

Rt. 12, Frederick, Md. 21701
2/20/76

Mr. Clarence Kelley CERTIFIED-ADDRESSEE
Director, FBI ONLY. PLEASE FILL IN
Washington, D.C. 20535 RETURN RECEIPT FULLY

Dear Mr. Kelley,

Again I must presume that busy as you are others handle your mail and sign your name. Again I must try to reach you because still again you have provided me proof of less than honest conduct by your Bureau, with little doubt it is of deliberate intent, as your February 13 response to my letter of January 30 leaves certain.

The intent to frustrate the law is apparent. The intent to confuse is apparent. The non-responsiveness is apparent, and unlike the self-serving representation in your letter, at no point and in no way was any of the form responses to my inquiry worded in a manner to make certain identification of the request possible.

By your own admission the time for at least acknowledge ^{ment} was long past and there was not only no acknowledgement but when I sent your Mr. Bresson a certified letter he still failed to meet the most minimal obligation, to let me know that the request had been received and if the Bureau so desired, to request a delay in time.

As long as you permit those to whom you assign duties that include FBI compliance with the law to flaunt the law the obligation and responsibility buck back to you. I have made numerous effort and as of today I have not received a reply that was both responsive and truthful.

My previous correspondence reports that health restricts what I can do. I am not now checking the files for this reason, as with my previous letter. But I knew well enough that I sent a series of requests in a single envelope, all dated the same day, and until I wrote a second time some of these pretendedly did not exist in the Bureau. Your record-keeping is better than this! But there was not until your February 13 letter barest acknowledgement.

You now plead a three-months arrears. This is one of countless examples of how the Bureau contrives delay, as I told you earlier; by confusing everything on purpose and creating unnecessary work, meanwhile phoneying up statistics that are fed to the press and pressed upon the ~~courts~~ courts to make the Bureau appear to be abused. In this kind of behavior it magnifies a problem brought down upon it by previous misconduct. But the fact is that some FOIA requests you now acknowledge are older than your claimed backlog. Let you now invoke an added three months for response? I think that at the least each should go to the top of the list because you claim to be handling this in order of receipt by the Bureau.

What kind of operation do you have when I write the Attorney General, certified, and then I have to tell you? I appreciate your politeness in telling me "We appreciate your bringing this to our attention in order to clarify the record in this regard," but is this the vaunted FBI when neither it nor the office of the Attorney General can do the simplest paper-shuffling - and when the law is involved and has specific provisions and imposes specific obligations on you?

You list your letters that you say specifically identify and acknowledge my listed requests. I believe this is simply not truthful and I ask you to have this looked into so you can learn for yourself whether falsehoods are being written for your signature and whether it does not, as I have said, constitute a flaunting of the law.

Your representation of my March, 1975 meeting with Mr. Bresson and others gives the Bureau of never once having made an honest representation of it. I knew I had to

make a written request. I told Mr. Breson I would be doing this. My sole purpose was to try to be helpful to the Bureau for several reasons. One is that some of the material sought is quite old. Another is that in the course of responding to other requests the Bureau might save time for itself by running across what I seek. If I had dumped all those requests on you formally and at one time I would have increased the Bureau's burden and I simply sought to be as considerate as I could be. This despite the fact that at that meeting and I think it not unfair to allege not without premeditation my lawyer and I were lied to.

You are entitled to an explanation and in this matter I also think you should be witting. In response to my request the Bureau wanted a conference. I did not ask for it, the request did not require it and based on prior experience I feared that what did happen would - I was lied to. So, I asked my lawyer to ask that the Bureau and we both tape record the conversations so that thereafter there would be no dispute. The records I sought and seek are not only identifiable but were specifically identified and their perpetual existence was sworn to. The Bureau refused this request. Now I ask you what reason consistent with honesty of intent impels anyone to refuse to make a record in a matter that had already gone to the Supreme Court? I said I would be content if the Bureau alone made a recording and preserved it but that also was refused.

Since then the lying by the Bureau of what then transpired has never ended. It has lied about it in court, too.

You claim there is "no 'deliberate creation of confusion'" in these matters. This is self-serving and not the case. When multiple requests are included in a single envelope and properly addressed to the proper official and some are never acknowledged accidently, especially after a reminder, is impossible with any agency intending to observe the law, more so with the Bureau, which has boasted of its record-keeping for decades. You claim you are not trying to circumvent the law. The record of which you personally may not be aware presudes exactly the opposite. However, I invited you to demonstrate this by processing all these delayed request now, immediately, because by your own statement they should have been processed by now yet you tell me it will take three months more.

What follows is a new request based upon my recent receipt of what had been withheld from me for years and by the FBI, which imposed this upon the National Archives. It is for information with which, from press accounts, the Bureau should be involved right now. The FBI identification of the record part of which was withheld is #489-35, that of the Warren Commission CD1347. Those existing records not still withheld are dated November 26 and 27, 1963, where they are dated. Page 121 of CD 1347 was withheld by the FBI beginning with the August 13, 1965 letter of Norbert A. Schlei, Assistant Attorney General, Office of Legal Counsel. The general typed-in title is "Threat to Kill President Kennedy by J.A. MILTEER, Miami, Florida, November 9, 1963."

The first records in the possession of the FBI are not dated as late as November 26. And with a known, existing threat not only to President Kennedy, you might want to note the seriousness of the Bureau when its interview with Milteer that is not withheld was on November 27 but the report was not even dictated for four more days. And all of this after President Kennedy had been killed as exactly as Milteer forecast.

Now that I have received page 121 I ask if you would care to explain why it was withheld from me and what legal basis there ever was for withholding it at all.

Miami authorities inform that they immediately informed the Bureau, including by providing a copy of the tape your informant and its permitted to be made at his residence. My request is for a copy of that tape and if it exists a transcript of it and for any and all relevant records, including but not limited to investigative reports beginning with first knowledge of the threat that was taken so seriously the planned Presidential morotcade was cancelled at Miami.

This was a threat by one of a group known to be prone to violence, a group penetrated by the FBI, so I presume that when there was a threat against both the President and Dr. King and allegations about the unrolled bombing of the Birmingham 16th Street Baptist Church there was a serious, immediate and thorough investigation.

You and the Bureau know of my long interests in and studies of these matters. I therefore intend this to be an all-inclusive request. Public statements by the Alabama Attorney General leave little doubt that the Bureau should be currently into these files, making retrieval not only speedy and simple but at no or virtually no cost in search time.

There are reasons why I address this request to you personally. First of all I want you personally to be aware of the here-capsuled record. In addition, if the new developments and their possible relationship to this old material has not reached your attention, my intention is to be helpful to you. In addition, the existing record leads me to believe that the normal machinery manages to malfunction with me too often and I do not want this request, too, to get lost.

Sincerely,

Harold Weisberg