

Rt. 12, Frederick, Md. 21701  
1/11/78

The Secretary of State  
Washington, D.C.

Dear Sir,

I address you not in the expectation this letter will reach you but out of the belief that I raise matters that should be known to those around you. I presume that this letter will be forwarded in channel. I hope it is with instructions that the Department behave better than it has to the end that I need not go to court and sue the Department.

Some years ago, under the provisions first of FOIA and then also of the Privacy Act, I asked the Department for certain regulations of the 1947 period and for any and all records on or about me. To date I have been unable to obtain either the regulations or a denial of them and I have obtained only some of the other records together with overtly false assurances of completeness.

There were also a few records your spooks certified have to be withheld for national security reasons. With the passing of three decades this seems at least improbable. However, there are regulations and an executive order covering such matters and there is the requirement that what is "reasonable segregable" be provided. So, with regard to what is alleged to be of such a nature that it could endanger the nation I ask that I be provided that which is reasonably segregable. For certain this has to include the classification and the certification of the propriety of continued classification under E.O. 11652. I do not hide my reason from you: your spooks, and not they alone, fear embarrassment.

Ordinarily I would not have permitted all that time to pass that has passed since the Department did not respond to my more recent letters that include an appeal. However, I have been in imperfect health and with increasing age devote all the time I can to several large inquiries, into the assassinations of President Kennedy and Dr. King. With regard to each the Department of Justice has informed several federal court that I am more expert than anyone in the FBI. Currently - and involuntarily - I am a consultant to that Department's Civil Division because it persuaded a federal judge of this expertise and dependability.

I was reminded of the Department's failures to live within these Acts by finding several of my own relevant records. One is my wife's shorthand notes of a contemporaneous memorandum I made in 1947, the other the enclosed letter from those gentlemen who were my counsel when I was the innocent victim of evil men in and out of the Department of State and timid men in high position within the Department.

I think you will recognize the names of my counsel and will not discount their words. I assure you that my wife's shorthand relates to records that have to exist within the Department, that could not possibly have been missed in any honest search and that have not been provided. If your staff is not familiar with the statutory requirements, it is that searches be made with due diligence and in good faith.

Subsequent to my receipt of what the Department falsely represented as all its relevant records I received from other agencies what leaves no doubt of the dishonesty of the letters written to me. Lest you draw the wrong conclusion I hasten to add that I am without doubt that those who signed the letters did not conduct the searches and that they acted upon what they had been told. With this intended fairness I also add that while I do not have a copy of my immediate and angry response it should have lead any diligent official to require still a further search.

It was for a while a cause celebre when in 1947 the Department fired 10 of us under the provisions of the clearly un-Constitutional act, since so held by the courts. There was no hearing. There never was even an allegation of charges, leave alone a statement of them. No chance to confront anything - not even a piece of paper if not an accuser. And supposedly no recourse.

The result was a virtual pogrom. Aside from mistaken identity - and there was that - to the best of my knowledge there was no basis for any of it.

If you would like to learn for yourself how the so-called security people can and do influence, even control policy, if you'd like to learn how they do control the kinds of minds upon which the Secretary can draw and the limitations imposed in other ways by their control over who can be employed, a fine education is yours from my case.

My interest in obtaining the pertinent regulations comes from the fact that I was not paid for the months between my summary dismissal and the embarrassed acceptance of a resignation. I want to know if the Department had the obligation of informing me of my rights or of paying me for that time. At the least, it seems to me, I should have a response and a copy of the applicable regulations. I am required to ask for an identifiable record. I submit I have.

My interest in obtaining all the records about me is to be able to exercise my rights under the Privacy Act. Until the Department complies with the Act and provides all the records it has and refers me to others of which it knows I am effectively denied these rights and the Act is nullified.

I am past 64 years of age, have done the work I've indicated and have begun to deposit my records in a university system. Aside from what is my right while I am alive I want to be able to confront and refute all this viciousness, the anti-Americanism so that continued misuse of it may not be intruded into my work and its acceptability.

If the Department does not comply with these proper requests and do so fully and in good faith I will have no choice. I will have to take all of this to court. I have no desire to create any scandals - if I have a choice. I assure you that what the Department did is scandalous. So, I believe, is this effort to perpetuate it.

Thank you or your associates for anything they may do to obtain good-faith compliance with the Acts.

Sincerely,

Harold Weisberg