

Mr. Richard L. Huff, Director
Office of Information and Privacy
Department of Justice
Washington, D.C. 20530

6/15/84

Dear Mr. Huff,

Your letter of the 12th relates to two matters, my Nosenko requests and CIA referrals back to the FBI. You state that a member of your staff has gone over these matters with the FBI, including my letters. Having been informed of the facts in these letters you now write me what I find to be incredible.

You state, with regard to the Nosenko records, that the FBI is still awaiting action by the EBA and the Documentation Unit and that "an interim release is not appropriate because of the small number of releaseable documents involved."

As my March 3, 1984 letter states, and I presume it is one your staff reviewed and discussed with the FBI, the FBI informed me on May 17, 1978 that it was then reviewing Nosenko records. I've not heard a word from it about this in the ensuing six years. (The FBI also wrote me that it handled requests in order of receipt - on December 16, 1983 and with regard to this very matter.)

I requested of both the FBI and CIA all records relating in any way to Nosenko and in addition, copies of all such records disclosed to Edward J. Epstein. With regard to the latter, no additional processing is necessary because those records were processed six years ago, too.

Separately I asked the FBI to disclose to me what it had already disclosed to the KGB by giving copies to Carl Oglesby to hand personally to the KGB. I've heard nothing from the FBI about this and your staff has reviewed the letters and I now hear nothing of this from you, either.

Neither the FBI nor the CIA denied disclosing any Nosenko information to Epstein and any such denial would have been at least awkward after he published a book holding that information, rather his selection of it.

I fail to see how you can claim that any kind of release is in any way "inappropriate" with regard to what was processed and released years ago and I do not believe any partial release is in any way "inappropriate" given the age of these requests.

With regard to what is "releaseable," insofar as the CIA is concerned, it has stated, under oath, in one of my lawsuits, that once it disclosed Nosenko information to the House Select Committee on Assassinations it could not withhold that information from me. On this basis alone, there appears to be no basis for any delay in processing and disclosure five years after that committee's life ended.

You also state with regard to these hoary requests that "this office does not have an open appeal concerning (my) request for Nosenko records because the Bureau has not yet completed the initial processing of those documents." Part of this statement simply is not true because some of those documents were disclosed to others long ago. It is simply beyond belief that from May 1978 to now the FBI has not processed any additional information, particularly when it then wrote me that it was then engaged in that pursuit.

With regard to the CIA's JFK assassination referrals you state that "the Bureau now believes that it understands which documents you are referencing and has recently made an interim release to you (me) of most of the documents referred to it by the CIA." No part of this statement is true. I have not received anything at all from the FBI "recently." The FBI never was in doubt about which referrals I referred to because it wrote me only about this, I responded promptly, including

assurances of payment subject to the right to recover, I wrote it at least one more time about that matter, and after many months I've not heard a single additional word from it about that matter.

You state that the FBI is still processing some of those records. Yet ^(on 11/9/83) it wrote me, as your staff member learned in reviewing this correspondence, that it then had received 367 documents back from the CIA and a goodly percentage of them had been disclosed by the FBI itself, supposedly and from its letter specifically, in December 1977 and January 1978.

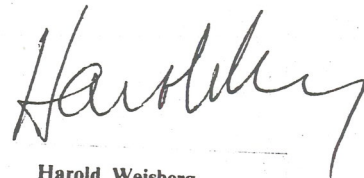
On February 21, 1984 the FBI understood well enough which referrals were the subject of the correspondence. It identified them correctly in its letter that is contradicted by its November 9, 1983 letter.

I note you do not consider those records already processed as inappropriate for partial release. In fact, most FBI releases to me have been partial.

Do I understand you to be telling me that you do not consider that you have received an appeal merely because the FBI has violated the law and ignored a request? While my requests were much earlier, the FBI did inform me six years ago that it then was reviewing requested information. To date I've not received a single page of it from the FBI and I did file a number of appeals many years ago. Given this record, what, pray, is required for you to consider an appeal to be "open"? (Aside from the official first-in, first-out jazz.)

Your letter conclude by explaining some of the recent letters you've written, attributing them to the "result of an increased focus on the older, more complex appeals still pending." I therefore look forward to may more letters because there are many such appeals. You do not refer to appeals that are not complex, where few records are involved. May I expect to hear from you about them when you get back in your accumulation to more than a decade ago? Not all but some are that old.

Sincerely,



Harold Weisberg
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