12/28/83

Mr. Athan Theoharis Department of History Marquette University Milwaukee, WI 53233

Dear "individual whose credibility will not be mentioned,"

To Jame R. (not B.) Adams, in the Washington Post of 12/24, enclosed.

That very evening, Xmas eve, when I told a friend who is a history professor at local Hood ^College about your microfilm, he was reminded that he'd gotten your "Beyond the Hiss Case" from the library and would not have time for it for several days, so would I like to borrow it?

It is a truly fine job! Congratulations! I'll probably think even better of it when I've finished with it. Most of all (to a third through) I'm really impressed with the "In-Houseup" chapter. Parts of it can very well be helpful to my FOIA lawyer, so I'll be sending him a copy of it. The documentation is, for me, the important thing, but for most people the content plus the documentation will be entirely new and significant.

I'm particularly pleased that you call liars liars. Lawyers tend to fear this and assume judges will resent it, as indeed they may when they confront FBI mendacity. I've dealt with some you mention and they are professional liars, especially Wood and Beckwith. I've proven both to be perjurers but the judges do not welcome this. What I caught Beckwith in when he contrived to make it impossible by seeing to it, he thought, that I'd not have time, was so very bad that the judge banished him. But did nothing about his perjury. He not only swore falsely but he used phony documents. (Once he was an unindicted co-conspirator they assigned him to FOIA case supervision at FEIHQ. Obviously, if he had wanted to do otherwise, he had to do what was expected of him, lie under oath.)

If you go farthur with this work, as I do hope you will, or if you know anyone else who intends to, please remember that I may be of some help. Not only from my experiences with these professional perjurers but from my knowledge of the events and some of the victims.

Another aspect that might perhaps be suitable for a doctoral thesis as well as a book is the record, particularly the record I have made, of FBI mendacity, perjury, under FOIA, and the willing subornation of it by DJ lawyers. Prof. David Wrone, University of Wisconsin, Stevens Point, can give you an idea of some of this from the copies he has.

Of vourse my head is on the block in this effort to make the system work but I am truthful, accurate and fairly well informed. Moreover, I am an authentic subject expert. And I'm not at all afraid. Right now they face the choice of backing down or charging me with multiple contempt because I've refused to be party to their newest dirty trick for gutting FOIA, discovery against the requester. They have a fink judge (John Lewis Smith) who rubberstamps all their motions and they've gone too far. Unfortunately, the public interest groups do not realize the potential of this situation, both ways, and I'm not able to get around to see them or afford phone calls to them. Moreover, they are prejudiced against the subjectOmatter of my study, a tribute to LBJ's political sagacity in tricking Earl Warren into heading that Commission.

A general comment on destructions of FEI records. All those you mention were supposedly prohibited. Mike Perlin is probably a better source because of his facilities, but we both have something like 5,000 pages of FEI records relating to destruction and preservation of historical records and pertinent laws and regulations. At FBIHQ and in FOIA supervision Beckwith made friends and did himself much good, helping himself get reinstated and assigned with a demotion to Charlotte. Quin Shea told me often that Horace was the most helpful FOIA supervisor in the FBI.

My own experience with him is the contrary and he actually once contrived a situation yhat could have been fatal to he me. I would caught them in too many improper withholdings in a large index they had sworn did not exist and they had to reprocess it. They never let me know that they were doing this and they departed from their practise of mailing records to me. So, one day when Beckwith knew I'd be at DJ for a conference, he presented me with more than 3,000 individual pages held together only by rubber bands. He knew I was no longer able to drive to Washington and had to use Greyhound (which I'be not been able to do now for more than three years) and he knew I always had an attache case full of pertinent materials. I refused to accept those loose pages and asked that they be packaged by the end of the conference. He had it done - in second-hand manila envelopes. I'd have left the entire mess there but my lawyer prevailed upon me not to make an issue and the FBI did agree to make some kind of package. They found a box that held some, perhaps most, of those pages and the rest were in an envelope or bulging out of my barge attache case. I was not able to carry all of this far. My lawyer helped me to the bus and as soon as I got on it and was walking down the init aisle the attache case hit the arm of a seat and then my abdomen and I hemorrhaged heavily. I live on a high-level of anti-coagulent, as the FBI also knows, and even a slight bump can be serioust. I an not suggesting that Beckwith contrived for this to happen but there is no doubt that he and all the others in FBI FOIA knew of my medical and physical limitations. Beckwith also behaved so //badly outside the courtroom in that case one day the DJ law yer had to shut him y up. I'd caught them doctoring an inventory to withhold a subfile and the question was had they later provided it. He said they had, I said I'd not seen it and I offered to pay for another copy if they had sent it and it had gotten lost. He blew up, shouted and refused. Then they did.

As it is, he and they got away with murder, so to speak. They all do.

I made a few notes of matters I thought might interest you as I read your excellent Chapter 2.

The 1974 amendings of the inverstigatory files exemption was caused by the first case I "lost," the only case in which I received nothing at all. Edward Kennedy is the senator who saw to it that the legislative history reflects this, and he did not do this without knowing what he was doing. (Your page 21)

Other hiding places (your page 22) include 67, 80 and 94 file classifications in the field offices and within my experience 67 and 94 at FBIHQ. Sensitive assassination-related information is in all these files and not the main files.

Page 31 and elsewhere, Marcangenio became a close friend when he (and to a lesser degree Joe Casey, lèter apparently a incy lawyor for agents) stood by me Later my wife worked in his Washington office, handling constituent problems and mail, and we remained his good friends until his death. Once when I was in the army favorite festaurants. The Hoover who wanted Marc confined sent him and my wife a bittle of Therry Heering, appfaently his favorite drink. Tolson was with Hoover that night arc and my wife.

Armand Chankalian is pretty certainly a man who pretended to be Marc's friend, Visited him often in Washington and from time to time we were together socially, with what I'm sure you would find strange empanions for Armand. Except as an informer. (37)

The practise with regard to bag job documents you refer to on 54 is the opposite

of FBI 66 file practise with electronic surveillance information, where the FBI hides all in 66s and has paraphrases in the main case files.

Here you refer to the number of pages of Hiss case records as of 54,000 pages. I presume this means at FBIHQ only and of those, what was disclosed only. I'll come to a suggestion where others are.

You ask a very good question on 56, "were, then, sensitive Do Not File documents filed in the personal files of FEI officials?" I'd like to suggest a form of personal file I've not seen you mention about which the FBI has only once failed to lie in my cases, ticklers. In political cases thes ticklers can be extensive and contrary to the FBI's steaffast lies are not limited to copies of records from the main case file. I can tell you more about ticklers and the lies about them, most unabashedly recently in my experience by supervisor John N. Phillips, if you'd like. The FBI has not once found any ticklers on its own and has found them after swearing that they did not exist or could not be found when I told Shea where to look.

This gets to your wise caution in the final paragraph of this chapter, telling researchers not to be content with the results of central indices search es. I add that assurances of destruction need not be accepted, especially not with field office files of political significance to the FEI, and not without searches of the "see" cards, which can include Not Recorded duplicates. Also, it is worth trying to get copies of the search slips bec use not uncommonly they include pertinent records the FOIA people characterize as not relevant from their classification numbers only.

In footnote 50 (page 76) you mention L. Whitson. Lish Whitson is the one the FBI used to mail the infamous tape and anonymous letter mailed to Dr. King or perhaps his wife. He is in law practise in Washington.

In the next footnote you mention that professional perjurer Martin Wood and records pertinent in the Hiss case that did not surface, including Baltimore records. Depending on how Chambers was classified, as a "security" (most likely) or criminal Sufformer, a search of the 134 and/or 137 files is required. As Wood knows. There is a special form for recording every contact with every symbol informer, with a space for results, as well as the report prepared by the agent or filed by the informer. Aside from FBIHQ and other field offices, it is fairly certain that such information would have been sent to Washington, where it could again be hidden as WF rather than WFO information that would not surface in a normal search limited to WFO records.

Your table of contents indicates that there is more involving people I knew and matters with which I was familiar and I look forward to having time to read the rest. But in the event you had not seen the letter I wanted to send that as soon as possible, so this with it. If we stay ined in I may add more but I do want to convey my great respect and appreciation for the fine thing you have done. And hope that you can continue with it.

All best wishes,

Harold Weisberg