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Mr. William B. Jones
Criminal Division
Department of Justice
Washington, D.C. 20530

5/17/81

re OHM #1991

Dear Mr. Jones,

Thank you very much for the time and detail of your letter of May 13. I appreciate your informativeness even more because I have just returned from the third hospitalization for arterial surgery in the past half-year and am not able to search my own records.

There were earlier requests. They received no response. I also requested a fee waiver on the ground that it was justified, that the public interest would be served and because in other respects I meet the prerequisites. Since then two courts and the Department agreed and awarded fee waivers.

While it may appear that because I seek records pertaining to me the situation is different but that is superficial because of the reasons for which I seek these records. I am now 68 years old, with my health seriously impaired. I have no personal uses for these records, except as they coincide with historical and historical-case interests.

I am the author of the first and of most of the responsible books on the investigation of the assassination of President Kennedy and of the first and only serious book on the investigation of the assassination of Dr. Martin Luther King, Jr. These books and my other work and activities are seriously embarrassing to the FBI. (My other activities include being James Earl Ray's investigator and conducting the investigations that led to a successful habeas corpus proceeding and an evidentiary hearing.) The FBI launched a real campaign against me. It has disclosed only some of its records but they reflect the expressed intent to "stop" me and my writing and the widespread distribution of defamatory materials that range from deliberate distortions to complete fabrications. These reached Attorneys General, others of lower rank, the White House and the Congress. Many have been disclosed to the press and are in the FBI's public reading room despite my prior appeals to be able to exercise my RA rights.

As the Department, several courts and the legislative history reflect, I also am responsible for the 1974 amending of the investigatory files exemption of FOIA, meaning

that I am responsible for the disclosure of so many records that are so seriously embarrassing to the FBI and other agencies.

However much the FBI dislikes me, and the dislike goes back to at least the 1930s, my record is other than the FBI and other agencies represent. I am not and never have been any kind of Soviet agent or Communist, although I was, at the suggestion of the Department, a British agent in World War II.

It is possible that the FBI's dislike of me stems from what is involved in the Hayne case, which was seriously embarrassing to the FBI's cohort of the time, the UnAmerican committee of the House.

My interest in the Hayne and related records relates to more than my own record and past. It is to establish the truth of what the FBI and its improper disclosures seek to misrepresent about me and my work. (When the White House asked the FBI about my work the FBI's response was limited to character assassination, which ended that White House interest.)

Prior to then I had been of help to the Department and the FBI, reflected by my interest in the Hazlen County of Mary Helen et al records. On many subsequent occasions I was of help to the government, including to your Division, several of whose chiefs I knew.

I can provide more details if you require them, more explanations. However, it seems to me that the FBI has set what is right and wrong, aside from my meeting the prerequisites, by its refusal to abide by the requirements of PA and by making disclosures that are incomplete and with the intent of frustrating my use of PA. My appeals, which received no responses, were long in advance of these disclosures, which amount to deliberate character assassination in order to undermine the credibility of my criticisms of the FBI. It has no other means of addressing them because my work is accurate.

Of course I do not need every record mentioning me. But I do want enough to constitute an accurate historical record, one that can permit independent judgements in the future, a future in which I have every reason to expect that my work will be of interest.

With regard to the Hayne case, the records of the Washington United States Attorney

ought provide enough ~~information~~ ^{information}, as on other matters those of the Baltimore USA should. I'd appreciate referrals to them.

With regard to the CRM-024 file those records which reflect non-compliance with my requests or anything similar are, I believe, of historical value as in the future this period and those responses and non-responses are considered by others. If there are such records in your files. There are in others that I have obtained. These have other importances after the FBI's initiatives in seeing to it that my requests were not complied with.

My only regular income is Social Security. It now comes to about \$281 a month. From this, obviously, I cannot pay the search and copying fees. Given the seriousness of my medical problems it would be foolhardy for me to spend money in that way if I had a greater income because of the limit of Medicare protection and the appreciable proportion of it consumed already.

There is no way to undo the harm the government has already done. Fairness and belated decency require that it make some effort to at least make all pertinent records available, and that, really, is all I am asking.

Again I thank you for the time you took to be informative.

Sincerely,

Harold Weisberg