

SAs Hartingh and Harp  
FOIA/PA Unit, FBI  
J. Edgar Hoover FBI Bldg  
Wash., D.C.

Rt. 12, Frederick, Md. 21701  
3/22/77

Dear SAs Hartingh and Harp,

In Section 36 you have withheld all 7 pages of Serial 3348 with the explanation "not within scope of request."

Whether or not this is correct in my belief the Department has made this immaterial. The offer of the entire FBI HQ files is that of the Department in the Department's interest and in court and approved by the court.

Reference to a single request is also in my belief not appropriate. You may be processing the single request but there were four requests not one of which has been complied with. These go back to 1969. There was an occasion in court when I complained about the withholding of information from a record supplied incompletely in response to my 4/15/75 request. The court did not accept the department's explanation that what was withheld fell within the request you are processing. (In the almost a year since that withheld information still has not been supplied, either.)

I do not want you or we or the court to be burdened without need. There have been, as I am sure you will recall, a number of withholdings about which I could have made an issue. I have not. However, I do expect the Department, including the FBI, to live up to its assurances. This means that I will receive what I do want, the entire FBI HQ file.

That, however, will not mean full compliance. You may not be aware of it but this has been raised and addressed in court. It is in the expectation of compliance, if greatly delayed, that I have not pressed in court. We discussed this several weeks ago. I used as an example the fact that you have not provided any records relating to that item of the request dealing with the Cointelpro-sanitation workers-Invasers files. It is my understanding that this cannot be complied with from the FBI HQ file and that you are aware of this. I then asked to be informed when I can expect to have this search made in the Memphis Field Office and when I can expect to receive the relevant records. I would like a response. Without some reasonable assurance I will be compelled to ask counsel to raise this in court. I would prefer not to. I hope the Department has the same preference. I delayed reiterating this matter until I needed that material for my work. To my knowledge there have been two searches of those files since I made this request. Director Kelley has written another to having been informed of the contents of those files after a complete search. Yet even after that search, now more than a year in the past, I have received not a single record. In Sub A you have provided incomplete information on this. There are clippings relating to a news story by Les Payne of Newsday but his stories are not include. Nor are the names said to be attached to other memos.

I would like to hear from you on this rather than raise the question in court again. I have been given no reason for there not being a simultaneous search in the MFO. Also, I want you to know that there is not the secrecy about names that those not informed on the subject might assume.

I have let other matters go in the hope there would be no need to raise them. However, much time has passed since I raised questions about photographs not supplied and there has been the withholding of what was said to have been referred elsewhere. I do not recall receiving either any one of these withheld records after referral or an explanation of their continued withholding. The longer these are delayed the more unnecessary work they will require. My requests for photographs go back to 1969. This was repeated 4/15/75. Yet you have supplied me with serials referring to photographs you do not provide. And there are something more than 40 clearly relevant photographs referred to in an earlier serial still not supplied. Nor have I been informed that those more recently supplied are those referred to in Serial 146. The more there is delay in these matters the more confusion and the more waste of time is inevitable. May I please hear from you? Sincerely, Harold Weisberg