

75-226

Mr. Milton Moore, FOIA office
ERDA, Operations Office
1333 Broadway
Oakland, Ca. 94612

Rt. 12, Frederick, Md. 21701
7/18/77

Dear Mr. Moore,

Because you are to phone me Friday I respond in haste to your 7/14/77, here today. We have but a single mailman visit a day and we live in country. If someone visits me perhaps I can get this in tonight's outgoing mail. I do want you to be prepared to give me the information I requested. While I am quite pleased to have what you did send, not only for my information but as part of the university archive of all my records, it is not what I asked for.

Because Dr. Alvarez and ERDA have spent public moneys in political pursuits in the guise of researching energy I particularly welcome Dr. Alvarez' display of the personal arrogance I think I recall has been attributed to him at least since the Openheimer case. His letter of the 7th of last month to you is as wrong-headed and as factually inaccurate as what you have spent my money to published in opposition to my work and at a time when ERDA is a defendant in my FOIA action in federal District court in Washington, C.A. 75-226. The man has a compulsive abhorrence of truth equalled by his contempt for fact.

Unlike your polemicist called scientist I am not on the public test, have no ERDA to pay for my typing, so I apologize for it.

The man is an out-and-out liar in his opening sentence in stating that "Mr. Weisberg wanted all my correspondence relative to my work on the Kennedy assassination film (sic), under" FOIA. My request of this past May 20, with which there has not yet been compliance, begins with explanations and is followed on page 2 with the specifics of the FOIA request. My request was addressed to ERDA, not Dr. Alvarez, which is sufficient to establish the man's falsification. But the details of the request itself include not single request of any kind, especially not for personal correspondence, that can be interpreted as an indirect request of him for any personal papers. My request is limited to ERDA records.

(My emphasis on his factual error, that there is but "the Kennedy assassination film, underscores his repetition of the identical error in the title of the federally-paid-for work of inept propaganda.)

His presumptuous postscript provides still another self-portrait of this scholar: "Since I have spent several hours today 'working for Mr. Weisberg,' I would appreciate it if you would, ask him to send me a copy of his book (sic), which I have never seen." The first of my seven books is cited as one of his "references" on page 44 of the pre-publication typescript. He could not even get the address correct in his citation of a source from which he first plagiarized and now claims not to have read or even seen although including it as a "reference."

Dr. Alvarez at first attributed his interest to controversy among his students of pretendedly spontaneous origin. It was in fact from my first book, the only book to raise the questions involved. Embarrassed by being caught in cribbing he now states "For a long time I thought I had been the first person to attribute significance to the streaks I've just mentioned. But apparently Harold Weisberg did it first in his book Whitewash. (printed article, page 815.) The man is consistent when on the next page he again uses my uncredited work on the reversal of two of the movie's frame when printed by the Warren Commission, "A closer examination showed that the numbering of these two frames had simply been interchanged in the 'exhibits'..." This is as untrue as it is unoriginal. The numbering was not "interchanged." The frames were printed in reverse sequence. This reversed the direction of movement of the President's body. Consistent with this Nobel integrity on the same pages of the article, 816, we have his chart labelled as "frame by frame...from 170 through 334." Continuity is depicted in the chart also. Only it does not exist in his source, the published exhibits. They include no frame coinciding with the one in which in the official version the President could first

have been struck. There is no frame from 207 to 212 in them. What is described as 212 is actually the top of 208 and the bottom of 212. This was an official secret, withheld from the Warren Report and the appended 26 volumes until I brought it to light a total secret. Naturally Dr. Alvarez science could not be contaminated by mere fact. And how could he have known when it is in facsimile in the book he cites as a "reference" page 206) only now to claim he has "never seen" it.

In admitting that he is withholding records that he and you also now admit are part of the work for which public moneys was spent Dr. Alvarez does not provide "the two original letters I sent CBS," which was followed by his presenting as his work what was my work when CBS gave him a prime-time airing. Naturally I have questions about this particular use of tax money. Because Dr. Alvarez represents that this tax-supported endeavor was "my personal correspondence with friends" he says it is "not covered by ~~any~~ under any Freedom of Information Act, unless the Constitution has been amended in the past few weeks."

I regret that after his raping of a great tragedy and science Dr. Alvarez could not avoid the temptation to turn his lusts against law and our basic charter. I believe he is characteristically and ego-centrally wrong. The Act grants all persons access to government records with personal exemptions. In its wisdom, perhaps from carelessness, the Congress did not include Dr. Alvarez as an exemption. It does not provide that records generated as a result of the spending of public funds are exempt because of where they are kept. And the Constitution did not have to be "amended in the past few weeks" for it to contain the requirement of public accounting for the spending of public funds. Before Dr. Alvarez' undertook to rewrite it this is in my FOIA request.

But in the middle of these phoney protests the laureate gives us another representation of personal and scientific integrity. First, "I am quite unconcerned that anyone might read what...I wrote," like these withheld CBS letters. Then, "I have fortunately made a practise of writing all of my letters for the past thirty years or more, with the thought in mind that someone other than the intended recipient might someday read it." Nothing like fixing a case in advance, especially when as this letter makes clear the "personal" and the tax-paid are intertwined inextricably. And when among those with proper interest in how public moneys are spent is the Congress. The Constitution did not have to be rewritten for Dr. Alvarez to be aware of this. And preparing special versions in advance.

In his April 6, 1976 letter to the editor of the American Journal of Physics, part of your Enc. #2, he writes, "I have never had occasion ~~to~~ before to wonder if my institution would honor my page charges; the obvious answer always, was 'of course.' But with Senator Proxmire on the prowl, looking for 'inappropriate' uses of government money in science projects, I must for the first time in my life ask the question of my laboratory director, Dr. Andrew M. Sessler. I am pleased to say that he shares my view of the 'appropriateness' of ERDA support for this research and therefore will provide the necessary charges." While the record of payment is not included there is the 9/24/76 bill in the amount of \$1015.00 of tax money.

How pure the science, how proper this expenditure of tax money? In ^{March} the editor told Dr. Alvarez he would hold the article and publish it "as the lead article in our September 1976 issue. This will appear as schools open for the fall and should have its maximum influence. How dedicated to the developing of new sources of energy? There is the single side of a page marked "over," the second side not provided: "Will there be epntroversial/political problems if we issue this as an LBL?" in what appears to be the hand of the sure scientist.

Casual examination of the article discloses it is political, it is polemical, it is partisan, and what there is that can be attributed to science is detached from reality as it is in part based on established unreality. It argues against writers whose field are not associated with energy in the ERDA concept. It even state the impossible. ^{It} is made easier by a scientific boasting of lack of knowledge of established fact as it is by the

avoidance of the evidence readily available prior to publication. In fact it totally ignored two similar motion pictures taken from the opposite side and readily available through normal commercial film sources.

My purpose is to obtain public information, not to argue the fact of the assassination with you or Dr. Alvarez. Of the many examples of the utterly ridiculous that permeate this claptrap called scient there is Dr. Alvarez statement that the shot that missed was fired at Frame 177 (p. 189). Even this kind of Nobel/ERDA science is not capable of account for its subsequent career - of going in an entirely different direction and wounding a bystander, an element of evidence that is essential in the suit in which I am suing ERDA.

But if ERDA or anyone else wants to argue the content, albeit called science, I am not unwilling and I am little more than a half hour from ERDA at Germantown, Md.

I note another characteristic deception. On page 819 Dr. Alvarez attributes all of this to "Paul Hoch, who was then a graduate student at Berkeley," who interested Dr. Alvarez. One is led to believe from this paragraph that this was when "It was the subject of several radio and television shows in April 1975." In the writing we are then led to believe that following this Hoch and another student conducted "scientific" tests with the wrong rifle of the wrong caliber and velocity and duplicated a human head attached to a live body with solens. That work in fact was years earlier. He then pretends that all the adverse criticism of the so-called experiment were limited to a comparison with the writing of Josiah Thompson. This could not be more false or more deliberately misleading.

What is significant about the April 1975 date is that I then filed the first action under the amended FOIA, with ERDA one of the defendants. This is probably the oldest of all FOIA suits. In its original form it was the first case cited in the Senate debates as requiring the 1974 amendments to the Act. In February 1975 I start this all over again and in April ERDA is spending money in phonying up pseudo-science against it. With the Alvarez record now showing he was doing this in 1966 what it really means is spending ERDA money all over again, first when my first book was out and then when there was more controversy, including my suing ERDA and the FBI for still-withheld test results.

There is your claim to a sort of pure-science interest in this. Then the obvious question to be answered is why years of delay after the so-called tests? Many year. And then, coincidence of coincidences to coincide with my suit and the influence against it such an article by a Nobel luminary would attract added to the overt lying in ERDA's initial response. These are now official court records. Using the word lie is more than fair.

If your explanation of the granting of broad latitude to scientists for perfecting techniques is valid as a response to my requests when may I expect the ERDA report on the technique for rendering the wandering cows of India infertile?

The questions I raised in this case are specific questions. You do not address them in telling me that "Much of the effort of Dr. Alvarez can be related to analytical methods developed in high energy physics program of the laboratory." With unattached solens and wrong rifles and ammo and with the energy of the bullet imparted in the knowingly wrong place? Poppycock. If this had been in even his mind he'd have had no concern for the "prowling" Senator Proxmire or for what he called "controversial/political," an ax job.

Now that you have been kind enough to provide what I did not ask for I repeat the requests I did make. They are clear enough and are without any response.

On "Codename Jason," a Philadelphia Inquirer story of 2/4/75 of which I do not have a copy reports that Dr. Alvarez was one of a group of eminences assembled by or for the Pentagon to advise on such matters as AWI, bombing and electronic warfare. I believe there is some mention in the Pentagon Papers.

Sincerely, Harold Weisberg