

Dear Jim and Howard,

4/23/77

I have not said all I can about the attached "ruden letter or in response to it. For example, how could Peurifoy say the AG knew without some record. How could an FBI agent have been informed without still another record? Neither have been provided.

I don't know what records of this I still have. I do know who I worked with after I worked out a defense for us, as I had to after whipping most of the others into human erection, sommon respect for the backbone we were all born with. It is Milton Freedman of the firm now Arnold & ~~xxxx~~ Porter. (Abe Fortas was not only a named partner, he was important in all of this. Some years ago I wrote Milton about at least the decoration General Wild Bill Donovan gave me. I gave Milton my only copy before xeroxing.

But those records should include the results of an investigation I then conducted. I remember some. What I remember makes Peurifoy and the Department, which is responsible for him, but more repugnant and less human.

General Marshall earned what Joe McCarthy did to him. He allowed himself to be blackmailed by the House Appropriations Committee. It was chaired by a de facto nazi named John Aber of New York. It was dominated by an Ameriform Nazi named Harold Barger, of the staff. My best source then was one much in my debt besides being a personal friend, the late Paul Richman. Paul had been a rabbi. He was then head of the Washington office of the B'nai Broth's Anti-Defamation League. Paul, a conservative, used to call me a one-man ADL. He was this good a friend: when I wanted a Jewish religious marriage to satisfy my grandmother and my mother, in addition to the years-old actual marriage to Lil and when this was not in accord with Judaic practice and belief Paul found a ribbi for me.

Peurifoy's letter says 11. The stories of the time said 10. Of these 10 all were Jews except one or two married to Jews. Thus the separate ADL interest. So there will be ADL fiesl, if not in Washington, especially after the Hanafi trashing, then in New York.

I go into this now partly because of our yesterday's discussion (Jim's and mine, Howard, about my estate) and partly because I think this Peurifoy letter makes other redress possible.

It not only exceeds any official need- it specifies the excesses. It is, in fact, an extra-legal effort to pressure the AG into filing non-existing criminal charges against us. Let the Department now claim Peurifoy was insane. They have been silent on his perhaps to be alleged insanity for three decades. Longer than Howard has been alive.

What they have not yet gotten to is the UnAmerican committee. It was involved, if in an exceptional way - through an investigator who was a woman, whether or not she was an investigator, I had known in high school and college. The UnAmericans sent her around to the radio station for which I worked then, the Washington good-music station. So I left and became a farmer. Until the government could not leave me alone there. Her name, maiden as of then, years later, was Eleanor Matson. Shapely in body if not in mind. I recall when we were in dress rehearsal for the senior class play and I called on stage to her that her petticoat was showing she responded fresh! It is a slip. That showed.

Small world, like Guatemala is part of a small world.

Anyway, I think this Peurifoy letter alone is actionable. It is, from its own contents, without need. It is an effort to go beyond the unconstitutional law of the day to continue a persecution that never had any rational basis, a persecution that succeeded. On the one hand it is the official act of the State Department, through a duly accredited official, yet on the other hand it is so utterly and completely baseless the Department after all these years and efforts has come up with no relevant records. None can exist. The plain and simple fact is that I was what you could call a British agent, not a Russian agent. And Justice knew it because it asked me to work with the British.

I know of no obligation imposed on the Department of State or any of its authorized agents, which Peurifoy sure as hell was, to persecute me.

In the event I cannot make the decision and it is up to the two of you to do it and in the event it is possible for you to do it, it is my desire that you pursue this in whatever way you consider proper and to whatever you decide is the right end. This has reduced the estate I leave to you to administer and it has been an intrusion into my life and my ability to do the work I have undertaken.

So there will be others who know this is my desire I am sending copies of Les Payne, Dave Wrone and Hollywood Paul, asking them to keep it with the postmarked envelope if the cancellation is visibly dated.

So Howard will know, yesterday Jim and I discussed the formalization of the estate and my intentions, which have always been to create it in my lifetime, as prior writings show. This dates to before my illnesses, when I did enter into a verbal agreement with the Wisconsin Historical Association, subject to the continuing reservation only, that I would have to accept any other offer that included meaningful assistance during my lifetime. Jim has not been able to find time to get the proper papers prepared for my signature.

However, last November, as indication of my intent, I did make a token deposit at Stevens Point. I ~~was~~ then saw to it that there were newspaper stories reporting this intent. I am confident it also is in the tapes of what I then said. The Stevens Point paper does have the story, as my files also do.

Best,

Mr. John S. Pruden, Director
Foreign Affairs Document and Reference Center
Department of State
Washington, D.C. 20520

Rt. 12, Frederick, Md. 21701
4/23/77

Dear Mr. Pruden,

By another of those coincidences that are mere happenstance and in no sense the result of prior consultations your unsigned letter stamp-dated the 21st came today with two others on the same subject after, naturally, plenty of time for the consultation that there was not. No need to deny it. It just happens regularly.

If the citation I do not hide seems foreign to you then you have not walked all these years in the Indian's moccasins or you have a different concept of the United States. Especially basic, traditional belief.

Because I will not acknowledge agreement with his traditional authoritarianism to him I do not respond directly to Victor "the dick" Dibbos whose letter stamp-dated March 18 or more than a month before yours you enclosed. He never sent me a copy of that letter and for mere mortal what he did in not sending it is illegal. But then he is not a mortal, he is an official and an official dick at that, each making him immune.

This is not to say that I am unwilling to confess a personal debt to him. I'll explain it so you can convey my appreciation should you have the inclination.

He begins "On November 23, 1975 you requested access to your records with (sic) the Federal Bureau of Investigation..."

At that time I was not long out of the hospital. Only three days earlier I had returned from a debate with David Belin, of whom I presume you have heard, in such condition that when the airline looked at me it single-loaded me and sat a nurse next to me on the flight. The date just happened to coincide with Mr. Belin's abrupt change of position and his public demand for an investigation of the JFK assassination. Not that he had not been part of one, which is another story, or a reinvestigation, quite a story.

Because I was not in the best of shape when I made this request of the FBI I mislaid my carbon of it. The FBI never acknowledged this request. Nor did it in subsequent correspondence under a repeated request acknowledge the first one, the dick's one.

Under either and with the FBI's maximum claim to a backlog its processing of this request, of which as yet I have no official acknowledgement from it, is extraordinarily tardy. Even for the FBI. Except with me.

I am not going to contest the dick's diktat that his refusal to send me a Department document is in accord with regulation. Total experience to now is to the contrary. In each and every case of FBI referral the FBI has asked the agency of origin to provide me with copies that in no single case the FBI has provided. Surprisingly enough in each and every such case the agency of origin had originally denied the existence of any such document if not any at all.

Now if you would care to inform me in your official capacity that the agency of origin is not supposed to provide records I'll look forward to any citation of law, regulation or accepted practice you can provide, you having provided the letter that in more than a month your law-and-order dick did not. Law = 10 days except for immune dicks.

Now if I were a ~~xxx~~ suspicious person I'd suspect you and your dick are trying to whipsaw me. Instead note an inconsistency.

He wrote me five weeks ago, although I did not learn it until today, that you "will" notify me about what you have not notified me.

The dick says the FBI told him of only three documents "originated in full or in part in the Office of Security, Department of State." From this I take it that your dicks send to the FBI what you do not consider worth keeping yourselves and your dicks can't distinguish between full and part. If the latter is perhaps the highest compliment that from personal experience I can pay them it does say that there are your record you have not provided me. They are called for by my requests, I do ask for them and I also ask for two explanations: why they were not supplied and why their existence was either lied about or not disclosed, take your choice.

Five weeks is more time than the law permits, as is the time of exactly 15 months since this request of the FBI. I'm a little impatient. I'd like you copy and I'll await the FBI's. If you would have a statutory right to refuse this I ask what it is.

But the dick's version is not the same as your letter says. And you, while saying in the first paragraph that these are to be released, tells me in the second of a right to appeal. But from the information headed "appeals produces" you enclose I cannot appeal because you have not made a denial. I therefore ask that if you were too timid to specify a denial - or too ashamed - that you forward this as my appeal unless you now provide the records you also have not provided.

You are cute if not ~~stx~~ clever in closing by informing me of my right to amend. You even enclose a memo on how to do it. The problem is that without knowing anything about the records not provided in this whipsaw arrangement I am without basis for even claiming a right to amend. I can't do a single thing your enclosure requires of me except what no longer ~~xxxxxx~~ need to do, prove that I am me. Naturally enough you know this because you are also the amending authority.

If this is the way the Department deals with foreign powers the conspicuous lack of diplomatic accomplishment is explained. But I am not a foreign power. I am an American citizen. The law says you must give me these records without delay, within a time frame that has already expired or give me some citation of applicable exemption and you have done neither.

You are not as imaginative as other agencies. They merely invent exemptions.

But you did enclose one of the three documents referred back by the FBI, the 7/11/47 letter from John E. Peurifoy to the Attorney General. (Naturally the Department keeps no copies of its letters to the Attorney General, particularly not of such content.) Fortunately from the personal knowledge of him already and without knowledge of this reflected in my letters I do not have to wonder if he was, as he signed himself, the Assistant Secretary, or as you describe him, the Deputy Assistant Secretary for Security. From the personal account I have already provided if there is no accounting for his having reached either rank it is apparent that for other Department employees it is a blessing there was not more than one to knock them down.

Despite the unjustifiable maskings in his letter it is a self-representation of a man who was with others as he ended up being with himself. If you are now aware, he killed himself in Guatemala, regardless of what spooks and dicks tried to make of it.

First he says the Attorney is aware of the firing of employees of whom I was one, if you have not yet provided me with any record of this. To now that is. The Department records you have provided do not include my being fired.

Then he says that not only does the Attorney General know on his own but our names had been given to the FBI.

But this is not enough. He then adds, the only purpose of this letter, that he is personally giving the Attorney General - personally - our names that the Attorney General had two official ways, those specified, plus an unofficial way, the leaking of them to the Washington Times-Herald, not mentioned.

Even this is not enough. He concluded with the offer, "Our files on these individuals are, of course, available for your use (sic) should you wish to have them."

As you should know under the since-invalidated McCarran Rider all you needed to fire me was that I retained any blood after this Peurifoy bleeding. I'm not at all sure that my death would not have been ample grounds for firing me.

There are four sentences in this Hitlerian letter, including the formalities. Each one solicits some act by the Attorney General when there was only in a sick mind any possibility of considering any act, meaning criminal action. The third sentence actually tries to pressure him, a la Otepka, to "whatever action you may consider necessary."

Now there is nothing in the records you have provided me, nothing a maniacal Peurifoy even, could consider warranting even the suspicion of any "action" the Attorney General of the United States could "consider necessary."

Can there possibly have been any such records on me and any official of the Department permitted destroying them?

If there are and were no such records on me how can the Department persist in this infamy. Is the post-McCarthy Department of State less than the post-Stalin Soviet Union?

Even if I was the victim of the McCarthyite pre-McCarthy Department which raised the sick Peurifoy to high station from the most menial of employment and then dispatched him to Guatemala. Need I tell you what ensued in Guatemala? Besides his killing himself?

Three decades have passed. In all this time has the Department put no single person in any position of authority who has a sense of shame, personal, professional or on behalf of the Department? Clearly when you send me what you have you lack it.

You, personally, are so bitterly vindictive that you have not responded to my reiterated request of years standing for the regulations that applied at the time the Department even gapped me out of the pay that was due me. I had to cash in my retirement to survive. (I am now 64 and in less than perfect health.)

Now don't tell me that you destroyed not only whatever garbage Peurifoy had in mind but all Department regulations of that era. I am appealing this de facto denial if I have not already.

I have asked for and have not been provided with copies of the Department's records on the news attention to the leaks that provided all the supposedly secret names. Blood was not enough to the Peurifoyian Shylocks. Now don't try and tell me that with this that was entirely without precedent, this that involved the blackmailing of the then Secretary by Congressional Nazis there also remains no single record. And is any Secretary blackmailed that much? This is a denial I appeal if I have not.

Instead of responding to this perfectly proper request you resort to the obscenity of pretending otherwise, of obliterating all the names but mine for all the world as though they had not been leaked to the Times-Herald. And been an international sensation, personally ruinous to those it was the Department's intention to ruin.

The one vestige of decency is your refusal to sign your name.

With this new insight into John Peurifoy I remind you of my personal conversations with him to which, fortunately, I have referred earlier. I believe this kind of political paranoid made records of them. I want those records or any records of their destruction.

I also want all records of all searches in compliance (sic) ^{with} my requests preserved. I am not dropping this matter here or now.

Sincerely,

Harold Weisberg



DEPARTMENT OF STATE

Washington, D.C. 20520

APR 21 1977

Harold Weisberg
Route 12
Frederick, MD 21701

Dear Mr. Weisberg:

This is in reference to my letter of March 25, 1977 regarding a referral received by the Department from the Federal Bureau of Investigation. The review of that document has been completed. I have enclosed a letter dated March 18, 1977 and signed by the Deputy Assistant Secretary for Security which explains his review. As noted in Mr. Dikeos' letter, two documents have been returned to the FBI for release to you and one document (#1) is enclosed.

The Department's procedures provide for an administrative review of denials of access to records requested under the Privacy Act of 1974. I have enclosed a copy of the Department's procedures for submitting an appeals request to the Privacy Policy and Appeals Board.

Under subsection (d)(2) of the Privacy Act of 1974, [Public Law 93-579], "Each agency that maintains a system of records shall...permit the individual to request amendment of a record pertaining to him." If, after examination of the record, you determine that the information about you is not accurate, timely, relevant, or complete, you may request amendment of the record. Enclosed is a copy of the Department's procedures for requesting amendment to the information about you.

Sincerely,

John S. Pruden
Director
Foreign Affairs Document
and Reference Center

Enclosures:
As stated



DEPARTMENT OF STATE

Washington, D.C. 20520

AMENDMENT PROCEDURES

Requests for amending records must be in writing and mailed or delivered to the Director, Foreign Affairs Document and Reference Center, Department of State, Room 1239, 2201 C Street NW, Washington, DC 20520, who will coordinate the review of the request to amend a record with the appropriate office(s). The Department will require verification of personal identity before it will initiate action to amend a record to ensure that the requester is not deliberately or inadvertently seeking to change records about other persons. Such requests should contain, as a minimum, identifying information needed to locate the record, a brief description of the item or items of information to be amended, and the nature of the requested amendment. The burden shall be upon the individual to support his request for amendment. The requester should submit as much documentation, arguments or other data as seems warranted to support his request.



DEPARTMENT OF STATE

Washington, D.C. 20520

APPEALS PROCEDURES

Requests for a review of denials of access must be in writing and mailed to the Chairman, Privacy Policy and Appeals Board, Department of State, 2201 C Street, N.W., Washington, D.C. 20520. The appeal should be made within 60 days of the date in which the requester was informed of the Department's refusal to grant access to a record in whole or in part. Such requests should include, as a minimum, information needed to identify the record, and any documentation, information and statements to support the request for access and to refute the use of the exemption(s) cited in the Department's justification concerning the denial of access. The final determination by the Privacy Policy and Appeals Board should be made within 30 working days.



DEPARTMENT OF STATE

Washington, D.C. 20520

18 MAR 1977

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

On November 23, 1975, you requested access to your records with the Federal Bureau of Investigation (FBI). In acting on your request, the FBI located three (3) documents originated in full or in part by the Office of Security, Department of State. These three (3) documents which we have numbered 1 through 3 for convenience of identification, were referred to me for necessary action.

Documents #2 and 3 will be returned to the FBI at their direction. This office has determined that Documents #2 and 3 as received from the FBI may be released in full. The FBI should contact you with regard to Documents #2 and 3. It has also been determined that Document #1 may be released in part. The names of other individuals cited in Document #1 have been excised in order to protect their privacy.

You will be notified by the Director, Foreign Affairs Document and Reference Center, when the document will be available for your review.

The regulations of the Department do not provide for an administrative review of this decision. I, therefore, wish to advise you that you may, if you wish, seek judicial review of this determination. Please advise me if this office can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Victor H. Dikeos".

Victor H. Dikeos
Deputy Assistant Secretary
for Security

REFERRAL

COPI

5/1

CONFIDENTIAL
DEPARTMENT OF STATE
WASHINGTON

In Reply refer to
CON

July 11, 1947

My dear Mr. Attorney General:

As you undoubtedly are aware, the Department recently terminated the services of eleven employees under the provisions of the McCarran Rider. At the time of their termination the names of these individuals were given to a representative of the Federal Bureau of Investigation.

For your information and for whatever action you may consider necessary, the names of these individuals are listed below:

Weisberg, Harold

Our files on these individuals are, of course, available for your use should you wish to have them.

Sincerely yours,

For the Secretary of State:

(signed) John E. Peurifoy
John E. Peurifoy
Assistant Secretary

The Honorable
Tom C. Clark,
Attorney General

DEPARTMENT OF STATE, U.S.A.
WASHINGTON, D. C. 20520

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