

Congressman Don Edwards
House of Representatives
Washington, D.C.

7627 Old Receiver Road
Frederick, Md. 21701
8/1/80

Dear Don,

An election year and close to the time of a party convention is not the best time for writing a Congressman and length is never welcome to busy people but the interests of decency in government, how the agencies function and don't function, citizens' rights under FOIA and pertinent regulations, what the FBI is trying to suppress and, I emphasize, FOIA, all require it.

While it may appear that I seek to serve personal interest, I assure you that there is little I would prefer to being forced out of the public role I serve and, now that I am 67 and on borrowed time, take it easier and devote myself to the writing I have not been able to get to since 1975.

If the FBI gets away with its latest dirty trick in its campaign to "stop" me and my writing, the word quoted from its 1967 records, there will be personal benefit to my wife and me. But I have not undertaken these obligations only to abandon them without what effort I can still make.

For those interested in preserving FOIA and in particular the good in which it can result from the healing and correcting it can make possible in how government functions, I know of nothing that can be as useful as the records I have, particularly as they relate to what the FBI and CIA have done to prevent disclosure of public information.

Aside from this the public archive I leave, to be deposited at the University of Wisconsin (Stevens Point branch), is now of about 60 file cabinets. If it were not for my fiercely-resisted efforts, virtually none of this would be available. In courts the Department of Justice has acknowledged it and several judges have emphasized it.

After a judicial determination that I qualify for a fee waiver the Department, which had had six lawyers working on opposing it, agreed to it as it pertains to records on the King and JFK assassinations and their investigations. An offshoot of the King case, stonewalled for five years in court, I filed a separate request for the political records. This was stonewalled from 1977 until now. Coinciding with the FBI's rewriting and limitation

of this request - a regular FBI/ Civil Division practice that has wasted a great amount of tax money and frustrated the Act and its purposes, an underling of an underling in the FBI has revoked the fee waiver granted by the Deputy Attorney General. No authority is cited, no law or regulation is quoted, and the irrelevant reasons are not even factual.

Contesting this, of course, will cost all parties more money and there is little doubt that the cost to the government will greatly exceed the cost of xeroxing.

One of the Catch-22s is that the FBI is telling me to use its reading room - for records that are not there and get there only because I have to fight to get them there. Cutting off the fee waiver cuts off those disclosures and deposits in the reading room. It knows well that I can't use its reading room and, as the enclosed appeal states, when I tried to when I was more able, it did not even respond.

The FBI's rewriting of the actual King political request, of which it informed ME by an inappropriate form letter on the 17th, limits it to part of one file only and then fraudulently misrepresents the extent of that file, which it has not identified in any meaningful way. The average requester, perhaps not even the Congress, would have no way of knowing this. It accounts for about 1,000 fewer pages than there were Serials in that file four years ago.

After three years of stonewalling the FBI finally was forced to give me a field office King political file inventory compiled for the so-called re-investigation of the so-called Office of Professional Responsibility. Without including any FBIHQ records or files it is 400 pages long.

Does this give you an idea of the amount of effort and federal money that was devoted to the FBI's campaign against Dr. King? Or why its fee waiver revocation coincides with its inability to stonewall that matter any longer? Or what all these SAs could have done to enforce laws and prevent crime with all that time and money?

Cost in money is not the major factor but it is a factor, so I provide a few other illustrations.

My first information request of the FBI was of 5/23/66. Despite the urgent recommendation of the Department that it be noted after oral argument before the appeals

court, where it has been about five times since then. This is the case over which Congress amended Exemption 7 in 1974. It is the first case filed under the amended Act. I'm not certain whether the most recent remand is the second or third since the case was re-introduced after the Act was amended. The FBI still has not provided all the pertinent records I have proven it has and, in fact, has not even made a proper search from the very first to this minute.

Searches? In C.A. 75-1996 it has not yet even ^{claimed} ~~attempted~~ to have made the searches for most of the items and hasn't. But it nonetheless again seeks summary judgment. With this five-year case not anywhere near compliance, my copies of the court records alone fill two file drawers completely and ^{are} ~~fit~~ well into the third - and this does not include even more administrative records.

Can you imagine the cash cost of what this represents and what else could have been done with that lawyers' time and the attendant costs? Or by the courts?

The fee waiver revocation includes cases still in court, JFK and King, because the FBI knows that when my only regular income is Social Security I can't pay for copies. So now they want me to pay for records they have been withholding for 14 years in the JFK case and five years in the King case. (Of course, there also are two dozen or more ignored requests that go back as much as more than a decade.) ~~The~~ now they have succeeded in withholding most of the embarrassing records. If they get away with this it will be permanent for me and perhaps for the country. In the JFK case, for example, I have proof of additional scientific testing pertaining to other shooting. In the King case there were black bag jobs ~~EEEE~~ - denied but I have the SA's names and notes - and unconstitutional surveillances and interceptions. There is much more I am willing to tell you, personally, in confidence because, unlike those who seek personal publicity, I want these things to come out not as sensations but in full context.

These people are out to "stop" me. They once considered filing a spurious libel suit against me in the name of a Special Agent who chickened out. I have the records. The more they keep me tied up in cases that should not have had to be filed and in stonewalling them after they are filed, the more they do stop me. I believe I get this extra

attention because I do not fully theorize conspiracies and because my work is not subject to substantial criticism despite its considerable extent.

My work is not limited to FULIA. A recent development in a major and quite sensational case triggered recall and as a result there may soon be some public attention to FBI involvement in it and to whether or not it was an accessory after the fact. I am without reasonable doubt on both scores and I have certain knowledge relating to accessory because not knowing all of what was involved, as a citizen doing his duty, I gave the FBI the information that establishes this.

So, they do try to stop me and they do get away with wasting me. I've not begun to indicate the extent nor the extent of the dirty tricks involved. I've even been coerced, through the court, to acting as the Department's consultant in my case against it. My work, for which I was to have been paid and in three years haven't been, has been completely ignored.

All of my records and information are available.

My apologies for the typing. The newspaper photograph indicates part of the reason it is so bad. I'll ask my wife to read and correct this because there is other work I must complete within a few hours.

Thanks for anything you may do and best personal wishes,

Harold Weisberg