Rt.112, Frederick, Md. 21701
1/30/76

Mr. Clarence M. Kelley, Director
FBI
Washington, D.C. 20535

Dear Mr. Kelley,

Thank you very much for your letter of the 26th and the explanations in it. I wish I could believe there is a chance this response gets your personal attention because with it over your name, whether or not your ever saw the letter you sent me, it is one that can be hurtful to your reputation, with the distinct possibility that this could happen in court. My experience in sending certified, addressee-only communications that can inform the addressees is uniform: it never happens.

Whoever wrote this letter for you assures me "that the FBI in no way intends to 'stonewall" you..." This, as I'll show you, is exactly what was done over your signature.

I complained to Mr. Bresson that the form responses given me at best were obfuscatory and at worst provided a means for the deliberate creation of confusion and for denying me my rights under the law at the minimum by deliberate delays being built in. One of my specifics is that in no single case was the request identified. Your letter supposedly identifies all these requests, "Our records indicate that you have pending with this Bureau for information involving three separate subject matters,"after which there is reference to only two of my letters of request, dated October 27 and December 10, 1975.

Unless I were to believe that you, personally, are part of this stonewalling I have to believe that you also are a victim of it.

Before continuing the explanation I think is due you, you are also due thanks for ppelling my rights of appeal out. While I was aware of them, it is, unlike the letters of which I complain, a proper courtesy and I appreciate it. However, often as I have done it, I detest the very idea of having to sue my government, most of all a law-enforcement agency.

Since mid-October I have been limited by phlebitis. The condition makes access to some of my files awkward and difficult. Therefore, what follows is from recollection and is less full that it can be and if necessary in the future will be.

You were not fully informed. I believe there is no accident in this. No letters I addressed to the FBI were returned and I used a printed envelope.

I mention two requests, one FOIA the other FOIAPA, of those of which you were not told or at least not referred to in your letter. One dealt with color pictures of President Kennedy's clothing the other with the files on me. These are subjects that can be interpreted as potentially embarrassing to the Bureau and they appear to have been memory-holed. I am confident there are others but these I recall.

I recongnize the problem the FBI now has with FOIAPA requests and would still have, if to a lesser degree if it did not build this ineffeciency and confusion, atypically for the effecixent Bureau, I think, into its machinery for handling requests. But taking the older of the two letters your letter acknowledges, it is not more than three months since I mailed it and your letter is the first specific acknowledgement of it. Are you really running three months behind on all these cases? Even when the Bureau had been notified verbally of them, as I did in March?

With the situation herein reported I think it would serve all interests for you to direct that a full and proper search be made for all my requests and that there be a record, whether in a letter from you or not, of the dates of their receipt and why knowledge of them was withheld from you as acknowledgement was withheld from me.

With regard to my request for the files on me you should find some reference to that of 1969 in the Director's files. This is the history of it.

I received reports that FBI agents were going around behind me as I worked on the JFK assassination. I immediately wrote the then Attorney General. His response was that any such activity would be improper and that he was referring it to the then Director. Despite my subsequent solicitation of response the then Director never made any, not even a pro forma denial. From the Director's files your should be able to determine whether there was the inquiry indicated by the Attorney General's letter. If there was not or if there was, either way, it should be informative to you. That the Director never made any response at all should, too.

I have a fairly good notion of the Bureau's files on me and how far back they go. However, retrieval, regardless of the magnitude of the files involved, does not, from the Bureau's filing system of which I also have some knowledge, present any extraordinary problem, given the intent to abide by the law.

Please do not misread the personal note on which I close. I am not anti-FBI and its records will reveal that when I came into possession of information I felt it should have I volunteered it. I think such an agency is indispensible. And I have, in fact, asked for some of the information I provided the Bureau. There was a time when the Deaprtment borrowed me from the Senate and I lived with agents for four months. I have a clear recollection of how well they performed their jobs, of their dedication and of some fine human beings, one as fine a man as I have ever met. We became friends and remained friends as he advanced. However, this dedication to what someone conceives to be to the interest of the Bureau can, ultimately, work against the long range interest of the Bureau. My belief is that whatever anyone believes to be in the Bureau's interest has to be subordinate to honesty within it and compliance with the law, even laws it may not like, laws that require internal changes. Within my recent experience this has not been the reality. Withholding from a letter bearing your signature what it knows should have been included is merely one of many examples. Others, whether or not you have personal knowledge, are recorded in recent court records and remain without even the effort at refutation. So, while I am not attributing dishonesty to you personally in matters that are or can be before the courts and do relate to compliance with the law, I am making what effort I can to let you know. I do it with some personal discomfort because I must keep my legs horizontal when I type. And the extra time I have taken, more than merely recording a less than full response, is at the cost of other work I want to do. I feel I owe you this and I am certain that neither you nor any other man in charge of any large agency can be fully informed on all details.

All of those things that interest me happened before you assumed your present responsibilities. I tell you honestly and straightforwardly that the published official statements I have seen do not indicate an intention to clean this past up. I also tell you that if there ever is a decision to really do it I am willing to help in whatever way is possible. The record thus far in C.A.75-1996 alone indicates this time has not come. For this I am sorry.

Sincerely,

cc: Jim Lesar

Harold Weisberg