UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

V.

Civil Action No. 78-0249

CLARENCE M. KELLEY, et al.,

Defendants.

AFFIDAVIT

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My name is Harold Weisberg, I reside at Route 12, Frederick, Maryland. I am the plaintiff in this case.

- 1. In my affidavit of July 10, 1978, I state that many of the claims to exemptions in the worksheets in question are spurious, are based on the underlying records where they are not warranted, and that the claim to an alleged need to withhold the names of FBI Special Agents (SAs) to protect them from harassment and in order not to impair their efficiency is a knowing and deliberate falsehood, particularly for anyone who reviewed the underlying records and alleged first-person knowledge.
- 2. Since July 10 I have had an opportunity to review claims to exemptions noted on the worksheets and to compare them with underlying records.
- 3. I find that the most common claim to "national security" under (b)(1) is in fact for records clearly identifiable with a matter that is within the public domain, that was all over the newspapers, radio and television newscasts in November 1976, and was published and public knowledge several years earlier.
- 4. I find that under techniques and methods that have to be "protected" one claim is to the oldest known in the intelligence business, going back to Joshua's blowing of his trumpet at the walls of Jericho: pretext.
- 5. I find that on one occasion where techniques and methods were not excised in the underlying records FBTHQ directed the Dallas Field Office to take the "con man" approach to Marina Oswald in order to set her up for a direct threat to deport her to get her to "cooperate." Alternatively, for "cooperation" she was to be

enriched and granted citizenship, as she was enriched and was granted citizenship when she did "cooperate." Here techniques and methods were not for either a law enforcement or a national security purpose, neither of which is alleged by the respondent in any event.

- 6. I find that theorem has disclosed the names, addresses and home phone numbers of each and every SA assigned to the Dallas Field Office at the time in question. If there were, as long experience shows there is not, any prospect of such harassment, then contrary to its representations to this Court the FBIHQ is guaranteeing it by making these identical records available to anyone who wants to use its public reading room.
- 7. The names of <u>all</u> these agents are included in <u>three separate released</u> records, attached as Exhibits 1, 2 and 3. Exhibit 1 breaks the agents on duty on the day the President was killed into two listings, those assigned to the Dallas headquarters and those assigned to its residencies. Exhibit 2 specifies whether these agents did or did not see the parade that day. Exhibit 3 provides their addresses and phone numbers.
- 8. These records reached me two months after the affidavit I believe was falsely sworn was executed.
- 9. The fact is that in the processing of most of the underlying records the names of agents were <u>not</u> withheld. At a time that appears to coincide with a renewed FBI effort against FOIA with the Congress, those who executed the worksheets and processed the records began to excise virtually all FBI names, willynilly. This includes the names of the agents who executed the worksheets. As a result of this withholding, on appeal I have not been able to specify the name of the agent who recorded his entries both upside down and backward. I submitted the appeal by sending a copy of one such set of his worksheets. Even the pagination of his worksheets is backward. How this FBI SA knew in advance exactly how many worksheets is backward. How this FBI SA knew in advance exactly how many worksheets serials with <u>lowest</u> numbers are on the worksheets with the <u>highest</u> numbers and it all comes out to the even worksheet page in each and every instance. One can conjecture a different kind of harassment and a rewriting of the worksheets after they were completed to harass me and for other purposes I do not believe to be within the purposes of the Act.

FREDERICK COUNTY, MARYLAN	TD.		
Before me this	day of	July 1978 Deponent	Harold Weisberg
has appeared and signed t	his affidavit,	first having swwrn	that the statements
made therein are true.			
My commission expi	res	Mining the distinct of the contract of the con	
	1 may to appear		

NOTARY PUBLIC IN AND FOR FREDERICK COUNTY, MARYLAND