

Dear Peter Pritchard,

8/7/95

I thank you for your expression of sympathy and good wishes but I'm sorry you did not get to the reason for which I sent you copies of what to then I'd filed in that particular FOIA case. And as I said with the first mailing, I was addressing you not as a USA Today staffer but as chairman of the FOI committee of the Society of Professional Journalists.

Within a professional organization there are no editorial and policy considerations of publishers to inhibit what may be done. *official*

So, while I can understand (and in the past have lived with) that publishers may decide against reporting the totality of mendacity I documented without even pro forma denial, I find it difficult to believe that any organization of journalists is indifferent in the face of this new assault on basic first amendment rights. And the potential of the precedents involved. For others, not for me.

In pretended response to the Rule 60(b) Motion I filed and sent you, the DJ/FBI filed an Opposition, to which I replied in a response I did not send you because I'd not heard from you and minor as these costs are, they are an appreciable part of my \$356.00 Social Security check. If you want a copy for your records, I'll send either or both.

I also wrote the USA, copy enclosed, to file a complaint about crime in his jurisdiction. I know that Di Genova is the USA, but these people, who find it difficult to tell the truth even by accident, actually included the name of the Boston USA instead of Di Genova's on their Opposition. I can't explain it and to now they haven't.

I'm older, limited in what I can do and I'm not *Merlin*, so I can't remember the future. But I have a clear enough recollection of a long past that does indicate what can fairly be expected, and I see more repression, especially of information. This will not mean anything to me personally but it will mean much to others who are younger and through them will mean much to the country.

Some years ago, in a similar situation in which the FBI and DJ had for practical purposes come close to nullifying FOIA I spoke to several groups, including the Reporters' Committee, and was under the impression that they would file amicus briefs. None did, but I persisted, and as a result Congress amended FOIA in 1974. I wish I had reason to expect something like this today. One reason I cannot is the timidity of the professional organizations.

If in the end I lose all of you will be paying for it, and your publications and other large corporations. This is a precedent case, totally unreported. The part of the precedent that jeopardized counsel is overturned and there are now no sanctions against my former lawyer.

I'll continue doing what I can, less effectively than it might be done because I am entirely alone in this now. Based on prior experience with Judge Smith I expect him to rubber stamp the government's filing. I'll still not pay the judgment procured by fraud and perjury and so disastrous to FOIA. If I cannot force any kind of open proceeding any other way, perhaps they'll have to come to Maryland to collect and I'll be able to them. I do not know the law on this, or precedent, if any exists.

I regret the future all of you are going to live through.

Sincerely,

  
Harold Weisberg