

Cherul - Mexico

Mr. Quinn Tamm, Director
FOIA Appeals
Department of Justice
Washington, D.C. 20530

3/21/81

Dear Mr. Tamm,

When I wrote you yesterday about classified records in C.A. 78-9322 I had not read an excellent memorandum to the Court in Mark Allen's v. U.S. 76-1743, before Judge Smith on remand.

Allen has a lengthy appendix of some 30 exhibits. In a large degree these exhibits reflect how much of what remains withheld from us is public domain, placed in the public domain by the Government and the Congress and the Warren Commission.

I refer to records pertaining to the interception of Guevara's phone conversations with Cuban and USSR representatives in Mexico City, a matter that in itself has been in the public domain for almost a decade.

I filed many appeals, including a request for a classification review that have not been acted on. If they have been, I have not been informed. If these records are within those I am told in October had been declassified, I have neither received them nor been informed that these are included.

Over and over again I have stated that the public domain is classified and I have offered to help those who say not know that is within the public domain. Stupidly my offers have been refused and the public domain remains Top Secret. With regard to these particular records, I have on a number of occasions provided the Department with samples of what was published, more extensively than Allen does in his memo and exhibits. In newspapers, I believe that failure to request further information of me, if considered necessary, and failure to consider what I provided, is a serious error.

I therefore ask for immediate consideration of those records, including by the classification review authority, and a clear and unequivocal statement of any claimed need to continue to withhold, in toto or in part, as the record stands, suspicion of ulterior purposes can't be ignored and should be addressed if not eliminated.

Sincerely, Harold Weisberg