

Mr. John H. Wright, Information and Privacy Coordinator 7/15/89
CIA
Washington, D.C. 20505

Dear Mr. Wright,

Your letter of June 5 reminds me of Mr. Helms' speech when he first spoke in public. He asked the publishers to believe him when he said the CIA does not "target" on Americans. Which it was at the very time doing and continued to do thereafter.

You say you have reviewed the administrative files. Not really. You appear to have searched them for what the CIA can again misuse and misrepresent, for the purposes not new to it of frustrating my FOI/PA requests. Now if you think this is a figure of speech, please consult those very same files and find in them your own list of my very old requests and see for yourself how many were and remain entirely ignored. Look further and, absent purging, you should find the false letter sent to your general counsel as I now recall in 1971 telling him that the CIA had no records on me at all. And with it you should find the memo prepared, as I now recall, by your "security" component listing files it does have and then noted as not sent to your general counsel so he could and would, in seeming innocence, lie. Which he did. Without being aware of it until I handed him proof that he had lied because withing the CIA he had been lied to. (Those files are still withheld and I'm sure the real reason is that they could be embarrassing to the CIA. Their existence was not only not acknowledged, it was denied.) So much for your records and your review of them, unless you'd like me to remind you of more, which I'll do on request, except for the immediate matter of my allegedly owing you money.

The regulations you enclose are not identical with those promulgated more than a decade ago, those that are relevant and include a provision I do not see in the current ones. I do notice, however, the provision that was always there, page 46461, that requests will be handled on a chronological basis, "first-received, first-answered." There never was a time when the CIA observed this with me and as I say above, after its initial and deliberate lying with regard to records about me, it still has not complied with that 1971 request and still has done nothing about that - and many other - appeals. I do not think that regulations are promulgated for being deliberately violated, the CIA's record with me.

It is also the CIA's record with regard to the records you say I owe you for. Your current and your applicable regulations both required that a requester be notified of the estimated cost. (1900.33 (b)) You did not do this. At the time in question, your regulations also required that you state the amount of any down payment required, as you also did not do. You in fact said nothing at all about those records, merely sent them to me. Perhaps those who did this assumed that I would want them. However, I had no knowledge of their existence and I did not want them for several reasons. The fact also is that when the CIA would not accept their return, having no need for them, I gave them to a college.

What had happened, from press accounts attributed ~~to~~ to the CIA, is that after stating several times that it had disclosed all records it had on that subject the CIA found those in question. I knew nothing of this and those records I never asked for. Aside from their content, said to be largely bookkeeping in nature, my interest in that subject was never that great. Initially it was from a CIA memo to the Warren Commission and later the local matter, of Frank Olson, interested me.

I have for some years believed and still believe that one of your people who knew better than to believe Mr. Helms' assurance that the CIA "does not target on Americans" saw this business as an expedient means of frustrating all my information requests. Not one has been processed since then. When I wrote and called your own regulations to the attention of the person who then held your responsibilities, I was ignored, as were your regulations that you, not I, had violated. You cite the letters you wrote me. How about citing what I wrote you about this and how about sending me copies of your required prior notification of costs? (I'm 76 now, my health is impaired and the searching I'd have to do is too much for me now but you have records going back quite a few years you cite selectively.)

I do not know what records you may have discarded or destroyed but I am absolutely certain that my own copies leave without question the fact that the CIA from the outset was determined to avoid compliance with my requests and did that to the degree it desired. If your file is complete you should be without any question on this, unless you ignore what is in the file that you can't use for the wrongful purposes of this newest resort to your own dirty trick to violate the Acts.

Moreover, the CIA disclosed to others records I requested and did not receive. Long before the matter in question, I requested copies of records already processed and disclosed to another (of presumed sycophancy) and did not get any response even after they had been disclosed.

I hope you can understand, Mr. Wright, that your citing your regulations to me is like the devil citing scripture.

I regret very much that so many of you regard the Constitution as Oliver North says and shows he does and regard abiding by the law as Fawn Hall testified she did.

FOIA is a disclosure, not a withholding statute and it applies to the entire government and its employees. Contrary to Mr. Helms' solemn assurances that the CIA does not target on Americans, it did, and on the Constitution and on the laws of the land. And on me, as your disclosed records and correspondence make clear.

If you for a minute resent what I say or question it, then I challenge you to refute it from your own records and copies to which I refer above. Or get that "security" office - what a truly American concept it is to regard American writers and writing as "security" matters for our foreign intelligence agency - and get and read those files it lied to your general counsel about and see whether they were immune (which is not at all the same as lying about their very existence) or whether they should have been processed and disclosed.

I can go much farther than this and I recognize that I may only be making a record for the future, for any later interest in either my work or the CIA because the CIA's disgraceful record is that it is impervious to all considerations other than the improper over-dedication to its gung ho! spooking. But I assure you that I have solid proofs of the existence of many other CIA records relating to me, my work and my appearances, including even statements from those who did the compiling, as well as documentation.

There is nothing I can do to make you (plural) honest. I regret very much I have no reason to expect this, particularly not from the records that I cite in only abbreviated form herein.

I think you are obligated to act promptly on this appeal and all the other requests and appeals you ignored.

Your records should also reflect that when I was notified of costs I remitted immediately and fully. I paid for everything I was to have paid for, promptly.

Sincerely,


Harold Weisberg

Central Intelligence Agency



Washington, D. C. 20505

05 JUN 1989

Harold Weisberg
7627 Old Receiver Road
Frederick, MD 21701

Reference: F80-1042

Dear Mr. Weisberg:

You have appealed the Central Intelligence Agency (CIA) determinations regarding two CIA-originated documents retrieved in Federal Bureau of Investigation (FBI) records systems in response to a Freedom of Information Act (FOIA) request to the FBI from you on the John F. Kennedy Assassination. The Agency responded by releasing one of the two documents in its entirety and deleting portions of the other as exempt from release. You were so advised by letter dated 13 February 1989. That letter also advised you of your right to appeal the CIA determinations to withhold information.

Your appeal letter, dated 18 February 1989, was received in the office of the Information and Privacy Coordinator on 23 February 1989. Having now retrieved pertinent, retired, administrative files, we are reminded that you are already indebted to the U.S. Government for records services previously provided by CIA. Specifically, on 28 February 1978, you received 14,357 pages of CIA documents concerning projects MKULTRA and ARTICHOKE. You were advised then that the cost to you was ten cents a page for duplication, or \$1,435.70, that could be paid for by check or money order made out to the Treasury of the United States and forwarded via CIA.

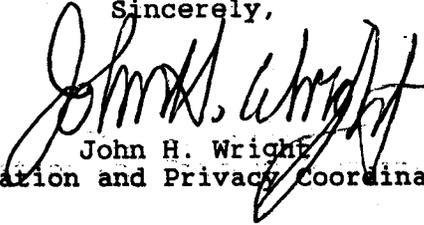
CIA regulations (copy enclosed) have consistently stated, as does the current version, see 32 CFR 1900.25(j), that:

No appeals shall be accepted or additional records services provided to the requester or associated requester until the requester and associated requesters have paid all outstanding charges for services rendered under this CFR part or corresponding CFR part for other government agencies or departments.

This agency has repeatedly reminded you of the balance due on your account, while declining to provide further records services. In 1984 alone, you received at least four letters repeating this advice and requesting payment; these letters were dated 10 April 1984, 19 July 1984, 21 September 1984, and 1 October 1984.

Further processing of your appeal of the deletions made in the document at issue and your request for help in identifying and replacing one of your misplaced copies of a previously released CIA record will not be undertaken pending receipt of your check or money order made out to the Treasury of the United States in the amount of \$1,435.70.

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Wright". The signature is written in dark ink and is positioned above the typed name and title.

John H. Wright
Information and Privacy Coordinator

Enclosure