



United States Department of Justice

OFFICE OF THE ASSOCIATE ATTORNEY GENERAL

WASHINGTON, D.C. 20530

Mr. Harold Weisberg
Route 12-Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is to advise you that your administrative appeal to the Associate Attorney General from the action by the Federal Bureau of Investigation on your request for information from the files of the Department of Justice was received by this Office on February 9, 1979.

This Office has a substantial backlog of pending appeals received prior to yours and a shortage of attorneys. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals to Office attorneys in the approximate order of receipt. Your appeal has been assigned number 9-0376. Please mention this number in any future correspondence with this Office concerning this specific appeal.

We will notify you of the decision of the Associate Attorney General on your appeal as soon as we can. The necessity of this delay is regretted and your continuing courtesy is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Janice Adams".

Janice Adams
Administrative Staff Assistant
Office of Privacy and Information
Appeals

Enclosure

EXCISIONS
SECOND A

To Quin Shea from "Harold Weisberg Unnecessary FBI withholdings 2/6/79
in historical cases; stonewalling and discrimination;
King and Kennedy assassination records.

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I have stated in the past and in court that the FBI regularly discriminates against those who are not irresponsible while feeding "exclusives" to later requesters who have different reputations. Bearing on this the enclosed letter to the FBI by Howard Roffman states that he also was denied a copy of a Powell photograph I first requested more than a decade ago. (The balance of that request remains without any response.) I believe that at the time the FBI told Mr. Roffman that it did not have this photograph it had already released it to another whose request was much later than mine. Or, the FBI was not truthful and the nature of the untruth makes accident appear to be very unlikely.

The enclosed King assassination record, captioned NSRP but with hand notation indicating the actuality, this was FBI spying on James Earl Ray through his brother Jerry, clearly refers to what is well within the public domain. That is, if the FBI recognizes self-disclosure on TV, radio and the newspapers, including wire services as public domain. The masked source is Liver Patterson.

I appeal all the withholdings, particularly those attributed to b(2) and b(7)(D) for the file numbers. In this instance they clearly do not meet the "solely" standard for b(2), as the FBI has never denied while continuing to use that exemption for this kind of withholding, among others.

APR

The name of Richard Geppert is added to the record. It has been many months since I asked for the withheld records on and relating to him and his similar Ray/NSRP intelligence function, after he also went public, I believe more than seven months ago.

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The FBI certainly is aware that both men went public and disclosed their relationship with the FBI and the House assassins committee to which the FBI made them available. I therefore see no purpose, other than harassment and the ever-present stonewalling, in the withholdings.

Proper photographic analysis, now public, also discloses the FBI's motive in stonewalling my Powell request and replying untruthfully to that by Roffman: the picture disputes part of the FBI's "solution" to the JFK assassination.

The FBI's copies of the Army's relevant records have become much more important since the Army let me know that its concept of historical importances required it to destroy all its files relating to the assassination of its commander-in-chief. These reports are within my initial request and appeals.

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Sincerely,

Harold Weisberg

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APPELLANT