

To Quin Shea from Harold Weisberg, JFK assassination records appeals 6/19/79
Worksheets; referrals; prior appeals amplified

As I reviewed records when I could I made copies some of which I have not yet been able to provide you with explanations. Attached are some worksheets from 105-82555 that were made some time ago and I could not address before now.

Section 20, which was processed in 7/77, the sheet beginning with Serial 457, is more than half of referrals to the CIA, which the FBI never acts on referrals, a courtesy I suspect the FBI returns from my experiences with the CIA in requests.

Almost two years has passed, under a 10-day law. It is my recollection that with classified material, under the then applicable regulations, with the passing of 30 days the referring agency was required to act as though the record originated with it if the agency to which it made referral had not acted. If this is not the case, two years is much too long for information to be withheld under a 10-day law.

In some instances, including the present one, there is information that is embargo passing to the FBI as well as the CIA. Thus referral becomes a convenient excuse for suppression. The subject matter of Serials 457-462 (both parts) is fairly certainly the misidentification of Oswald in Mexico, interception and related matters.

Moreover, five of the seven records do not originate with the CIA but are internal FBI communications. (There is an eight interlined, Not Recorded, a CID note.)

My first request for this information is one of the older ones. My appeals began to be renewed more than a year ago. The withholding of this information, already partially disclosed in a record I have provided you, by the Commission and by other means, has become a means of disinformation. Here again referral to DCRU is no more than a dodge because DCRU has no means of knowing what is within the public domain so it rubber-stamps the classification of the public domain.

In general the foregoing applies also to Serials 937 and 944, both classified and both withheld in their entirety, all 25 pages, by referral to the CIA. The first is from Mexico Legat and the second from the Mexican police. There is with both the same public domain question.

Serial 1750 has a B-1 withholding attributed entirely to the fact that it is "material marked confidential." That, after the lapse of more than a dozen years, is not a legitimate basis, especially when the record is from the Ottawa Legat. The FBI marks all of that stuff that way on the fiction that its relations with the Canadian police is a national defense secret. I have provided an affidavit to which I attached a dozen examples of the withholding of what was already disclosed on this fictional basis and I can provide many more now.

The explanation for the withholding in 1757 also is no more than "marked secret."

This raised the question of when. It is common practice to classify after my requests are received.

There was uncertainty with 2263 so it in the end was also dumped into the CIA memory hole. 2270 is another Legat Ottawa one.

2499 was physically removed from the file and transferred to "JUNE", date not given but immaterial in any event. "JUNE HALL" has been released. There is little if any secrecy left. There is no exemption for this. The explanation of the perulitants item on the same page, Not Recorded and internal, is illegible.

The last four attached items, beginning with Serial 2388, withhold a total of 31 pages in their entirety, with referral to DORU. Additional questions this raises relate to the improbability of nothing being reasonably segregable. These include a letter to the Commission and internal FBI records, none originating outside the Bureau.

Of course I am appealing all the foregoing withholdings.