

Not answered

[Handwritten initials]

7627 Old Receiver Road
Frederick, MD 21701

November 5, 1980

Mr. Benjamin Civiletti
The Attorney General
Department of Justice
Washington, DC 20530

Dear Mr. Civiletti:

In the recent past your so-called Office of Professional Responsibility has entirely ignored allegations of perjury.

Within my not inconsiderable experience, false and misleading affidavits filed by the Government in FOIA cases result in considerable costs for all parties and subvert the law. The Government and the people are also denied the great benefit that can come from the correcting of error, which FOIA facilitates.

In one of my FOIA cases in which the initial requests of more than a decade ago were ordered on the highest level to be ignored, a case in litigation for five years and not yet ended, an FBI special agent who also is a lawyer filed a series of untruthful sworn statements with the court. When I wrote asking him to correct his falsely sworn representations, he refused. When I asked the FBI Director to look into the matter, rather than doing so he referred me to the OPR. The OPR then refused to make even the most perfunctory inquiry.

Subsequent to my writing the OPR, I deposed this FBI special agent and others. I also have obtained all but one piece of the OPR's paper pertaining to my complaint against that special agent. I can now provide you with sworn proof of the untruthfulness and materiality of the affirmations about which I complained and proof that your own OPR refused to find out if there was false swearing, whether or not the felony of perjury.

The OPR's records indicate that the FBI took for granted that the OPR is its official whitewasher.

Despite the odds against this letter ever reaching you, I regard the matter as of sufficient importance to take the time and make the effort although I am just home from a month in the hospital and am severely limited in what I can do.

The complaint I filed with the OPR is not as exceptional as the Attorney General might prefer. It is shocking to me that everyone assumes government affidavits will not be truthful and fully informative and may be designed to deceive and mislead. There also is the universal assumption that nothing will ever happen to any such untruthful or misleading an affiant.

Does the Attorney General desire false swearing in his name and that the OPR refuse to do anything when it is informed of false swearing?

Sincerely,

Harold Weisberg