

Dear Jim,

4/14/81

Today I received from the FBI what the covering letter of 4/10 refers to as "177 pages of material from our Dallas files pertaining to the assassination of President Kennedy." Once again, the studious avoidance of any meaningful description of the contents.

These hardly represent the total labor of two of the FBI's supposedly "best" agents, with or without other help, for a week or more.

In addition, once again we have caught the FBI in misrepresentation. My insistence on dated worksheets establishes this beyond any question.

One set of records, consisting of but four pages plus 14 "previously processed" serials, is described as "Ruby's PCI file." This is not the actual title and it is not all the Ruby PCI records. And how long does it take to process four pages?

The second is the 9-1984 #⁸extortion" file from Dallas titled "Lee Harvey Oswald." It pertains to an alleged threat mailed weeks after Oswald was dead and buried. It consists of 18 pages with no content within any exemption, so long does it take to process 18 pages?

Both of these are dated as processed #12/80." This is to say that both were processed before the FBI persuaded Dan Metcalfe to lie to the judge by repeating unquestioningly its lie to him. By then he should have been on the alert because of the correct information I asked you to give him. The representation to the judge was that none of the records to be provided had been processed and would require about a week or 10 days for two of the "best" men per 200 pages. These, like the others I've received, had been processed before Metcalfe repeated the FBI's lies to the judge.

The other records, most of them, are clippings from 89-43A, the period covered being from 5/25 to 9/15/78. How long does it take to process newspaper clippings? Even when the FBI was impelled to make a 7C claim for one, attached. Here, instead of blacking out the information for which the exemption is claimed it appears to have been erased. (Lower right-hand corner.) I don't know what it is, but if it is a reference to Hosty of the Hosty 67 file, obviously the claim is invalid. His 67 file number is disclosed in this litigation.

The Ruby PCI file number is withheld under b2 and 7D claims. It is not b2 material and with Ruby dead there is no 7D claim because there is nothing to be disclosed. These are arbitrary numbers, not coded, so disclosure does not and cannot disclose any system or anything else that can break a code or anything like that. Moreover, the 137 part of the number is not subject to withholding because the FBI has published its file classification numbers. That Ruby had been a PCI also was disclosed long ago.

There is purpose in these repeated false representations about informant numbers and their file numbers but the purpose is not legitimate protection of legitimately confidential information, such as what would identify and undisclosed informant. The purpose is to hide FBI dissembling and deceptions. Obviously, with Ruby long dead and the fact that he had been a PCI extensively published after disclosure, and with there not being any code in either the informant symbols or file numbers, there is nothing to protect, nothing legitimate.

What the FBI does is make it impossible for me to identify by exact number the file in which the still-withheld information is kept.

There are at least two ways in which what is provided is incomplete, two ways so obvious I can state them without close study of the records.

The worksheets do not include any FWHQ approval for trying to develop Ruby as an informer. This would have to be a Dir to DI record and not one is on the worksheets.

The worksheets do not include a single contact report and those are required and are made on a special form. Even if the contact is not productive. There is a special blank for this to be indicated. No such form is indicated on the worksheets, not even as previously processed.

All but one of the previously processed records is from the file on the killing of Oswald, which was years after Ruby's PCI period. If what was provided is copies, there is no statement that the PCI file copies are identical with those in the Oswald killing file. (~~one~~^{the} other one is the assassination file.) Moreover, the previously processed copies are all from FWHQ files and those are not identical with the Dallas copies.

It now is apparent that no matter how honest he may be or well intended, Metcalfe's word is worthless because he unquestioningly repeats FBI lies, without regard to their previous history of such dishonesties, including in this case. In this case he was told in advance that they would lie and even how they would lie, this being an easy prediction from their long and disgusting record of dishonesties. It appears that I am worse off taking his word than not taking it, so why should I think of taking it again unless he does something to establish a personal record of integrity in this matter?

Assurances also were given to the Associate Attorney General, based on which he gave his assurances that we accepted and based on which we proceeded in good faith. I therefore think that the Associate's office should be informed, perhaps an assistant named Ford whose name has been on other communications.

And, of course, the judge should be informed that his trust has again been imposed upon. I think it would be good to add the reminder that I predicted in advance exactly how it would be done.

vt / [unclear]

Once the FBI is caught in this kind of dirtiness it may well cook up phoney worksheets, as it has in the past and as I've caught them doing. Remember, they didn't stop dating the worksheets until I used dated ones to expose FBI duplicity, including deceiving us in the U.A. 75-1996 stipulation.

Now you see why I asked that "etcalfe produce the actual work record worksheets. They are not identical with those provided in FOIA cases. The FBI also keeps time records on each case and they also should be provided. This will reflect who spent what time in what endeavors. If it proves the FBI did not lie it should be anxious to produce them. Conversely, any reluctance is strong indication of the fact that they will prove that the FBI was dishonest.

But it is obvious that when in April the FBI produces records that were processed in December, that is not because any time subsequent to December was required for the already completed processing.

If they are not willing to produce these and any other similar records promptly, please ask the judge to compel it as soon as it is possible for you to do so.

Sincerely,

Harold Weisberg

I meant this to include all records provided after the Shenefield letter. It is certain that some of the withheld records were processed before that letter was written.