

JFK assassination records appeals

Harold Weisberg 11/12/79

Arbitrary and capricious withholding of

What the FBI itself disclosed

What the Warren Commission disclosed

Exemptions claimed - phoney - and phoney worksheet entries; b2, "HIGH b2" yet!

Withholding the reasonably segregable

In 62-109060-3025, a Levons to Conrad (Lab) memo of 5/5/64, all but the introductory paragraph is withheld. It refers to a request by the Commission for copies of records in its record and later published. These items themselves were all published.

Consultation with the worksheets shows that the exemption claimed is "HIGH b2." These are the only capital letters on that page of the worksheets, so it is pretty high.

Some kind of high and some kind of low from a check of the 62-109090 and 105-82555 files, where copies appear after Serials 142 and 3711, respectively, for in neither is this information withheld. The FBI itself disclosed this "HIGH b2." And the Warren Commission files do, too.

The entire matter is well known to those who have studied the Commission files because it relates to pieces being cut out of the pages, leading to questions, beginning with the Commission, of some kind of code. Both the FBI and NSA concluded there was no code or cipher.

Of course there could be no exemption properly claimed for what was within the public domain or for what the FBI itself disclosed, so naturally the claim to an inapplicable exemption had to be "HIGH."

If you or the FBI can explain how the public domain becomes "solely" and "Internal" matter for the FBI I'd like to know! Or how this information could qualify for a b2 claim even if it were not within the public domain. Or how no part was reasonably segregable. Or how, as the FBI told you, it checked with the Archives to avoid such phoney claims to exemption for the public domain.