

To quin Shea from Harold Weisberg, PA appeal No. 999 6/11/80 - 6/13/80

Last night, as I continued examining folders of records that accumulated when I had to do other work and was not able to return to them earlier, I came across a selection of records provided by the Dallas field office in what, for lack of an adequate description, I refer to as partial compliance with my PA request. I had made copies for you and will attach them. I trust you will recognize that the illegibility of FBI copies of original documents is not attributable to my copier but rather is a tribute to the FBI's scientific achievements.

As I read this selection of copies I made long ago and noted the typical FBI consistency and devotion to scrupulous observance of the law and its obligations as reflected in the withholding of what it also released in other records and otherwise was within the public domain, one being the identification of a Warren Commission witness, it suddenly occurred to me - perish the thought!!! - that the FBI's care, in selecting what it would disclose and what it would withhold, lends itself perfectly to what might be called doing a number on me.

As I thought of this possibility, remote as it may be when considered along with what we have learned of the FBI from such dependable sources as Efron Zimbalist and the Overstreets, I was reminded of all the man appeals I've filed and your and the FBI's failure to respond to any of them, save for your asking me for biographic statements which I did provide.

Because I have come to know the FBI other than as represented by the Zimbalists and Overstreets, I asked Ms. Barrett to check further pertaining to the records I had copied for you.

This search, still incomplete, is quite rewarding. It has disclosed, for example, how well suited David G. Flanders is to be head of the FOIPA Branch, perhaps why he was selected over others of longer experience in that work at FBIHQ, like SA Bresson.

While other search disclosures also are revealing, <sup>attesting to</sup> as the totality of dependability of the FBI's word and the unimpeachable integrity of its FOIPA responses, of which I

include outstanding examples below, mayhap it is appropriate to attest to Mr. Flanders' established credentials ~~to begin with.~~

You are aware that I filed PA requests with all 59 FBI field offices. You are also aware that I have requests going back more than a decade that remain without response. Among these one pertains to a John Martin who, in May of 1968, was in an audience I addressed at the University of ~~Minnesota~~ <sup>Minnesota</sup> in Minneapolis. Martin was one of several young people who just happened to take motion picture of Lee Harvey Oswald being arrested in New Orleans, three months before President Kennedy was assassinated, along with that dependable FBI source Carlos Bringuier, aka The Stupidity. With all the urgent matters that required the FBI's attention and diligent investigation, such as the nocturnal visions of many people, it is understandable that the FBI never told the Warren Commission that it had and had made copies of Martin's film, which the FBI decided was valueless. The Commission, as a result of the FBI's foresight, did not have to trouble itself to make its own evaluation.

Another motion picture taken at the same time and place, from the FBI's description of it, includes an as yet unidentified Oswald associate. In itself this justifies the FBI's opinion that this film also is valueless. It was taken by Jim Doyle, of Portland, Oregon.

It is not without precedent for my amateur opinion not to coincide with the thoroughly professional opinion of the FBI. The foregoing is not the only example of this. On the first day of 1969 I filed an FOIA request that included both films. When two ~~years~~ years passed without FBI response, under a 10-day law and at a time when the FBI did not claim any FOIA backlog, I ended the second year with a new request, accompanied by a check which the FBI cashed, in return for which it did not comply with my request. However, the Deputy Attorney General did pass my request along to the FBI, and on 12/15/70 it forwarded its version of my FOIA request ("...information pertinent to Weisberg's allegations...") to the New Orleans, Dallas, Portland and Minneapolis offices. As of that time, if not also earlier and later, these offices did have records pertinent to my PA request.

These pertinent records include the subsequent reporting, which is entirely in accord with the information I provided, aka "allegations."

Under date of January 11, 1978, Minneapolis acknowledged receipt of my lawyer's request of which my copy is dated December 27, 1977. This acknowledgment, signed by David G. Flanders as Assistant Special Agent in Charge, begins with a neat adjustment of the date of my request to January 1, 1978. This slight adjustment brought the response within the 10-day requirement of the Act.

On ~~the~~ grounds other field offices did not perceive, Mr. Flanders faulted Mr. Lesar's letter and my accompanying affidavit, (both <sup>were</sup> readily acknowledged as adequate by other field offices); on the ground the affidavit, which is required only to identify me, did not state the purpose of a PA request; and because it did not repeat what is well known to the FBI and is amply recorded in court decisions of no small interest to it, that my affidavit did not attest <sup>to</sup> what Mr. Lesar's letter states, that he represented me.

I executed a new affidavit including what Mr. Flanders wanted, Mr. Lesar sent it to the Minneapolis office, and under date of 4/7/78 Mr. Flanders wrote that "the Minneapolis Field Office does not have any record on, or pertaining to, Mr. Harold Weisberg."

The Portland response of 1/11/78 is "that a search of the files of this office disclosed no record of any investigation concerning Mr. Weisberg, or of any information on file pertaining to him."

Neither Mr. Flanders nor the Portland office refer to the search of any indices or see cards. Both are unequivocal and are of unquestionable inaccuracy.

Before returning to the records I read last night and what they suggested to me I note that, when the FBI ignored my many earlier requests and then did not respond when pursuant to its letter I wrote and asked for an appointment to view all the JFK assassination photographs it had placed in its reading room, I requested copies of them under FOIA, was again ignored, and beginning <sup>with</sup> my appeal of 8/3/78, page 4, filed a series of appeals to which, with the hope that springs eternal and in the fact of all fact, I do expect that at some point you will yet respond.

I was reminded that Portland's filing system is something special by the record that

Just happens to be the first of the Dallas PA rerords I'd copied for you. It captioned the Dayle movies of Oswald and an associate handing out literature as a Jack Ruby matter and assigned it a civil rights number, 44-225 EM. <sup>(100-10461-9275)</sup> That Dallas airtel of 12/21/70 is among the records sent to or originated by Minneapolis and Portland that neither Mr. Flanders nor the Portland office found in their exhaustive searches and diligent efforts to comply with the Act. *(Not provided by HQ under PA.)*

of 100-10461-9272  
Coinciding with the copies indicated at the bottom/Dallas added numbers not consistent with any records provided, 675 25<sup>4</sup> for FBIHQ, 675 258 for New Orleans, 675 259 for Portland and 675 260 for Minneapolis. If these numbers have any significance, and I request that you please determine this, and can be utilized for further searches, considering that my first PA request was five and a half years ago, making those searches now will not be excessively hasty.

You will find attached to my 5/28/79 appeal more legible copies of the pertinent Martin records than Dallas provided under my PA request.

attached *(but not New Orleans)*  
The first of the records Dallas provided under PA in which the FBI withholds from me what is readily available in its reading room is 89-43-8538. What is withheld in the second paragraph is the name Dione Turner and what was not an identifier or privacy violator 10 years later, her student box number at LSUNO, 1282. In the same paragraph the next withholding is of the name of Philip Geraci, III, who had been a Warren Commission witness - and whose testimony transcript was altered prior to publication to make it consistent with an untrue alibi made up by the FBI's source, also a Warren Commission witness, Carlos Bringuier, who actually met Oswald long before he told the FBI and Commission he did. It is Bringuier who gave Oswald the false "red" credentials Oswald then took to the Cuban embassy in Mexico City and tried to use to get a visa.

When he gets as close to rationality as he can, which is neither near it nor often, Bringuier is the most undependable of sources. He is a rabid political extremist.

The bottom of the first page of this record indicates it was prepared for distribution, without confirmation or attempt at confirmation.

This includes what the FBI says Bringuier said that Turner told him, "that an agency,

which she did not identify, was building a case against Weisberg because he was spreading KGB propaganda in the United States."

At about the same time Ms. Turner told me that Bringuier had told her the same thing. Neither version has any basis.

However, it is quite obvious that, if any government agency was building any case against me for allegedly spreading KGB propaganda in the United States, that agency was quite capable of informing other agencies and required no assistance from the FBI in the form of spreading third-hand accounts of a complete fabrication.

I appealed New Orleans withholdings in its alleged compliance with my PA request. Under date of 4/11/78 you replied that "A member of my staff has determined that on March 2, 1978, F.B.I. Headquarters released to Mr. Weisberg, without excisions, all records indexed under his name in the files of the New Orleans Field Office . . ." What FBIHQ released to me on 3/2/78 does not include the record from which I quote above, a New Orleans record sent to both Dallas and FBIHQ.

The Dallas and FBIHQ and FBI reading room versions of this New Orleans record are indexed to me. How your staff could have known what is or is not indexed<sup>xcd</sup> to me in New Orleans without going there you do not say. All your staff could do is repeat what the FBI~~HQ~~ said, and rubber-stamping is hardly the exercise of a proper appeals function.

It simply is not possible that New Orleans originated and prepared for distribution inside and outside of the FBI this three-page letterhead memorandum on me and did not index it to me, or what your letter does not refer to, make a "see reference" to it and to me.

Quite aside from what you now know from the appeals I have filed that are documented with copies of the FBI's own records, that it has waged a campaign, best described in its own cliches as "vicious and diabolical," against me for decades, not less than four decades, what it does in this memo and what the New Orleans office sought to hide, is the fact that its source, Bringuier, lied to it and, knowing better than to trust him, the FBI turned ~~his~~ his lies over to the Warren Commission without minimal investigation of them. If the FBI had even read the Secret Service reports, which I published, it would have known that Bringuier lied in a central area, when he first met Oswald.

The defamatory LHM, which New Orleans knew very well it did not dare let me have, concludes, "Geraci, III, was interviewed by Bureau agents on November 29, 1963, concerning his meeting Lee Harvey Oswald at (Bringuiet's) Casa Roca on August 5, 1963. Information furnished by Geraci paralleled information information regarding this incident as furnished by Bringuiet..."

It is by this mean, resort to "paralleled" when Geraci did not confirm but disputed Bringuiet, that the FBI covers up its part in framing a case and supporting a liar who it knew was a liar, Bringuiet.

The date given, August 5, is later than the date Bringuiet testified to before the Commission, August 2. Bringuiet invented that date to give his alleged suspicions a semblance of reasonableness because the FBI raided a Cuban refugee ripoff styled as a training camp  for an invasion of Cuba, on July 31. That raid, Bringuiet testified, caused him to suspect Oswald, although the FBI and the Commission did not ask why.

The early part of this LHM has me conspiring with Garrison to get Geraci indicated, to alleged deals between Geraci's mother and Garrison and other such fabrications, of a nature the FBI likes to call "nefarious."

To Ms. Turner's knowledge, because she was helpful to me in it, the closest thing to a deal was between both of Geraci's parents and me.

The FBI quotes Bringuiet as having told it that she had heard that I had written to young Geraci, then a soldier in Vietnam. In ~~truth~~ truth, she had and I did not know how to.

The LHM has reference to Geraci being subpoenaed before the Grand jury. This is true. It happened three times and he did not respond to any of the three subpoenas.

There are three things to which he did not want to testify, and if the FBI did not know these I can only wonder what Zimbalist was up to.

At the time he met Oswald at Bringuiet's store Geraci was a high-school junior who did not get along with his parents. He ran away from home, was met when he returned to New Orleans by Ms. Turner, who took him to Bringuiet. Instead of arranging for Geraci to return to his deeply concerned parents, Bringuiet sent him to a dive where Geraci was

the victim of a homosexual gang bang. My sources on this are the report of the sergeant who investigated it, who is cited in other FBI records that do not include his report; Ms. Turner, who was my first source; both of Geraci's parents, before the father was electrocuted, which resulted in Geraci's return from Vietnam; and then Geraci and his mother. In a successful effort to avoid exactly what the LHM says I was up to with Garrison, I was able to arrange for the subpoenas to be dropped if Geraci would talk to me, after which I would give Garrison's office any information pertinent to its investigation. To assure young Geraci's rights, I arranged for the interview to be in the presence of the family ~~and~~ lawyer, William Cohen, and to have the promise of the Garrison office confirmed by Ms. Cohen's husband, Judge Louis Trent. As a result young Geraci was never before that grand jury and was not indicted. *And there was no publicity.*

Geraci was afraid that his altered testimony before the Warren Commission could lead to allegations of perjury. The alteration was by staff counsel Wesley Liebeler, not by Geraci. The alteration provided the incorrect quotation used in the Commission's Report. If you'd like it you can have the alteration, in Liebeler's own handwriting. (I have not seen it referred to in any of the records provided by the FBI.)

Geraci knew he had met Oswald at Bringuier's long before August and his mother confirmed the time as when school ended. She drove her son and his friend, Vance Blalock, to that part of New Orleans for them to obtain Civil Air Patrol uniform parts and then kept a dental appointment. And this destroyed Bringuier's explanation of all that interested the FBI and the FBI interested the Commission in. Before Philip returned from Vietnam the parents, in an interview also tape-recorded and played back to them, provided me with ~~some~~ proofs, Bringuier's dated receipts for money Philip gave him that Philip got from selling (illegally) so-called Cuban bonds Bringuier asked Philip to sell. These receipts, of which you and the FBI can have copies if you want them, are dated in June and July.

Oswald had been in the CAP, and at a time when the late David Ferrie, charged by Garrison, also was active in it. This was the subject of false Warren Commission testimony, eliminated from the printed transcripts, by New Orleans Detective (vice squad) Frederick S. O'Sullivan. Also eliminated from both the testimony and the report is the fact that

O'Sullivan, then a high school classmate of Oswald, recruited him into the CAP. By this means the Oswald-CAP and Oswald-Ferrie connections are kept fuzzy and uncertain.

Within 24 hours of Ferrie's death young Philip was, for all practical purposes, kidnapped by O'Sullivan and the juvenile squad detective referred to above, according to both Philip and his mother, in my tape-recorded interview in the presence of the family lawyer, also available if you or the FBI desire it. The parents were led to believe by this pair that they were acting for Garrison and to protect Philip, whose vulnerabilities are apparent from the gang bang alope. Philip and the mother both told the shocked lawyer and me that Philip was kept out of Garrison's jurisdiction and questioned for a week before O'Sullivan and Burne turned him loose. The gang bang of a 15-year-old that Bringuier set up.

Now when the Portland FBI can file records pertaining to movies of Oswald's demonstration under Jack Ruby, and the New Orleans and Dallas FBI can evaluate movies of a few minutes later, of Oswald, Bringuier and company being arrested, an arrest that without question Bringuier arranged, as totally valueless, it is obvious that I cannot state what the FBI has filed where it shouldn't be filed or what it considered to be of value. However, there is some of this that I do know the FBI knew.

It knew that O'Sullivan recruited Oswald into the CAP at a time when Ferrie was active in it and used his connection with it to recruit young men into what has been called his harem. These records were originally withheld at the Archives, continued to be withheld after Ferrie died, and years later, from a decision approved by Attorney General Mitchell, I obtained the CAP records and reports that the FBI let the Commission have. Included is O'Sullivan's recruitment of Oswald into the CAP.

It knew that O'Sullivan testified falsely about Ferrie's criminal and vice record.

It knew that Bringuier testified falsely about when he first met Oswald.

From its contact with Sergeant Bourne it should have known the rest. If it ~~didn't~~ didn't, it is hardly the ferring-do FBI of the Zimbalist-Overstreet portrayal and it had much less interest in the assassination of a President, which I if not the FBI regard as the most subversive of crimes, than one would expect of the FBI under normal conditions.



Rather than investigating the crime and circumstances surrounding, as Director Hoover assured the Commission and though it the country the FBI would continue to do whenever it received any information at all, the FBI undertook to defame the easily defamed Garrison, as it had earlier critics of the FBI's account of the assassination, both in secrecy but both, from records of which you are aware from the copies I provided, with considerable effort and the expenditure of public funds. As I also informed you, I have <sup>(a reporter's)</sup> notes of what amounts to parties at the New Orleans FBI office in which the special agents who supposedly investigated him, Ferrie, and reporters believed to be sympathetic to the FBI's view laughed about Ferrie and Garrison. Much can be said against Garrison and I have said much against him, but on the Oswald-Ferrie connection he was factually correct - in precisely the areas I go into above, those areas the FBI, for whatever reason, failed to investigate - unless it still withholds records that clearly are within my requests, including in C.A. 78-0322.

At the very time of the false and defamatory record the New Orleans FBI withheld and you certified was not withheld I was doing and did do exactly what the FBI and Garrison failed to do.

With my knowledge, limited <sup>as</sup> ~~it~~ it is by the FBI's non-compliance with my PA and other requests, (of other FBI reportings about me), such as that my wife and I annually celebrated the Russian <sup>the</sup> evolution, a fabrication with which it has favored, to my knowledge, the White House and Congressional committees, perhaps you can see why it suddenly occurred to me, when I came to the selection of Dallas PA records I attach, how they could be misused for doing a number on me.

If this is attempted, it can be pulled only because of FBI and Departmental non-compliance with the laws, what for mere mortals is illegality. I will come to the complicity of other Departmental components in other records that surfaced in the checking.

Please bear in mind that the FBI's own description of the Doyle film, (filed under Ruby rather than Oswald in Portland) has an associate never identified by the FBI participating in Oswald's pre-assassination activities in New Orleans that in my first book (1965) I described as establishing a cover. Fifteen years later I have no reason to

want to alter that description, despite the FBI's valiant effort to produce only records not in support of it, only some of which is indicated in the foregoing.

As part of my efforts to determine what Oswald was doing in New Orleans that could be part of establishing a cover and who his known associates were, I filed other FOIA requests of the FBI. Pertaining to Oswald the alleged "red" and his seeking employment with the right-wing Cuban Ronnie Caire's public relations agency I filed the required DJ-118 form (100-10461-9245), amplified by my letter of 9/15/70 (924?, last digit eliminated by the FBI in xeroxing) and that of 9/28/70 (9246), which included a check in prepayment, cashed by the FBI. In providing what records it did under date of 4/7/78 in response to my PA request <sup>(New Orleans withheld)</sup> Dallas claimed (b)(1) and (7)(C) and (D), without indicating which along- <sup>(It provided no worksheets.)</sup> side what it withheld. <sup>9251</sup> Under date of 10/13/70 (100-10461-~~9250~~), following <sup>FBIHQ's</sup> ~~its~~ 10/9/70 airtel to ~~me~~, Dallas and New Orleans, Dallas addressed only what I had said about Oswald's masking of Caire's address on his addressbook, to which the FBI had devoted considerable study - after first eliminating the name, license and phone numbers of the Oswald case agent from what it provided to the Warren Commission. Dallas said this "is a statement that only WEISBERG can clarify." Therefore neither it nor any other part of the FBI asked for "clarification," which I had published a year earlier. One paragraph is withheld entirely as classified confidential. <sup>(N.O. did not provide under PA.)</sup>

The field offices got the word from the FBI's limitation of my request, despite Hq's forwarding copies on 10/9/70. Half of the first and second <sup>(of 9250)</sup> pages are withheld. <sup>(Dallas' copy of)</sup> All of the text of the first two pages of New Orleans' response of 10/19/70 also is withheld, by stapling a piece of paper on the text. (This automatically eliminates what is reasonably segregable, if there is any basis for any withholding. The 10/19 record is not classified and no exemption is posted with the excisions.) The parts of my request not responded to, if searched at all, include Oswald's application for a job with Caire and Oswald's use of the same address that Caire and his associate, Sergio Arcacha Smith, used in soliciting funds for an organization they called "The Crusade to Free Cuba."

The FBI's denial of having any pertinent information clearly is disputed by these records, disclosed in part eight years later.

What Dallas did not withhold from the 10/19/70 New Orleans record pertains to another part of the same request. From the New Orleans police the FBI obtained copies of literature Oswald distributed earlier that summer, in his first effort to obtain public attention. Although in the FBI's version Oswald was entirely alone, the fingerprint it lifted from this literature was not his. This is acknowledged in the 10/19 record. According to it the FBI made no effort to learn the identity of this person, not Oswald, but misidentified as Oswald, who distributed literature Oswald <sup>had</sup> printed, until nine months after the assassination. In this version the FBI was content to drop the matter there. The record does not state whether the FBI attempted to identify the fingerprint of if it succeeded. <sup>This</sup> ~~may~~ may have greatly facilitated the FBI's instant preconception, of a lone and unassisted Oswald.

Although New Orleans sent the Oswald leaflets to FBIHQ for fingerprint identification, in what remains of 9250 FBIHQ directed New Orleans "to review its files for" the information I requested and was not provided. (Emphasis added.)

How Dallas managed to retrieve 89-43-7818 in response to my PA request is not apparent because in what remains of this copy there is no indexing notation of any kind. An obvious possibility is that Dallas has duplicate sets of records and provided the wrong copy. This leads to the belief that there is something on the record copy it did not want to disclose. My request includes all copies.

Here again the 1/8/68 LHM is prepared for distribution and the entire first page is withheld by stapling-over. What remains of the second page makes clear that it pertains to the alleged Mafia threat against Garrison that I reported to the FBI. The FBI's own records disclose that I am the one who first reported the threat to the FBI. <sup>fore</sup> It there is more than ridiculous that, in providing me with records pertaining to what I reported to the FBI, the FBI withholds what I told it, my source and my source's source, who asked my source to phone <sup>me and then</sup> ~~me and then~~ took the phone himself. The names are Richard Rye and Harv <sup>M</sup>organ. Moreover, because all of this was public domain in 1968, there is no basis for withholding a decade <sup>later</sup>.

The ostensible purpose of disclosing 89-43-9028-30 is because my name is mentioned in connection with membership in the Committee to Investigate Assassination. This figures, because I was never a member and opposed its organization. \*

As is true of all I address herein (and ever so much more), you have not responded to my prior appeals pertaining to 89-43-9320, again prepared for distribution inside and outside the FBI. There is withholding from each paragraph of this record that remains after the stapling over of the first two-thirds of the first page. From what remains it is certain that there is reasonably segregable information in what is totally obliterated.

From other records disclosed for other purposes by the FBI it appears that the FBI's source is one its own records describe as a nefarious character, the most dubious of possible sources. I provided the name Edgar Eugene <sup>U</sup>Bradley, west-coast representative of the extremist Rev. <sup>U</sup>Carl McIntyre, and neither you nor the FBI responded.

If there were any common sense in the FBI, and if it did not want to create more mischief, it would never have circulated the fabrication that the Secret Service had agreed to conspire with me to defame the FBI.

I have had dealings with <sup>U</sup>Bradley, to whom I provided the assistance he requested when Garrison was after him. To refer to <sup>U</sup>Bradley as a swine is to defame pigs. However, ~~its~~ its uncritical reporting of an obvious fabrication <sup>is</sup> what the FBI wanted to distribute, so the FBI at once distributed and disavowed it.

In 89-43-951<sup>6</sup> and 9537 ~~xxxxx~~ Dallas sent FBIHQ copies of AP stories pertaining to my work and publication. 9716 was not provided by HQ. 9537 is not the copy marked for indexing, so how Dallas managed to retrieve it remains a question. Perhaps there was comment on the text, <sup>which is</sup> accurate reporting of the Warren Commission executive session discussion of Oswald as an FBI "undercover agent" prior to the assassination, which I gave to the AP and others in the press. Ms. Barrett finds no copy on what HQ provided in its still incomplete response to my PA request.

\* The name withheld in 9030 is disclosed in 62-112697-4. If the FBI has placed in its reading room what it informed the Court in C.A. 75-1896 is placed there, then in later partial compliance with my PA request it withheld what is in its reading room.

Another prefabricated cover-the-Bureau paper, ~~part~~ part of the incomplete Dallas PA response, is 89-43-5621. It follows upon a half-page story in the New York Times reporting part of the content of my second book. I included <sup>IN IT</sup> facsimile reproduction of an inaccurate report by a Dallas agent pertaining to the Zapruder camera and the speed at which it exposed movie film of the assassination. Here the FBI confirms the accuracy of my quotation, "the sentence contained in the first paragraph of Mr. ZAPRUDER's FD-302, which reads as follows, 'The camera was set to take normal speed movie film, or 24 frames per second,'..." It also confirms that "normal speed" is 16 frames per second, <sup>when</sup> which I also reported. (As I learned later, ~~when~~ I was able to force production of Zapruder's camera, its slow-motion setting is 48 rather than 24 fps, as SA Barrett reported.) The FBI puts in Zapruder's mouth an attack on my integrity and the accuracy of my book, that I "had taken a sentence ~~out of context~~ of his interview with the FBI out of context and used it as a basis for his book."

How facsimile reproduction of an FBI report constitutes or can constitute taking a sentence out of context is not immediately apparent, but that need not concern the FBI any more than its unfactual reporting about basic evidence showing the President being assassinated did, particularly not when any rectification of any erroneous accusation, were a number to be done on me, would never catch up with the doing of that number.

The concluding sentence is that copies of the pertinent records, which pertain to me, were sent to Birmingham, to which SA Barrett had been reassigned. It therefore follows that Birmingham's response to my PA request did not include copies of or acknowledgement of copies of these records it did have.

Dallas 89-43-9253? is a poor copy of the FBI's 1/28/71 response to the AG's 1/25/71 pertaining, it says, to "documents which have been declassified by the National Archives." A more precise version of my 1/4/71 request would be that I asked the FBI for a <sup>list</sup> ~~copy~~ of the records disclosed by the National Archives after the FBI removed the restraints it had placed on their disclosure. I also included all Department components.

Apparently the people in the AG's office believe anything the FBI says, without question, even when their own records reflect the infidelity of what the FBI says, because the FBI said I asked ~~for~~<sup>for</sup> access to documents related to captioned matter which have been declassified by the National Archives." Obviously, except perhaps to the FBI and AG's office, if the records were declassified by the Archives the same records were readily available there and I did not have to ask the FBI for them - and didn't.

When I pointed out that without a descriptive list nobody, ~~me~~<sup>I</sup> or anyone else - and Americans live as far away as Hawaii and Alaska - had any way of knowing what was released, the FBI turned this around to make it appear that I was asking the Department and the FBI to conduct research for me. I didn't.

The FBI concluded and the Department appears to have agreed that "The question raised by Weisberg in this instance is not one of obtaining information under the Freedom of Information Act, but merely requesting the Federal Government to conduct research into matters which are readily available to him."

Even for the FBI this is a considerable convolution of, "I write to ask if you can make available lists of what your Department has released. I presume you maintained lists of what you restricted and of those released and that this will present no serious problem to you."

A request for existing lists is a proper request under FOIA. The lists did exist and were prepared by the FBI. It would have taken considerably less time to merely xerox those lists than to go through all of this contorting. However, if the FBI had merely responded truthfully to the AG or sent xeroxes to me, as the Act requires, it would have given up something it never surrendered, a chance to "stop" me and my writing, or a chance to "do a number" on me - which it did.

I can only wonder how many people, from the Attorney/General's office down, were deceived and misled and how many reviewing these records since then have been misled and deceived by the misrepresentation of a normal and simple request for lists of records that were disclosed after your Department removed its restriction on them.

As disclosed in the FBI's reading room this record is 62-109060-6986. That copy bears the initials HAS. Henry A. Schutz was a unit chief in the Criminal Section of the General Investigative Division (general crimes).

Whether or not he was, and I'm not taking time to check, that Division was directly involved in reviewing FBI records that had been restricted at the Archives pursuant to the FBI's and Department's requests. It therefore had knowledge of the existence of the lists I sought and arranged that I not get them under FOIA.

New Orleans originated 89-43-9307, SAC to HQ, 11/25/71, reporting having been informed by former SA Milton R. Kaack that I had "contacted" him to ask "if he could make any comment concerning OSWALD without violating the confidential status of his former position with the FBI." Having originated the record, New Orleans did not manage to retrieve it in response to my PA request.

The New Orleans record might have interesting notes or addenda. For example, what will not be clear to most people who ever see this record, that Kaack was the Oswald case agent in New Orleans. Or what I really phoned Kaack to ask ~~why~~ why he had not provided any affidavit pertaining to any contact with Oswald or if he knew why, as the former case agent, who resigned rather than accept Hoover's disciplining, he had not been called to testify before the Warren Commission.

The FBI records to which I refer above, throughout this appeal, reflect non-compliance with my PA request by FBIHQ, the field offices and the offices of the AG and DAG and the Criminal Division. This represents one kind of doing a number on me.

So does what I received from your office in the mail of 6/12/80, three xeroxes rather than originals of letters addressed to me. They are stamp-dated yesterday, <sup>(6/11/80)</sup> and the day before. They assign 1980 appeals numbers to older PA appeals from denials of records not provided by the Department in response to my 1976 request, first appealed in 1976. I shall respond to that separately so that I may include specific citations of some earlier appeals. I regret to remind you that this is not the first time your office has changed the dates of my appeals.

*John...*

This is not an inclusive reference to the Department's and the FBI's record of non-compliance, partial or selective compliance and disclosure that constitutes the doing of a number on me and is susceptible of further such misuse. It is limited to the selection of PA records of the Dallas office, as stated at the outset.

When the FBI and the Department both ignored my counsel's effort to exercise and protect my rights under PA prior to the general Headquarters JFK releases, one irremedial result was the doing of a number on me by making available to the press and others false and defamatory records - without including the correcting statement I had filed pertaining to those records that by then I had received.

This is an authoritarian practise I would not want to see repeated.

I therefore ask that before such authoritarian abuses can be repeated there be prompt, full and complete compliance with my now ancient requests and appeals. If this is done I might be in some kind of position to refute them. If it is not done and there is a repetition, it will represent a deliberate Departmental participation in any additional abuse and law violation. With requests and appeals going back to 1975 and 1976, I trust you will not find what I ask to be unreasonable.

All Dallas and New Orleans field office records withheld entirely or in part are within C.A. 78-0322, as is the failure to make proper claim to exemption.

Dallas did not provide either worksheets or notation of the exemptions claimed on the records it did provide. It made a meaningless claim, in blanket and without correlation with any record, in its covering letter. It does not say it used its see references.

*Handwritten signature*