Mr. Emil Moschella, chief
FOIPA Section
FBIHQ
Washington, D.C. 20535

2/23/90

#318,280

Your letter of the 16th, in my opinion, and after 20 years of experience with the FBI in FOIA matters I think it can qualify as an expert opinion, is a classic! I'll be rereading it again as I write but on the first reading I detected only a single lie in it and you could argue that what is a lie, and a very basic lie, was merely a misunderstanding. I'll get specific enough about this because it is apparent that you did not really have me in mind in this letter. More likely OPR and/or OIP. You ignored my simple request for most of a year until I wrote OPR. And if you get away with it, as the record indicates is virtually automatic, OPR being, in actuality, the whitewashing component, the one who drafted it for you is on his or her way up. The record bears this expectation out - pomotion follows frustrating the Act and its intent, particularly if in court.

Your opening sentence states that I requested "the identities of all requesters who have received documents from the Nathan Gregory Silvermaster investigation." This is a lie because I did not ask for the identities of all Sivermaster requesters.

On June 25 last I wrote you at some length and with specificity about your continuing to withheld records that were identified in two batches of records I received the day before. They came without any FOIA number or covering letter or form of any kind bearing a date. My letter, which includes the new request, was in specific reference to these two batches of disclosed records I had just gotten: "Because this information relates to me, with my FOIPA rights violated, becuse it is a selective and intendedly prejudicial and defamatory disclosure, I herewith also request copies of the requests to which these disclosures relate, including the names of the requesters."

There is no reference to past Silvermaster disclosures, of which I had no knowledge. And I am also identified as the "subject" of a request that is not a Silvermaster request.

I also on that date filed an appeal which included my letter to you. OIP, having found it expedient to hire people who have made both an art and a science of incompetence and stupidity (yes, I'm sending a copy to OIP) "consulted," its word, with the FBI, because, allegedly, it did not know what I was talking about. That I stated, having gotten no identification from you, that I had received the records in question June 24 is apparently beyond OIP comprehension because many months later, when it wrote me (I can't honestly say it responded) it stated that neither it nor the FBI could identify what I was writing about and it requested the date of the disclosure, which I had provided, and/or the number, which you were careful not to provided, as I also indicated in my letter. Now, nine months later, there is no mystery. And not being able to, I've not provided any other identification.

There could not have been any question about this in your section. You knew and you lied and the lie cannot be accidental. Unless, of course, OIP lied.

Because your letter is a lie about my request and because you knew that what you wrote in such elaborate detail is not relevant to my actual request, I think I can fairly state that the entire thing is another FBI lie and again, not an accidental one.

More recently I received additional records. They identify the date on which you mailed the two batches to me as June 22. But even if this were not so, there just is no question at all, you knew when you got my letter of June 25 that I referred to what I got June 24 and you knew who made the two requests that are the subject of my request. So, all your February 16 letter is is gobbledegook intended to con OPR, OIP or both. It is 100% non-responsive.

I note for the record that you have not in any way, not even by the remotest indirection, addressed the other withholdings of records the existence of which is reflected in what I got and I provided to you and to OIP. And for the record, there being reason to believe that others who are not familiar with all of this correspondence and my many

renewals of my 1975 request for all records relating to me and my many appeals because of your perpetual non-compliance) that you have in what I refer to disclosed records that are within this ancient request that were not ppeviously disclosed to me. Or provided after disclosure to others.

Although you did not provide any identifications to me with your mailings of June 28 22, there is no doubt at all that you could have a) provided copies of those requests, which, as I've quoted it above is my actual request, and that this should have included the names of those requesters.

You did send me a form dated July 31, 1989 in which you stated that this request was then being searched. The entire search was in your own office and could hardly have been simpler or easier to comply with. But although allegedly working on it more than a half year ago you made no further response until now, after I wrote OPR and after OIP put someone other than the functional idiot who had written me earlier on this. and still you manage not to comply and to deceive, misrepresent and mislead any who may be checking into this.

Although I've referred only to relevant records that remain withheld despite being identified in what you sent, about which I did write you a number of times without response, the same is true going back to the first records I got under that 1975 request. Then and thereafter I got FBI records that identify even by file number relevant records not provided then, not when I wrote the FBI and not when I appealed and provided simply enormous quantities of information in those appeals. You are withholding many records responsive to my requests for records on me. As you withheld those involved in this matter. They were not provided to me earlier, even though I had asked about being included in them.

You made no response when I wrote and told you that telling me that you had provided all records indexed to me is a lie. I have some you did not provide, for example, and I've provided the disclosed file numbers of others. Then, on the off chance that it might interest those who, in my experience, spend their time covering up for the FBI, I mention again the Mayne case matter you managed not to refer to when you finally wrote me. Those records you provided recently, having delayed almost 15 years, as I told you, refer to other records you have not provided. I filed the request of all field offices and you have just given me Washington field office records it did not. At least one other field office should have relevant Mayne records about or including me.

Then I asked if you had not crossed the line into what the Privacy Act says is a criminal act in disclosing to a third party records about me from a file in which I was not the subject of FBI investigative interest.

You used all those words about what is not relevant. I hope you can find time for a few words that are relevant.

And a little time for complying with what surely is the oldest request you have not complied with - almost 15 years old.

Sincerely,

Harold Weisberg

cc:OIP, OPR