

Mr. Quin Shea, Director
FOIA/PA Appeals
Department of Justice
Washington, D.C. 20530

6/12/78

Dear Quin,

Under date of June 8 Allen McCreight sent me some records identified as Attachments. I am appealing denials.

As soon as I saw what had been sent me I had questions. I therefore laid other work aside because these questions appeared to be relevant to my responsibilities as Civil's consultant in the case to which the records relate. What checking I could do confirmed this belief.

Because Civil has asked that its consultant not communicate directly with it I have sent what I would have sent it to Jim, asking that he send it to them.

Although I am not your consultant I am not restricting myself to a formal appeal. I enclose everything I have sent Jim and McCreight, including my letter to Jim, which holds some explanations. I do this in the belief that it can be useful to the Department in the area of your function and because I believe there is a reflection of intent not to comply with the Act with resultant considerable cost and waste.

It is obvious that without my knowledge and the copies I have much of what I have put on paper would not be possible for others, including your staff.

Two months ago, after Jim and I met with you and Linda, we met with Dan Metcalfe on the field offices case. I left that meeting with the distinct impression that in about a month I would have a copy of the Dallas inventory and that shortly thereafter I would have a sample of the processing of those records. I know I urged against what the FBI did in C.A. 75-1996 and the problems it made and the cost that it may yet entail for the Department. I am not certain of the number of pages I recommend be processed, reviewed and given to me before there would be any other processing. (This could have been done without any real delay in the overall case.) I know I also said I would not accept the wholesale dumping on me of records that had been accumulated to flood me, and that if this did happen in and of itself it could be costly if not also hurtful to the Department. I am certain I explained my reasons as I believe I did to you and Linda before Jim and I left your office.

On Friday Jim told me that Metcalfe had told him that more than 100 Sections have been processed. I have not received any of them or the inventory.

Regardless of whether or not there was, as I believe there was, a general understanding as I indicate above, if great problems are not to have been created once again there will have had to have been an extraordinary change in the FBI's processing of such records. These problems will be for all interests. They will include your office. I believe that the earliest your office is involved in this matter the better the possibility of reducing problems and costs for all. I therefore ask that if you are not already involved in this ~~xxx~~ that you now do get involved. And of all the questions your staff may want to ask the FBI I strongly suggest one of the first be "How do you know that what you are withholding is not already within the public domain?" As a special consideration I recommend that your staff read J. Edgar Hoover's testimony to the Warren Commission, that the FBI had no law enforcement involvement in the JFK investigation.

There is no point in my again offering to be of help to the FBI. They don't want help and they do want to withhold what they should not withhold. I have made many such offers, all rejected. I have wasted many hours writing specifics of non-compliance, to no useful end. Combined with my other experiences I will have no choice but to appeal and appeal and appeal. And if necessary litigate. At some point there may yet be an accounting of wasted time and money. I am trying to caution the Department. Sincerely, Harold Weisberg