

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,  Plaintiff,  v.  CENTRAL INTELLIGENCE AGENCY et al.,  Defendants.	: : : : : : : : : : : : : : : :	Civil Action 77-1997
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AFFIDAVIT

My name is Harold Weisberg. I reside at Route 12, Frederick, Maryland.

My prior experience is that of investigative reporter, Senate Investigator and intelligence analyst. My intelligence experience was in the Office of Strategic Services (OSS), forerunner of the Central Intelligence Agency (CIA) and in the State Department. Since November 21, 1977, I have been the Department of Justice's consultant - at its insistence - in C.A. 75-1996, in which I seek from its records relating to the assassination of Dr. Martin Luther King, Jr., and other information.

1. To my personal knowledge, the CIA has a long record of filing false, misleading, conclusory and evasive affidavits in FOIA cases. As one of many illustrations, in my C.A. 75-1448 it filed an affidavit claiming that not to deny me certain thirdhand information would be disastrous to the "national defense" and that the life of the source of that information would be jeopardized because the government of the USSR had ordered his death. This source is a Russian defector whose original name is Yuri Ivanovich Nosenko. Prior to the executing of that false and misleading affidavit, the CIA had made this same Nosenko and other Russian defectors available to a Readers Digest editor named John Barron. Mr. Barron used this and other information - clearly from secret CIA and other intelligence agency files - in a book titled KGB. KGB, naturally enough, glorifies the CIA. Just prior to the time of the present CIA affidavits, the CIA made Nosenko personally available to Edward J. Epstein, another writer with a long history of writing what government officials like. Epstein's most recent book, Legend: The Secret World of Lee Harvey Oswald, really is less about Oswald than about Nosenko. In Legend Epstein actually exposed a top-level FBI informant who was a Russian in the higher echelons of the United Nations.

2. Other overtly false CIA representations relating to Mr. Nosenko are that if even the state in which he lived were known it could cause his death and that the

CIA was handling him as a shining example to other would-be defectors. Not only did I know that the CIA had made him available to Mr. Barron whose book had been published, but I also knew that Mr. Nosenko had been made available to Mr. Epstein. This is reflected in the penultimate paragraph of my June 1, 1976, information request and appeal to the CIA (Exhibit 1), sent by return receipt certified mail.

3. The first inkling I had that the CIA had again made Nosenko available to another writer, quite the contrary of all its sworn representations, came from a reporter for the Associated Press (AP).

4. One of the CIA's affidavits in support of its Motion for Summary Judgment in this instant cause is by Charles A. Briggs. Mr. Briggs filed the false affidavit with regard to Mr. Nosenko referred to in Paragraph 1 above. Another affidavit is by the same Gene Wilson to whom I sent Exhibit 1 and many other evidences of the persisting falsity of CIA's representation.

5. Mr. Wilson did not respond to my June 1, 1976, request but the CIA provided exclusive information to Mr. Epstein for his book that began with a Readers Digest investment of a half-million dollars.

6. The CIA deceived and misled the Senate Select Committee on Intelligence into withholding known names on the spurious ground that its sources had to be protected or could be endangered. As a result, the report the Senate issued three weeks after I wrote Exhibit 1 to the CIA substitutes letters for names. Yet all these names were in the public domain, in long newspaper accounts in the Washington Post and many other newspapers and magazines and in the readily available and unclassified records in the National Archives. Mr. Nosenko is one such example. Another is Mr. Alvarado Ugarte. Another is Mr. Cuebela ("Amlash"). Aside from what then was publicly known about Mr. Nosenko, partly set forth in the preceding paragraph, the Washington Post had carried two long "Outlook" articles dealing with Mr. Cuebela. Mr. Alvarado and others like him are named in records readily available at the National Archives. (Copies are in my own files.)

7. In 1971 I filed a request of the CIA for all information relating to me. It was totally ignored for years until my counsel, Jim Lesar, arranged a meeting with the CIA's general counsel, John Warner. Mr. Warner then assured us that after a proper search no records had been found. When we persisted the CIA found some but not all of my OSS employment records. (Among the records it allegedly failed to locate is a decoration that had been awarded for my services.) Later, under further prodding, the CIA came up with a few other records.

8. I illustrate the utter spuriousness of CIA claims to "privacy" from those records. It withheld from one record it provided everything except my own name. Everything else was obliterated. That identical record was given to another requester with no withholding for any alleged "privacy." (My own name was not withheld from him although the reference to me was inaccurate. I believe the association with others the CIA attributed to me is a professional defamation.)

9. In order to deceive its own general counsel so that he would lie to my counsel, the CIA withheld from its general counsel proof of the existence of other records relating to me in unsearched CIA files. By means that are not in any way improper, I obtained a copy of this proof.

10. I do not attach this proof as an exhibit because from prior experience I have learned that when I disclose what I know and can prove, if it leads to further compliance, it has never produced any records other than those relating to which I disclosed proof. The CIA still withholds the records referred to in Paragraph 9, more than seven years after my request.

11. I have a stack of about two inches of CIA records relating to me and surveillance on me that the CIA has not disclosed having and, in fact, has denied having. I obtained these records properly but not from the CIA.

12. It is not uncommon CIA practice to withhold from me what it provides to others who have made the same request. The Epstein case above is merely one such illustration. The CIA stopped complying with my requests for all records relating to use of drugs and other means of human behavioral modification and control (which led to the death of a former local resident). It ceased providing me with these records as it released them to others, as its own attachments in this instant cause reflect. I wrote and reminded the CIA of this. Its response was to designate my reminder of its noncompliance as a "new" request and to write me - literally - that with this "new" request it placed me at the bottom of its long list of FOIA requests that are months if not years past the time of compliance.

13. After three years the CIA has not complied with my requests for information relating to the assassination of President Kennedy. Because by the time I wrote Exhibit 2 the CIA had already made sport with the Congress, was playing similar games with the press and was seriously delaying my writing, I sought to make searches easier through individual subjects of the request. One relates to the Nosenko matter, already leaked by the CIA, after which it exerted a "national security" claim for what it had leaked. (Exhibit 2, page 2, Paragraph 2). When CIA practice was opposed to the public statements of the Director, Central Intelligence (DCI), I wrote him by certified,

addressee-only mail, only to have postal regulations violated by the CIA and to have my addressee-only letter to the DCI routed to Gene Wilson, the man about whose record of violating the letter and the spirit of the Act I was complaining to the DCI. (Exhibit 2, page 2, paragraph 4)

14. Throughout this and other letters I make clear the confusion the CIA was deliberately building into its FOIA procedures to make them cumbersome and unworkable and to convert them into a means of noncompliance with the Act.

15. The penultimate paragraph of Exhibit 2 is a request for information largely public and not secret. Some of it was made known to the Warren Commission by the CIA itself. Some had been published, including by two men formerly with the CIA. (One is Watergater E. Howard Hunt.) While the CIA was denying this information to me on the kinds of spurious grounds alleged in its affidavits in this instant cause, preparations were being made to "leak" more of what I sought, with control over the leak to make it news-management or propaganda. This leak attracted enormous international attention a few months after my request with which even now there is total noncompliance. One example is that the entire front page of a major Chicago newspaper was devoted to that subject alone.

16. A month after this request/appeal to Mr. Wilson, which is to say almost two years ago and a year after my initial request, he responded with Exhibit 3. The review to which he refers as a "re-review" in Paragraph 2 apparently has not been completed in the ensuing two years because I still have not received those records. Mr. Wilson's quotation of his letter to another requester makes a "national security" claim for what was then in the public domain. Not long thereafter it became even more in the public domain by the making available to the Washington Post of two <sup>of the</sup> CIA employess involved in one of the forms of surveillance included in my request. Then as now exemption is claimed for the public domain. Then as now the same authority is cited, Charles Briggs.

17. In this instant cause it also is falsely alleged that disclosing any information about the structure and components of the CIA is prohibited by law. In order to be able to make accurate use of information the CIA had disclosed, I had spent months of effort seeing to obtain its published organizational charts. For months the same spurious exemption claim was asserted. Finally, with Exhibit 3, I received from the CIA acknowledgment that such charts were public domain together with copies of the charts that are attached as Exhibit 4. The identical spurious claim is now asserted by the identical affiants in this instant cause for the same

kind of nonsecret information.

18. Beginning in 1976 the FBI referred a series of records to the CIA for processing under my C.A. 75-1996, in which the CIA is not a respondent. These records are relevant in this instant cause. In almost two years the CIA did not respond to these referrals. Recently the Department of Justice asked for another 30 days to effectuate compliance with regard to these referrals. The CIA also has not provided these referred records in this instant cause in which it is the respondent. (C.A. 75-1996 is more than two and a half years old. The initial requests in it, made in March 1969, await compliance.)

19. I have read the affidavits provided by the CIA in this instant cause. One is by the same Charles A. Briggs who falsely alleged "national security" and other exemptions in order to withhold records of the Warren Commission from me and who swore to falsities in the Nosenko matter. In every case in which in time I obtained copies of records withheld on Mr. Briggs' authority, it became apparent that there never was any basis for any classification or any withholding under the Act. I have published more than a hundred pages of such once "Top Secret" records. The actual reason for withholding was to avoid embarrassment. In one such record a former Director, Central Intelligence, described perjury as a CIA form of patriotism.

20. The affidavits provided in this instant cause scratch along in the same worn grooves of the same old record. In this instant cause they are orchestrated but are phrased in a manner calculated to mislead those whose ears have not heard the same choruses before, including federal judges. As it requires a subject expert to perceive, the libretto is once again of affidavits that are conclusory and general rather than specific in applicability in this instant cause. They all chant that the catalogued and conjectured horrors are applicable in this instant cause, as they are not. These affidavits are evasive and unfactual. They include falsehood. An example is the denial of information the CIA has already released to me in the past.

21. From personal experience these affidavits are designed to mislead this Court as part of a systematic campaign to intimidate courts with false claims to "national security" which neither the courts nor I want to breach. Another carefully orchestrated campaign of which such false and misleading affidavits are part negates and circumvents the Act while creating phony time and costs statistics with which the intelligence agencies can seek "relief" from the Act. Long-delayed and limited compliance results where noncompliance is not totally accomplished.

22. Illustrative of the immediately preceding paragraph is the fact that until

I filed this instant cause, the CIA stonewalled me for a long period of time. It did not even respond to some letters. Once I filed this instant cause, it proceeded with some of the searches it should have made in response to the request and by its own sworn admission did not make. This did produce some of the withheld and relevant records from which the CIA then proceeded to withhold in toto or in part.

23. Another illustration is that some of the obviously relevant files still have not been searched. The belated search was of the files of the Office of Security. Under "security" there are records relating to Dr. King, America's foremost pacifist and exponent of nonviolence. Not even in spook paranoia was he a threat against the security of CIA installations. These files in which the fruits of this illicit domestic intelligence operation should be kept remain unsearched according to the CIA's own affidavits. This provides a real reason for the false claims to withhold nonsecret organizational designations - to hide where relevant records remain withheld.

24. In all these affidavits and their lengthy and detailed attachments, there is not a single representation that all relevant files have been searched.

25. In one of the more ridiculous manifestations of this pseudo-compliance there is what is represented as the CIA's research materials on the King assassination - not on Dr. King himself. This lengthy compendium does not include a single one of the numerous books on the subject, including my own book. I know the CIA has my book. I have a few words of its flippancy about that book. "Analysis" is not a suitable description. In fact, this record is included within a specific item of the request and is withheld. The CIA does have relevant records relating to me. It does not attach them and it does not attest that they do not exist. In this sense, the phony bibliography is another deliberate effort to mislead this Court.

26. I am concerned about such misleadings of the courts, not restricted to this instant cause, because they have the effect of destroying the Constitutional independence of the courts.

27. In all these affidavits and their attachments, there is not a single allegation that the public domain is not being withheld under claim to exemptions (b)(1) and (3) as well as "privacy." I have extensive personal experience with the public domain being withheld with claim being made to each of these and other exemptions. (One of the "privacy" withholdings of names in this instant cause appears to be that of a dead man.) There is no representation in any of these affidavits that any effort has been made to determine what is or might be within the public domain. There is no affirmation that the CIA's own list of research materials

was consulted to determine what is within the public domain. The omission of the books in the bibliography - and all but one book is indexed - serves to obscure the fact that the public press and Congressional reports hold enormous amounts of relevant detailed information. This also is true of the numerous biographies of Dr. King and the many other writings about him and his movement.

28. When the CIA was caught in illicit domestic activities, training local police forces, its false excuse was that it has the best filing system in the world and thus sought to provide local police with more efficient and dependable means of storing and retrieving information. The CIA does not represent in any of these affidavits that it has consulted and utilized and complied in this instant cause with its world's-best information-retrieval system. It does not even state that it consulted its own system.

29. Had the CIA included such representations in its affidavits, these affidavits would have been overtly false and it would not have dared withhold relevant records that are in the public domain.

30. These CIA affidavits allege a need to withhold the names of all CIA personnel. The language of the Act is "disclose," which means make known what is not known. With me, the CIA has a history of withholding well-known names. It has a history with others of readily disclosing CIA names. An illustration of the second category is attached as Exhibit 5. An example of the first is the withholding and continuing to withhold on appeal of a publicly and well-known CIA name, that of David Phillips. Mr. Phillips is that dedicated CIA man who abandoned a promising career in which he was still moving upward to undertake what he called the defense of the CIA at the time of its Watergate involvements. Mr. Phillips had been station chief in Mexico at the time Lee Harvey Oswald was there. Mr. Phillips has so stated himself. He was later Western Hemisphere chief. Mr. Phillips' name is removed and withheld from all records of that period and on the subject of the JFK assassination on the spurious claim it is required to be withheld to preserve secrecy. After two years I await a reply to my June 1, 1976, appeal to Mr. Wilson.

31. Mr. Phillips held press conferences and was regularly on coast-to-coast TV. He also wrote a book publishing the kinds of information the CIA now claims it is required to withhold.

32. Exhibit 5 was provided to another requester, who provided a copy to me. It lists even the supposedly secret CIA phone number of the named CIA employee.

33. CIA JFK assassination records to and from Mexico City at the time Mr.

Phillips was station chief there do not withhold the fact of the location of a CIA station there. These earlier records also do not withhold other kinds of information now claimed to be under exemption in this instant cause. Those earlier records go further and disclose details of the CIA's Mexico City station's operations. Those operations were not secret. Neither are the withholdings of similar information in this instant cause to protect any secrets. Hundreds of pages of those Mexico City records were released to me and to others. These are among the available proofs of the infidelity of the affirmations in this instant cause if not of their perjurious nature.

34. In general, the same statements are applicable to the National Security Agency(NSA). It lies with regularity, apparently also equating lying to violate the law of the land with "patriotism" and "national security." In response to my request of it for its records on me under the Privacy Act, it denied having any such records at all. When I informed it that from another agency I had obtained the names of two of its investigators who had investigated me, it maintained the same false position. When it was forced into another position by the FBI's sending it an NSA record relating to me, NSA then insisted that it had no other records relating to me although the very nature of this record, a record it earlier denied existed, required further records relating to me.

35. As indication of the deliberately misleading and misrepresentative nature of the secrecy claims NSA makes in this instant cause, I attach as Exhibit 6 a partial public account of what is known of its intelligence-gathering sources and methods and their truly frightening capabilities for authoritarian domestic misuse. These statements are by the chairman of the Senate committee that investigated such NSA abuses. This simplification for TV use is much less detailed than those included in the published testimony and reports of the Senate Select Intelligence Committee.

36. Based on long experience I state that the actual reasons records and parts of records are withheld in this instant cause have nothing to do with any legal need to withhold or with any danger to proper intelligence operations or sources and methods. Rather are they designed to perpetuate the suppression of what is still suppressed of the illegal and authoritarian domestic-intelligence operations and despicable official acts against a great American whose views, now national policy, then were not liked by power-mad and wrong-headed bureaucrats who now are unwilling to confess their sins and mend their ways.

37. In connection with the above paragraph I state that nowhere in any of the



government's affidavits or attachments to those affidavits is there even the suggestion that there was ever a law-enforcement purpose or a legitimate "national security" investigation, prerequisites to the claims to exemption under the Act.

*Harold Weisberg*  
HAROLD WEISBERG

FREDERICK COUNTY, MARYLAND

Before me this 14<sup>th</sup> day of June 1978 deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires July, 1, 1978

*Elaine K. Lee*  
NOTARY PUBLIC IN AND FOR  
FREDERICK COUNTY, MARYLAND

List of Exhibits:

Number	Page	Paragraph	
1	2	2	6-1-76 letter to Wilson, CIA
2	3	13	7-21-76 letter to Wilson, CIA
3	4	16	8-23-76 letter from Wilson, CIA
4	4	17	CIA Organizational Charts, 1947-1975
5	7	30	2-24-64, memo Secret Service to CIA
6	8	35	News clipping 8/18/75

Mr. Gene F. Wilson, FOIA/PA Coordinator  
CIA  
Washington, D.C. 20505 FOIA request; appeal

6/1/76

Dear Mr. Wilson,

Thank you for your letter stamp dated May 28. In it you report "We have been asked by the Deputy Archivist...to respond directly to you regarding three documents ...previously denied you...subsequently appeal by you..."

As you know from previous correspondence illness has imposed certain limitations upon me. Were this not the case the total absence of a single date for identification purposes in your letter would make it difficult if not impossible to isolate that one request and that one appeal and to identify them to the exigencies of the many other requests and appeals I have made of the Archives during more than a decade of very intensive research.

Therefore I ask that you please forward copies of all the relevant records with copies of the lists referred to.

In the case of both letters of which you have sent copies the dates under "Approved for release" are illegible. I would like to be informed of these dates.

Without these lists and the copies used of the varying possible versions of the many lists it is impossible to be certain what is referred to.

Your letter and a long record of official toying with the exemptions of the Act leave me no choice. I do herewith appeal all the withholdings, in accord with your letter, to you.

In this case these withholdings have been extended to include publications.

Another, I am fairly certain, is a deletion of that which was embarrassing to the CIA only, an entirely unjustified deletion. I am confident I have both versions, masked and unmasked.

The claimed statutory obligation of the Director has been stretched past reasonableness. I have written you about this in the past. Only recently and long after there was no secrecy you have provided me with heavily masked documents in which well-known names are masked. This includes the names of former CIA personnel who have gone public on their own in the CIA's defense. The Agency's spurious invocation of the protection of alleged sources and methods, never once supported when the withheld material has become available, has been stretched to include publicized sources and non-sources like a fabricator whose name and the fact of his fabrication was public long before the Agency's withholding of both.

Because I agree that there is a legitimate need for some withholding of some sources (I know of no method relevant to any material relating to the JFK assassination) and some Agency personnel identifications, I would encourage the Agency to live within the law and not force me to carry this further by endless false pretenses and fictitious interpretations. I assure you that if I am required to I will prove what I tell you with your own and other records, all publicly available.

Your letter is not the first time Mr. Charles Briggs, Chief of Services Staff, is cited as authority. In this letter and on earlier occasion Mr. Briggs' authority and competence are not specified nor has he when he executed an affidavit certified to either his authority or his competence. Prior certifications of this nature by the CIA have turned out to be invalid. I therefore ask evidence of his competence and authority, especially when publications are withheld.

While I do not claim it was your purpose, previous FOIA experiences persuade me that the omission of dates has been used by the government as a means of losing requests and making no response. I therefore ask that in our correspondence you please provide a meaningful identification of that to which you respond. By this time I have made a number of requests of the Agency. To many there has been no response. I mean not even an acknowledgement of the receipt of the request. The law requires this and specifies the time in which it must be made. I know that I can interpret this failure as a rejection under the law and can file an appeal. If I believe that the Agency is largely responsible for its present burden I have no desire to add to this burden unless you give me no choice.

Because of this situation I ask that you provide me with a list of all my requests and the status of each as well as the time in which I can expect to hear from you.

What follows is a new request. It is for all of any form given by anyone with or for the Agency to anyone writing about the JFK assassination or those who have written and spoken about it and the Agency's role in it, real or alleged. By this I mean, as an illustration, whatever and by whatever indication, might be provided to writers like Edward J. Epstein, but not him alone.

I don't know your source for my non-address, "Old Reservoir Road." Route 12 is adequate, with the city and zip. However, we do live on Old Reservoir Road.

Sincerely,

Harold Weisberg

Sent certified, return receipt

Mr. Gene Wilson  
FOIA/PA Coordinator  
CIA  
Washington, D.C. 20505

Rt. 12, Frederick, Md. 21701  
7/21/76

Dear Mr. Wilson,

Your letter stamp dated July 19 gives me the number of four of my requests, Thank you for this. However, you have yet to acknowledge some and yet to give me the number identifications of some. Under these circumstances the numbering system that could be a real time saver may turn into a new waste of time.

I explain again that I have a health problem and it does impose some limitations upon me and among these is ready access to all my files. I'll add what may help you understand that I am also reluctant to do what I ought really not have to do. I am required to wear strong, hot and uncomfortable various supports all my waking hours (other devices when I'm not more or less moving about or reclining) and they are not easily replaced. In hot weather and in my office when there is no other person here I do not wear trousers over them because they are skin-tight and uncomfortable enough without another layer to make me hotter. They are easily damaged. They are even more uncomfortable when the quality of the air is as poor as it stays so I am even more reluctant to add a mechanical protection to them and become even more uncomfortable when there is no real need for it. The fact is that they can be rendered useless or dangerous from mechanical injury to them. Therefore, when this is possible from moving my special means of typing (which requires my legs to be horizontal and is home-designed and home-made) and moving around in a crowded, small office I avoid it to the degree possible. If I do much bending, as in getting into some of my files, it can knock me out for a couple of days on end and has and probably is not good for me.

When you have a numerical identification system I really ought not have to go through all my files to ascertain what you are writing me about when it subjects me to what the above paragraph indicates in particular.

I propose a solution that should serve both our interests. Please write me one letter that lists all the numbers of my requests. I will keep it in my desk. I will also keep it up to date without difficulty if you merely acknowledge within the time allowed by the law. In this I am not insisting that you comply within the statutory limit. Merely acknowledge and provide the number. If you do this within 10 days I will not only have a record of my request I'll attach to the letter for which I ask but I'll have a clear enough recollection to eliminate the confusion that not only can but has already resulted.

If you receive all the requests you report I'm surprised you have not composed a form letter that would serve this purpose and simplify acknowledgement.

This is made more complicated by your non-responses and your not writing further when, as I recall you said you would about "third-agency" matters. I do not believe either of us needs unnecessary complications. So if I have a ready means of reference I can have a better understanding of what you mean and can, in turn, write you in a manner that can save time for you and in your office.

I propose a simplification of the problem posed in the bottom paragraph of page 1 of your letter, "We do not understand...I have requested what was released in the Borsages request" and wonder if I have confused it with the "elin request. I believe he sued and obtained certain records. I asked that you send me a copy of them and bill me or bill me first and I'd send you a check. Sending them to me with a bill will eliminate this and as the record shows I will send a check promptly.

With regard to your closing paragraph and F-75-6669, I remind you again as I have before that this matter is before a federal court. Your letter does not identify it as the Nosenko matter. Yesterday my lawyer was here working on interrogatories to be answered by the Agency under order of the court. He hopes to be able to file them within a day or two. They may very well be longer than might have been necessary if there had not been this inordinate delay of more than a half year.

I am reminded of more than one request you have yet to acknowledge by the need to assure myself that the number you provided without description is the Nosenko request number. I had made a separate file for a request I filed with you three months and six days ago, of April 15, 1976, the penultimate paragraph of that letter. When I saw no number on that particular file I started. It attracted my attention.

Of the others I recall one relating to Hugh McDonald.

Won't you please try to straighten all this out in both our interests? I do recognize that you have a voluminous work. You should know that my purposes are serious and in no case reflect idle curiosity. You do know that I have even resorted to certified mail in a futile effort to keep it straight.

On this when I wrote the Director the same time I wrote you and sent both letters by certified, addressee-only mail my letter to the Director was sent to your office and signed for by it. I have not made complaint to the post office. I will be satisfied with a letter from the Director's office acknowledging that you had it delivered there.

Had I not received your letter today I would have had to write you anyway because of the letter I have received from Mr. Blake with regard to my 1971 request for personal records. Mr. Blake invoked exemptions I do not believe are applicable. I asked him to send me an adequate published chart of the structure and components of the CIA, with the abbreviations. I need this in connection with that request, which it appears the Agency is determined to force me to take to court. After I asked Mr. Blake to send me one of it he declined to forward it as a request it occurred to me that this might not be fair to you. Therefore, I make this as a formal request. I am not asking for intelligence secrets. Many CIA officials have published this information and it has been the subject of public official proceedings, recently in the Senate and House.

What follows is a new request. In part it duplicates one by Mark Allen it is not intended to supersede. There are published accounts of the Agency's electronic surveillances in Mexico and elsewhere. I understand Mr. Allen's request is more limited than this, which is for all records of any nature whatsoever relating in any way whatsoever to any kind of surveillance on or relating to Lee Harvey Oswald, not just in Mexico City but in any place and at any time and by any person or organization, whether or not Agency employees. I mean this to include electronic, photographic, physical, mail or by any other means. I do not believe it is necessary to delay this for the re-review of the review.

I do hope you will see that if I ever get a complete and accurate list of the numbers of the requests other requests will be numbered in sequence and will make control and retrieval as well as reference easier and more accurate.

Sincerely,

Harold Weisberg

CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

C.A. 78-1997  
EXHIBIT 3

23 AUG 1976

Mr. Harold Weisberg  
Route 12  
Frederick, MD 21701

Dear Mr. Weisberg:

This responds to portions of your letters to me of 21 July and 6 August, which we are handling under F-75-6669.

The "new request" of 21 July in your penultimate paragraph for records of any and all surveillance conducted on Lee Harvey Oswald in Mexico City or elsewhere is a restatement of one segment of your broad request for any and all materials related to the Kennedy assassination and the investigation thereof, i.e., F-75-6669. As you know, all materials in the entire Oswald file are currently undergoing second review, a review expected to yield a better product than the first review. In light of the number of requesters waiting anxiously for this product, we are not prepared to institute a special and costly search for your request which would disrupt and delay the process for all of these requesters simply to satisfy your recent restatement of request.

In view of your own recognition that the "new request" duplicates while going beyond that of Mark Allen, we quote for you the response to his request of 13 July:

"Please be advised that the existence or non-existence of the records you request is currently properly classified pursuant to Executive Order 11652 and therefore is exempt from disclosure in accordance with exemption (b)(1) of the FOIA. By this answer we are neither confirming nor denying that such records exist. It is further determined that the fact of the existence or non-existence of the records also pertains to information relating to intelligence sources and



methods which the Director of Central Intelligence has the responsibility to protect from unauthorized disclosure pursuant to 50 U.S.C. 403(d)(3) and is therefore exempt from disclosure in accordance with exemption (b)(3) of the FOIA."

The above decision was made by Mr. Charles A. Briggs, Chief of the Services Staff. The decision is currently under appeal by Mr. Allen but is now subject to your appeal. As you know, such appeal should be addressed to the Agency's Information Review Committee via the undersigned.

The enclosed organizational charts are those included on pages 96-102 of the Senate Committee's Supplementary Detailed Staff Report on Foreign and Military Intelligence, Book IV, Report 94-755 of the 94th Congress, 2nd Session, dated 23 April 1976. The publication is available to the public from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Sincerely,

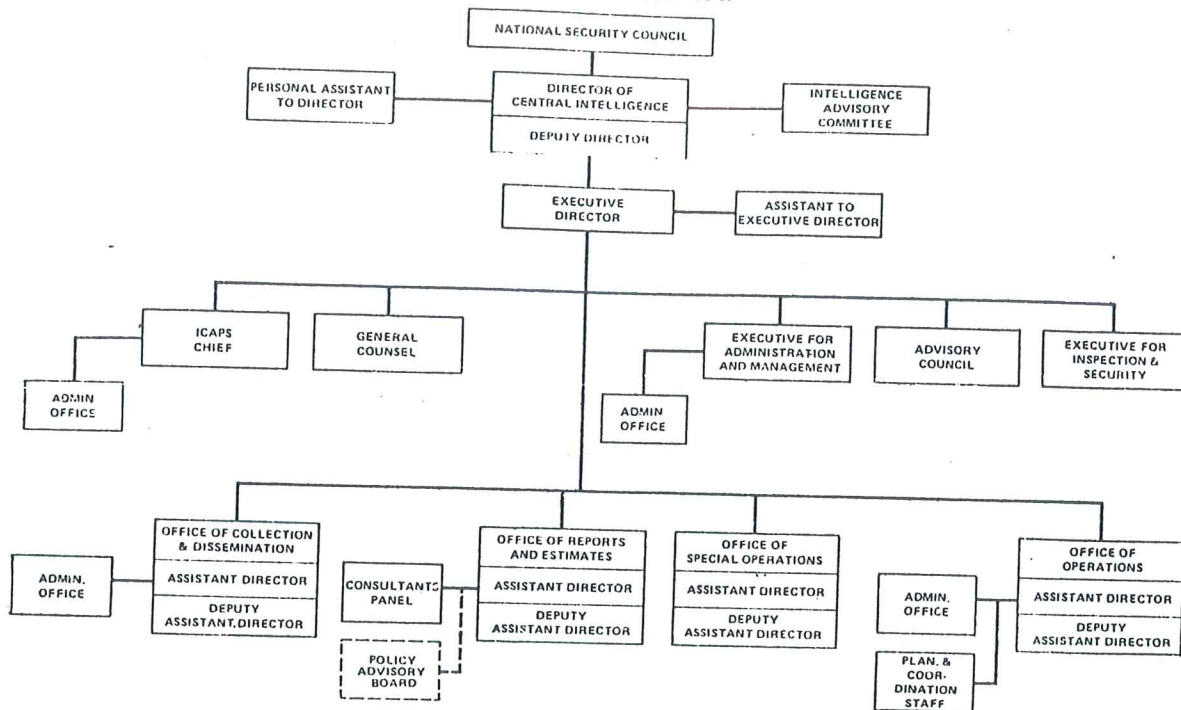
/s/ GFW

Gene F. Wilson  
Information and Privacy Coordinator

Enclosures

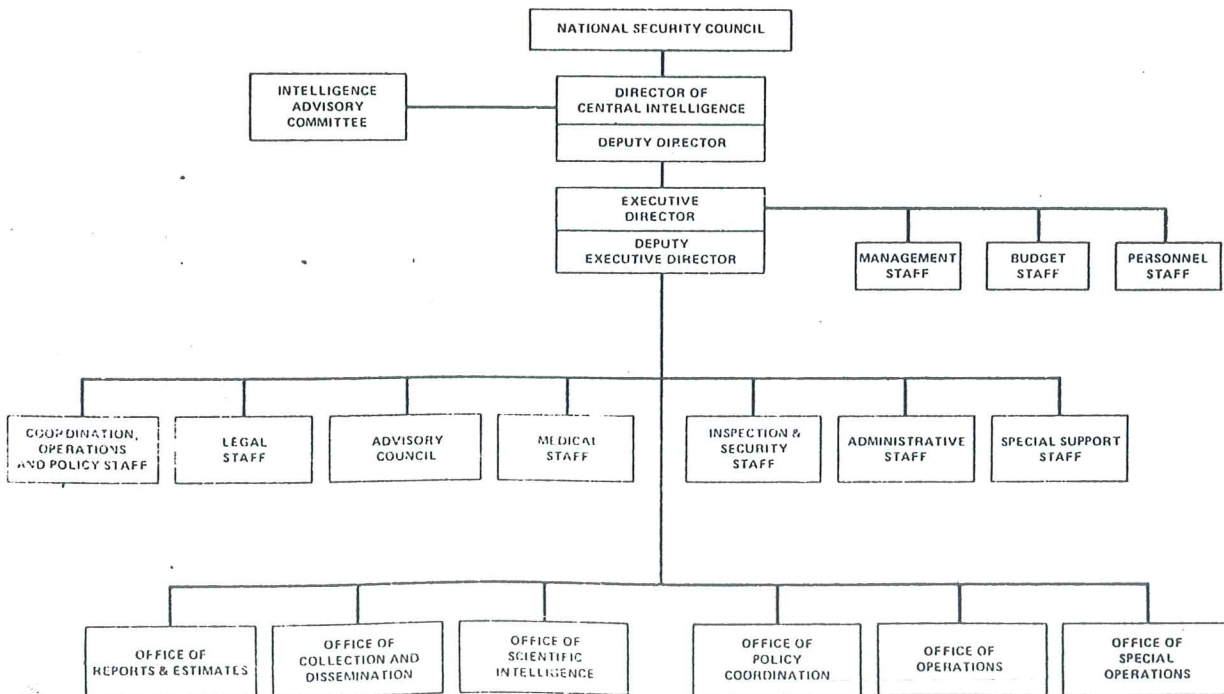


**CIA ORGANIZATION 1947**



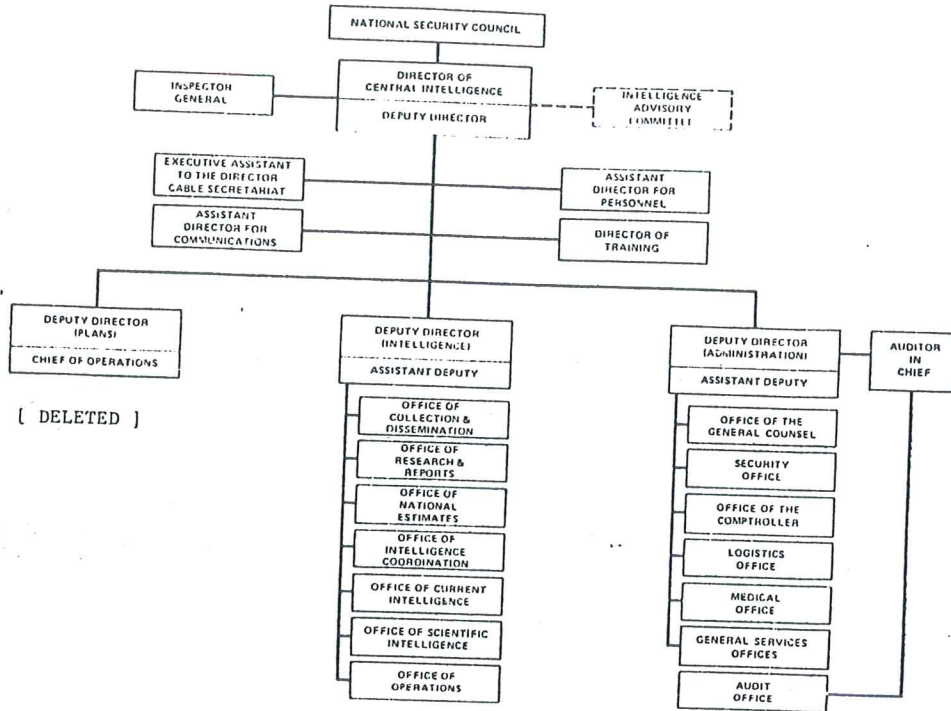
96

**CIA ORGANIZATION 1950**



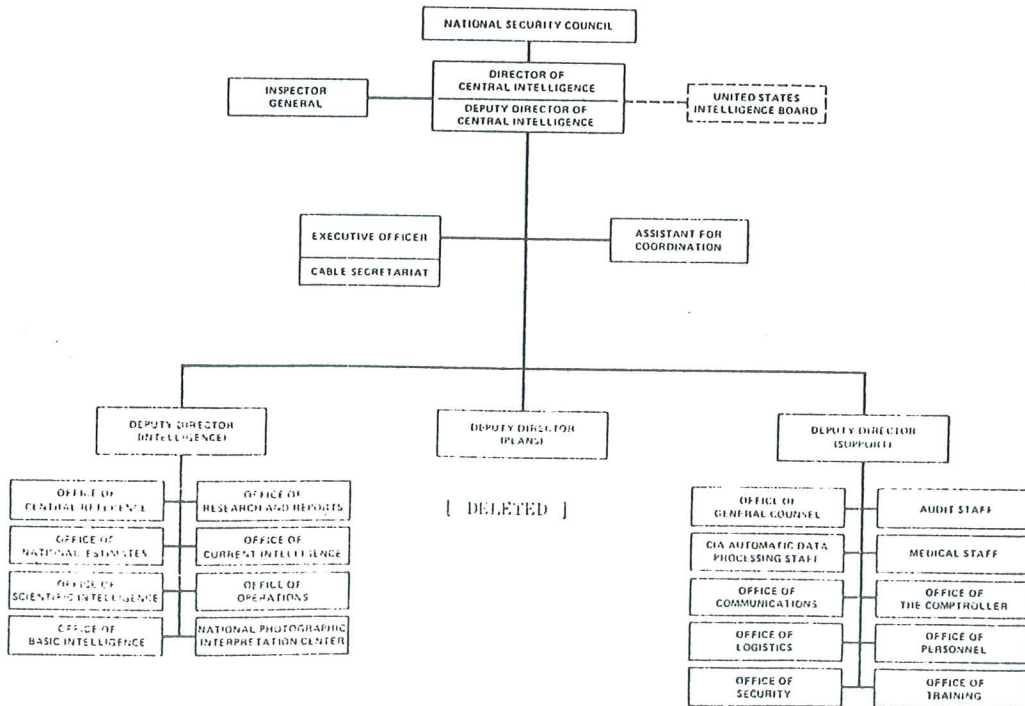
97

### CIA ORGANIZATION 1953



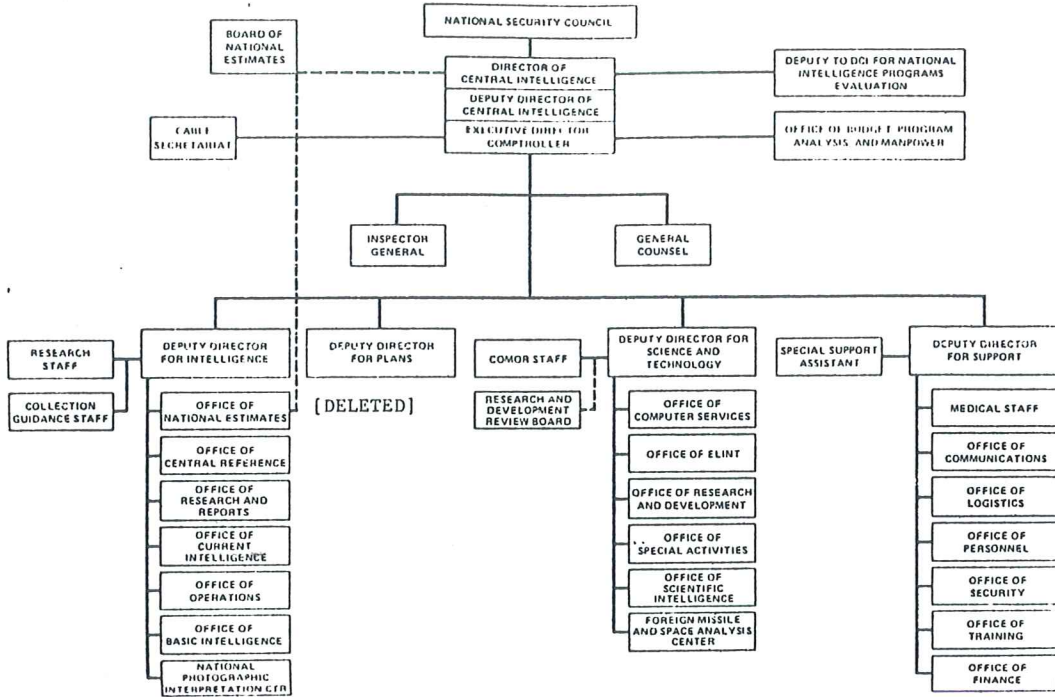
98

### CIA ORGANIZATION 1961

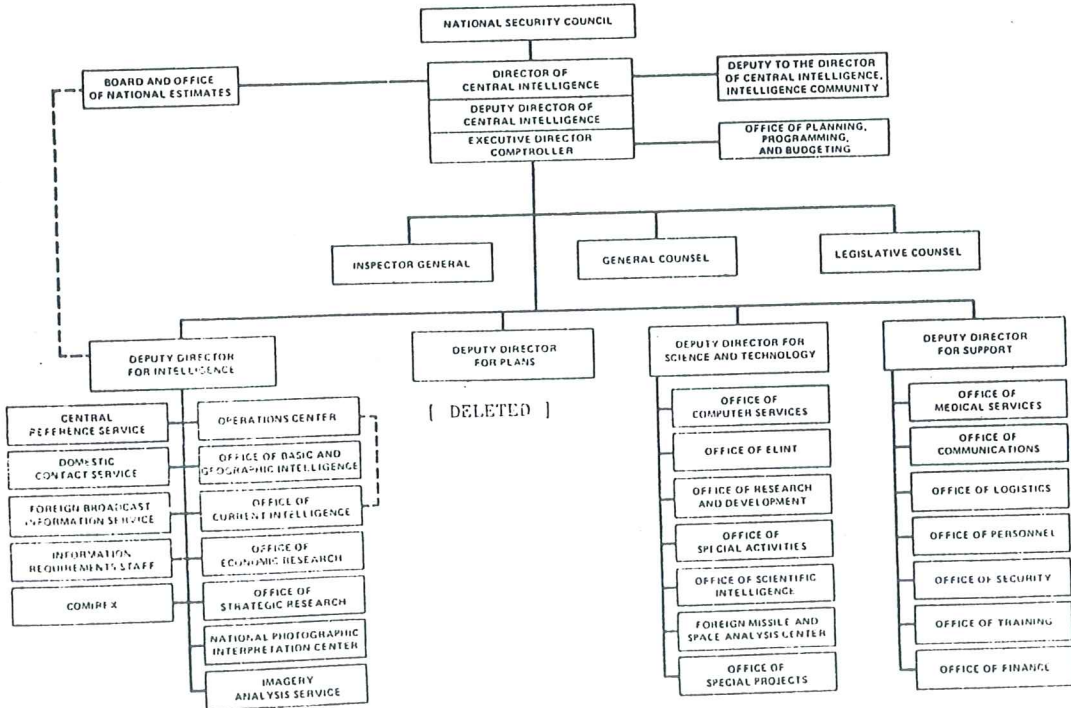


99

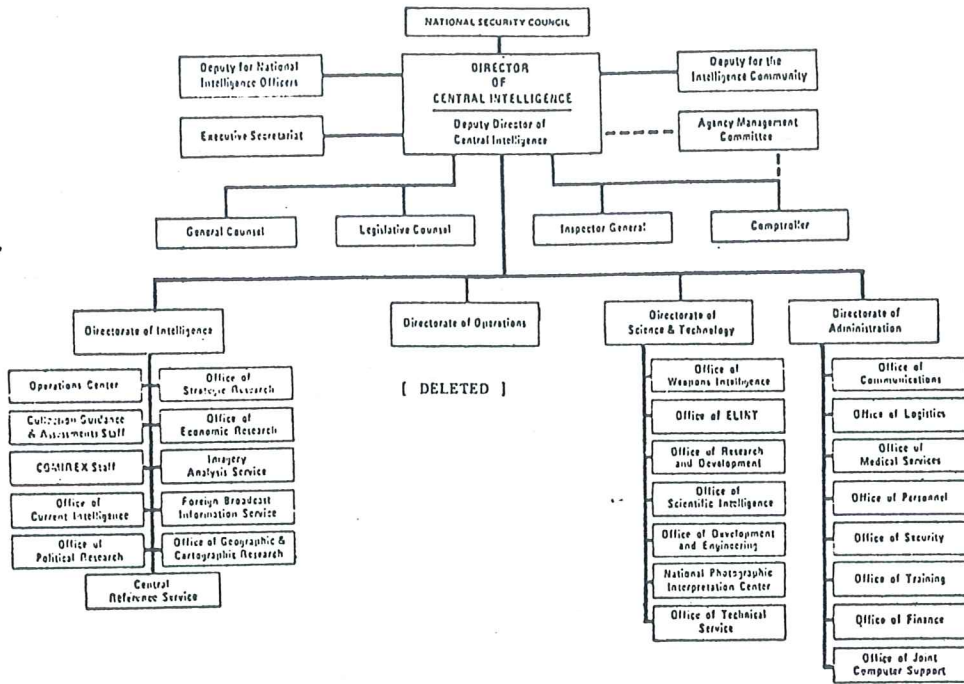
### CIA ORGANIZATION 1964



### CIA ORGANIZATION 1972



# CIA ORGANIZATION 1975



Memorandum

SECRET

C.A. 79-1997  
EXHIBIT 5

U. S. SECRET SERVICE  
File No. CO-2-34,030  
DATE: February 24, 1964

TO : Mr. Richard Helms, Deputy Director of Plans  
Central Intelligence Agency

FROM : James J. Rowley, Chief  
U. S. Secret Service

SUBJECT: *Autopsy Report, Oswald*  
Assassination of President John F. Kennedy

Reference is made to your memorandum of February 18, 1964, requesting information concerning scars on the left wrist of Lee Harvey Oswald.

There are no special agents of this Service who can provide direct evidence based on personal observations of the wrist of Oswald during his custody by the Dallas Police or at Parkland Hospital whether there was evidence of a scar.

Descriptive information on the Dallas Police Department fingerprint card of Lee Oswald shows opposite the description of "scars and marks" as "clear", indicating that they did not make any notation of any scars on Oswald. However, it is possible that the police department at Dallas do not make a notation on a fingerprint card unless the scars are noticeable or apparent, such as facial scars, etc.

When Oswald was printed at New Orleans no notation was made of scars on his wrist on his fingerprint card. His physical description sheet and the photograph which was taken do not indicate that scars were noted.

The following is quoted from the autopsy report of the Office of the County Medical Examiner, 5201 Harry Hines Boulevard, Dallas, Texas. "On the mid portion dorsum of the left hand there is a poorly defined pale, white, oblique, one-half inch scar. Over the volar aspect of the right wrist there is a transverse, superficial one-quarter inch abrasion. Volar aspect of the left wrist there is a transverse 1 3/8 inch slightly raised white scar. The medical aspect of the right knee, reddish, very poorly defined 7 1/8 by 1/4 inch reddish discoloration...."

Among the findings on the autopsy report there is this notation, "left wrist and left arm, scars." The autopsy was conducted by Earl F. Rose, M.D., and his assistant Sidney C. Stewart, M.D. Autopsy dated November 24, 1963, 2:45 P.M., autopsy number M63-356.

A copy of the autopsy report is attached.

Attachments

SECRET

88-3621

*On 4-5-77, declassified by CIA (by CIA employee, Karen George/phone 351-3515)*

# Church Warns of U.S. 'Tyranny'

By Richard L. Lyons

Washington Post Staff Writer

Sen. Frank Church (D-Idaho) said yesterday that U.S. intelligence agencies have developed eavesdropping machinery so sophisticated that a dictator could impose "total tyranny" on America because there would be no place to hide.

Church, chairman of the Senate select committee investigating whether the Central Intelligence Agency or other spy units have violated the law, said on "Meet the Press" NBC WRC that this makes it vital to assure that the CIA and all agencies that possess this technology operate within the law under proper supervision so that we never cross over that abyss from which there is no return.

Church said that in order to what potential enemies doing "the U.S. government has perfected a technological capability that enables us to monitor messages that go through the air, between ships at sea, between military units in the field. We have a very extensive capability of intercepting messages wherever they may be in the air waves. That is necessary and important to the U.S. as we look abroad at potential enemies.

At the same time, that same capability at any time could be turned around on the American people. And no American would have any privacy left, such as the capability to monitor everything that is said in these conversations.



SEN. FRANK CHURCH  
... "no place to hide"

grams, it doesn't matter. There would be no place to hide.

"If this country ever became a tyranny, if a dictator ever took charge in this country,

the technological capacity that could not support George C. Wallace if the Alabama government has given the government nor became the Democratic Party's nominee and would not accept him as a vice presidential nominee.

the most careful effort to combine together in resistance to the government, no matter how privately it was done, is within the reach of the government to know."

Church's committee has completed its investigation of charges that the CIA was involved in assassination plots, and Church repeated his statement that the committee found "no hard evidence" that either President Kennedy or his brother, Attorney General Robert F. Kennedy, knew of or approved a plot to assassinate Cuban Premier Fidel Castro.

On "Issues and Answers" (ABC, WMAL), Sen. Bayh (D-Ind.), a potential presidential candidate, said

Wallace if the Alabama government has given the government nor became the Democratic Party's nominee and would not accept him as a vice presidential nominee.

"The major reason you have a Vice President," said Bayh, "is for him to be President and I just don't think Gov. Wallace is qualified to be President. He is touching on a lot of issues out there that we need to bring into the Democratic Party, but not the way Gov. Wallace discusses them."

Monitoring is one of several kinds of surveillance, the mildest, as he said it. The quote that begins with this ended with ...

"an abyss from which there can be no return."