attachments with O.S.-Mex appeal copy

To Quin Shea from Harold Weisberg, JFK assassination records appeals 6/15/79
Oswald/Mexico - investigations and hoaxes; withheld records; incomplete searches
PA appeal

I have prior appeals on these general subjects that are without response. With the attached records this amplifies those appeals.

Attached to 105-82555-2372 is a Domestic Intelligence Division printed form for "informative note." I find this one quite informative because it reveals that there was a "daily summary" of the case no copies of which have been provided. The particular daily summary attached is that of the Mexico Legat. These Legat daily summaries in themselves constitute an important historical record and should be provided as a unit.

Remembering the Long tickler and other evidences of other ticklers I have already provided, I believe there should be a diligent search for all such special files set up for the necessary control of so vast an investigation. Each Division had its own special responsibilities and needs. Each Division's files should be searched for copies of records already disclosed from other files and for records not in the few so-called main files that are those from which disclosure has been made. Mr. Goble, for example, should be regarded as a Mr. Long for such purposes, and without doubt there are others in similar position, other supervisors whose functions are known within the FBI. Ticklers?

The note "subject case" added to the recommendation of the Lgat that the case be called "LEHOS" seems to indicate that this happened. There should be a Lehos search. (I premuse this is a contraction of Lee Harvey Oswald.) I recall no such file(s).

Any Legat annotations of records provided by field offices, as indicated in this cable, could be quite significant. The FBI had a very difficult task in Mexico and its initial work was required when it had little dependable information. Annotations that may not have appeared to be significant contemporaneously can today have great importance.

Some of the FBIHQ annotations were eliminated in xeroxing Serial 2372.

It was first classified on 7/13/77 by #2040. I have previously informed you that #2040's record is one of classifying anything and everything, especially what is within the public domain. Aside from historical and similar considerations after the lapse of more than 15 years, which influences whether classification is justified, there is a very real and continuing question of the FBI's persistence in classifying what is public.

This record refers to one report as "obviously fabricated." By the time of this cable, more than four months after the assassination, many "obviously fabricated" reports had been established as false, as hoaxes. There should be a file of such hoaxes. One of the reasons is that the FBI addressed them for the Commission. One of the reasons for continuing non-disclosure is misuse of these hoaxes. The Church committee was conned (with CIA involvement) into treating some of these as real and into withholding names that were within the public domain. If the import is not perceived by the FOIA personnel this does not mean that there was no import to some of these fabrications and their subsequent history, a matter I will be glad to provide information about if you want it.

Serial 2390, an airtel of the day before from the Legat, was classified by 2040 on 9/26/77. (I note that classifications were subsequent to my requests.) It also has notations eliminated in xeroxing.

The obliteration on page 2, in context, includes reasonably segregable information. There is little likelihood that those interviewed have not been identified in records already disclosed but if this is not the case, is there any real reason for the withholding and the classification now? In an historical case and under the AG's guidelines? The other classifications are likewise of questionable justification today, including any sources other than symbolled informants. This again raised public domain questions with which #2040 had no concern and which any reviewing authority had no way of knowing.

Serial 5680 and the records attached to it appear to relate to the FOIA suit of of Bernard Fensterwald, which was for photographs taken allegedly clandestinely and misidentified as of Lee Harvey Oswald. Since that litigation and as a result of it much has become public knowledge, including where and how the pictures were taken. (See currently HSCA hearings.) The original excess of secrecy led to many mythologhems. I believe public and historical interests now require full disclosure and appeal the lack of it, the continued withholdings related to this entire matter, including uncropped photographs.

The Not Recorded Serial of 9/15/72 indicates other files to be searched in the those copy routing directions and in the duplicate filing partially eliminated in xeroxing. The notation of 62-112697 as a Fensterwald file in connection with his FOIA request leads

me to ask if there should not be such a file or files relating to me and to appeal any such withholdings from me.

I believe that there may be a separate file on this matter and appeal its withholding if there is such a file (or files), whether in FBIHQ are in the Legat office. This record refers to other records and there are still others over the years. (By the way, there is an uncorrected factual error at the reference to former SA Rudd. The month was November, not December 1963. You have not responded to my appeals relating to his flight and the related records.) These may or may not include the records referred to in 5699, which had an obliteration not classified and which I appeal. According to 5700 the withholding appears to be based on the fact that 10 years had not passed. This is not true today and there is a new E.O.

Serial 7502 holds a handwritten reference to one of the records included in my earlier appeals, the 11/23/63 Rudd memo. (I have an earlier and separate request that includes it and is without compliance ~~and included all such records in any event.~~)

By itself this record means nothing, so I presume there is more to it. It also indicates where other searches should be made. I cannot make out all the file numbers because the copy is poor. Since this date it appears certain that there was HSCA interest in the same matter and records, so there should have been a collection of copies for it.

Do not be misled by the Rudd notation, that the memo is not in the DL 89-43 file. It is included on worksheets I have examined and I appealed the withholding. However, and this may bear on intent, the content is included in a TT of the same date, the withholding and classification of which I have appealed.

In connection with daily summaries, with which I begin, I do not recall any from Dallas, the 00. I believe there should be a separate file of these, ask if a search was made for it and appeal if not or if found and not provided.