

3/22/71

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

While I was away on a short trip, I received three letters from you. These are in response to my inquiries going back to December 2 of last year. The most cursory examination leaves little doubt they are evasive and non-responsive at the very best. As soon as I can I will make responses that are specific. Meanwhile, other aspects trouble me, so I write you of them immediately.

First of all, every interpretation of the Freedom of Information law, including that made by your Department, requires response to inquiries to be prompt. This is not the first time I have raised this question with you. Is not a delay of close to four months - a quarter of a year - in itself a violation of the law, a suppressive effort, an interference in the rights and capabilities of a writer?

I do not know why you have persisted in refusing to answer this question. I think it is a proper question and I think it is one to which an administration with the pretensions of this one about adherence to the law ought be anxious to answer. Respectfully, I again ask that you give me a direct answer to this question. As you know, or should be willing to believe, I am not reluctant to test this in court as a separate issue. I may be testing it right now as part of another action.

It has been more than a half year since I charged and I think proved that a Department lawyer committed perjury in my Civil Action 718-70. Neither you nor he nor anyone else in the Department has denied this. Indeed, there has been no response at all. It is more than two months since I charged in court that your client, the Director of the National Archives, committed the same offense. His counsel's rather inadequate response is that I made "impertinent" and "scandalous" statements, but that is considerably less than denying the charge, and it is noteworthy that my charge of perjury is not one of these alleged "impertinent" and "scandalous" statements, from the frivolous complaint of their character.

Were I to commit this offense, you'd charge me. Is there not equal justice under the law, equal enforcement of violations? Who watches the watchman, Mr. Kleindienst?

It is now two years since I reported that certain improprieties by the FBI had been called to my attention. An incident on my recent trip bring this back to mind. The non-responsive response in the name of the Attorney General was that these allegations would be improper. I requested a formal denial, at least for the record, for appearances. I would hope this law-and-order administration would in its acts match its words with regard to such intrusions into private rights. With regard to the recent incident, because I have a sprained foot, a young man was to meet me at Penn Station in New York, to carry my bags. When he was not prompt in arriving, he found me being "tailed", so he followed me and my "tail", of whom he provided a description. If I would prefer to believe that government would not do so reprehensible thing to a citizen who has committed no crime, I would also like a meaningful denial that your Department was in any way involved.

Sincerely,
Harold Weisberg