

To Quin Shea from ^{Harold} Weisberg, JFK records appeals 9/15/78

Deliberate FBI discrimination and non-compliance
Repeated withholding of what FBI supplied to others
New violation of order in C.A. 77-2055 before Judge Gesell

Attached are copies of letters between another applicant and the FBI relating to JFK assassination photographs and relevant records.

These requests are for what are known as Powell and Betzner photographs. The FBI's denial of now having any Betzner photographs appears to be false. One of the Betzner photos was used this week by the House assassins committee. I do not recall how many the FBI provided to the Warren Commission. I do know it appears not to have been all Hugh Betzner took.

Powell was an Army intelligence man. I request^{ed} his pictures and the relevant written records (which includes what the FBI got from the Army, only copies now because the Army appears to have memory-holed all its JFK assassination records) On or about January 1, 1968. My check was cashed and I've gotten nothing from the FBI. You will find this in the list I provided some time ago.

Mr. Plesce is not the only later requester to receive what remains denied to me.

Of course this is still another of the steadfast refusals of the FBI to live within the Department's administrative decision. It has yet to provide me with a single copy of a single record disclosed to any other applicant.

I regard this as much more serious because of an exchange that occurred during the hearing before Judge Gesell. The record showed some 25 FOIA requests to which the FBI had not responded for up to a decade. Judge Gesell asked Mr. Figley what the Department proposed about these. Mr. Figley's response was that I would receive all I asked for. Since then I have received only photographs other than I asked for of the JFK clothing and no response to my subsequent letter or to my request for all the JFK photographs. I explain the last part.

I tried to accommodate the FBI and to ease the time and costs involved for them by trying to make an appointment at its convenience to examine the JFK photos and see if I could not eliminate many. I have yet to receive even an acknowledgement. Now this would have been awkward, difficult and perhaps unwise for me because of the medical limitations. Nonetheless I did, on my own initiative, try to accommodate the FBI.

The FBI's stonewalling, even ~~imp~~ lack of common civility, has left me no alternative than the request/appeal I made some time ago, that I receive a print of all such pictures, whatever their form.

Recent developments, which include the misuse of ^{some of} these pictures by the House assassins and further disinformation and misinformation that is consistent with the FBI's own record, impel me to ask that you expedite this with the FBI. By expedite I mean the decision, not the actual delivery of the prints. I'd wait a reasonable time

for copies once I have an assurance they will be provided. But if they are not going to be provide I'll raise the question of going back to Judge "essell on the question/ with counsel.

Please note the time involved in the meeting of the Please request. He wrote the FBI 8/3/78. It acknowledged his request under date of 8.9.78. One day less than a month later it sent him what he asked for - what I asked for 10 years ago and still do not have.

Please note also that the FBI's captioning of this response, "JFK Assassination - Powell Photograph", should have made compliance with a copy to me automatic.

Another of my grey-bearded requests relates to the late Joseph Adams Milteer, who gave an accurate description of how (in the official account) JFK was killed a couple of weeks before it happened. FBI records provided to the Warren Commission in less detail than was possible had him in effect taking credit for that crime.

The late Willie Somerset(t) who was involved in this matter and others with Milteer was an FBI informant. There is a cross-over into King assassination records. I asked counsel to raise germane questions at the calendar call in C.A.75-1996 yesterday. We have ordered a transcript and will provide a copy when we receive it.

Among the many reporters with whom I work and try to assist there is a Miami-based free-lance who developed an interest in the Milteer-Somerset matter. I gave him what information he requested and some FOIA suggestions. Apparently because he is not he received fairly prompt compliance. He was here on a visit last week. He then gave me two volumes of records I have not yet fully examined because I've not had time. However, cursory examination discloses that there was disclosed to him what regularly is withheld from me, in general and in this specific case, including informant file numbers and names, matters I'd appealed long ago in C.A.# 75-1996. The originals were mailed to my friend yesterday, after I bought xerox copies the day before. My counsel has these and your staff is welcome to examine them if it desires. Duplicates are, I am sure, in FBIHQ. My recollection is that compliance was from HQ files and consisted of more Sections than the two volumes in which they were bound. (Of course these unnecessary costs will be added to the bill we will furnish in this case.)

Now it happens that the FBI did more than merely not comply with the request and appeal. It provided an affidavit by SA Horace P. Beckwith in which he sought to mislead the Court if in fact he did not also swear falsely. You will find this on page 35 of his affidavit of 8/11/78. He said the name and all other relevant information could not be disclosed. Whether he stated here or stated it elsewhere in a sense referring to these records I do not now recall clearly, but he did falsely represent to the Court that further compliance was impossible without SAs paying through 49,000

pages. This is the FBI's formulation of what it has correlated carefully with the CIA, which is not providing the same regard in cases in court. Because I was left with no choice I merely provided the judge with the most voluminous proof of SA Beckwith's infidelity to fact, a display of these several hundred Somerset pages. (The FBI claims in U.S. 75-1996 not to be able to retrieve either by subject or by name, which makes one wonder how it can function.)

While I am on the subject of SA Beckwith, again because he and the FBI had left us no alternative, I had to provide the Court with other proofs of his liberties with affirmations and fact. You will find what is relevant on page 37 of this same one of his affidavits for all seasons of FBI need. I include this because I think your staff should know this as it processes King assassination records (and to avoid providing me with a need for going after them if they believe any other FBI lies) and because, as I am sure I suggested before, it is long past time when someone in a position of authority in the Department ought be aware and concerned about these Coinaltypo-type operations against law and requesters and their considerable cost.

A student went over some of my FBI correspondence to help Civil. She prepared a memo. Judge Green, not knowing that I had completed the longer memo I did for Civil, in her exasperation told the FBI that at least it could respond to what the student selected from my earlier correspondence. SA Beckwith's stonewall was this reply. I have completed but not yet had time to look at a 70-page memo I did for my counsel on this, picking up after the point of the Beckwith affidavit covered in the affidavit of which I sent you a copy. To add to the Somerset records I selected a graphic representation for use yesterday. It is attached, before and after copies of MURKIN worksheets, page 2 of those for Section 66.

I had written the FBI about visible erasures on the copies of the worksheets provided to me. The student included a shorthand reference to this. The FBI never replied. SA Beckwith swore there were no erasures. To prove this lie he attached a crude but quite legible phoney, a worksheet other than the one provided to me. You have both with this, together with the first page of the original.

My counsel understated what he told the judge. I was watching her. I would say she appeared to be shocked and aghast. I also add that SA Beckwith was present, with SA Hartingh. Both have not been reluctant to address the Court in the past. "either did yesterday. I say understated because this is not the only illustration and because the initials HPB appear on the originals and Horace P. Beckwith attested to the fake.

The judge, in my view, understated in calling this "obstructionist" and saying that she did not want to see or hear of SA Beckwith in this case again. She also said, as Betsy Ginsburg was asked several times to communicate and I presume will, that she wants you to be "in charge." I therefore believe you should have the copies of the worksheet pages I provide herewith.