

Mr. Chris Gordon  
News  
WJLA-TV  
Washington, D.C.

4/14/83

Dear Chris,

As you may remember, I can't get to Washington unless someone drives me and I then can't stand still for more than an instant and can walk only about a city block before I have to get off my feet. So, because I can't afford long distance charges with my \$335 Social Security check, I'm writing a few reporters about a coming confrontation that can result in my being charged with contempt in an FOIA case in which the FBI seeks to turn the Act entirely around and place the burden of proof on the requester/plaintiff. And establish a precedent that can pretty effectively nullify the Act.

I'm not asking anyone to fight the FBI. I know only too well what that can mean. I am hoping for practical suggestions for defending the Act by defending myself.

The case record to which I refer in the enclosed copy of a letter to someone else (I hope you'll understand my removing his name) is absolutely incredible. The FBI and its DJ lawyers were more daring because they knew Smith to be in their pocket. As best a nonlawyer can have an opinion, mine is that this is a legal and judicial atrocity.

Because I will not do what I know and believe is wrong and harmful, a precedent will result. But because I'm somewhat aware of the backbiting of years, I do not expect any real help from those who have much more at stake in this than I do personally. But I would be unfaithful to tradition, belief and essential principle if I did not run the risks I may face.

Although he has ignored the evidence to now, I presume that Smith will have to hold a formal proceeding to hold me in contempt, and that if he continues to flail his rubber stamp, I can go up on appeal. I'd hate to be pro se.

Best wishes,

Harold Weisberg

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