

To ~~Quin~~ Shea from Harold Weisberg, enclosed JFK, MLK Appeals 3/4/79

List of enclosures and explanation of purpose where necessary:

Undated N.O. worksheet of "miscellaneous references. Among the reasons for providing this is that it cites specific references, including serial numbers.

62-4448-12 refers to records not provided.

100-17279, Serials 1-3, identified the relationship of the file to the assassination. There has been no compliance from this file, which is on Mrs. Marguerite Oswald, listed as "internal security." The pertinence is further established by the fact that it was searched out for the committee investigating that assassination. In addition, this is an example of a referral of unclassified material on which there has been no action or compliance.

Two cover sheets and attachments. I have not received any information from either of the files identified. Relevance again is established by their being provided to the same House committee as well as the meaning of the 175 number.

100-17809-1, N.O. (L.A.100-71285), establishes existence of Garrison files not provided, make what you have testified is improper claim to exemption, withholds what is not properly withheld and I believe also withholds what is within the public domain.

This applies also to Serial 3, However, Serial 3 raises again questions I have raised on appeal about similar withholdings relating to me, particularly in San Francisco, from which I believe I received no single record from the subject file indicated. (I believe it was this providing of further information relating to the existing appeal that your office used to place that appeal itself at the bottom of the list.)

100-16926-13 (?) In addition to indicating the existence of records I do not ~~not~~ recall being provided from the New Orleans or Dallas files indicated or any others this is one record that raises substantial questions of the accuracy of testimony provided to the Warren Commission.

105-1435-7 is related. This is one of the records holding additional information and not withheld as "previously processed." It does hold additional and significant information.

105-1435 cover page is from Serial 87. While the information withheld is of an extremely personal nature the FBI put this information within the public domain and I have provided it to several courts as illustration of the selective claims to exemption by the FBI. I understate. <sup>186</sup> The FBI put much more and much more personal information within the public domain.

105-1435-~~74~~ is the first of several references to the existence of JFK assassination ticklers I do not recall seeing before and have been withheld in their entirety.

Serial 174 also holds such a reference. In addition it makes a (7)(E) claim that is contrary to your testimony on this, opposed to appeals ~~and~~ court decisions I have read, and I believe is actually a withholding of what the FBI has put into the public domain.

In this connection I also call to your attention the existence of an undisclosed Dallas "June" file and non-compliance with regard to those records. While I have additional identifying information I do not now provide it for reasons stated in an enclosed appeal.

Worksheet, undated, 105-1435, covering Serial 182. The claim of (7)(C) is made for a total withholding of what is described as many not withheld records are described, "source information." If the claim is justified there is no doubt that some reasonably segregable information would remain. In this connection I want you to be aware of the enormous amount of information, including the personal and the sexual, that the FBI has disclosed in this case. The claim is not a D claim. This adds reason to ask if the withheld information includes what is within the public domain. And so you can evaluate the genuineness of the privacy claims made by the FBI with regard to those who have crossed it, in this file it discloses that Mrs. Oswald permitted Mr. Porter to move into her home before they were married. This was not previously disclosed, as best I recall. Yet at the same time in Serial 87 above the FBI withholds similar information relating to another man long after it was disclosed in considerable detail. (One difference, of course, may be that the Government arranged for the first association with that man that Mrs. Oswald had. She also had just been widowed.)

List of attachments to memo to Shea 3/4/79 - add with copies

For their relevance to the enclosed and/or earlier appeals I also made copies of the attached records which contain some citations to files not searched in compliance in the JFK case.

I recall nothing from Dallas 62-3702 or located and relevant for purposes of that file. This record also relates to my appeal from the withholding of the indices.

Dallas 105-1435-90 withholds in toto 14 consecutive paragraphs under C and D claims. I raise again the question of whether the withheld information was in all or in part within the public domain. I ask whether any effort was made to determine this prior to the withholding. And I ask if the balancing test was applied. Of course there should be comparison with earlier disclosures of the claim of privacy applies to Marina Oswald.

From New Orleans 62-4448 I have attached together Serials 15 and one I cannot make out of 12/23/75. I have received nothing from this file and nothing that is relevant that was turned up by the FBI for the purposes represented by that file. It is apparent from the identification that reference is to a Senate investigation of the subject of my requests, which are by subject, not file numbers. (I have repeatedly raised questions about and appealed the withholding of the inventories prepared for all such purposes.)

There is also a 7D claim made. In context this might be the name of a known FBI informer Carlos Quiroga. This has been disclosed by the FBI, despite its claims never to do this. Whether or not the withholding is of Quiroga's name there is pertinence to asking if the information is within the public domain and whether the balancing test, of the usefulness of public disclosure, has been made.

Identification of the companion FBIHQ file (of which the foregoing relating to 62-4448 also applies) is made in Serial 24. I provide this separately because in addition to addressing possible N.O. withholding under my JFK request I have reason to believe it indicates withholding under my PA request.

I believe I have other records of former SA Milton Kaack phoning and reporting to the NO FO when contact was made with him. The similar records relating to other former SAs indicate that whether or not required of them it was general policy to report all such contacts and inquiries.

I spoke to former SA Kaack by phone and asked him some questions relating to the JFK assassination investigation of neither secret nor classifiable nature. He had been part of the Oswald New Orleans investigation. I therefore believe, particularly because of the questions I asked, that he did report to the NO FO, that such records exist and that although relevant to both appealed matters were and remain withheld.

