

5/31/69

Dear John,

While I do not assume you and your lawyer have missed it, I also do not want to avoid the obvious, hence this hasty note.

Last night I read some of the Freedom of Information law, 5 USC 552. It uses language identical with that woven into the affidavits supplied by the government, like the references to "for purposes of investigation" and "identifiable" files.

The use made in the law is to give the government "outs". They do not, under that law, have to supply investigative files, and I know of cases where they have made improper denials with this as an excuse, for example, in refusing Paul Hoch one particular copy of the many copies of the Carliss Lemont pamphlet Oswald was giving out. Their real reason here was the return address he had stamped on it. The address he used is 544 Camp Street. That, you may recall from OSWALD IN NEW ORLEANS, was the address of the CIA organized and financed Cuban Revolutionary Council. Paul carried this through very well, finally asking for but a xerox of the page with that stamp, and this is their reason for refusing it. They didn't even offer that as a reason until he asked the specific question. Then they confirmed it.

Picture of the hard-working (and the wrong) FBI agent preparing an affidavit, just a straightforward statement, and he just happens to recall the exact words of the Freedom of Information Law! You know damned well the lawyers prepared it for him.

I can't figure out why they had the wrong agent do it, though, or the other way, why they feared having Callagher do it. Can it be the lawyers didn't know, that the FBI gave them the wrong affidavit?

Sincerely,

Harold Weisberg