

6/7/76

Senator Gary Hart  
U.S. Senate  
Washington, D.C. 20510

Dear Senator Hart,

In your letter of May 10 you wrote, "I have asked that all the [Church] committee's published materials... be sent you." To date the staff has sent me nothing.

You may be unaware of it but I sue the agencies you investigated with some regularity. This requires that I travel to and from Washington. Because of the permanent effects of a heavy phlebitis I use public transportation. Then and when I have to rest it would be valuable to be to have your reports and any other published material. This is my reading time. From published account there could be usefulness in court this coming Thursday for some of your material but I now will not have time to go over it by then.

Could a member of your staff please have these volumes sent to me and the others as they appear?

You also say your "rules prohibit any other material from being released to the public." I asked for whatever you do not have to keep secret about me as it turned up in your investigations, I have been the subject of illegal surveillance by these agencies. You have released other materials on this. I have also seen copies of your committee's records on the drug experiments. And I am a member of the press. In this request I was asking for equal access.

There is more. You have published a Hoover letter listing files transmitted to the White House on those who wrote books about the Warren Commission. I wrote the first. I can understand why you masked the seven names in publishing this. I hope I am not asking too much to ask for a copy that masks the names other than mine. I am told you also took testimony about a statement Hoover issued at about that time. With both of these I think I could have been helpful to you. There was use made of that picture, to my knowledge. And I believe that my second book, which Hoover did undertake to answer prior to its publication, may have been the subject of that statement. What interests me and I am sorry did not interest you is how Hoover obtained a copy before even the printer had one. It was impossible except from one of four or five in the press or by intercepting the mails, which was done with my third book. I have proof of it. There is also proof of stealing from the mails chapters of my second book which never reached my London agent.

My requests of the FBI and the CIA date to 1969 and 1971. I filed a new request with the FBI last October, without response to date. With counsel I met with the CIA's general counsel two years ago. Since then I have obtained proof that the CIA lied to its general counsel so he would not know he was lying in denying to us that the CIA had any files on me. The CIA's time to respond to my appeal expired January 16. Since then I have written a number of times asking

if the Agency really wants an unnecessary suit. There has been no response. I believe it is not unreasonable, given what the Agency has released to others under FOIA and PA, to suggest that its files on me are more embarrassing to it and ~~disclose~~ <sup>disclose</sup> other improper activities. I do know what some of this is, having the proof from one who became disenchanted and quit.

I am aware that I can go to court and as your letter says to the oversight committee. Its chairman says it will be another six months before it is organized. And I am in court right now on a case filed in 1970. I am 63. The seven cases I've filed would have been a burden for a man of means. I am without resources. The case referred to above is the first of four cited in the Senate debates as requiring the FOIA amendments. The conference report is explicit on it. Yet there is this persisting refusal to comply with the law, Senate or no Senate. There has been false swearing in all of these cases. Perjury was not uncommon. As you know, nothing happens when official perjury is proven. In one case current there are promises made in court by the government and directions issued to it by the judge that have been totally ignored since March. The capacity and the disposition of the executive agencies to stonewall litigants and the courts are without limit.

I have not asked for anything properly secret. I hope you will reconsider and make available to me those records the agencies violate the law to deny me that you have and are not properly classified. With these I could prove non-compliance. This is my reason for asking for a copy of the "cover letter in which my name alone is left unmasked. You have published that letter. This, however, would show FBI withholding only and only partial withholding. There has to be more and of later date.

When the abuses some of which your committee exposed transgress against First Amendment rights I believe they are more serious. I know I will have to carry this further in court. I have already referred it to counsel, who will file when he can. We will then be carrying the work of your committee forward. I would hope this would ~~find~~ find Senatorial approval and help where that help is neither illegal nor improper. I say this in the spirit of the Senate's excellent FOIA/PA enactments and in the hope you receive it in this spirit.

Sincerely,

Harold Weisberg