

Mr. William T. Murphy, chief  
Motion Picture, Sound and Video Branch  
National Archives  
Washington, D.C. 20408

7627 Old Receiver Road  
<sup>road</sup> Frederick, Md. 21701  
6/15/90

Dear Mr. Murphy,

Thank you very much for your letter of the 8th and the explanations and offers in it. I write in response in some detail for your information and to make a record for history, if for nothing else.

It is physically impossible for me to go to the Archives and examine or listen to anything at all. I have not been able to drive out of Frederick since 1977, travel is in any event quite tiring for me, and I can't stand still at all or walk very far.

Mr. Huff wrote me after he made the transfers you report. I have no reason at all to believe he provided you or the Archives with any of the background. His letter to me includes his date on the appeal. Your copy should have this. So, you can see in your own records that he just transferred to the Archives what was mine as a matter of law a decade ago in his accounting. And his accounting simply is not honest. Perhaps none of you noticed this and then wondered why in response to an appeal of a decade ago instead of complying, because what was transferred is not within any FOIA exemption, he put it in the Archives. I suggest it is time for the Archives to wonder about this. And about when a similar trick was pulled in the past, as it was at least once.

In 1978 I filed suit for the JFK assassination records of the Dallas FBI field office. It was C.A.78-0322 in federal district court in Washington. The recordings of the Dallas police radio were within that request. To deny me access the FBI uttered a series of knowingly false ~~allegations~~ allegations, all sworn to. It claimed, among other things, that it never had those recordings. This was obviously false because ~~as~~ your own files and the published Warren Commission exhibits include the transcription of those broadcasts made by the FBI for the Commission.

In that litigation - and this presents an addition problem for both of us - I was to have been given copies of everything without charge. I had a complete fee waiver. And as Mr. Huff and his staff know very well, that fee waiver now does not have to apply to the Archives.

The inventory you were kind enough to include identifies some of the recordings as on 7" reel - acetate. It does not indicate who did the dubbing and when it was done.

Item 60 JFK.05 notes what is of most interest to me in those recordings, the period of time channel I was block for six minutes. (Item 007416) When you can provide it I would like a dub of this and of the belt for the same period and I will pay for both and not raise the problems I indicate above. However, I do want the Archives to know that I was entitled to all the recordings in that litigation and the FBI lied and the

appeals office stonewalled. I am certain the Archives was not told any of this and I am not alleging that any of you combined with anyone in this dirtyworks.

For your information, the Moorman picture in this inventory was also within the lawsuit and about it the FBI also lied and did not provide a copy. (393-1921)

I do not know how clear his recollection is but I think Jim Meser will have a clear recollection of the recordings in that litigation and may recall the Moorman and other pictures.

I am sorry that I cannot offer to search my copies of the relevant records in that lawsuit should you want them, but they are available to anyone. Doing this is now beyond my capabilities.

I refer to what the Department of Justice has done as dirtyworks and said it was not the only such misuse of the archives. Earlier something similar was done at the instigation of the Department when the Secret Service and I reached an agreement under which I gave it my word I would not file a FOIA action to obtain its JFK assassination information that interested me. The Secret Service agreeded for me to have access and then, as directed by the Department, transferred those materials to the Archives which, again under instructions, did not provide copies.

Neither you nor I nor the archives can do anything about the past. But I think that what I report is not traditional scholarship or archival practise.

As you probably know, there is considerable controversy about the police recordings. I do regret that to the many other and lamentable repressive actions of the past we now have this new taint.

After I have a chance to think about this further and to consult with others I may write you further about it. But I do not intend to pay for copies of what was mine as a matter of law more than a decade ago and was denied me first by felonies and then by official malfeasances and misfeasances.

I do, very much, regret that this has happened again. I think you can understand why I refer to making a record for history. I assure you there is nothing personal in it.

Sincerely,

*Harold Weisberg*  
Harold Weisberg