

In connection with this and other relevant matters I remind you that in even its gutted form and with extensive withholdings I found in the Long tickler much not in any MURKIN records provided. And I repeatedly asked for <sup>these</sup> ~~such~~ searches.

Then there are the indices not searched. While I have no way of knowing what they contain and am not insisting that all should have been searched, those I note below appear to me to be indices that should have been searched, given good faith and due diligence, under PA request and the court cases.

ADEX: Maybe I was not on it but this should have been searched, given the filings on me and their meanings, copies of which I have provided and/or cited, and in connection with the King case surveillance item.

Ditto for "Background Investigation Index: Classified Alphabetical Retrieval and Reference Index": I meet the "highly sensitive source" criteria, as withholdings under national security claim in the records I have provided establish.

Computerized Telephone Number File (and others <sup>like it</sup> that follow I'll not take time for): This is one of the means by which I could have been made into a bank-robber filing case and certainly required a check, applicable also to the similar indices.

Fraud Against Government Index: I provided <sup>you with</sup> a record in which I <sup>am</sup> thus filed.

General Security Index: I have been the subject of such investigations.

Informant Index, Security Informant Index and Top Echelon Informant Program: relevant to the Patterson and probably Byers and other appeals, particularly because Patterson matters required Top Echelon committee clearance, a record included in <sup>that</sup> appeal.

Mail Cover Index: certainly an item to be checked under a surveillance information request because it is a form of surveillance. (You have not responded to my letter in response to yours given to the Court that was limited to a check of the existing electronic index, which is <sup>known</sup> to be limited and incomplete.)

National Security Electronic Surveillance Card File is of two parts, Institutions and Requests. This is limited <sup>first</sup> to approved surveillances and then to "national security." No dates are given but it followed the beginning of such surveillances by many years. There are other <sup>that were</sup> means not used to ascertain whether there were such surveillances that are not in the indices.

Security of Government Employees Index: This should include me <sup>and</sup> to the FBI'S and your knowledge, because I was filed this way and provided that information. (I also informed you of treason, espionage and other such incredible filings.)

Surveillance Locator Index is certainly a necessary place to check to comply with the surveillance item and the PA requests.

Telephone Subscriber and Toll Record Check Index: I have reason to believe I am there <sup>and</sup> ~~and~~ it <sup>also</sup> ~~also~~ should have been checked under PA and the Surveillance item.

"Routine uses" of records begins on page 44693. I quote relevant passages and where I believe necessary explain.

"...would disseminate information as a direct result of a name check request..."

"...public source information is distributed on a continuing basis..." Not to me, not even in ~~██████████~~ C.A. 75-1996 or when I asked for an FBI press release, and I have records of its denial to others, including unliked elements of the media.

"Policies and practises for storing, retrieving..."

"...computer tape and microfilm..." I have not received a single such record or part of a record and have not been told that any such searches were made.

"The FBI General Index ...cards are on all manners of subject matters..." This had been denied repeatedly and under oath, by the FBI, including in C.A. 75-1996.

"All agencies are required to retain any material made or received (and) is appropriate for preservation." How about the Long and other ticklers?

Others might feel euphoric over so many redundant proofs of bad faith and assorted dishonesties, especially with regard to matters before a court of law, but I do not. I am dismayed over the totality of proofs of bad faith and dishonesties, more so because it means that what I have been providing has been accurate and everyone on your side should have known this, particularly <sup>the</sup> ~~that~~ FBI component ~~which~~ whose records systems are listed and described and which ~~which~~ handles FOIA matters.

You may or may not have come to realize that my work does not address whodunits and does address the integrity of our institutions and agencies of government, particularly during and after periods of great crisis. I can take no joy from this newest validation of my work and its thrust and of the inflexible official determination to perpetuate what I regard as endangering society and causing a lack of faith in government, especially among the young. Only some of those in the collegiate audiences I address are influenced when, after speaking to them honestly I tell them that there is no other country in which I would be able to do what I do - that in even England and Canada there is an official secrets act.

Rather is this oppressive to me. One particular reason is because I come across all of this for the first time now when my court cases are almost a decade old and this proves official dishonesties in them. From the first to now. Another <sup>is</sup> because you have persisted in ignoring my RA-related appeals, ~~this~~ <sup>This</sup> tends to perpetuate the police-state abuses clear in the records I do have. ~~██████████~~ Often since I became ill I asked that this be attended to because I want to be able to leave a correcting record, which I cannot do after death. The first of so many appeals is more than three years old. The damage to me has only recently become clear. ~~██████████~~ I renewed my efforts to get you to act, but despite all the time I've taken and all the information I have provided I have received nothing <sup>most</sup> ~~recently~~ <sup>I received</sup> what I believe is <sup>an</sup> unjustified effort to cover up for the FBI, which I am certain what I have sent you reflects. Regretfully, Harold Weisberg

I would like to be able to rewrite this and have my wife retype it but we just do not have the time. I'm sorry - particularly because I regard these as important matters. It is unfortunate that I received the report and the pages from the Federal Register at a time when my head is less clear, I am more unsteady, and there are other causes for apprehension over my condition. I'm afraid this is reflected in what I have written. I apologize for the extra time it may take to read and understand. If anything is unclear, please send me marked copies and I'll undertake to clarify or provide any explanations you may want.

Having reread this, although there might be more I could add, I want to re-emphasize what I have said quite often - let me put this another way. I believe that in the light of what this shows there is no question ~~about~~ about the bad faith of the persisting misrepresentation to the Court that there could and would be compliance from records called "MURKIN" only. Don't take my word for it - just read the Items of my requests. It is obvious, as from the first I informed the Court and Government counsel, that compliance from MURKIN records only is impossible. If the deception originated with the FBI and if the Department somehow lacked any knowledge of any FBI filing systems, once I informed the Court that compliance from MURKIN was impossible the Department was aware of it. Responsibility is not the FBI's only.

There are a number of files I identified accurately to you from records I obtained other than in C.A.75-1996, in which they were withheld, like 80s and 94s and others. These are described more fully in the Federal Register. I began giving you this information before your testimony. There is no doubt of their relevance because I have copies of records from them that are relevant.

Another matter on which I might have taken more time is illustrated by ~~the~~ the Byron Watson reference to CRD. By no means ~~is~~ is knowing non-compliance limited to the FBI or to CRD in the Department, which can't even pretend to hide behind MURKIN. In my 1976 appeal I specified that the public domain was being withheld, even with the White House being involved in the referral to Justice. I also specified that from personal knowledge all that was allegedly relevant was total fabrication. I had done

that work five years earlier as defense investigator. As a result of the improper and unjustified withholdings by the Department rather than by the FBI this, too, became an enigmatic and costly disinformational activity for which the FBI can't be blamed.

The Department was aware from my appeals and from my uncontested affidavits.

From its original source it also knew that the matter was within the public domain.

Some<sup>where</sup> in that vast bureaucracy which has yet to establish diplomatic relations between its components there should be someone with authority to and interest in reading some of the affidavits<sup>it</sup> provided in this case, particularly that of Stephen Horn. I believe it is impossible for an affidavit to be more completely false in a case like this.

Yet to the best of my recollection you have never made any reference to any of my appeals other than those limited to FBI records.

This gets back to the questions I asked: does the Department intend for this case never to end except with non-compliance?

I am also troubled by what appears to be your taking Doug Mitchell off of the many King appeals that have not been acted on and putting him in JFK matters again, those on which Linda Robinson was working two years ago and has been working<sup>on</sup> recently in connection with the requests of others. You told me you had put another member of your staff on the JFK cases. If I am correct in this, and your recent letters indicate that I am, then does this also not further delay all King matters so few of which have been acted on?

Is this not also true of the overlap between the PA request and part of C.A. 75-1996, where Ms. Robinson was working on the PA part several years ago and now isn't - and there has been zero action on appeal?

I have not provided all I can relating to political misuse of C.A. 75-1996. All I have provided, including in a number of affidavits, now is completely confirmed.

To me this is directly opposite to the purposes of FOIA and what I am trying to do comes from its heart and soul.

I have not been able to discuss this with Mr. Lesar, who also has not been well, from an infection and painful spur on a vertebra. I believe I have restricted myself to factual rather than legal matters.

While you did let me know that the time you had set for us to confer about a month ago had become inconvenient for you and you then set another tentative time you did not let me know that you would not go ahead with it then.

Frankly, I have begun to wonder if any conference is worth the time now because of the way I feel and because they yield so little. In addition, the most recent development is that the FBI is again violating an agreement reached to resolve problems in advance. This relates to the processing of the Dallas index, a vastly important record, existence of which it originally held secret. Now it is rushing the processing with unjustifiable withholdings, with withholdings outside the agreement, for the obvious purpose of protecting the unjustifiable withholdings from the underlying records. Then, once again, it will claim that the required ~~re~~ reprocessing will be burdensome and costly.

This newest of the abuses of the Act, me and an agreement is facilitated by your failure to act on those appeals after something like a year. The FBI is merely ignoring those appeals.

For this they assign extra personnel. Yet ~~in~~ in G.A. 75-1996, when the judge urged the assigning of personnel before all the Operation Onslaught agents returned to field assignments, they refused to do this. They didn't refuse to the judge but they did to Mr. Lesar and me when we reminded them.

If an agreement is reached and not kept, what good is there in taking time and my making compromises to reach an agreement or in any meetings in an effort to reach any agreement or any effort to at least reduce what is litigated?

What good is the right to appeal if after years appeals are not acted on? Or if the decision of the appeals authority is meaningless, as in G.A. 75-1996 it has been? Or if an Order of the Court is flaunted and this, too, is ignored by appeal authority?

The way I have been feeling recently any time set for my going to Washington for

any conference must be understood to be conditional. In addition, I will want assurances that any future agreements will be kept. Moreover, it is past time for each to be accompanied by an approximate time schedule.

The oldest one I remember (aside from the unkept agreement to reprocess FBIHQ MURKIN records involved in Operation Onslaught) is one under which, after the historical case determination, I would receive copies of all the King political records not ordered sequestered by Judge Smith. This was in late 1976 or early 1977. To date I have received only a few pages of the Hoover O & C records of which I had received copies much earlier from another requester to whom they had been provided. I provided proofs from the FBI's own records of the providing of copies to others. At the latest this was by the middle of 1977. Not only do I not have copies of those records - I don't even have an acknowledgement of receipt of what I sent.

This agreement was worse than worthless because it misled me and my counsel.

There is added point in this now because I have made more than two file drawers of King records available to a scholar for a scholarly paper to be presented to a convention of historians. He needs these records that remain withheld from me, even though they have been processed several times for Congressional committees and should have been for other requesters of whom I know.

While I cannot say what I will and will not do until I can confer with counsel, my disposition is to take no more time for trying to reach any agreement that is not accompanied with meaningful and dependable assurances that your side will keep it, including by an agreed-to time. When a Stipulation is meaningless, I am not optimistic about any agreement having any value.

7/29/79

A handwritten signature in dark ink, appearing to be the initials 'HW' or similar, written in a cursive style.