

Sen. Charles Mathias
U.S. Senate
Washington, D.C.

Rt. 12, Frederick, Md. 21701
5/15/79

Dear Mac,

Attached is a copy of an FOIA/PA appeal that to a degree repeats an earlier one and adds to a number of other earlier ones to which there has been no response.

I was almost finished drafting it when I recall^{ed} the reason this extra copy was in a stack of records on my desk: long ago I intended writing you about it and what it means and represents.

Once again I would appreciate it if you could have this added to the committee's files, which I know hold some of these evil contrivances.

From the records not withheld it is clear that the FBI's intent was to undermine confidence in my work by defaming me.

They even connived with an SA for him to file a spurious libel suit against me to "stop" me and my writing. (First amendment, FBI version.) The word was actually used by several SAs. But they chickened out at the last minute, after spending tax money for the legal research. This in the event those records are not in your committee's files.

With the present campaign to weaken the FOIA I believe this may have added relevance.

The PA requests that have not been complied with are of 1975.

FOIA requests of 1968 remain without compliance even after DJ promised the Senate subcommittee a couple of years ago they would be. I believe the Nader people raised the question with the subcommittee.

The information request referred to in the 1966 record is what is involved in the case over which the Congress amended the investigatory files exemption in 1974. I expect still another remand from the appeals court, which has heard oral arguments. I seek the results of non-secret scientific tests, no more.

When the remand comes I now have proofs of other testing related to shots not accounted for by the FBI in its Presidential report or to the Warren Commission.

Proof also that it performed the tests.

It is Byzantine.

Having no other acceptable answer they hate me and defame me.

Best to you all,



Harold Weisberg

UNITED STATES GOVERNMENT

Memorandum

1-Mr. Conrad
1-Mr. Cunningham, 7410

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Mr. Holmes	_____
Miss Gandy	_____

TO : Mr. Conrad

DATE: 11/3/66

FROM : R. H. Jevons

1-Office, 7133

SUBJECT: WARREN COMMISSION EXHIBITS

On 11/3/66, Mr. Marion Johnson, the Archivist at the National Archives and Records Service who is handling the exhibits and evidence of the Warren Commission, telephonically contacted SA Cortlandt Cunningham of the Laboratory Division.

Mr. Johnson stated that Harold Weisberg, author of "Whitewash: The Report on the Warren Report," had requested information regarding the portions of the FBI investigative reports in which the spectrographic examinations were set forth. Mr. Johnson asked if any spectrographic examinations, other than those set forth in the report of SA Robert P. Gemberling dated 11/30/63, at Dallas, were made and reported elsewhere.

Mr. Johnson was told that this matter would be looked into.

Bufiles reveal that Weisberg was summarily fired from the State Department but was later allowed to resign without prejudice and not be restored to his job because of suspected Communist or Communistic sympathies. Bufiles also reveal he has had previous contact with Soviet Nationals at the Russian Embassy. Weisberg has also previously written the Bureau concerning the Warren Report and because of his background, no acknowledgement was made.

RECOMMENDATION:

EX-113

ST-11 REC-57

REC 22

(1-10707) - 529
4 NOV 21 1966

It is recommended, in view of the above information, that Mr. Johnson be telephonically advised that the FBI cannot be of assistance to Weisberg in this matter.

- 1-Mr. Mohr
- 1-Mr. DeLoach
- 1-Mr. Rosen, Att: Mr. Malley, 5710
- 1-Mr. Sullivan, Att: Mr. Lenihan, 818 9th & P
- 1-Mr. Wick
- 1-Mr. Raupach

CC: fch (10)

56 NOV 28 1966

I assume we have given all exhibits to the Archives as previously directed by A.S. H & J

Handwritten notes on left margin:
11/4/66
The...
11/11/66
RHJ

ARNOLD, FORTAS & PORTER

1200 EIGHTEENTH STREET, N. W.

WASHINGTON 6, D. C.

November 28, 1947


THURMAN ARNOLD
ABE FORTAS
PAUL A. PORTER
WALTON HAMILTON
MILTON V. FREEMAN
NORMAN DIAMOND
HEED MILLER
L. A. NIKOLONIC

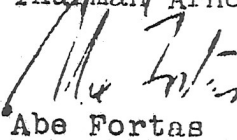
TELEPHONE
DISTRICT 24

Dear Mr. Weisberg:

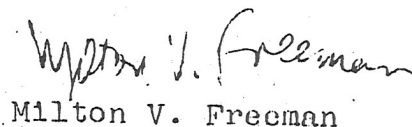
We want you to know how deeply we appreciate your kind and generous gesture in sending us a gift and the warm sentiments which accompanied it. You know it was a pleasure to be of service to you and your own calmness and dignity under the most adverse circumstances were in no small measure responsible for your ultimate vindication.

Sincerely,


Thurman Arnold


Abe Fortas


Paul A. Porter


Milton V. Freeman

Mr. Harold Weisberg
2322 N. Nottingham
Arlington, Virginia

JFK assassination records; Privacy Act request appeal; surveillance item in C.A. 75-1996

While I am certain that I have appealed re: the attached 62-109090-539 (?), having come across a copy I'd marked and having had no action from you I go into this again.

As I have stated, because of my health and age I am concerned about the viciousness of disclosure of false and misleading records made possible by violation of my rights under PA, which I did invoke and which Mr. Lesar also did for me.

First of all I desire a legible copy on which all notations can be read. Even the Serial is unclear. There appear to be at least two duplicate Not Recorded filings. Both of those files should have been searched in 1975. I request all copies from these and any other files. *(10 copies indicated)*

Why an everyday request for records at the Archives should have reached the Director himself is not clear or in any way indicated. I do not regard this as an everyday occurrence. I have seen no directive requiring that every request for information relating to the JFK assassination reach him, for example. If there is any such instruction it is within my requests.

Unless the Director was generating false paper he clearly was misled. But then SA Cunningham wrote a misleading memo. I recall the matter quite clearly and was present when Mr. Johnson had his second phone conversation with Mr. Cunningham.

Mr. Hoover was under the impression that all "evidence" had been transferred to the Archives, from his note. He thus was misled into believing that I was making a pointless or frivolous request. Under these conditions the rest of the memo was certain to make him wonder what some enemy of the country was up to.

My actual request, later made in C.A. 2301-70, was for the results of the spectrographic analyses, not for "portions" of reports mentioning them. These still have not been provided. They are at issue in C.A. 75-226, now before the appeals court.

While it can be argued that it comes to the same thing, Mr. Johnson did not tell me that "the FBI cannot be of assistance." He told me that Mr. Cunningham told him all the information was in an 11/23/63 Lab report. The part of the conversation I overheard is consistent

with this.

The marked paragraph, opposite which I have placed a shorter mark in the left margin, refers to information that for some reason was available in the FBI Lab and was not provided to me - ever. There was not all that time between the two phone conversations. I was with Mr. Johnson. The memo gives the impression that it was written and approved prior to the second conversation.

It is my recollection that Internal Security was then located at 818, 9 and D. I do not recall receiving the results of any such search. I am certain I appealed ^{ISD withholding} ~~it~~ quite long ago, whether or not from this record. There are others. This one is relevant in the King JFK and Privacy matters. I ask also if any of my King correspondence or requests were so routed. After all, if I was a menace in 1966, was I less of a menace 2 and 1/2 years later and after three more books? Or when my first requests for King records state I was writing a book on that crime?

I have just read and re-read this marked paragraph and find myself wondering if this can really be a record of the United States Government. It is what I'd expect of the KGB or Gestapo. But it also reflects what the FBI and the State Department are still withholding from me or ^{IS} undiluted mendacity. (Now so far as my appeal from the denial is concerned, that is at least three years old. I ask again for prompt action on it.)

So you will not have to search for and reread what I have already told you there were no charges against me - ever. None were given to me then or under FOIA/PA. There is no factual basis for any of the slander, which may explain why some of the records I have identified to the Department have never been provided.

I have never had any personal contact with anyone at the Soviet Embassy, Soviet national or any other. As I told you, I was a correspondent whose work required that I go there, to the Ching Kai ~~Shih~~ ^{Shih}, British and many other embassies.

This is an FBI 1986 effort to perpetuate the pogrom of two decades earlier.

There was a shibboleth of the World War II period, behavior during the period of the Nazi-Soviet pact. During this period, as I have told you and you have independent means of knowing is the truth, I took a lot of information to the Department, particularly to the

Anti-Trust Division. (And at its suggestion to British intelligence.) Yet after all these years Justice can't come up with a single piece of paper? Nor of my assistance to President FDR in one of his fireside chats, which did involve the Department's Criminal Division?

I have a separate surveillance request in C.A.75-1996 and that denial is under appeal. I am aware that in your testimony in this case, which is still before the Court, you made no reference to those items of the requests. I could not be there to remind my counsel, who was not allowed to proceed because of the full docket in any event. My appeal was years before your testimony. Nothing is provided in response to this request yet the FBI clearly had either some kind of surveillance, which it then grossly misrepresented, or deliberately fabricated a very hurtful libel. Without some form of surveillance how could "Bufiles also reveal that he has had previous contact with Soviet Nationals at the Russian Embassy"?

This is a very dirty business I tried to get the FBI to let me clear up long ago and made the same efforts with you several times, without any response from anyone. I hope you will now attend to it promptly. Meanwhile I am taking this up with my counsel for use in C.A.75-1996, where I understand the Department has filed some Motion for Summary Judgement that has not yet reached me, and I will call this to the attention of a Member of the Senate Intelligence Committee.

So you can understand my feelings about this I remind you again that when the FBI did not respond to me or to my counsel he telegraphed the Attorney General relating to my PA rights in November 1976, which was a year before the general FBIHQ JFK releases of deliberately libelous intent.

Again so you will not have to search your files I also attach what was written to me by counsel who had also headed the Anti-Trust Division at the time I helped it. As you know, another of my ^{then} counsel was later an advisor to a President and a Supreme Court Justice.

Maybe such endorsements mean nothing to official character assassins but with this copy I intend a partial use of my PA rights, full use being precluded by the continued withholdings. I am asking that a copy of this, with the attachments, be placed with this and every other such nasty reference to me in the FBI reading room, every record elsewhere with similar

defamations, and that copies be provided to all those to whom the FBI has provided copies of any of these records, including but not limited to the press and Congressional committees. I also ask that I be provided with copies of all records reflecting that these requests are met.

May I please hear from you with regard to when you will act on my PA appeal now so many years overdue for action?

Memorandum

Dep. AD
 Dep. AD
 Asst. Dir.:
 Admin.
 Comp. Syst.
 Ext. Affairs
 Files & Com.
 Gen. Inv.
 Ident.
 Inspection
 Intell.
 Laboratory
 Legal Coun.
 Plan. & Eval.
 Spec. Inv.
 Training
 Telephone Rm.
 Director Sec'y

TO : Mr. Gallagher

DATE: 9/9/75

FROM : B. H. Cooke

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. O'Connell
- 1 - Mr. Cooke
- 1 - Mr. Nettles
- 1 - Mr. Cleveland

SUBJECT: ASSASSINATION OF PRESIDENT
 JOHN F. KENNEDY, 11/22/63.
 DALLAS, TEXAS

B. H. Cooke

Attached is a UPI release of 9/8/75 concerning statements of Senator Richard Schweiker of Pennsylvania asking the Senate to reinvestigate the assassination of President Kennedy.

The Director asked to be advised regarding two parts of the release. The first states, "Schweiker said Ruby was an FBI informer, according to a letter Hoover wrote himself."

Concerning this, Ruby was contacted nine times by Dallas Agents in 1959 to determine his potential as a criminal informant. This was based on his position as a nightclub operator who might have knowledge of the criminal element in Dallas. He furnished no information during the contacts and the case was closed. This information was furnished to J. Lee Rankin, General Counsel of the Warren Commission, by letter of 6/9/64, from Director Hoover.

The second part of the article the Director asked about states, "Schweiker held up a document from the Warren Commission, previously labeled top secret, which he said meant that CIA Director Allen Dulles 'acknowledged that FBI Director (J. Edgar) Hoover might lie to the Warren Commission about FBI links with Lee Harvey Oswald, even if asked by the President to answer truthfully."

EX-110 REC-45 62-107060-7239

Regarding this, a UPI release on 11/28/74 set forth information regarding a private meeting of the Warren Commission held on 1/27/64. The information came from a transcript of the meeting that had recently been declassified and obtained by Warren Commission critic - author Harold Weisberg - under the Freedom of Information Act and was published in his new book, "Whitewash IV." The transcript related to a discussion in which former CIA Director and Warren Commission member Allen W. Dulles told the other members that they had no choice

Enclosure

CONTINUED - OVER

57 SEP 18 1975

ENCLOSURE

6-11

Memorandum to Mr. Callagher
RE: ASSASSINATION OF PRESIDENT
JOHN F. KENNEDY, 11/22/63

but to accept J. Edgar Hoover's denial that Lee Harvey Oswald was ever an undercover FBI Agent. The transcript quotes Senator Richard B. Russell, who was a Warren Commission member, as commenting to Dulles, "If Oswald never had assassinated the President, or at least been charged with assassinating the President, and had been in the employ of the FBI and somebody had gone to the FBI, they would have denied he was an Agent." Dulles replied, "Oh, yes." Russell then said, "They would be the first to deny it. Your Agents would have done exactly the same thing." Dulles replied, "Exactly." Dulles added, "I would tell the President of the United States anything. Yes, I am under his control. He is my boss. I wouldn't necessarily tell anybody else, unless the President authorized me to do it." He added, "What I am getting at, I think under any circumstances, I think Mr. Hoover would say certainly he didn't have anything to do with this fellow."

ACTION: For information.

MM

G/KW

P.H.C.
J.W.

MBC
A.J.

A.S.I.
P.H.C.

K

with copy of appeal

- 1 = 89-69-1
- 2 = 89-69-35
- 3 = 89-69-50
- 4 = 89-69-57
- 5 = 89-69-77
- 6 = 89-69-79
- 7 = 89-69-84
- 8 = 89-69-95
- 9 = 89-69-114
- 9 = 62-109060-6593)
- 11 = 89-69-169
- 12 = 89-69-190
- 13 = 89-69-325a
- 14 = 89-69-323
- 15 = 89-69-326
- 16 = 89-69-384+386
- 17 = 89-69-worksheet vol 4 p 9
- 18 = 89-69-412
- 19 = 89-69-415
- 20 = 89-69-474
- 21 = 89-69-572
- 22 = 89-69-589
- 23 = 89-69-worksheet, vol 6, 7a-2/p
- 24 = 89-69-1078
- 25 = 89-69-1084
- 26 = 89-69-1107
- 27 = 89-69-1150
- 28 = 89-69-1391
- 29 = 89-69-1434
- 30 = 89-69-1515

31 = 87-64-1664 & 1657(2)
32 = 89-69-1858
33 = 89-69-1907
34 = 89-69-1916A
35 = 89-69-2063
36 = worksheet #22 ~~3226~~
37 = 36-86-3076
38 = 38-86-3218
39 = worksheets vol 28 - packet only
40 = 89-69-4190
41 = 89-69-4225
42 = 89-69-4234
43 = 89-69-4270
44 = 89-69-4428
45 = 89-69-4433
46 = 89-69-4441
47 = 89-69-4448
48 = 89-69-456?
49 = 89-69-4580
50 = 89-69-4581
51 = 89-69-4592
52 = 89-69-4586
53 = 89-69-4587
54 = 89-69-4589
55 = 89-69-4590
56 = 89-69-worksheet 34/11
57 = 89-69-4592a & 4594
58 = 89-69 manual (from 75-1121)
59 = 89-69 sub 1A 65-66, 75
60 = 89-69 sub 1A 68-73
61 = 89-69-1A104
62 = 89-69-1A125
63 = 89-69-1A135
64 = 89-69-1A (no #)
65 = 89-69-1A139
66 = 89-69-1A140
67 = 89-69-1A141

68 = 2008 & 3030 (89-69)
69 = 89-69-1922
70 = 47-4196-11
71 = 62-109060-4961
72 = 89-69-3004A
73 = 105-82555 referred slip
74 = 105-82555 NR 11/8/68
75 = Tampa FBI 1/9/78
76 = 62-109060-6618
77 = misc worksheets 62-109060
78 = 62-109060-4180 EBF 9/11
79 = 62-109060-6640
80 = 62-109060-6645
81 = 62-109060-6864 & 6859
82 = 62-109060-6872
83 = 62-109060-7654 slip
84 = 62-109060-4192 9/11/66
85 = 62-109060-6594 change slip,
to 62-112771-1
86 = 62-109090 worksheets 168, 169, 238
87 = 105-82555 worksheet Ser. 4313 EBF
88 = Fin tabulary 5932
89 = 62-109060-7314X2 pt 1
90 = 62-109090-236
91 = 62-109060-6642 (11/169)
92 = 62-109060-6658
93 = 62-109060-7226X
94 = 105-82555-482
95 = 62-109060-4192 envelope
96 = Devons to Conrad 11/23/63 2 pgs
97 = 5/22/64 Lab to Dallas
98 = 62-109060 4/20/64 Lab fingerprint
99 = 100-10461-8501
100 = 1/28/64 NY to Director
101 = 89-69-3137, 3140, 3141
102 = 109060-Ser 135 pp 91-2
103 = 109060-5355

104 = 62-109060 - Sec 135 (Normal)

105 = 62-109060-5366)

106 = " " LHM 5/2/67

107 = 110-10461-1315pt1

108 = 62-109060 - Sec 135 - Brinkley

109 = 62-109060-4199 pt3 4/7/64