

Ms. Meg Greenfield, editorial page editor
The Washington Post
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7627 Old Receiver Road

Dear Ms. Greenfield,

Your today's editorial, "Sealed in the Archives," was written by someone who knows nothing at all about the FBI's filing and record-keeping. It really is mythology, cooked up by the FBI itself. I regret very much that what I tell you comes from extensive personal experience that is not at all pleasant.

All ^{Sessions} ~~is~~ is talking about is FBIHQ records and not even all of them. He may or may not have in mind transferring to the Archives what the FBI refers to as its "main" file and nothing else, the usual practise, but if he wanted to do what your editorial indicates he is doing it would be virtually impossible.

He has no way of knowing, for example, who has ticklers, and some of which I know are enormous in size. He has no way of knowing whether other than tickler copies were kept in the various divisions at HQ to which copies were routed or which made copies of those routed to it and then returned the copies it got. There also are HQ files that are never searched, on the fiction they are not relevant. One is the 94 classification, "Research Matters." (Some of its files on the Post, including nasty stuff, is in this classification and as allegedly "research" is never searched.) Then there are what are called "admits" for "administrative matter." Here they squirrel away potentially embarrassing records of surveillances. and if you want to know how successful they are in keeping such materials hidden, a record it took me months and months of in-court diligence to obtain illustrates. When it was decided that an internal investigation of the FBI's mistreatment of Dr. King and his family and associates had to be made, HQ directed the field offices to send inventories of their holdings. That one file is 402 pages, hundreds of thousands of pages. But not a single tape of the vast number the FBI made and kept is listed. They are or then were filed in the field offices only and as "66. Administrative Matters."

FBIHQ conducts no investigations at all. It does generate vast quantities of paper but those words come from field office records sent to HQ and from the minds of their authors. Washington investigations are made by the Washington Field Office, known as WFO. It had and perhaps still has a subsidiary identified merely as "WF" and it in the past had some of the seamier assignments, kept in separate files in the same offices.

Dallas was the Office of Origin, known as "OO," in the CISPES case. You cannot begin to imagine how they can hide records when they want to and produce the nonexistent records when they want to. and, of course, there are the thousands of individual records in the field offices, not only at Dallas, in separate files under the thousands of names. There is no indicated intention of placing them in the Archives and making the effort would be close to 100% impossible.

As with the King tapes, I give you an illustration. Dallas was the OO in the JFK assassination investigation. It also provided most of the investigative services to the Warren Commission. One of its tasks for the Commission was to get the recordings of the Dallas police broadcasts of that time. It got them and it transcribed them for the Commission and the Commission published its transcripts in facsimile. Yet in a FOIA lawsuit in which I sought them the FBI swore repeatedly to federal district court in Washington to a series of perjuries, perjury because they were sworn-to and pertinent. They began by swearing they never, ever had the recordings or any copies of them. As fast as I proved the attestations were false new ones were invented, and I did the same with them, over and over again. I even told them where these recordings were filed in the Dallas office and that place was never searched. Then I told them where copies were at FBIHQ and that place also was never searched. Quite some time later an employee of the

appeals office, remembering my many appeals, blundered onto them exactly where I had said they were and so told me. But to this day, after more than at least five years, they have not been produced. That was before, if you'll excuse the expression, Judge John Lewis Smith, but I've been before enough different federal district court judges to assure you that it could have happened before most of them. And often did!

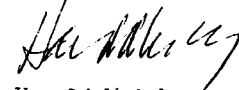
Even the alleged destruction after 30-40 years except for records of exceptional historical value, comes from the FBI and/or Pollyanna. A relatively recent personal example is for records created before and during World War II and relating to a magazine that was folded during that war for the stock, to be used to publish a more commercial magazine. I was then the Washington correspondent of CLECK. It then was the third largest picture magazine, after LIFE and LOOK and for archival purposes I asked - more than a decade ago - for the HQ CLECK records. They still exist, going back to the FBI's filing the fact of its creation and who was involved. It was an Annenberg publication, but that was when Koe was in jail and Walter had not yet developed his many and well-known relationships. Some is still withheld on alleged "national security" grounds and much is just plain withheld, with appeals ignored, and every once in a while they dribble a page or two out. I was exposing Nazi cartels and they claim they can find only one such story. Yet at the time of my stories some of those corporations were under FBI investigation and from time to time I actually "beat" them. Now how "historical" do you think it is that this magazine was created before World War II and hasn't existed since then?

The Dallas office had a separate index of, supposedly, all its JFK assassination records and after much costly effort they were compelled to disclose it to me. It was of 3x5 cards, about 40 linear feet of them. But the Dallas broadcast recordings is not in that index, despite the fact that the FBI transcribed them. I later was able to tell the FBI which agent made dubs and even the make of the tape recorder he used but I still don't have those tapes. and they surely involve no FOIA exemption or any legitimate secret.

Transferring even the main HQ CISPES file to the archives has its value but all CISPES records will not be there and based on my examination of about a third of a million pages of FBI records I am confident that a much, much greater number of pages will remain in the field offices and won't be transferred and will be accessible to the FBI the next time it has an improper interest in any of those principled people.

Please do not take this as criticism of the editorial writer or of the paper. You people have no way of knowing these things and had no reasons for asking any questions. You can't live in the belief that every official intends to deceive and misrepresent. But if you'd had my experiences with the FBI and its word you'd look to see if someone was playing a waterhose on you if you were with the FBI and it said it was raining - and you were soaking wet. It has made both an art and a science of dishonesty and of lying. It prefers to avoid an overt lie and it plays senantical games in the effort but when all else fails it does lie and is immune when its lies are perjury.

Sincerely,


Harold Weisberg

Please excuse my typing. I'm 76, in impaired health and must keep my legs elevated. This has me typing sideways.

9/1/89
Sealed in the Archives

THE FBI HAS taken one more important step to clear up an investigation that got out of hand and to repair the civil liberties violations that marked it. The investigation began in 1983 when an informant told federal investigators that the Committee in Solidarity with the People of El Salvador (CISPES) had links to international terrorists. The tip later proved unreliable, but not until an inquiry involving more than 2,300 people and 1,300 groups had been undertaken. Suspects included nuns, union organizers, lawyers and political party workers whose sole offense turned out to have been the holding of meetings and the organizing of opposition to American policy in Central America. Although evidence was not produced linking these people to international terrorist activity, copious FBI files were created on them.

To his credit, FBI Director William Sessions, who inherited the mess, has acted to make amends. He has publicly conceded that "the FBI is not proud" of the investigation. He agrees that the original informant was not thoroughly investigated, that his charges were accepted too readily and that the inquiry was expanded nationwide without cause. Because supervision from Washington was inadequate, six agents were disciplined and the attorney general's guidelines on terrorism investigations were amended. Nevertheless, CISPES members wanted more. Quite reasonably, they asked that their FBI

files be expunged or transferred to the National Archives, where access would be severely limited. Director Sessions has now agreed to that request.

Every federal agency has a schedule for the disposal of old files. After a period of time—30 or 50 years, for example—records are destroyed except for those of historical interest, which are sent to the Archives. In the case of the CISPES material, the timetable will be accelerated, and as soon as details have been worked out, files will be sent to the Archives. Because the material is now classified, it will remain inaccessible to the public and even to the FBI. Certain files necessary for the completion of litigation will be made available to lawyers, but the rest will be sealed.

Thousands of Americans, concerned about an aspect of this country's foreign policy and working perfectly legally to change it, were harassed and maligned by the CISPES investigation. Though the Senate Intelligence Committee found that the episode was "an aberration" not an example of continuing FBI policy, the civil liberties violations were substantial. It is important that the records of innocent citizens be sealed and that these unfounded allegations not continue to follow them throughout their lives. Placing the files in the Archives will give a measure of protection to those whose privacy was invaded and whose loyalty was unjustly called into question.