

Mr. Richard Huff,
Mr. Daniel Metcalfe, co-directors
OIP
Department of Justice
Washington, D.C. 20530

9/26/85

Dallas police broadcasts
Nosenko appeals

Dear Sirs,

The laboring mountain of the FBI has delivered itself of an aborted gnat, one of those you've been helping them incubate for many years. This is my appeal and I intend the copy of my enclosed letter to Mr. Hall to be part of it.

If my health had not prohibited it I would have seen whether or not it is possible to do anything about so-called public servants like you who not only fail to perform their assigned responsibilities but refuse to.

You refused to do anything about, among many others, my Nosenko request appeals, and in recent years I have written you about it often enough. It is hardly possible that you have any older appeals, other than some of mine.

Most of what the FBI has just sent me required no processing because it is published material. So there never has been any reason, from the time I filed the first request, for any delay. If you'd had even a dream about earning the taxpayers money you get you'd have known this. All you had to do was look. Yet you combined with the FBI to withhold it and if my recollection is ~~correct~~ correct, just fell silent. Most of the rest was declassified (not that it was ever properly classified) ~~in 1978~~ in 1978. (Remember, I sent you a copy of the FBI's 1978 letter to me telling me they were working on this, 1978- more than seven years ago?) So, at least for the past seven years there has been no reason at all for the remainder to have been withheld. As you would have known if you were not so resolute in refusing to perform your assigned duties, for which you are paid by the taxpayers your administration pretends it is worried about.

How do you think this would look if I were to now file suit? How would it look for you, your department, your administration and its effort to further gut the Act whose purpose it is to let the people know what their government does? With copies of all my efforts to get you to do the very minimum required by your accepting your appointments and your paychecks?

Didn't I, in fact, caution you that while you were helping the FBI stonewall instead of performing your duties your department was assuring the courts that it is never necessary for me to litigate because all my requests are handled in proper chronological sequence? But apparently to you, too, it is more important to abuse an ailing and aging, partly-disabled requester than to preserve the department's position in court.

Of course there is nothing short of litigation that I can do to compel you to do anything, and maybe that will be possible, but I do not want it. Nonetheless, I am asking you, unless you have staff assigned to matters older than my two Nosenko requests, the second one not more recent than 1978, to attend to this renewed appeal promptly. As my letter to Mr. Hall states, complying with the second request requires only xeroxing what was disclosed before I filed that request. With the mess you have helped the FBI fabricate of the request to which it pretends to respond by giving me copies of what it has provided to a later requester, that will take more time, but again, it is entitled to priority treatment by its age alone.

There are worksheets and there are search slips and I've asked the FBI for copies of both. I know of no reason to believe that based on its age along this request is not entitled to priority treatment. And it takes little time to process such records.

There will be resistance because providing these records will establish that

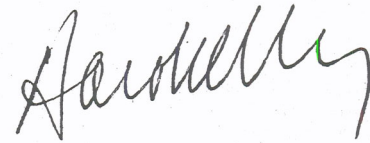
the FBI has not done its duty, either, and probably that it has, as usual with me, not been honest or truthful, either. But you are not an adjunct of the FBI. You are supposed to be an impartial appeals office.

I do not expect the FBI to be at all concerned about the potential for serious embarrassment to it, and of course I did not tell it all that it excluded from its so-called investigation of the alleged Presidential assassin's background, and I'm sure that there may be much I do ~~know~~ not know. And usually the dog of which you are part is more concerned about the tail that wags it than about its face. But I do assure you that the potential is there in the non-FBI records I have. And it is my nonlawyer's opinion that they would be relevant to FBI motive in its past and current withholdings.

If as I suspect you get kicks out of all you mis-, mal- and nonfeasances, then maybe you'll enjoy noting that some of what the FBI withheld from me for so long was all the time in its public reading room, as I inform it it let me know. It excised the dates and the locations of FBI field offices and it even had newspaper clippings classified, but it forgot to redact the reading-room stamp.

It has been a year or more since you admitted finding at least one Dallas police assassination recording, with related records, exactly where, years ago, I told your office it would be. I've heard nothing further ^{from} you in all this time. I've not even been told how much an extra copy will cost so I can pay for that copy for a friend. Would it trouble you too much to earn a dollar or two of the paycheck you take to respond?

Sincerely,



Harold Weisberg
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