

Rt. 12, Frederick, Md. 21701
7/7/76

Mr. Clarence Kelley, Director
FBI
Wash., D.C. 20535

Dear Mr. Kelley,

If ever a man showed the benefit of long years on J. Edgar Hoover's test you do in your letter of the second, here today. It is a masterpiece of deception, obfuscation, misrepresentation and the old trick of creating false records that can later be invoked.

It says pretty clearly that you lied to Goshko in the interview about which I have already written you. It does not say, clearly or any other what, what I wrote you about. It makes a cruel mockery of all the claims to reform and all the Attorney General's proud boast of disciplining where it is warranted through his Office of Professional Responsibility.

Why do you think I wrote you instead of the OPR? You dish all this propaganda out about lying because you were deceived by your underlings and about not being informed and about punishing offenders and I made a complaint to you about specific abuse of me hidden behind the processes of a court of law and you can't even mention this is your contrivance? Obviously, with all the time you've had, you could have determined the facts. The charge is serious enough. I'll add to it: a federal court was deliberately deceived.

I did ask that you forward my complaint to the OPR. Your letter, translated from the Hooverese in which you were nurtured, says explicitly that you refuse to. Well, when you can find enough time from giving deceptive interviews and assorted TV and other public appearances to foist off these deceptions - your records makes it clear that is what they really are - would you please write me an explanation of what in the world the OPR was set up for?

Or do you not dare run the risk they may not have a convenient pile of whitewash?

I tried to be a gentleman in the face of utterly unconscionable and deliberate abuse. I first wrote the offender, SA Thomas L. Wiseman. This is the letter to him of which you do no more than acknowledge receipt almost a month later. (How you worry about the FBI's image!) He was not man enough to respond to specifics. In fact, it took nine days before the certified return receipt was even put into the mails. Or do you also have a continuing lack of concern for any regulations?

You pretend, knowing better, that I wrote about the matter in court. Then you "direct" me to "our legal counsel, Assistant United States Attorney John Dugan, with whom you are familiar." I sure am! He is the lawyer who made it possible for your new-fangled Cointelpro-in-court to be filed. He in fact filed it personally. I therefore wrote him, also without response. Yet, anyway, the special reason for writing him was because for the third time he failed to send me papers to which I had to respond in time to be prepared for court. In this case I had made a point of repeating the request when he announced he would be filing.

Were this not enough, then the first time I became "familiar" with Mr. Dugan was enough to tell me that you and he can't both be truthful. It was February 11. Your people and he had just misrepresented to the court that you had not complied with my request because I had not promised to pay the search fees - for searches, incidentally, then in progress for other reasons. Your Mr. Wiseman and your Mr. Dugan contrived this situation by violating your own regulations. I can't send you a blank check. You are required to specify a sum. You didn't. And wouldn't. You used this as a dodge to stonewall. So I told Mr. Dugan that as soon as I was told the sum I'd supply the check. I asked him to convey this all around. His reply was "I can't control my client."

So I asked him, after explaining that Mr. Wiseman had always found it inexpedient, to try to arrange for an inspection of what you had collected for me. (That it ~~must~~ turned out to be something less than a molehill atop a mountain here is not material.) I explain^{ed} that I have some limitations from a severe phlebitis and that getting to Washington sometimes was difficult. Could he as your lawyer, the same lawyer making all these representations to a federal court, arrange that.

Again he assured me, "I can't control my client."

There was the same answer, with a little more exasperation, when I then asked for you, that is your Mr. Wiseman, to pick a date and I'd make a special trip.

When he started to make the same response I asked, "How about using your good offices" Less than wild with joy he said he'd try. And that, too, never happened.

Yes indeed, I am "familiar" with your Mr. Dugan. But were you in my place, even if it were what I asked of you, would do as you ask me? (Actually, you "direct.")

You did not respond to what I did request. You say you have done otherwise. You "direct" me to do otherwise. I refuse.

I asked you to be aware and to forward the letter, after you were familiar with it, to the OPR, which now has this responsibility. I ask it again. This time I also ask for a copy of your forwarding of it.

Not that I expect or have any right to expect anything out of this. But I take the time to let Mr. Levi establish his good faith and his determinations, which I'm led at to believe include the protecting of citizens from excesses by your agents.

The OPR may be a little short-handed in Washington from the news accounts I've seen. They are supposed to have ten lawyers in Memphis working on this case. Under the direction of a chief who was the law clerk of the last federal judge to sit on that case without benefit of any FBI files. Or witnesses. This chief expects to open a private practise in Memphis in a couple of years.

If your statement that "we are handling FOIA requests in chronological order based on the date of receipt" they you are ~~with~~ J. Edgar Hoover in disguise. One of mine of 1970 has not been filled, my check was cashed, and you gave what you denied me to a such more recent applicant.

If you or those who hook you into these kinds of messes want to try to create another false record I guess I can take the time, considering how much you have already wasted for me. But I'd much prefer that you do your real job, be responsive, keep your boyes (including this baby-faced one) in line and not go around saying you have not been informed when you refuse to be informed.

Sincerely,

Harold Weisberg