

JFK gen. release

Mr. Thomas H. Bresson, Chief
FOIA Branch
FBI
Washington, D.C. 20535

8/28/80
of 000 000

Dear Mr. Bresson,

Your letter of the 25 states what is not true, that it "is in response to your Freedom of Information Act request dated July 29, 1980, for material relating to the assassination of President Kennedy."

My request, as the FBI knows very well, is of earlier date, the nearest repetition of it being of 5/22/80.

This request also is not for "documents pertaining to the assassination." It states explicitly that it is, rather, for records pertaining to the FBI's general releases of 12/77 and 1/78 of assassination records.

The apparent reason for this denial of the FBI's long series of misrepresentations of my FOIA requests is to stonewall a request compliance with which will disclose that the FBI made deliberate misrepresentations to a federal court.

Having rewritten my requests to make it one for JFK assassination records you then, according to your letter of the 25th, added it to your stack of requests for JFK assassination requests, where it certainly will be further stonewalled, and to assure this, "assigned (it) to an employee who is familiar with the material pertaining to the assassination of President Kennedy," which "are being handled in chronological order, date of receipt at FBI Headquarters."

Even for you and the FBI the last is a rather tall one, for you are not and never have "handled in chronological order based on the date of receipt." I have simple requests of more than 12 years that remain ignored. I provided a list of these in 1976 and they also remain ignored, just about all of the two dozen of them.

The JFK assassination was 11/22/63. The information included within the instant request dates to 1977 and is not for assassination information. It therefore does not require the knowledge of the employee familiar with assassination information requests.

The apparent purpose of these newest of your shenanigans is to hide the fact that the FBI, aided by the devotion of the time, effort and cost of not fewer than six Department lawyers, tried unsuccessfully to deceive and mislead Judge Caswell and to defraud me (and the country through me) in C.A. 77-2125. In this newest of your dirty tricks you have also proven FBI testimony in my C.A. 75-1996, which is still in court, ^{false} to be ~~that~~ testimony. I believe the same is true of FBI testimony to the Congress.

In its efforts to defraud me the FBI informed Judge Caswell that it was making deposits of its general releases throughout the country. It is to this that my instant request pertains, not to the assassination.

In C.A. 75-1996 the FBI provided testimony that in response to the interest of Congressman Don Edwards and his committee it had instituted a first-in, first-out system in which requests were divided into project and non-project ones. This distinction was fine, so-called requests being non-project. My instant request is a non-project request.

The FBI's testimony is that an initial search was made within 48 hours, to make this determination and to be able to inform the requester of the number of records involved and their cost. You have now written me twice, pertaining ^{to} this reversal of an order and ignored my misrepresented request, without once asking what is required of you by the FBI's 1970 testimony in C.A. 75-1996.

It is my understanding of the size of the FBI's backlog of non-project cases that without these dirty tricks you would have had to end your this instant request.

If this is true, as I have every reason to believe it is, then it is quite apparent that the distortions cited above are intended not only to stall my requests and to "stop" me, the explicit FBI determination of 1967, its own word, but also to prevent proving that it deliberately misrepresented to Judge Caswell and Judge Green - and the Congress on more than one occasion.

When I first made this request, in early 1970, the FBI misrepresented it and deceived that Court. To accomplish this it obtained a false and misleading affidavit from SA Horace

P. Beckwith. He was an ideal selection for his career of false and misleading FOIA affidavits because he was an unindicted co-conspirator in the Nat "my case and time was very vulnerable. He was seeking retirement and was subject to instant firing and other punishment.

Beckwith's main misrepresentations include that I did not request what I had requested. It is not until the EIR prevailed on the basis of gross falsehood and misrepresentation that I renewed the request. As soon as it did prevail, as you very well know, I renewed this request in a manner that eliminated such false pretenses.

As long as the FBI is immune in such practices it can safely resort to the new dirty tricks outlined above.

Of course the cost is great, but then the FBI's campaign against compliance with the Act is based on wanting enormous sums of tax money, as my not inconsiderable experience leaves without doubt. In this it has the by-product of preventing disclosure of what can embarrass it.

You, personally, have demonstrated skills in these areas. You represented in my C.A. 75-226 that I had filed a request and a lawsuit only because I didn't want what I asked for in the request and included in the complaint. Since then that case has been remanded for the second time, a considerable cost to all parties, thanks to you. It is the first case filed under the amended act as well as the case over which the investigatory files exemption was examined. (This also is to say that contrary to your cited letter the FBI still has not complied with my 5/23/86 request.)

I am filing a copy of this letter as an appeal, which means that you have again created artificial costs and added to all backlogs. I also ask that you now process this non-project request in its proper chronological sequence. You received it before the end of May, three months ago. If you have not yet reached requests of the date of 5/22 I ask that you inform me of this and when you expect to reach it, by that date.

Sincerely,

Harold Weisberg