

Mr. Michael Ratner
Center for Constitutional Government
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7627 Old Receiver Road
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11/5/89

Dear Mr. Ratner,

Getting the FBI to transfer any CISPES records to the National Archives really is the kind of victory the AP story in this morning's Washington Post quotes you as calling it. But it does not mean what that same story leads off with, purging of the FBI's files of all those records.

Generally, and I'm certain in this instance, the FBI pretends that all its records are in its headquarters "main" files and almost invariably this is false. My guess is that it is transferring the HQ "main" CISPES file - and nothing else.

All investigations and most records are in the field offices, in this case probably Dallas. The field offices do not send everything to HQ. They also distributed copies to other field offices and to all the innumerable "intelligence" agencies. The xeroxing machines work overtime in making copies for "see" filing, cross-referencing, and duplicate filing at HQ, referred to as "Not Recorded" because they are not in the main file, which is the "recorded" file.

In the field and at HQ it is common practise to file a copy of each record making reference to a name in a separate file for that name.

Then there are the ticklers, field and HQ, all loaded with not only copies of any particular record being processed but with selections from the main files of other classifications and descriptions including those names and agents' notes and reminders.

Health and age have kept me from keeping up to date on the FBI's filings procedures but I am confident that no civil-liberties revolution has taken place there. So many of them are genuinely convinced that wrong is right they find ways of perpetuating the wrong and are dedicated to it and their concept of patriotism it reflects.

I forgot to mention the fact that although the FBI steadfastly denies it, even when it is, literally, perjury, the various HQ divisions have extensive files of their own and there is little doubt that CISPES records will remain there, subject to later retrieval for improper and hurtful uses.

I do not know the degree to which Center people have been able to familiarize themselves with the FBI's filing and related procedures so I include a couple of pages from one of its publications on its files. These indicate, to a degree, how if you want to you can determine from the file markings what else has been done with main file copies, how they are marked for indexing, etc.

and don't forget the multitudinous cards and now I suppose the computer entries for indexing. The story make no reference to them being transferred.

Everything except perhaps some HQ comment will still exist in the Dallas office, subject to retrieval through the Dallas central index. and in some political cases the field offices make special indexes of records that they do not incorporate in the central index. They also use some arbitrary file classifications for such records to be able to frustrate a seemingly full search. Records of surveillances are filed as "admits" or "administrative matters," classification 66, and are never searched. This is how they hid the Dr. King tapes, not one of which was in a HQ main file or any other there. all field.

So, congratulations on what you have done. But don't believe that the files were really purged and that all those innocent people can't still be hurt.

Sincerely,

Harold Weisberg

11/5/89

THE WASHINGTON POST

FBI to Purge Files of Policy Protesters

Records of 1983-85 Central America Probe Will Go to Archives

Associated Press

The FBI said it will purge its files of thousands of names of people and organizations collected during its controversial investigation of Americans who protested U.S. policy in Central America.

FBI Director William S. Sessions disclosed the plan to transfer records of the bureau's 1983-85 probe of the Coalition in Solidarity with the People of El Salvador (CISPES) to the National Archives and Records Administration in letter to Congress released Friday.

Sessions's decision was hailed as a victory for CISPES by the Center for Constitutional Rights, which had represented the group in a lawsuit that obtained documents disclosing the domestic spying operation. Sessions conceded last year that the Federal Bureau of Investigation overstepped its bounds by conduct-

ing domestic surveillance of political groups allied with CISPES.

Six supervisory-level agents were disciplined and the Senate intelligence committee sharply criticized the investigation, which took place when William H. Webster was director of the agency. (Webster is now head of the Central Intelligence Agency.)

"Clearly we see this as a major caveat-in by the FBI and a real important victory in the fight against surveillance," said Michael Ratner, an attorney at the New York-based center.

"It's a big victory for the FBI to finally concede they have no business snooping in these files, that they belong in the National Archives under very secure protection," Ratner said.

CISPES also sued the FBI to force it to remove the names of innocent people from case files by

transferring the records to the Archives. The group is appealing a federal judge's dismissal of the lawsuit.

Sessions disclosed his decision in an Oct. 27 letter to Rep. Don Edwards (D-Calif.), chairman of the House Judiciary subcommittee on civil and constitutional rights.

"Transfer of the records to the Archives will protect the thousands of innocent individuals whose names appear in these files even though they were not even suspected of anything illegal," Edwards, chairman of the House Judiciary subcommittee on civil and constitutional rights, said in a statement Friday.

FBI spokesman Milt Ahlerich said the transfer will take place "after we are satisfied that the confidential relationships that the FBI had with citizens who chose to assist us in those investigations will

be preserved," he said. In his letter to Edwards, Sessions said any agreement negotiated with the Archives would enable the FBI to continue to use the CISPES files in pending litigation, to which Ratner said he had no objection.

The CISPES surveillance and infiltration that was conducted between 1983 and 1985 was based on tips to the FBI that individuals affiliated with the groups were linked with international terrorist organizations.

The Senate Select Committee on Intelligence, in a sharply critical report last summer, concluded that the investigation was based on "allegations that should not have been considered credible."

According to the intelligence committee report, the CISPES investigation resulted in the names of 2,375 individuals and 1,330 groups being placed in the FBI's central investigative index for easy retrieval.

In congressional testimony last year, Sessions admitted that the investigation "caused information on rank-and-file members who had nothing to do with international terrorism to be included in FBI case files."