

CA 78-0249

Added claim to affidavit of 2/1/79

- 1) I have referred to the Jordan decision with regard to claim to Exemption (b)(2) in reference to the nature and content of the information withheld. I have stated that informants and sources and information obtained from them do not fall within this exemption, whether or not in all cases they and such information may fall within other exemption.
- 2) I have reread the appeal court Jordan decision, not as a lawyer but as a subject expert. I find that in its No. 77-1246 the court devoted great attention to misuse of (b)(2) - 20 pages (19-38). The appeals court states explicitly as I have stated to this court - that Exemption (b)(2) is not intended for the uses made to cover withheld info in this instant case.
- 3) I also have just read for the first time the most recent records I have received from the FBI, from St. Louis Field Office file and processed at FBI Hq. last month. The particular file is incompletely described on the work-

2) Sheet as "170-Sub A-1A." Serial 1A40,
which I will attach if it is physically possible,
reflects on the first page an obliteration
after "170" for which claim is made for applicability
of both (b)(2) and (b)(7)(D). The attached
record is described as a "statement of cooperation";
not as an employment record. On the FBI's own
own words informants are required to agree to
their understanding "that I am not a
federal employee and will not represent
myself as such."

4) From the FBI's own interpretation, to the
best of my knowledge to this very moment
withheld from the and all other courts, its
informants are not employees, not so in any
sense and not subject to Exemption (b)(2)


5) On this same file there is what contradicts
the broader and more usual FBI claim to
the need to withhold all information received
from other police components. Its usual
"national security" claim covers all foreign
and domestic police. In this most out case
the Ben son affidavit refers to foreign police
only. Serial 1A39 gives the lie to this
claim, not for the first time within my

5) experience with the FBI

5) The covering FD 340 form describes the attachments as "one copy each of Columbia Police Dept. Report # 4333 & 4334" Xerox copies of the original, handwritten Police Department records then follow.

6) I have written this addendum on a stenographer's notebook I carried with me, at Monmouth College, Monmouth, Ill. The morning of February 21, 1979 while awaiting those who are to take me to where I am to conduct a seminar and in the hope that a pre-law student I met last night will be able to take me to a notary and to Xerox my facilities. If Xeroxing facilities are not available after I return home I will prepare and provide copies of the FBI records referred to in these three handwritten pages of my numbered paragraphs. I make these statements subject to the penalties of perjury, under oath, I also state that contrary to past & current FBI representations the FBI discloses its symbol number for this particular informant in Serial 1A36 and that Serial 1A42 is his handwritten

4) request that he not be identified by name to the House Select committee on assassination and that he not be compelled to become its informant, both requests ignored and violated by the FBI. This gives the lie to the FBI's representations in this visit and cause and others regarding Informant and Symbol numbers and name identifications


HAROLD WEISBERG

Subscribed and sworn before me this
21st day of February, 1979.

My Commission expires 10-8-1982

Betty Lou Babcock
Monmouth, IL

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