

Senator Charles McC. Mathias
U.S. Senate
Washington, D.C.

Rt. 12, Frederick, Md. 21704
1/7/78

Dear Mac,

I'll spend some time going over years of accumulation in the caller today. Among the items she found during the cleanup are the enclosed clippings and the letter I'd forgotten from the law firm then Arnold Fortas and Porter. I think these are relevant to the statement you were kind enough to have incorporated in the Intelligence committee's files pending the time I am able to exercise my rights under the Privacy act.

In those days I had not known Fortas. I had known Porter slightly from the late 1930 and Arnold from when he was anti-trust chief and - gave them all my work on Nazi cartels. (This did include what neither DJ nor FBI developed and did lead to official actions, like vesting some prominent corporations.) The firm took the case without fee, asking full statements from all of us and assuring each that a single lie would cause them to drop representation. Also in the best tradition of the law each of the senior partners was active in the case, then the first of its kind. It was known as the case of The State Department Men.

After all these years and particularly when all federal agencies continue to stonewall my FOIA and PA requests what is particularly gratifying to me is that when there was no need for a letter at all each of the senior partners plus the lawyer who then did most of the work signed this letter to me. And what I would like the committee's records to show until the time I am able to obtain all the records, that they refer to "vindication," as well as to what they term my calm and dignity.

State, NSA, CIA, DJ, FBI, Secret Service and FBI, to my knowledge, are in deliberate non-compliance. I mean by this that I have records establishing that they have and continue to withhold records. These successors to the pre-McCarthy authoritarians make mylock into a compassionate surgeon, healing rather than taking flesh. Add Civil Service to this list.

One of the clippings refers to the writing of the late Bert Andrews in the then New York Herald Tribune. He was assigned to the story by Mrs. Reid. The story quoted even "cover in exculpation." Naturally the records provided by State and other agencies do not include this story. I am not clear on whether Andrews became a Pulitzer over this story or one he wrote the year before, but he did win the prize. If your staff can get a copy from the Library of Congress I would appreciate it. I do not have the exact date but it is close to those of these clippings.

With all my experiences the people of today are incredible. I hope you will not regard it as extreme but I do believe they represent a greater threat to any concept of free and representative society than any foreign nation today. They are all above the law. They violate the law. They are immune and anticipate immunity in perpetuity. They give Presidents fabrications (I have the proof as it relates to me) and they twist and distort into evil what is innocent. They lie to each other as they have to me. Within the agencies they practice deception to contrive violation of the law, as the CIA records I have illustrate. It lied to its general counsel so he would write me a false letter and I happened to get their internal record on this. Since then they have fallen silent, responding to nothing and providing nothing. They withheld records they had started to deliver and have given to others. The FBI did not like my writing. It actually schemed to "stop" me, their work. Their plan was to have an agent file a civil suit against me. But for all their power they did not dare. (This was during your "cause" career, at a time I would not believe your suspicions along these lines.)

If I thought for a moment that these self-perpetuating authoritarians had any more respect for a Senator than they do for law I'd ask you to intercede, to ask them to comply with my FOIA/PA requests. All have failed to act on my appeals. I do mean all. Until I can see there is nothing else I can do. If you have either interest or doubt my lawyer is Jim Cesar. He has an office in his home, where he usually spends mornings, 464-6023, and in the Christian Science Building, 223-6507. (His father is an eminence of the law - author of texts, former dean of law at Washington University, St. Louis, and more recently established the law school at the University of Illinois at Urbana-Champaign for those of that state of less means and living in that area.)

Of course until I have all the records - have no real rights under the Privacy Act. You and your colleagues can enact until the ink runs dry on the government's process - the authoritarians can nullify your enactments, as they have by these means. And those who do are not about to prosecute themselves.

As best I can read the official mind there are two major reasons for singling me out for worse than the usual bad treatment. One is that my record is good, not bad, and what dirty things they did are embarrassing to them even today. The other is that they are trying to run the clock on me in an effort to undermine my work. There is no other way they can do it. My work stacks - even my very earliest, what you read in manuscript in ~~1965~~ 1965. They cannot abide this. Nor can they either my determination to make our institutions work or my dedication to them. These really are the corrupture of our institutions. Of course they conceive high purpose in what I regard as authentic subversion of the most dangerous kind.

They can run the clock on me, too. I do not know how much time I have. In addition to the permanent damage from thrombophlebitis for which I was hospitalized in 1975 this year arterial obstruction and hardening of the arteries has been diagnosed, with engine uncertain and the risks of the tests to determine whether or not there is more and the extent of these not justified in the opinion of the doctors.

They have so tied me up in my FOIA cases that I cannot get to writing. And they continue to get away with such practices because neither the judges nor the Congressional committees is willing to confront the realities of the contempt of both the Congress and the courts by the executive agencies.

I can drive my car safely but in several years - have not driven much farther than the Greyhound station, no farther than German Bruet's. It is unwise to keep my legs pendant any longer. So I go to Washington only when I must and then by bus if there is no one with whom I can go by car and not keep my legs down. The bus schedule is poor and I must return on the one at 2 p.m. to be certain of a seat. I may not stand long. However, my work on the King assassination has greatly exceeded my expectations. It is a story of which I would like to make you aware if and when you have time, particularly if you are around here. I can do it enough to let you know the actualities in a few minutes. It comes from a greater volume of records than was just released in the JFK case.

On JFK, the Post's story on my request for a temporary injunction, the word the Post omitted, is not accurate and I am not seeking to prevent any releases. At least half of the admitted requests are mine going back to 1968. The Star story of the Xmas weekend used quotes out of context, with omissions not indicated, and in some cases inaccurately.

Hope you all have a good year.

Sincerely,

Harold Weisberg