

TREASURY - ATF - Appeals

Mr. Paul (Illegible)  
Assistant to the Director (Disclosure)  
Bureau of Alcohol, Tobacco and Firearms  
U.S. Treasury  
Wash, D.C. 20226

7627 Old Receiver Road  
Frederick, Md. 21701  
2/6/80

Dear Mr. Paul (Illegible),

I also have an illegible signature, but to those who do not know me and for those from whom I have reason to expect correspondence I provide my name in legible form.

Today your form letter and entirely undescribed enclosures came. The stamped date is Feb 1 1980.

There is no earthly or unearthly way in which I can relate what you send to the request you avoid identifying, except that you include a xerox of my 12/23/75 FOIA request of the Department of Justice. For your information that request is being litigated as C.A. 75-1996. The coming calendar call is for this Friday.

At another point in these unhelpful enclosures there is a referral from of the FBI. It is stamp dated May 4, 1978. However, I am left to assume that this referral relates to the case in court because you obliterated the names, not doubt perceiving the "demonstrable harm" your form letter includes as a reason for the withholding. These people have not been afraid of harm from me in our many meetings <sup>ings</sup> as I do not really believe they fear "demonstrable harm" from an small man who will soon be 67 years old. However, if you can specify this "demonstrable harm" I'm certain your reasons would be un-retaining, if not persuasive.

What can be perceived is some embarrassment because you failed to act within the time specified in the Act and the FBI took a year or more to get around to the referral, notwithstanding repeated "summary judgment" motions in court and assurances that all referrals had been acted upon.

Your "demonstrable harm" fears are extensive. They include the United States Attorney in Dallas (was he secretly NSA then?), the man King who tried to buy the Oswald rifle and used the government (was that a secret trial and do I only imagine reading about it in the paper and receiving hundreds of pages relating to it from the FBI?), the company that sold Oswald the rifle (Klein(a)), the Chief of the General

Crimes Section of the Department of Justice (who was so little <sup>afraid</sup> of "demonstrable harm" from so that he both signed and typed his name in correspondence) the name of your "Chief Counsel" (does he wear a face mask and use an alias in court?), Earlson Seaborn Fredericks in Los Angeles ( they sold the Oswald pistol, according to published facsimiles of the transaction you will find in the Warren Report), the FOIA/PA branch chief of the FBI (who is less timid than you and does sign it when he writes so, which is not infrequently), and a few others, almost all well known and all the others within an Order of the Court in C.A. 75-1996.

Your secrecy injects some confusion, in that you reflect receiving the referral and acting on it in May 1978 and yet also act on it under date of 2/1/80.

Your form includes but a single claim to exemption, (b)(7)(C). Your record is held not quite unique (only because you have such stiff competition). You have withheld what is in the FBI's public reading room, the published materials of the Warren Commission, its unclassified records readily available at the National Archives and the proceedings of the federal courts, not to mention radio, TV, newspapers, magazines and a number of books. To make this claim there must be a privacy to protect.

Some months ago I heard from a Ms. Linda Zanetti at Treasury, they for and from a Mr. Blake, as I recall the name. I readily agreed to their taking more time, on the claim of need. For this a need for more time? For what, checking the holy script? But I then did offer to help, particularly with regard to what is within the public domain. It now appears that the only reason my offer of help was not accepted was so that after going on two years you could withhold it.

The only "demonstrable harm" I see is to the act, the great waste of tax money and to decency in government. And this is an appeal.

Sincerely,

Harold Weisberg