

Mr. Emil Moschella, chief
FOIPA Section
FBIHQ
Washington, D.C. 20535

9/23/88

Dear Mr. Moschella,

FOIPA 280,521 (see below)

I'm glad to get these additional CLICK records, which indicate the existence of still others not yet provided. Thanks. However, you are perpetuating an error I have corrected several times: this is not a separate request. You gave a new number to an appeal, one of many, relating to my request for all information on or about me. For a period of time I was Click's Washington correspondent. Some of these pages were disclosed to me earlier under my initial request and I wrote and appealed the withholdings of records the existence of which is indicated in them.

My FOIPA request re myself was sent to all field offices so it is apparent that some at least did not provide all the information they have. I'm pretty sure I also appealed this earlier. Here, for example, Washington Field, Philadelphia and New York. (65-56402-1015, the "Gregory" case.) No big deal but you've even withheld the index pages on me in these disclosures.

These disclosed pages of 101-2261-15, aside from being inaccurate about me, do establish the existence of other relevant records I've requested over and over again. On page 32, it alleges I was a Communist in 1934. I never was, not then, not at any other time. But the basis for this remains withheld. As, I'm sure, is much other such garbage from the Dies committee.

The Department had, indeed, borrowed me from the Senate committee to help with the prosecution in the Mary Helen case but all those records remain withheld. It is no trick to get them because that main file is identified, 44-175. I did then become a friend of then SA Jim McInerney and I remained a friend until he died in an auto accident. I saw him when at Justice he headed both Lands and Criminal and I did in all likelihood take the government through him what I'll refer to with regard to other of these pages below.

I'm pretty sure that 61-7587 is or refers to the case against David D. Mayne because I was interviewed in it and that interview was and remains withheld. I can give you a possible "exemption" not a provision of FOIA: the agents tried to get me to sign an inaccurate draft they'd prepared and I refused. They did not permit me to leave their office and I just sat. When they realized I would not sign that statement they permitted me to phone my lawyer and only after he got there did they let me go. I believe they rewrote the statement ~~of~~ to eliminate the inaccuracies and I did sign an accurate statement. Your files have much more than this on Mayne and me and his ultimate copping of a plea arranged by Martin Dies. Two felony counts. During the war an agent from the southwest drove up to interview me in Arlington about Mayne's security and I refused to give him any statement about Mayne's security because I regarded his conviction of two felony counts more than enough to disqualify him from sensitive employment, as I now recall as a steamfitter in atomic bomb work. That field office also withheld this information in response to my request of it. I do not know whether there is a HQ record but there should be.

With regard to the next paragraph, I'm reminded that the next story I did for Click in that series was praised by Director Hoover and you've not yet provided me with his letter. I do not believe anything he wrote was automatically destroyed, particularly not when these related records still exist. I would like it, please. And it is within both my actual request and this new number you've given part of it. (You've sent me the reprint of that article, on Rohm & Haas Corp he wrote about so you have that part, too.) The other articles in that series were exposés of Nazi cartels and involved those that the FBI then was investigating. Several, like Rohm & Haas, were vested.

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The Cuban material is not complete. (65-4196-49X) The memorandum referred to also was not provided. What is omitted that I recall clearly is what certainly would have been of interest because it showed our then ambassador along with Nazi's and those friendly and associated with Nazis in Cuba just before Pearl Harbor and long after war began in Europe. He was George Messersmith. Others who were influential and associated with the Nazis that I now recall were of the family that owned the then largest paper in Cuba, Diario de la Marina. Perhaps the name was "Ivero or Rivera.

I have a very clear recollection of some of what is involved in 100-73921-1 and I am certain that this main file should include other records relating to me.

George McNulty, who I believe was head of DJ Criminal at the time, had been counsel for the Senate committee for which I'd worked. I'm sure he got the pictures in question from me and any other information I'd gotten. Here is the story as I now recall it to indicate that other records relevant to both Click and me should exist.

The magazine had a correspondent who was in Chile and was concerned not only about the serious nature of the information he'd gotten but about the control over the postal system by the pro-Nazi Falange. The magazine asked me to try to dope out some way of getting his data out. Among those I remember speaking to are McNulty and Larry Duggan, then something like an undersecretary of State. Because of the content of the information as represented to me I insisted that the government have it first and that what was in the form of negatives be developed by the FBI so that it not only would have everything but would be able to determine whether, as a matter of real national security, some ought not be disclosed. It is my present recollection that Duggan arranged for them to come by pouch and they did. I do not recall whether they then were given to me or to the Department or FBI but my best recollection is that I got them from McNulty. It is possible that if the film had not been developed I had copies made for the Department and that I gave prints rather than negatives to him. Whichever it was, it is clear that the FBI has prints and I would like them, please, because I do not have any and they are of historical interest, as I describe.

I also took these things to Jimmy Roosevelt and he gave them to his father and the President used them in one of his more important "fireside chats" that were made to the nation by radio. The son was apparently connected with some forerunner of the CIA because it disclosed records reflecting the fact that a set of them had been in the possession of a former ambassador with intelligence functions who was at the time officed in the Apex Building.

It is my recollection that the information included what could be taken as the plans for a Nazi putsch in Chile. Before Pearl Harbor.

In this connection I note that all of my above activities were in what then was known as the "shibboleth" period of the Nazi-Soviet pact and that all of my activities were the exact opposite of Communist, regardless of the content of some of your files.

In addition to the photographs and their distribution several other records that relate to both Click and me are referred to in this single page, are relevant and not provided. I'd appreciate full compliance, please, as I say, for historical purposes. I do question both the need and the propriety, particularly in an historical matter of this significance, of asserting the exemptions to withhold and that, after more than 40 years, there is any possibility of any injury to any person or source. The duplicate filing is not legible in the copy provided. I'd appreciate including it in the search.

With regard to Allan Chase and his book Falange, 100-153806-9, I have no objections to withholding the name of the person who did the leaking but by now the FBI has disclosed often enough, including to me, that it did get advance copies leaked to it, not to withhold anything else from that first paragraph.

I am not asking for the entire Mary Helen et al file but my request does include all records in it relating or referring to me. I had a friendly relationship with some

of the Bas assigned to that case in Kentucky, as you will recall if you were with SA Jack Slick at one of the depositions in my FOIA litigation when we discussed some of them, and they told me what to expect to have reported. And why. If it does not include my accurate reporting that the jury had been fixed and how, which neither these agents nor the Department lawyers believed, I'll be surprised. And that also, I remind you, was an historical case where withholdings are to be minimized. And it was 50 years ago.

I think that the entire ^{file} ~~file~~ is within my initial request, and my many appeals that were not acted upon, because it was originally intended as a prosecution of Gardner Jackson and me. (He has been dead for years.) Only the grand jury would not indict ~~us~~, refused to, and did indict Mayme. Now that grand jury transcripts are disclosable, I'd like to read them and have them for archival purposes. In its way that was quite an historical case. I doubt that any source of personal information would really qualify for withholding and I'm reasonably confident that the late Martin Dies could, ^{or did} say anything much about me. If he testified, and he was more directly involved than either Dies or Joe Starnes, that Un-American whose Americanism put him in jail, ^{or would have} without any factual basis at all.

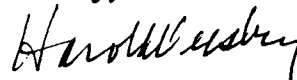
I remind you again of your continued withholding of records the existence of which is established by disclosed records citing them that I would like to have. I recall records that stated falsely that I had a personal relationship with a Soviet national inside that embassy and that some of that embassy visited me at our farm. Withholdings of this nature should also include photographs taken of me from the other side of the street, from the building that I now recall was the old National Geographic building, whenever I went to that embassy as a correspondent. That this was the practise has been disclosed officially.

Another matter that relates to both ^{Click} and me personally that may be in your files and is within my requests has to do with Rohm & Haas and hearing held, if I can fairly use that word, by the House Patents committee. This was just before the firm was ~~bankrupt~~ vested. It had some official and formerly official strings to pull and it got and misused transcripts. My source on this, now dead, then was official.

When I was investigating and writing those articles I turned much information over, including what I'd like very much to have if the FBI has it, the patent deals between IG Farben and U.S. and British corporations, involving in particular Jasco. I think it was a Louisiana corporation. Quin Shea told me that the late Joe Borcin, then in Anti-Trust, must have taken the copies he had with him when he left the government but he did not tell me whether or not the FBI had copies. If you do, I'd like copies of them also, again only for their historical value.

After all this time and given my age and the state of my health, I would appreciate a real effort at genuine compliance. In this connection, you do have and did not provide, even when called for in court, wiretap records and bugging ones that do include me but not as the subject. Please include them, particularly because you have already disclosed them but not to me.

Sincerely,



Harold Weisberg