

Rt. 12, Frederick, Md. 21701  
6/15/76

Mr. Clarence M. Kelley, Director  
FBI  
Washington, D.C.            Certified No. 898592

Dear Mr. Kelley,

There is a purpose for the words, "DELIVER TO OFFICE OF ADDRESSEE ONLY" on the envelope. I am exercising what I regard as a Constitutional right and your people are violating it and postal regulations at the same time. All the time I thought your bag was law enforcement, too.

Eleven days ago I wrote you by certified, addressee-only mail. The Post Office Department dated my receipt June 4. Your functionaries did not put the receipt back into the mails for 10 days. That return receipt clearly says "Deliver ONLY to addressee" and "SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)" These instructions were not followed. Your name appears nowhere on the return receipt. Instead there is another name I have reason to recall.

From recent official disclosures (which have not surprised me) there is reason to believe the concept may be strange within the agency you head but citizens have the supposedly inalienable right to petition for the redress of grievances. And I did pay extra to guarantee that what I wrote reached you.

Of course all bureaucrats have become too important to have time for what the founding fathers intended. As with you they need this time for publicity, for being on TV shows, for making speeches that in turn make headlines, and for any expedient self-promotion. One from you recently allegedly apologized for the Bureau's excesses, as you put it, forever more of the past only.

But I did believe and I have every right to believe, having paid for it, that my letter would reach your office. Instead it bears the name of one who signed a non-responsive and defamatory in pretended answer to one of mine months ago. My response was to demand a retraction and apology or some support of the slanderous writing. In the ensuing months there has been but silence. So I look forward to what may now come. As I do to attributing any factual error to me.

My understanding is that when I send a certified, addressee-only letter the addressee may refuse to accept it but that nobody else may accept it for him. It is because I believe you have need to know what I wrote that I address you. If you disagree, merely tell those others of whose salary I pay my share to refuse to accept it and it will be returned and who knows, perhaps I'll find a future use for it.

The earlier non-response - to which after more than a half-year there remains no response - failed to address a letter in which I reported "you have rephrased my request," referring to that of April 15, 1975, under FOIA.

In your name your subordinates perpetuate this impropriety. The most recent occasion is one of which I want you, personally, to know. This is why I am writing you personally.

In his affidavit executed June 2, 1976 in which this deliberate misrepresentation is essential to all else, Special Agent Thomas L. Wiseman defamed me to the court and under the protection of a legal document. He falsely swore that I would harass FBI agents and thus he had to mask their names.

When I read these words I have no hesitancy in calling foul I immediately wrote Mr. Wiseman demanding an apology. More than enough time has passed. He has not retracted them, he has not written me and your counsel in court restricted himself to snide comments prior to the last status call on June 10.

This is a permanent defamation of me in a permanent record. When provided to a federal judge it also is prejudicial, a misuse of <sup>the</sup> processes of the court.

I regard this as a perfectly proper grievance about which to write you. I am also asking that you make an investigation to determine whether in my long history there is any basis for this assault by the FBI on my reputation. I ask that your investigation also include whether or not those names in fact were not well-known and whether masking them could possibly serve the claimed, defamatory purpose. I ask that this investigation include whether or not on behalf of the FBI some of these agents' names were not voluntarily given to another court on behalf of the FBI and whether or not others were publicly known because of their parts in another scheduled prosecution.

In addition, now that we have been hearing so much about the Office of Professional Responsibility and the benefits to flow from its creation and operations, especially when the Attorney General has assigned an inquiry into the subject matter of my FOIA request to it, I ask that after you become aware of the contents of this letter you refer it to that Office.

It may remind them that they have records called for in my request and Complaint in C.A.75-1996 and that they have not complied.

I want you to understand that I expect some reasonable basis for this defamatory representation to a court or an apology and retraction. I ask that whichever course you elect be filed with the court: proof that despite my long record you can justify this sworn allegation or a request of the court to expunge it.

Sincerely,

Harold Weisberg