

JFR

JFK assassination records appeals

Harold Weisberg 6/25/80

— Referrals

Field office records through "previously processed" withholding - N.O.
Withholding the reasonably segregable

Jim Garrison records appeals

Referrals not yet provided

The DeLoach operation

The Referral worksheets for 5429 and 5430 list these serials as a 2/55 Army personal history, 4 pages, none released, b6 and b7C - Army 5/15/75 and 3/56 Army personal history, 4 pages, none released, b6 and b7C - Army 3/15/75.

From the date it appears that the referrals were withheld for a long time.

There are two earlier records, Serials 5399 and 5409, both dated 6/20/67, with referral to the Army, disclosed with some excisions, for which b6 and b7C were claimed. These pertain to Jim Garrison and his 1951 discharge.

The records immediately preceding 5429 pertain to Garrison.

My previous Garrison appeals, in which you have not acted, deal with his Army records. Because so much time has passed ^{passed} without your doing anything my recollection of them is not clear so I here add some explanations to be certain you are fully informed. Please also bear in mind that because of the "previously processed" method of withholding field office records this also pertains to any such withheld field office records.

I also remind you that other referrals still have not been provided. I find none for other files, like 62-109030, the, or rather one of the, Commission files. The other Commission files, of which I believe I have provided some identifications, still have not been provided.

Ordinarily, I would agree, a personal record can be withheld. I would also agree that ordinarily a personal history statement might be considered a personal record. However, and particularly with others like me, the FBI and the Department have chosen to disclose such information, in my case after I sought to use my PA rights and was denied them. Both have held Garrison, me and many others to be public persons and our privacy rights were not considered in making disclosures that just happened to be of prejudicial information, often misinformation.

... ..

If the FBI was going to withhold these statements in toto there was no reason to encounter the FOIA machinery, delay compliance and run up costs by making referral of them.

There is reasonably segregable information in personal history statements and the FBI has made such disclosure in the past, as with me. It could have disclosed, for example, whose personal history statement without violation of privacy.

I believe that these pertain to Garrison and the FBI has special and improper reasons for the withholdings.

The FBI did obtain his military records, which were in the St. Louis archive.

It did leak them - and there is no such thing as an unofficial FBI leak. They were, at that time, orchestrated in the DeLoach operation. (I have provided you with what is in former Assistant Director Sullivan's book. Ms. Barrett informs me that Gordon Liddy, in his current best seller, reports that he was part of that operation and provides additional details about it. I have prior appeals pertaining to refuse to search the appropriate files and those of that division.)

The FBI thus, officially, both leaked and withholds personal information about Jim Garrison. If you want copies of the news stories holding what was leaked, I can provide them. I was consulted at the time by some of the press.

There was multiple leaking, for different apparent purposes. To the print press it was to the FBI's favorite, the Chicago Tribune. Simultaneously, perhaps a just a little sooner, the leak was to the attorney for or directly to former FBI FBI Gordon Nevel. At the time Garrison was hot after Nevel, on whom the FBI appears not to have opened a UPAC case. Rather did it stay in constant touch with him at various field offices during this flight to avoid grand jury testimony. (Apparently because the FBI did not know that I would know that Nevel was in the FBI it did make these disclosures. The fact is that the FBI ~~NEVER~~ discontinued Nevel as its informant after Garrison got interested in him.) The leak thus was timed to serve the interest of the FBI's former informant as well as its campaign against Garrison, who was making charges against it. In serving Nevel's interest the FBI served its own because he was its informant.

Garrison is not protected by this withholding because all of what is ~~disclosed~~ ^{with held} that

could be harmful is already disclosed, with much more public attention than is involved available now in making what has become an important historical records. It was all over the front pages and coast-to-coast TV and radio. The withholding serves to protect the FBI, which did violate Garrison's rights and the privacy of his military records. It also serves to hide any prejudicial formulations of those records, any selectivity in the uses or the leakings.

The dates of the withheld records are pertinent to this because it is the first period of his military service that allegedly resulted in a psychological discharge, while in his second period, which seemingly would have been precluded by the nature of the discharge, he rose to a higher rank, as I recall, colonel.

I am not Garrison's partisan, I became his critic, and a strong critic. But if history is to be served, then common decency and fairness, if not also the Act, require that what the FBI leaked prejudicially be available in their original and untainted form, whatever it reflects. Otherwise the Act is converted to Orwellian stance.

Having provided this Novel background I also remind you that Novel is within my New Orleans request, quite obviously, and that the FBI has not disclosed its Novel files. I use the plural because there are a number.

If you were not aware of it, Charles Colson reportedly planned to use Novel's electronics knowledge by having him hack the Nixon tapes, from a vehicle in the street, with a form of radiation that was to have erased them.