

To Quin Shea from Harold Weisberg JFK assassination records 2/18/79
appeals; 1965 disclosure policy (at least supposed)

Attached is a copy of FBIHQ 62-109090-463 Serial 463. It is among the copies I have just received from another who received them indirectly from persons using the FBI reading room. Please note that the 7/29/65 date is a year prior to FOIA and the language "over-riding policy favoring the fullest possible disclosure..." (emphasis added)

In the past I have made many references to the disclosure prior to FOIA of what was never withheld until after the amending of the Act in 1974. I believe that this is among the records reflecting what policy was supposed to be that the FBI, the Department and OMB should have provided you.

The fine policy statement is anything but the nigging and stonewalling that have characterized my extensive non-disclosure experiences with the FBI. In all cases I have appealed the FBI has violated this early policy. My view is that if the information could be ^{disclosed} ~~withheld~~ prior to FOIA there was less reason even to think of withholding after FOIA - save for the actuality, misuse of FOIA for ulterior purposes, which include political purposes.

You will come to FBI policy on malicious rumor-mongering and names. Supposed policy, perhaps not entirely as you recently testified.

The unidentified guide-lines referred to are those of the Archives and at least approved by the Department. They were amended during my C.A. 2569-70 to make them consistent with Department counsel's false representation to that Court.

In no case did the FBI not violate the non-disclosure examples in this LHM. In all cases political purpose is quite visible to a subject expert.

1. These and similar records have been disclosed. All sorts of personal medical records, from those of Jack Ruby's ^{mother} ~~mother~~ (psychiatric and dental) to those of Marina Oswald's second pregnancy. And of a number of others who do not, in the FBI's own language, have "any significant connection with the assassination." (3c)

2. Where it served FBI purposes it disclosed informant and techniques, which

were not secret in any event. Where it served official purposes there was disclosure of other "security classification" materials. The Mexico City Legat is mentioned. Some of these were among the Commission's published records. Others were made available at the Archives and the horrors conjectured are unreal. Only what is not in accord with the official line is withheld.

One disclosed "trash cover" was on the New York Communist offices, perhaps (also) those of the Daily Worker.

While the CIA did classify material this is not to say that all was properly classified and again most withholdings were to avoid embarrassment or support the official assassination line.

3a. This single illustration of what would be "detrimental to the administration of justice," although probably one that appeared to be the best to the FBI, is one of the worst. The national security horror is flaunted, we'd inform the Russians in what Yuri Nosenko said. Those records are available. They with a single exception were never classified and that one was only confidential. I recall no classifiable content. The FBI's reports are limited to what this LHM does not indicate, what Nosenko said about Oswald. What the FBI and CIA always ignore is not information of value to the Russians, assuming they would not assume that Nosenko spilled his guts. (By the way, when will you act on my Nosenko/Epstein appeal?) Again the with-
withholding is to deny what is embarrassing: Nosenko said the Russians regarded
American (Note
Oswald as/an agent in place or "sleeper." ~~from~~ silence of House assassins committee
on this and failure of FBI and CIA witnesses to testify to it. I published it
in 1975.)

3b. There is no objection to the withholding of really "confidential sources" but the language here is unreal. In practise all this kind of information is obtained without subpoena and subpoenas are obtained if there is to be public use. I must have thousands of pages of proofs.

3c was followed whimsically and not followed with "malicious" gossip about my wife and me, as the also enclosed informant you all over again. The late de

Mohrenschildt again is an unfortunate illustration because the FBI did NOT withhold the personal information about his off-beat life style. Nor did it eschew offering opinions, as of the murals his daughter executed for the family bathroom. Even in this record it describes him when he was still alive as a "sexual delinquent." If the FBI withheld records relating to the mental treatment of Ruby's brother this did not extend to the rest of that family or to many others. Nor did it withhold information on the sex lives of those without its significant connection with the assassination.

Where the FBI states that in the Archives many records are missing it does not offer to replace them. In its part the Archives disputed my description of the condition of those historic files in my second book and simultaneously on each and every occasion refused to ask the agencies of origin for replacement copies of these missing records. Official history was in safe keeping.

While my purpose in this is to cite further proofs of the policy that was supposed to be followed beginning more than a decade ago and is not being followed even now I believe it is also important for someone outside the ~~FBI~~ FBI in the Department to know that the FBI's playing of games with disclosure and non-disclosure of these historical records is not new and never ended. No small minds to be hob-gobblined, truth a stranger.

Sincerely,

Harold Weisberg