

*Certified - return receipt
addressed only*

Rt 12, Frederick, Md. 21701

11/2/75

Mr. Edward Levi
The Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Levi,

I address you because I believe the contents of this letter should reach you or, failing that, at least those on your personal staff. It relates in part to your announcement of an investigation of matters relating to the assassinated Dr. King. I am an investigator for James Earl Ray as well as on other matters and to the Department's knowledge have written more extensively on assassinations than any other.

It is your announcement that prompts this letter at this time because I had asked my attorney, James H. Lesar, Esq., to take these matters up with the Department. It is aware that his legal life in cases in which the Department is party or has an interest, particularly the case to which you refer, has made this impossible.

Immediately after my first interest in the assassination of Dr. King but at a time when most of my work was devoted to investigating Lee Harvey Oswald, reports reached me that the FBI was engaging in practices similar to those against Dr. King but in a lesser degree and against me. Upon receipt of this information I wrote then Attorney General Mitchell. The response in his name said this, of course, would be improper activity and he would forward my complaint to the late J. Edgar Hoover for Mr. Hoover to answer. From that day to this, despite a number of reminders, there has not been any real response.

With this as background I herewith make formal request under both the Privacy and FOI Acts for all Departmental and FBI information about me, any files whatsoever of any origin, from any agency, not limited to those of the United States Government and no matter how obtained. I mean this to be an all-inclusive request and to include any and all uses, including distribution, from the press to Members of Congress or their staffs, to other federal components and to those of States or subdivisions of states or of any other nature.

Please also understand that this is not a request made without specific knowledge ranging from the recent to the distant past, to 1959 or 1940 and possibly to 1937, when I lived and worked with the FBI for some four months and was told by agents with whom I was then working that reports would be filed on me. I have shown up in electronic surveillance, to the knowledge of Departmental lawyers of that period, who are my source. More recently I have obtained from the files of another agency false information that has been used publicly against me by those who were in association with the Department and/or the FBI. In addition responses from the CIA under similar requests are overdue. The CIA's explanation is that it awaits the approval of other agencies of which the FBI is the most obvious.

In part this relates to my work on the King assassination and the defense of James Earl Ray. Mr. Lesar, after the Department exceeded the limits of the law in response and you did not grant his appeal, filed Civil Action 75-1996 for me. This discloses that Mr. Hoover never made any response to my requests for just the kind of information you now address, among other information. The request was written about 1969. Some of what is now accepted as the information about this kind of activity that you now condemn was, to the government's knowledge, published by me about five years ago in my book Frame-Up. It also was the subject of what I regard as improper federal interest, to my knowledge.

There has been non-federal surveillance on me in my role as Ray's investigator that I have reason to believe was given to the FBI and/or the Department. I do hope you will have your announced investigation include this because there can hardly be a grosser violation of Mr. Ray's rights. To my knowledge the over-all denial of Mr. Ray's rights, including by surveillance, exceeds anything reported in the Ellsberg case and in my view ought be the subject of a separate investigation by the Civil Rights Division. If you desire this I am prepared to provide documentary proofs.

In my addressing you this openly I hope you will find an assumption of good faith and serious intention on your part, not the opposite. To this end I provide you with other information I believe is relevant, what ordinarily might not reach the executive at the top, might be hidden from him, and what you might have no way of knowing because of your relative newness in your position.

First of all, the two Divisions you have designated to conduct the investigation are themselves involved. The Department's records in my C.A. 718-70 should provide serious investigators with adequate leads in addition to those that would turn up in the course of a normal, serious inquiry. The Civil Division was also involved in and had to have had knowledge of some of these matters, including improprieties you are now having investigated. I received a summary judgement in that case. What was made available to me was made available by the Civil Division. Aside from its own record of less than honesty this Division therefore has to have knowledge of some improprieties of which I have proof obtained in that action. This includes false swearing that I believe was actually perjury.

All the FOIA cases I have filed are for information about political assassinations. Two are about Dr. King's. In all cases in which the Department filed any papers in any court there was deliberate deception of the court. In my belief this extended to perjury and its subornation. As I believe the intent was to misrepresent, to deceive the courts with all that betokens, so also do I believe none of it was accidental on any Departmental or other level. The lack of concern over these kinds of offenses, which I believe ought properly be part of the inquiry you have announced, is illustrated by the most recent of these cases to reach a judge, C.A.227-75. Prior to producing proof of more of this permeating false swearing, I personally informed the Assistant United States Attorney that if he provided under oath what he was supposed to it would be false swearing and that my informing him of it would raise questions of subornation. I gave him not only the generality. I gave him specific illustrations. I do not think you can have a serious investigation into these kinds of matters without extending them to what I think is relevant and there is every indication the Congress also agrees is.

Illness makes full access to my files awkward. But from recollection I believe I did inform you of this in writing. (I do not assume the letter reached your personal attention even though it is my recollection I sent this letter certified.) I know I wrote the United States Attorney and I know I never got any meaningful response or even the expression of the most perfunctory interest.

You should know that from my own personal investigation I can attest that if Memphis authorities did not lie in response to the discovery order of a federal court the FBI withheld much information relative to the King assassination and became the hiding place of other evidence that could thus be denied Mr. Ray and his defense. While I have and can provide proof I think it would be better if you wait and see if this is reported to you by those you have placed in charge of the investigation. Frankly, although it is an out-of-the-ordinary proposal, I believe that if you intend a really serious investigation it ought not be in the hands of those you have designated and should include Mr. Lesar and me because of the factual and detailed knowledge we alone have acquired through countless hours of effort.

You should also know that in addition to the possible interest of the Congress there are members of the press who have some knowledge of some of these matters dating to long before the evidentiary hearing in the Ray case and that there is an appeal currently before the Sixth Circuit Court of Appeals. I believe the potential for Departmental and personal embarrassment is high, most of all if the investigation by those who are parti pris is anything less than complete and definitive, beyond question and ~~not~~ of artificially limited focus and content.

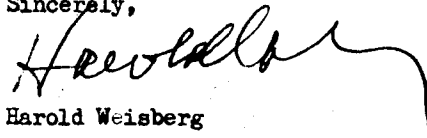
You or others may question my sincerity in this matter or attribute ulterior purpose. I assure you there is no basis for any such beliefs. My work has been entirely unpaid, my book appeared years ago and the writing I want to do is on other matters. Even this letter takes time from the work on which I am engaged, time limited by my not having help and by illness.

Rather is it that I believe the need of the nation and the good of the Government are served by a wholesale cleansing of all these kinds of abuses and that none is possible without full exposure. The more this cleansing and exposure is by the executive agencies the healthier they will become and the more citizens will have some basis for having faith now clearly and properly lacking.

As I have said, it is because I believe you should have this information promptly that I have written instead of waiting until Mr. Lesar has time. However, if you would prefer that response be to him I would regard that as proper and as it relates to all about which I have written, including the requests under the Privacy and FOI Acts. To save you time his address is 1231 Fourth Street, SW, 20024.

If there is any way in which I can help in the purpose you have announced, please feel free to ask.

Sincerely,



Harold Weisberg