

King assassinations records appeals

Harold Weisberg 8/23/79

→ Inconsistencies, arbitrariness and capriciousness in withholdings  
FBI refusal to comply with court order in C.A. 75-1996  
FBI refusal to comply with 5/5/77 FOIA policy and historical case standards

Attached are copies of MURKIN records processed for me in C.A. 75-1996 from FBIHQ files and copies of the same records, not provided to me in C.A. 75-1996, from the Charlotte field office files, showing that what was withheld at FBIHQ from the HQ files was not withheld by FBIHQ in processing the field office ~~xxxx~~ files and vice versa. Information withheld need not have been withheld and should not have been withheld, the 5/5/77 policy was not followed and historical case standards were ignored. Moreover, the names of FBI SAs, withheld by the FBI in C.A. 75-1996 despite the order of the Court that they not be withheld were not withheld when the field office files were processed.

The arbitrary and capriciousness of the withholding of the names of SAs is illustrated by both sets of records. (I attach the first page of the Charlotte record that is HQ 4949.) I believe this reflects a contemptuous attitude toward the Court in C.A. 75-1996 because in that case the Court ordered that FBI names not be withheld but there was no such order relating to the Charlotte records.

I believe this is also the reason the FBI withheld/records under the claim of previous processing at FBIHQ, because the FBI knew it was making improper claims to exemption and realized that I would catch it in its deliberate violations of the Act for ulterior purposes.

With regard to 4669 and the companion Charlotte record the word "pretext" is not withheld from the first line of the second paragraph of the HQ copy but is from the Charlotte copy under (7)(E) claim. Throughout the King and Kennedy records FBIHQ has withheld and disclosed "pretext" as a secret method, when it is not. At the same point on the HQ record even SA is withheld prior to the withholding of SA Crocker's name. At the end of this paragraph the file number provided on the Charlotte record is withheld from the HQ copy.

In the next paragraph the HQ copy only withholds the name of a road! not withheld

from the Charlotte copy. Do you suppose SAs Hartingh and Beckwith dispatched other SAs to remove the road signs to protect the privacy of Cottrill Hill Rd.?

This FBI concern for privacy extended to that of a "used car lot" in the processing of the Charlotte record for those words are withheld under (7)(C) claim on the Charlotte record, last paragraph, page 2, and "used car dealer," next page, second line from bottom. Do you suppose there is but a single used car lot and only one used car dealer, so that these would be unique identifiers?

Or that this is also true of even "a" in "a shrewd used car dealer"?

These inconsistent, arbitrary, capricious and contemptuous withholdings in addition are without point except as harassment and a means of escalating FOIA costs to # create a false record of the costs of FOIA.

They flaunt the 5/5/77 policy and the historical case determination.