Dear Tom,

Your letter of the 27th came today.

Please do suggest to GAO that they contact me on the FBI's FOIA practices. I believe there may be a special additional handle for GAO is the deliberate waste of tax money.

The same is true of CIA and within my experience the DJ Divisions and offices.

You may not recall but as soon as the amendments became effective I wrote and told you that the machinery for non-compliance was visible.

I think it might also be helpful for GAO to read the transcripts in my three current suits. We have most but not all. We have trouble paying the 50¢ per page for other than the first copy so we have to wait until someone else obtains them.

Jim can supply all the papers both sides have filed. The waste in these in time alone and in C.A. 75-1996 is fantastic. Then we have C.A. 75-223 now on remand. I hope you've read that decision, No. 75-2021. It is quite sweeping. Well, the DJ and the FBI have already wasted more than two months on that without ever meeting the requirement of the law going back to 1970, C.A. 2301 then. (Spectre case.) What can be done with this can be important in maintaining the law and ending the Department's endless attacks on the Congress in court and stories.

Not one of my seven cases should ever have gone to court. This is an added and considerable cost and what a burden on the courts!

I was aware of the "presentation." It was used to stall me more in C.A. 75-1996, for the suppressed King evidence in which my original requests date to March, 1969! First they were to have presented this with Quin Shea 9/16, then they gave the Court a copy 9/30 when they had been given 10 days to come up with a plan for compliance in that case (they have not yet and now have until tomorrow) and the promised copy we still have not received. However, they had bound copies 9/30.

If the GAO auditor wants to see me without coming up here I'll be in Washington for a calendar call on 226 on the 29th. It is set for 9:30 so I should be free soon thereafter. Jim will be with me. I think the lawyer's view should also be helpful to GAO.

I sure hope someone else gets interested in turning all these dirty tricks around. It should be easy. We are going to file for money damages when we can. I've already laid the basis. Judge Green sees it clearly and has commented on it. I have testified to it without any cross examination. I hope Jim will also be asking for contempt citations this week. I believe there is no answer, no prospect of compliance, without punishment. I also believe no judge is willing because it always involves lawyers.

Sincerely,

Harold Weinberg
September 27, 1976

Harold Weisberg  
Route 12  
Frederick, Md. 21701

Dear Harold:

Enclosed is the FBI "presentation" regarding projected needs to comply with the FOIA and reduce the backlog.

You should also know that the General Accounting Office is investigating the Bureau's handling of FOIA requests and will report to Congress on the subject early next year. I may take the liberty of suggesting that a GAO auditor contact you to pick up any "tricks of the trade" you may have observed first hand.

Sincerely,

Thomas M. Susman