

Mr. Quinlan J. Shea, Chief
Freedom of Information and Privacy Unit
Department of Justice
Washington, D.C.

Dear Mr. Shea,

Your February 19 letter to Jim Lesar is evasive, irrelevant, non-responsive and an outrage against common decency, respect for the law and federal obligations under it and an entirely unjustified assault upon my integrity, in response to which I intend this to be taken as a stark direct challenge, personally and in your official capacity.

How dare you call me a liar without at any point even pretending to attribute a single factual error to me! And I herewith challenge you to, in any of the letters you are careful not even at this late date to identify. After almost three months of non-response you surely have had plenty of time!

Mr. Lesar represents me in FOIA matters when I am not able to pay him. He practices alone and does much pro bono work. He is not, however, the keeper of my honor while I live and can defend it and the fact that he represents me in FOIA matters does not by any law, regulation or accepted standard of which I am aware require me to be silent in the face of things these continuing efforts by you and those associated with you to defraud me of my rights under the law or to defraud the courts and make it impossible for judges to be aware of truth, fact and reality.

When Mr. Lesar was otherwise occupied, too busy to respond immediately, I did what I regard as proper and what you would regard with appreciation if you or any of your associates had the least concern for the law and for your own Department's integrity. I immediately informed Mr. Tyler that without basis, cause or justification my request had been rewritten to give it a meaning other than is explicit and thereby to nullify the law and deny me my right to public information. My challenge to him is for a direct confrontation, now after almost three months and no response, once whether or not my request was unreasonable and irrationally but deliberately rephrased. If you are not prepared to prove my statements false I demand and expect a written apology, with copies to everyone to whom you sent copies or when you filed copies of your letter.

Your non-response/personal defamation after all these months and the failure of any addressee to make any response neatly coincides with a new bit of trickery sworn to by Mr. Wiseman of which I have only now received a copy. In time I will make direct response in an appropriate manner. Here I am making a record of fact and overt intent and on this, too, I invite your proof that I lie or misrepresent in any way. This is the same Mr. Wiseman who has found it impossible to meet the promise of the Deputy Attorney General every time it was possible for me to accept the offer and who to this day has not set a time of his convenience, despite the state of my health, which was explained to him and to Mr. Dugan. Mr. Dugan's "explanation" is that he cannot "control my client." My request was that he expedite this and merely use his good offices to arrange for the keeping of Mr. Tyler's promise. In more than two weeks not a word from him on this.

Mr. Lesar will undoubtedly respond when he can. However, when you say "for the record" and say what is palpably false and it involves my rights I have the right to make a truthful written record between us and I am exercising it. You say "Mr. Weisberg's appeal was processed when this unit was able to do so." You never "processed my appeal." There was no response until I filed my complaint. The appeal was in early May, about a half year earlier. Now if you are willing to swear that it takes a half of a year to "process an appeal" in regular order, I'm prepared to give you a written apology for saying otherwise. If you are not I ask the same of you, a written apology and an official correction of a stark deliberately contrived falsification. When you claim to have

made a simple "release" a half year after my appeal of a denial and after I filed a complaint you are again contriving a false explanation. The same is true of my alleged failure to avail myself "of the proffered opportunity to come in and pick up the released records." None were "released until after I filed and your letter, by Mr. Tyler, was not even written until after you delivered to CBS part of what I originally requested under the law so long earlier. We were not even informed until you had made delivery to CBS. You further, and I believe falsely, alleged that "Mr. Weisberg's appeal was not delayed; that of CBS was not given preferential treatment." If you will show me a CBS appeal - no, I'll make it easier for you, an initial CBS request - as of the time of my appeal I will give you a written apology for those inferrences. If you do not I expect the same of you, a written apology for this unjustified assault upon my integrity. I did file a complaint and I will not be left in a position that has me, personally, playing games with a court of law.

On the FOIA details, which I agree is Mr. Lesar's province, I am making no response and leaving that up to him. But when you address my honor, sir, I speak for myself and hope you are man enough to address a questioning of your own.

Your opening paragraph is a deliberately false representation of my letters not one of ~~you~~ which you identify, describe, refer to or in any other ~~man~~ way make comprehensible to anyone without a copy of all. It is false and deliberately false to describe them as only "concerning the processing of Mr. Weisberg's administrative appeal." It is not easy for me to consult my files but my recollection is that I did not address that and I am absolutely certain I did address other matters and other subjects. One of these is, I think, not only proper but a citizen's responsibility. I asked for an investigation of what I described as a deliberate fraud, a book titled "Appointment in Dallas," written for Hugh McDonald by Geoffrey Bocca. A million of more Americans have already been deceived and defrauded and the mails were used in it. In fact, I wrote two letters about this, neither responded to in any way. Both deceptively and prejudicially omitted from any interpretation of your letter. If the Department is unwilling to enforce the law that is its affair but neither it nor you have any right to misrepresent me on this. If you for a minute think I was in any way frivolous in this you have my permission to provide a copy of what I wrote to Mr. McDonald, Mr. Bocca, the publisher, who is not Mr McDonald, as the book falsely says, or anyone else involved, including the literary agent, who is no stranger to me. In fact, if you have any concern for the law, you might look into how a single book can have two different people and/or corporations both claiming to be publisher on facing pages of this book.

There are, as you well know, other subjects addressed in these letters to which you have not in any way responded. Unless you challenge the honesty of this representation there is now no purpose to be served in further addressing them. I am here making a record and again I invite you to dispute it. I have had too much experience with the abuses of the Department to permit a false record to exist unchallenged and too much experience with these deliberate dishonesties being used against me.

While it does address an FOIA matter, there is one aspect of your omissions and Mr. Wiseman's commissions that I do here address and protest. I regard it as indecent when there was no acknowledgement of my own request, not Mr. Lesar's, for the FBI's files on me and when your letter carefully omits reference to it or its being totally ignored after so long a lapse of time, for Mr. Wiseman to invoke an alleged right to privacy by government employees engaged in non-secret work when this same government has for so long intruded into my rights in ways I am prepared to prove. In ways that, in fact, I believe to be illegal. When I was in school I was taught that your Department's duty was to protect the rights of citizens. Because you respond for the Attorney General and Deputy Attorney General on matters not within the province of your unit I do address this with you. Aside from the non-response of the FBI on questions of violations of my rights there is that of the CIA, whose time to respond to an appeal expired two and a half months ago. How about my rights to privacy under the law? Sincerely, Harold Weisberg