

Dear Roger,

6/25/79

Excuse me for forgetting to say that I thought your complaint is a good, workman-like job. I don't know when Jim will get a chance to read it because he has been backlogged by having the Azurin case, that of the Philippine diplomat who asked for political assylum and is to be shipped back to Australia for ultimate delivery to Marcos. And now he has to prepare to depose in the King case.

You are living in a dream world if you believe that there isn't a tough investigation by the FBI of all candidates for Departmental employment. They didn't take Roffman, despite his clerkship and superior qualifications. Besides, they assume that all who have any JFK or King interests are in touch with me, as they also assume that some and I disagree. But I was careful to restrict myself to the complaint, if you reread, one of the reasons I sent you a copy, so you'd know. That is a public record that anyone interested in the case could have sent me, or a reporter.

You don't understand the mentalities. Your filing a complaint is a much greater disqualification for them than anything else. Suing CBS also would be.

In reality your own employment chance there is the potential usefulness of your knowledges, subject and press.

You Eddir Barker guess is probably on the nose. I read a record in which he was described by Dallas as a very good SAC contact. He provided them with a videotape of all the film and tape CBS had. I did not copy it because I'd assume it anyway.

On how to get those things, perhaps the best bet is through me and you might want to give this some thought. I have a case in court for all Dallas and New Orleans records. They've limited compliance to the three "main" files and I've appealed that. If I can specify records I don't have I can get them on appeal. Right now the DJ lawyer is anxious to work out all we can and got the court to delay a status call so we/he could. Shea will be agreeable and it can lighten his load.

The records will not likely be in the 62-109060 (assassination) of 62-109090 (Commission) files, which I have. DI equivalents 89-43 and 62-3588; N.O. 89-69 and 62-3702. The Oswald files, same order, are 105-82555; 100-10461 and 100-16601. Most likely places are 80 ("Laboratory research matters") and 94 ("Research Matters"). They have press contact stuff in the 94 file. Also include the HQ Divisions, especially DeLoach's. General Grines, I think Division 8. And information office. Remember, this has been found to be historical, different and more liberal disclosure standards.

Better give much thought to the framing of the request to avoid privacy and commercial considerations and any suggestion of first-amendment transgression. Let's talk about it after you've give it more thought. Let me react to your ideas.

Remember, you have to include the field offices separately, so keep a list of them for that time. You can send each a xerox of the same request.

Your best shots at search and fee waivers, I think, are public interest and poverty. The latter is recognized. Jim used it in 77-2155.

If I come to other records of interest I'll copy for you.

I have the Dallas and New Orleans files noted above, except that most are not included on the ground of "previously processed" in the FBIHQ files. I think they'll be providing references so I can locate those in the HQ files.

Each time I have to consult a record, if I've not read that volume I keep it out and read it while resting, so gradually I'm getting to all of them. I have a list of those I've read so I can tell you promptly which I have and haven't read.

6/21/79

Dear Harold,

Just received your 6/18 with enclosures.

My annoyance with you for having cited Rogers' letter to me in an appeal of your own, without consulting me first (now they know we're associated),<sup>\*</sup> was abated by the excellent, thrilling, captivating material which you sent. Thanks. This gives me all of the ammunition I need for an appeal on the DeLoeys/

\* I was hoping for the opportunity to at least apply to DoJ for a job after I graduate.

CBS interview arrangements. They've lied to me by denying the existence of any AG records and shunting me off to the FBI.

I am extremely interested in the cable from Dallas to HQ dated January 27, 1967 regarding CBS's plans. I have a good idea who their informant was<sup>\*</sup>, but I am interested in knowing

\* Eddie Barker

-2-

how to get other reports which may have been filed originating from the same informant or the same field office and agent regarding CBS's activities in Dallas from January through June 1967 (There might also be material relating to the 1964 broadcast). How would such a request be framed? would the numbers 62-109090 and 62-109060 have anything to do with it? Do you think they had a separate file on CBS, or is this stuff intermingled with other business?

Finally, I was infuriated that you didn't say one word about your reaction to my complaint. Your suggestion on Vaughn v Kerox was very helpful. I have read the case and am still busy reading later cases in which it has been cited.

controlling authority. Our school library has a computer retrieval system for legal research which makes this kind of work a cinch and narrows the odds a little ~~more~~, since D.O.J. has its own computer research system.

(I am also developing a theory that DOJ should be estopped from assessing any search fees in my case (should they actually come forward with any records) on grounds of (1) "equitable estoppel" and waiver; (2) the court's power of de novo review under the statute; (3) public interest; and (4) my own poverty.)

Please let me know if you turn up anything else on CBS, and what you and Jim Lerae think my chances are with my complaint. It was served the same day I filed it, which gives DOJ. until

-4-

July 14 to reply. I will keep you informed.

Bert,  
Roger.