It appears to be entirely on my FOIA matters, the volume I've gone over mostly 1996. However, there is 226 content and I suspect this explains the delay in processing so small a batch from which there is virtually no obliteration. I've indicated some copies for you, not unless there is a reason including copies of records you have already. However, when as with the CA. No.75-2021, because of the markings on the second copy I'm copying that for you.

One record has the Office of Legal Counsel's opinion they do not have to respond to a request because they regard the questions as broad and broad questions they don't do.

I have not been consistent but in some cases, when I thought of it, I'm madeⁿ or will make a second copy for you for Lynne or for a second file you'll perhaps want it for.

As reminders I'm also copying some pages of the court transcripts in 1996.

They bear on the deliberateness of non-compliance and the fear of compulsion, or to stonewall to where it appeared to be too risky with Green.

They again admit ignoring two of my requests, King requests.

My notes are not extensive so I suggest you read them. For special attention when I thought of it I put an * in the margin.

I've written you and reminder Hartingh about the swiss-cheesed indexes. The Beckwith affidavit is a reminder that these were supplied under a court order.

I'm repeating a page of a transcript because it shows that Green stated she was ruling formally that they could not withhold agents names and if Dugan didn't accept it he could brief it. They still withhold and I recall no briefing. On this I have a notion to demand total replament because I raised this question often enough and she did rule. This file shows the FBI had the transcript and if by no other means from it knew she ruled. I think that was 7/1/76.

I think this will be helpful in suit for damages. And that for the recovery of costs in 1996. Perhaps a good ⁴ila project would be going over the various transcripts and pleadings and promises and arranging all for you to present a case of orders ignored, promises not kept, etc. We still have no replacement, for example, of the illustrations you gave them of the improper obliterations, a number of copies of which are in this file and not copied, meaning now and for you. Not even the ridiculous ones. It is clear that they knew I could prove they were withholding and report that I said it.

I'm sure they have another file of this stuff not indicated or referred to. For example, no reference to 1448, no single memo on any of our visits except for inspection of records demonstrated in 1996, no copies of any of my letters save the protest about lying under oath, one to Kelley, Serial ~~77~~ 77 and 75X as I recall. None to Hartingh or Wiseman, and some of those were stiff. No response from OPR yet it says they sent them all to OPR, which helps define its role. (This also means there must be OPR compliance in my personal files request.)

I think that what I'll be giving you is a copy or more of each of their internal records and I have made a list of all the serials as I've come to them.

They say Dugan neither told them nor gave them a copy of your motion to compel the production of documents for some time. They also say he and Blake participated in the drafting of affidavits. There may be one they did not file on Dugan's advice. I've not checked.

Nothing more personal in about half. The other volume begins without a Serial or file indication on the first record, which is what misled me. But it is an FOIA affidavit. On checking it is Wiseman's of 4/21/76.

Flipping through the other volume indicates it is FOIA, with much on 226 including the records were received. There is a record of my Nosenko request and a note "I am not releasing this." I recall no letter so stating.

I'll do it all tomorrow. This is to alert you to the fact that they withheld 226 records, among other things, by delaying this copying after the records were ready. Best, HW