

Dear Jim,

6/12/78

This relates to McCreight's letter of 6/8/78 and the enclosures. There is a complete copy already made for you. For your convenience there will also be with this copies of the records I refer to. I have just finished writing McCreight. Lil/ is reading and correcting what I have written him. There will be time for that to make the outgoing mail but not for this. After I write this if there are no interruptions I may be able to write Wain Shea also. I am appealing. I'll be providing him with a copy of everything I'm sending to McCreight plus the enclosures to you that McCreight does not need. If I have to go into town I may be able to make further mailings today, if Lil can get the remaining copying done and if the mail is later than usual.

The FBI's practises with regard to Attachment A, all I've had time to address in McCreight's letter, appear to me to be exactly what Bill Schaffer was talking about if he was serious. I have no choice but to presume he was serious, despite his and Civil's subsequent record.

If they were not serious then I am still performing under the consultancy arrangement by rendering service that should be of value to the Department in the litigation, even if informing the Department outside of court is not to my advantage in court.

With the enormous and costly and unnecessary problems the FBI has created in C.A. 75-1996, with the lack of subject-matter knowledge in the Shea office and in Civil, I also believe that it serves the Department's interest to be aware of these FBI practises before the FBI gets too far into the processing of the Dallas and New Orleans records. As the requester and with the other responsibilities I assume in this I simply cannot permit the FBI to continue to waste as much of my time and life as it has in what Schaffer did describe accurately as the games it plays. The record is clear, it is not possible to try to accommodate the FBI in these matters. It and Civil have, for all practical matters, eliminated the possibility.

This means that they should all be on notice for the processing of the field office records, as I sought to put them on notice with the prompt appeal from the withholdings and claims in the worksheets case. (I believe I have had no response.) If they heed what I am trying to communicate they can save great amounts of time, money and trouble. If they do not then they risk these considerable costs and what else may be entailed.

If Lynne had not asked that I write them through you and not directly, an odd arrangement for a consultant, I would have sent copies directly to Civil. I believe you should do this as soon as you can, with a covering letter.

In order to do this and provide an immediate sample I did have to get up at 4:30. I have not yet had time even to take a walk. I'll have to spend some time today in some kind of physical activity. This will cut down further on what you want me to be doing but I'll return to that after the mail is here. And tended to.

Because of recent turns by the Department I believe we have no choice but to raise in court the question of the applicability of the exemptions as well as of the FBI's again rewriting them. They have altered the meaning of (b)(1) and (2) and 7(D) and are actually expecting their version to be substituted for the Act. Over a long period of time, going back to the earliest days of 75-1996, I have raised this in writing with the FBI. I recall no response and no change in its practises, which are not in accord with the language of the Act. If Civil and the Shea office are not aware of this then I believe it serves their and the Department's interest to be aware of it.

None of this stuff, as you will see, is of any interest to me in my writing. I doubt this will be true of the JFK practises with regard to what has been released as well as what is now being processed. So I also believe it serves Departmental interest to be aware of this with regard to the field office records. This is one of the reasons I asked Matalfe when we met with him to give me a fair sample of the Dallas records and to withhold further processing until after I went over them. Hastily,