

3/2/83

ADDITIONAL AFFIDAVIT OF HAROLD WEISBERG

1. In affidavits of February 21 and March 1, 1983, I attest to the burdensomeness of defendant's discovery efforts, to the fact that they are not necessary and not even claimed to be necessary, that they are for other and improper purposes, and that the FBI has continued to swear falsely in this litigation. My March 1 affidavit incorporates a copy of a recently disclosed FBI record which reveals that the FBI knew it was swearing falsely in swearing that the search slips provided in this case are both genuine and complete. That attachment to my March 1 affidavit is a record that should have been provided to me in this instant cause. I obtained it when it was provided to another litigant. Among the FBI records disclosed to this other litigant are several which leave it without question that the FBI knew it swore falsely in regard to the searches it was directed to make pertaining to those known as "critics" of the official investigations of the assassination of President Kennedy. I attested that the FBI has a general stonewalling policy with regard to the political assassinations and my information requests and that some of its records pertaining to "critics" are and will be embarrassing to the FBI if disclosed. I also attested earlier that the matter of "critics" had been discussed with me by the appeals office on a number of occasions; that it had directed that FBI to search and process information pertaining to these individual critics; that the FBI and the appeals office knew very well that the FBI has no filing provision for such subjects as "critics" who are filed by name; and that the FBI had merely concocted the fairy tale that it had been directed to make a search for the topic "critics" or "criticism" and no more, and then swore to its fabrication.

2. Three other FBI records just disclosed in this other litigation state that it is not able to retrieve specific topical information from its assassination files.

TL says "not incorporated in other affidavits that were filed"

This was common knowledge in the FBI, and was well known in the Division that handles FOIA matters long before its concoction in this instant cause, as my prior affidavits state.

3. In a September 16, 1977 memo addressed to the Department's liaison with the House Select Committee on Assassinations (HSCA) the FBI states twice that it has no topical retrieval capability. (Exhibit 1. See first sentence, last paragraph, page 1 and last sentence in note on page 2.)


4. Two other FBI records state specifically that it cannot retrieve information by subject. The FBI's Director's letter of December 13, 1976 to the Department's Office of Legislative Affairs (Exhibit 2) encloses a memo to HSCA of the same date (Exhibit 3). In the first of these two exhibits first sentence last paragraph, the FBI states that with regard to "topical information" it "has no retrieval capability." Essentially the same thing is stated at the same point in the memo to the HSCA.

5. These three newly-disclosed FBI records make it apparent that it knew it could not file and retrieve by such topics as "critics," and that knowing the truth the FBI merely cooked up and swore to a false story for the ulterior purposes I have set forth throughout this long-stonewalled litigation.

6. I note again that SA John N. Phillips is the FBI's supervisor in both this instant cause and in the other litigation in which he has just disclosed the records I attach. It is he who attested to the fabrication that the FBI had been directed to search only on the subject of "critics" and not by name, the way FBI files are arranged.

7. Once again it is apparent that the FBI required no discovery from me to know that it fabricated an impossibility and then swore to its fabrication. The FBI also requires no discovery from me to know that it cannot search or retrieve on


the subject of "critics" but is required to search by name, that being the way the FBI's files are set up.


HAROLD WEISBERG

FREDERICK COUNTY, MARYLAND

Before me this 2nd day of March 1983 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires July 1, 1986.


NOTARY PUBLIC IN AND FOR
FREDERICK COUNTY, MARYLAND



- 1 - Mr. Peelman
- 1 - Mr. Foster
- 1 - Mr. Clark
- September 16, 1977
- 1 - Mr. Mintz (Attn: Mr. Daly)
- 1 - Mr. Coulson

Assistant Attorney General
 Criminal Division
 Attention: Mr. Robert L. Keuch

Director, FBI FEDERAL GOVERNMENT

HOUSE SELECT COMMITTEE ON ASSASSINATIONS
 U. S. HOUSE OF REPRESENTATIVES (HSCA)

Enclosed are the original and two copies of a memorandum responding in full to an HSCA request by letter of August 22, 1977, signed by Congressman Louis Stokes, Chairman, and received by the FBI on September 8, 1977.



HSCA

With regard to the "skull fragment," a Committee representative subsequently advised that, in addition to Admiral Burkley, President Kennedy's personal physician, a William Harper and Dr. Jack C. Harper, were involved in the acquisition or possession of the fragment. Based on these names, a search of FBI Headquarters files has disclosed pertinent documents which had already been prepared and were available for the Committee's access. These identified documents remain available.

EX-110

REC-76 62-117290-268

With regard to the other matters, the Committee's attention is once again invited to the fact that the FBI has no retrieval capability that enables it to extract complete, specific topical information from the entire John F. Kennedy investigative file. However, this file has been available for the Committee's access should it choose to review it for the information it seeks. It is pointed out that Committee inquiry through the National Archives and Records Service and autopsy physicians may be appropriate based on recollection of file content.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Crim. Inv. _____
- Fin. & Pers. _____
- Ident. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Tech. Serv. _____
- Training _____
- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

Enclosures - 3

DJC:sas (8)

SEE NOTE PAGE TWO

Signed & sent to SA Paul Daly 9/16/77 for delivery to Dept.

F-119

[Handwritten signatures and initials]

SEP 21 1977

Assistant Attorney General
Criminal Division
Attention: Mr. Robert L. Keuch

NOTE: This matter has been coordinated with the Legal Liaison and Congressional Affairs Unit, Legal Counsel Division, and all retrievable documents in file have been organized into one folder for the Committee's access in the Congressional Inquiry Unit space, room 8988. By Bureau response of 12/13/76, to a Committee request, the Department and Committee were advised that the FBI has no topical retrieval capability in this matter.

Keuch

APPROVED:

Director _____
Assec. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____

Adm. Serv. _____
Crim. Inv. _____
Fin. & Pers. _____
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. *m/Def* _____
Plan. & Insp. _____
Rec. Mgnt. _____
Spec. Inv. *m/Def* _____
Tech. Servs. _____
Training _____
Public Affs. Off. _____

- 1 - Mr. Gallagher
- 1 - Mr. Peelman

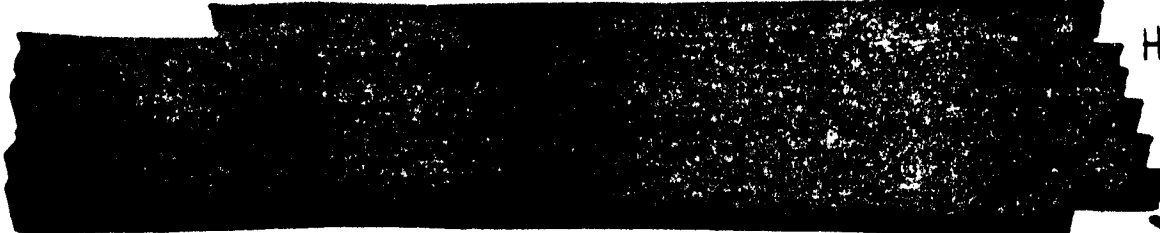
Assistant Attorney General
Office of Legislative Affairs, FEDERAL GOVERNMENT

December 13, 1976

Director, FBI

- 1 - Mr. Ingram
- 1 - Mr. Lawn
- 2 - Mr. Mintz (Att: Mr. Daly)

SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)



HSCA

Enclosed for your approval and forwarding to the Committee is an original of a memorandum together with seventy-six pages of information which have previously been released to other requesters under the Freedom of Information Act. A copy of the memorandum is furnished for your record.

It is being pointed out to HSCA, that the FBI has no retrieval capability, at the present time, to extract complete, specific, topical information from the entire Kennedy investigative file. However, this file is being prepared for the access of HSCA and it is felt that HSCA's thorough review of documents contained therein will provide the information it seeks.

and encls.
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Enclosures (77)

DJC:qjw (10)
1 - 62-109060

62-117290-20X1

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
- Fin. & Pers. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
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- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____

ENCLOSURE
77
contact

APPROVED: _____
Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.: _____
Adm. Serv. _____

Ext. Affairs _____
Fin. & Pers. _____
Gen. Inv. _____
Ident. _____
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Laboratory _____
Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Spec. Inv. _____
Training _____

22 MAR 10 1981

TO BE HAND DELIVERED BY
OFFICE OF CONGRESSIONAL AFFAIRS
(LEGAL COUNSEL DIVISION)

60 MAR 12 1981

Delivered 12/15/76
to Mr. [unclear] [unclear]
13, Kan
D.C.

Telephone Rm. _____ MAIL ROOM TELETYPE UNIT

1 - Mr. Gallagher
1 - Mr. Peelman

December 13, 1976

1 - Mr. Ingram
1 - Mr. Lawn
2 - Mr. Mintz (Att: Mr. Daly)

SELECT COMMITTEE ON ASSASSINATIONS
UNITED STATES HOUSE OF REPRESENTATIVES (HSCA)

RE: [REDACTED]

HSCA

[REDACTED]

The material being furnished at this time relating to [REDACTED] has been previously furnished to requesters under the Freedom of Information Act. It includes seventy-three pages of laboratory data and a three page letter to the Honorable J. Lee Rankin, dated August 12, 1964, for a total of seventy-six pages.

HSCA

Since a topical index is not maintained at FBI Headquarters whereby this Bureau can readily and completely retrieve all references contained in our files [REDACTED]

m/s

[REDACTED] the complete Kennedy Investigative file is being prepared for the access of HSCA staff members as previously agreed upon. As this file is made available, a thorough review of its documents by HSCA staff members will permit them to retrieve the desired information.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. _____
- Ext. Affairs _____
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- Rec. Mgnt. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

1 - Assistant Attorney General
Office of Legislative Affairs

1 - 62-109060

DJC:gjw (10)

MAIL ROOM TELETYPE UNIT ENCLOSURE

62-117290-20X1
SEE NOTE PAGE TWO.