

STATEMENT OF HAROLD WEISBERG REGARDING CIA DIRECTOR GATES'S PLOY
TO AVOID FULL DISCLOSURE OF JFK ASSASSINATION RECORDS

In what, without shame or embarrassment, the CIA describes as its "release of JFK assassination records through its "Historical Review Program," we have the same old CIA playing its same old dirty tricks, deceiving and misrepresenting in what is at once a farce and a media event designed to mislead the Congress, the nation and the media - in all of which it seems to have succeeded.

CIA Director Robert Gates "released" 110 pages of JFK assassination records.

His assurances to the Congress have all the integrity displayed by his predecessor, Richard Helms, when he was the first CIA director to speak in public. Helms assured the American Newspapers Publisher's Association that the CIA "does not target" Americans and that it should be trusted. "Trust us," he said. And all the time he knew very well that the CIA was targeting Americans from coast-to-coast and all around the world - in open violation of the law.

With these 110 pages a sample, no infant alive now can hope to live through the time it will take for the CIA to disclose either its admitted 33,000 pages on Oswald or its 300,000 on the assassination. In the four months since the clamor for disclosure began, it has actually processed nothing at all because none of the information now "disclosed" was not already disclosed. And at that two-thirds of what the CIA disclosed is not even CIA records.

Whether or not by design, while this coming CIA disclosure was creating a mild sensation in Washington, the FBI underscored that it is a fraud and a farce fashioned into a media event with the CIA getting international attention for disclosing when it disclosed no new information at all.

Under date of May 11, three days after the CIA's transfer of this niggardly 110 pages to the National Archives and two days before the documents themselves were made available, without any notice the FBI sent me a large carton of mostly CIA information that stacks solidly at 16 inches! Thousands of pages, not a mere 110.

By the enclosed printed form letter, the FBI told me it was sending me these "referral" records that had originated with other agencies, mostly the CIA, in response to my appeals from withholding as long as 20 years ago.

The FBI could not and did not make these records available to me without the CIA's assent. Before the CIA could agree, it had to be certain that it was not agreeing to disclose what it believed it could not or should not. This is to say that those thousands of pages were ready for disclosure to anyone, including the Congress and the media.

Director Gates told the Senate committee, "I am not waiting for legislation or other agencies to start declassifying documents belonging to the CIA" when he gave it 110 pages, mostly not CIA records.

But it was not the CIA, which has ignored my Freedom of Information Act requests for those records since 1975, which gave them to me - it was the FBI that did, one of the agencies Gates told the Senate he'd not wait for!

And he did not give the Senate what he authorized the FBI to give me! Nor was it given to the media.

Apparently his "historical review" managed to avoid these and other thousands of pages that required no processing at all for disclosure.

Perhaps the reason is that what was given to me holds what can be embarrassing to the CIA. Like how its Mexico City station gave Ambassador Thomas Mann obviously fabricated information manufactured to make it appear that Castro paid Oswald to kill JFK.

This cock-and-bull story, made up by Gilberto Alvaredo Ugarte, who was connected to Nicaragua dictator Somoza's intelligence, was transparently false. But the CIA went for it big and led Ambassador Mann to believe it. Mann started pressing for action against Castro that could have led to World War III. Even after FBI Director Hoover ordered the pressure that led Alvaredo to confess that he had made it all up, Mann persisted in leaning on Washington with his Castro-did-it belief about which he wanted something done.

This is but part of what is in only the first of the 11 volumes, not pages or documents.

In releasing these 110 pages only through the Archives when in responding to Freedom of Information requests and lawsuits it makes direct response as all agencies do, without any intermediary, the CIA was playing more dirty tricks.

These begin with creating unnecessary delay and include multiplying the cost two and a half times. It also takes time of the small staff the Archives has on the JFK assassination archives and disclosing records from it.

Immediately the Archives created unnecessary problems for researchers by making copies on legal-size paper that only special file cabinets will accommodate. This is a longer sheet abandoned by the federal courts long ago.

The present Archives staff assigned to this work lacks the detailed knowledge of the original staff. This is reflect in the Archives press release in which it is conjectured that one of the documents "may contain new information."

Aside from whether or not this CIA ploy is a backfire intended to smother the demand for legislation compelling disclosure instead of permitting disclosure on whim - witness what Gates just pulled and got away with - it makes the Archives the agency to be used under FOIA, not the CIA itself.

Once the records are at the Archives, the CIA is out from under and that is a very dirty trick to play on the nation.

Other agencies have pulled this trick on me, so I do know!

Aside from the CIA avoiding being sued and becoming a seemingly innocent bystander, it burdens the Archives and, in particular, the green corporal's guard it has handling this already large assassination archive. That in itself can be expected to delay their providing copies of records in response to requests for information that is already there.

It will also take their time for accessioning.

And it is their time, of course, that will be required to respond to litigation as well as to unlitigated requests.

This Gates ploy is an additional dirty trick because some of the records provided are close to illegible when clear originals were available for what Gates refers to as his "historical" disclosure.

The CIA has its own experienced staff that has been processing records for disclosure for years. It knows what has been disclosed, for example, because it keeps a separate file of that. In addition, this staff has knowledge of fact and of what has been disclosed, an important factor in not creating new delays in processing information for disclosure.

This is not to say that it uses its knowledge to speed disclosure. Its record is the opposite. It did not use this knowledge - if it was not entirely bypassed by this new "Historical Review Group" - in this Gates trash that was touted as significant disclosure.

As an example, in this supposedly new disclosure that is no such thing, there is the October 10, 1963, communication from the director to the Mexico City station, attached as 1. The fourth word in the first sentence of the text is obliterated. "Contacted" is hand-lettered above the redaction. Thus, in

1992, in the name of "disclosure," the CIA is hiding what it admitted officially years ago, that it tapped the Soviet embassy phones.

This document released in 1992 was processed for disclosure 16 years ago, as it says on its face, in April 1976 and not since then. Attached as 2.

If this is what can be expected of Gates's "Historical Review Group," then endless suppression or endless litigation is in prospect and that has to be the CIA's intent, not disclosure.

On its last page the CIA, again in April 1976 and not since, decided that it had to withhold the identifications of the other federal agencies to which the information was given. That has to be suppressed, for "national security" or any other hoked-up reason?

This is the exact opposite of honest disclosure of records because of their historical value. It represents what invites and, in some more significant instances, demands appeals, which take time and cause delay, or litigation, which not only takes much more time but is costly to all parties. Records processed as these were denies nonsecret information to those who are entitled to it under the law. It makes getting and using the information costly and difficult, and it thus discourages even interest in them, in our history and in the CIA's role in our history.

It is not an exaggeration to describe this highly touted nondisclosure as "trash," or what the CIA and Gates did as trashing the Congress, the media and the people along with their history.

Aside from the great volume of information the FBI mailed me two days before this trash was sold at the Archives for 25 cents per page, the CIA could have handed over to the Senate committee more than 3,000 pages of its records it had, under court compulsion, not voluntarily, given to my friend, Mark Allen. Allen, contrary to the CIA pretense of openness, had to file suit, as I also did

to get anything at all from the CIA.

Surely Gates and the CIA knew how effective it would be for them to wheel, say, a file cabinet into the Senate hearing room, or carton after carton of records. That could be interpreted as intent to give that committee and the media some information. And what I am talking about is only a fraction of the JFK assassination records the CIA has already processed and disclosed publicly. Doing this required not even a peek from Gates's Historical Review Group" because it is already disclosed. Giving the committee and the media what was already disclosed required no more than xeroxing copies of it.

The most obvious explanations of why Gates instead used 110 pages of trash include that the CIA wanted to test the waters;

that the media reaction to this trash justified the risk the CIA ran in pulling so obvious (to one with any knowledge) and cheap a trick on the Congress, the media and the nation;

that it wanted to see how much it might expect to get away with;

and that, among other things, it has much it wanted to hide.

So, how could they get away with it?

To now they have.

The CIA does have significant undisclosed information about the JFK assassination, about Oswald, about the official investigations, and even about those of us referred to as "critics." Some of this information can be embarrassing to it. It continues to withhold that information while pretending that, with this insignificant information that was released years ago, it is keeping Director Gates's personal and official assurances to the Congress.

As one example of what it withholds about Oswald, one of the last if not the very last American official the Oswalds saw in Moscow before coming to the United States was soon thereafter expelled because he was caught acting

as one of those who serviced the "dead drops" of the high Soviet official, Oleg Penkovsky, who was working for the CIA and was executed for so doing.

As an example of what the CIA has on the critics and refuses to disclose and despite my requests for it under the Freedom of Information and Privacy Acts going back as far as 1975 (after the Congress amended the FOIA investigatory files exemption over official dishonesty in one of my earlier FOIA lawsuits), it without question has records on its spying on what I (and others) were saying and there is a prima facie case that it prevented publication of the first of my seven books on political assassination, of which six are on the JFK assassination and its investigations.

Its spying on Americans within the United States included the use of private organizations through what it called its "Public Affairs Staff."

As a result of the Watergate scandals, it had to let those people go but they were picked up immediately by the National Security Agency.

In response to my request for all its information on me, the CIA's general counsel made inquiries so he could respond. He was lied to and told that it had no such request from me. When I produced the requests and searches were begun, the CIA Office of Security wrote the general counsel a letter saying it had two files on me, then decided not to send it to him and wrote that on it, "not sent." I got a copy of it later, I presume by inadvertence. To this day those two files have not been processed and given to me. This is the accurate reflection of the CIA's "openness."

I have, not from the CIA, records of its spying on what I said.

When the Chicago office of a commercial service it used for this kind of spying on Americans was told that I'd be speaking there, he said "goody, goody!" because he knew the CIA would pay for it. As it did. I have the verbatim transcripts of what I said, copies of the bills rendered and of checks in

payment for it, even an original envelope in which one of the checks was mailed by the "Public Affairs Staff." There is no mention of the CIA on anything.

The manager of the Washington office of ^{the} commercial service used there by the CIA for this aspect of its supposedly prohibited domestic spying told me that I held "the all-time track record" for its JFK assassination interest.

In 1965, when the old Saturday Evening Post wanted to serialize my first book, WHITEWASH: The Report on the Warren Report., it preferred dealing with me through a literary agent. It sent me to Max Wilkinson, of the firm of Littauer and Wilkinson, then at 500 Fifth Avenue, New York. Six weeks after reading the manuscript and expressing excitement over it and its importance and publishability, Wilkinson had killed the deal I had already made with the magazine, wrote me that the book could not be published in the United States but that he would be glad to represent it in England.

What was not disclosed in the Senate's Watergate investigation or in those trials is the fact that CIA Watergater E. Howard Hunt at that very time was using the Littauer and Wilkinson office as his CIA cover address in New York City and that Max Wilkinson then was Hunt's literary agent.

Those who phoned Hunt at the Littauer and Wilkinson office thought they were speaking to him while he was in New York but in fact he had a tie-line from that office to his own in Washington.

I have reason to believe that Hunt's Washington office was in the 1700 block of Pennsylvania Avenue, NW, under the cover of a military agency.

But beginning in about 1968 Hunt used as his Washington address that of another commercial agency used secretly by the CIA, the nonoffice mail drop for the Mullen Agency. The Mullen Agency in those days, none of this disclosed in the Watergate investigations, shared addresses in Washington and other cities with at least two CIA organizations, the Free Cuba Committee and Latin American

Reports. And William George Gaudet, who owned and operated Latin American Reports, just happened to be in line next to Oswald when they picked up their passports in New Orleans in 1963.

This is the same Gaudet who at the time of the JFK assassination fed prejudicial and misleading information about Jack Ruby to the FBI.

Also not disclosed by the CIA and surely of potential embarrassment to it is that Hunt was associated with Douglas Caddy, the Watergaters' first lawyer, as was the CIA's Mullen Agency, in Caddy's attempt to get Supreme Court Justice William Douglas impeached.

Contrary to Richard Helms' testimony to the Senate Watergate committee, when Hunt was still a CIA employee, he worked at the Mullen Agency, along with Caddy.

Whether or not Caddy himself was connected with the CIA, and there is indication that he then could have been, this means that both the CIA's Mullen Agency and its E. Howard Hunt were, while he was working for the CIA, involved in the improper activity of trying to get a Justice of the Supreme Court impeached. Hunt's involvement was direct.

As with Hunt and Littauer and Wilkinson, it can reasonably be believed that the CIA interfered with my being published in Europe. Two of the indications of this, and there are more than these two, are the delay in my mail, including chapters of a book, reaching my agent in London and my not getting any of the mail addressed to me by a major German publisher who wanted to publish my first book.

This was when, as the Church committee established, the CIA was intercepting the mail of Americans to and from Europe, in New York and elsewhere.

I have a cable from my London agent informing me that all my mail for two months had just reached him that day. Coinciding with this, a British

publisher was fed incorrect information that led him to decide against a contract while he was drafting it.

When the German publisher got no response from letters to me, the manuscript was mailed back to me.

It never reached me.

If the CIA engaged in these or similar acts against me and/or against others, can it be believed that it would voluntarily disclose its misconduct, which could lay it open to suits for damages?

Especially now when Gates has not responded to my letter and those two acknowledged Office of Security files remain withheld under the false pretense they do not exist?

This is JFK assassination information.

What also can be embarrassing to the CIA and what it still withholds is records of what it did when it learned from the FBI that the defected KGB agent, Yuri Nosenko, told the FBI that the KGB suspected Oswald was an American "sleeper" agent or "agent-in-place" and that while still in the Soviet Union, as he also was in the United States, Lee Harvey Oswald was openly critical of the USSR, its political system, and of the American Communist Party.

It is known that as soon as the CIA got those FBI reports, the content of which I published in my 1975 book, POST MORTEM, its treatment of Nosenko was abruptly changed from "princely" to its subhuman torture of him for three years during which CIA officials deliberated means of disposing of him. These ranged from driving him mad, a possible result of its abuses of him, to dropping him into the ocean from an airplane.

With this disgraceful implementation of CIA Director Gates's pledge to the Congress represented by its "disclosure" of what was disclosed a decade and a half ago then with improper withholdings in it; and with two-thirds of this

meager "release" being of the records of other agencies, there is little reason to believe and ample reason not to believe that there is any change.

This is the same old, unchanged, unrepentant, law-violating CIA, the CIA that lied repeatedly to the federal district courts in my FOIA litigation, as I documented in those lawsuits, to withhold JFK assassination information.

What it has just pulled off makes a charade of "disclosing" any real information from its vast volume of those records that still remain after the unexplained disappearance of a considerable volume of them that Director Helms testified to the House Select Committee on Assassinations he could not explain

Unless there is some control over the files from which the CIA makes disclosure, some control over the records it withholds in toto or in part, some means of compelling the disclosure of what it has always withheld improperly, as it does in the records it authorized the FBI to give me, it will pick and choose, it will ignore and withhold what is or can be embarrassing to it, and there will be nothing that can be done about that except by costly and time-consuming litigation - against not the CIA but the Archives.

As for Gates's real intentions, I wrote him about the CIA records withheld from me despite repeated requests and appeals over a period of 20 years. This was when he first said that under him the CIA would be open and forthcoming. His concept of this new "openness" was not to respond to that letter at all. Attached as 3

I have illustrated how his "historical Review Group" works. That mountain labored and aborted a mouse.

If there is no compulsion, if the CIA itself is not made responsible for meeting set legislated requirements, if it is not prevented from avoiding the fullest and fairest disclosure possible, it will not find what is embarrassing to it to disclose and it will disclose only what it wants to disclose.

In this it will be rewriting one of the saddest and most hurtful events in our history, a deep subversion of our democratic system.

With the compartmentalization in all intelligence agencies, not searching the correct component is all that is required to perpetuate suppression.

If this allegedly "historical" disclosure is voluntary, there will be nothing to require it to make real searches and real disclosures; and from its record it can be expected to do that only under court compulsion if, as it always has, it continues to want to withhold information that, by existing law, it was required to process for disclosure.

After all, I do have information requests 20 years old it still has not complied with despite many appeals and some not responded to in any way going back to 1975.

And this is for some of the information Gates now says he wants to disclose fully for the historical record. If the CIA had not violated FOIA with such determination, just about all that Gates now promises to do voluntarily would have been done years ago, without the national distress its law violating created.

From my experiences with it in efforts to obtain information it was required to process for disclosure under FOIA, there is no reason to believe that, even if Gates is sincere in his expressed determination to disclose all that can be disclosed, he can see to it that the CIA does that.

From my not inconsiderable experience with the CIA and other agencies, we need a law, a law that makes it clear that there must be all the disclosure that is possible, a law that provides for meaningful punishment when it is not complied with.

The courts avoid facing it, but perjury, not limited to the CIA, is commonplace in my experience.

Often the technical charge of perjury is avoided by having those who do not have personal knowledge make the attestation instead of those who are available who do have personal knowledge.

The determination of executive agencies to withhold what they do not want to disclose should be a punishable offense, as it also should be for those lawyers who make improper withholding, which is violation of the law, possible by presenting to the courts what they have reason to believe may not be truthful or complete.

I have even told agencies where they have records they denied having and not gotten them. Witness those two CIA Office of Security files on me that remain withheld even after I wrote Gates as I had others in the CIA over the years.

Gates and the CIA have just gotten away with a farce and a media event.

That they dared it at all is ample indication of what can be expected in its disclosure of JFK assassination records is left entirely to it and its "Historical Review Group."

What will be disclosed will be limited to what the CIA and other agencies have no reluctance to disclose.

There is no reason to believe and every reason, from a long record, not to believe that the CIA or other agencies will disclose any embarrassing information voluntarily.

It has been impossible to make these agencies, the CIA in particular, comply with FOIA even in lawsuits, which all agencies prolong to make them too costly and waste that much of the requester's time. I've had more than one FOIA suit stonewalled for a decade and more.

Without a firm and clear law, they will continue the dirty tricks and

the inappropriate games and perpetuate the suppressions of what they do not want the people to know.



HAROLD WEISBERG
7627 Old Receiver Road
Frederick MD 21702

FREDERICK COUNTY, MARYLAND

Before me this 20th day of May 1992 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires May 1, 1995.



NOTARY PUBLIC IN AND FOR
FREDERICK COUNTY, MARYLAND



U.S. Department of Justice

Federal Bureau of Investigation

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, Md. 21701

Washington, D.C. 20535

MAY 11 1992

rc'd 5/15

Lee Harvey Oswald &
Subject: Dallas 3x5 Index Cards
Re: JFK Assassination
FOIPA # 6,454 & 62,694

Dear Mr. Weisberg :

Reference is made to our prior correspondence wherein you were advised that we were consulting with Government agency(ies) concerning the releasability of information responsive to your Freedom of Information-Privacy Acts (FOIPA) request.

We have completed consultation with State Department, CIA, and Navy, and the enclosed material is being released to you with excisions made pursuant to Title 5, United States Code, Section 552/552a, as noted below. An explanation of these exemptions is also enclosed.

Section 552

Section 552a

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<u>per CIA</u> | <input checked="" type="checkbox"/> (b)(7)(C) | <input type="checkbox"/> (k)(1) |
| <u>VISA info per State</u> | <input checked="" type="checkbox"/> (b)(7)(D) | <input type="checkbox"/> (k)(2) |
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You may submit an appeal from any denial contained herein by writing to the Assistant Attorney General, Office of Policy Development (Attention: Office of Information and Privacy), United States Department of Justice, Washington, D.C. 20530, within 30 days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the FOIPA number assigned to your request so that it may be easily identified.

Sincerely yours,

J. Kevin O'Brien

J. Kevin O'Brien, Chief
Freedom of Information-
Privacy Acts Section
Information Management Division

Enclosure(s) (12)

CLASSIFIED MESSAGE

12-62

ORIG: [REDACTED]
UNIT: [REDACTED]
EXT: [REDACTED]
DATE: 10 Oct 1963

INDEX
 NO INDEX
 FILE IN CS FILE NO.

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TO : MEXICO CITY

FROM : DIRECTOR

CONF: [REDACTED]

INFO : ADDP, CI, [REDACTED]

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This document has been approved for release through the HISTORICAL REVIEW PROGRAM of the Central Intelligence Agency.

Date 8 MAY 92
HRP 92-5

10 OCT 63 22 289z

DEFERRED
ROUTINE

TO : MEXI

INFO

REF: MEXI 6453 (IN 36017)*

CITE DIR

74830

contacted

1. LEE OSWALD WHO [REDACTED] SOVEMB 1 OCT PROBABLY IDENTICAL LEE HENRY OSWALD (201-289248) BORN 18 OCT 1939, NEW ORLEANS, LOUISIANA, FORMER RADAR OPERATOR IN UNITED STATES MARINES WHO DEFECTED TO USSR IN OCT 1959. OSWALD IS FIVE FEET TEN INCHES, ONE HUNDRED SIXTY FIVE POUNDS, LIGHT BROWN WAVY HAIR, BLUE EYES.

2. ON 31 OCT 1959 HE ATTEMPTED TO RENOUNCE HIS UNITED STATES CITIZENSHIP TO THE UNITED STATES EMB IN MOSCOW, INDICATING HE HAD APPLIED FOR SOVIET CITIZENSHIP. ON 13 FEB THE US EMB MOSCOW RECEIVED AN UNDATED LETTER FROM OSWALD POSTMARKED MINSK ON FIVE FEB 1961 IN WHICH SUBJ INDICATED HE DESIRED RETURN OF HIS US PPT AS WISHED TO RETURN TO USA IF "WE COULD COME TO SOME AGREEMENT CONCERNING THE DROPPING OF ANY LEGAL PROCEEDINGS AGAINST ME." ON 8 JULY ON HIS OWN INITIATIVE HE APPEARED AT THE EMB WITH HIS WIFE TO SEE ABOUT HIS RETURN TO STATES. SUBJ STATED THAT HE ACTUALLY HAD NEVER

APPLIED FOR SOVIET CITIZENSHIP AND THAT HIS APPLICATION AT 10 Oct 63 (CONTINUED)

CLASSIFICATION REVIEW CONDUCTED ON 16 MAY 1976 BY EAD/IMPDET CL BY [REDACTED]

Document Number 7-2
for FOIA Review on APR 1976

RELEASING OFFICER

COORDINATING OFFICERS

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GROUP 1
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downgrading and
declassification

AUTHENTICATING OFFICER

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CLASSIFIED MESSAGE

12-62

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For sterile copy of this document.

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RECEIVED
COMMUNICATIONS SECTION

PAGE TWO

TO: INFO CITE DIR

THAT TIME HAD BEEN TO REMAIN IN USSR AND FOR TEMPORARY EXTENSION OF HIS TOURIST VISA PENDING OUTCOME OF HIS REQUEST. THIS APPLICATION, ACCORDING TO OSWALD, CONTAINED NO REF TO SOVIET CITIZENSHIP. OSWALD STATED THAT HAD BEEN EMPLOYED SINCE 13 JAN 1960 IN BELORUSSIAN RADIO AND TV FACTORY IN MINSK WHERE WORKED AS METAL WORKER IN RESEARCH SHOP. OSWALD WAS MARRIED ON 30 APRIL 1961 TO MARINA NIKOLAEVNA PUSAKOVA A DENTAL TECHNICIAN BORN 17 JULY 1941 USSR. NO HDQS TRACES. HE ATTEMPTED ARRANGE FOR WIFE TO JOIN HIM IN MOSCOW SO SHE COULD APPEAR AT EMB FOR VISA INTERVIEW. HIS AMERICAN PPT WAS RETURNED TO HIM. US EMB MOSCOW STATED TWENTY MONTHS OF REALITIES OF LIFE IN SOVIET UNION HAD CLEARLY HAD MATURING EFFECT ON OSWALD.

STATE

3. LATEST HDQS INFO WAS STATE REPORT DATED MAY 1962 SAYING STATE HAD DETERMINED OSWALD IS STILL US CITIZEN AND BOTH HE AND HIS SOVIET WIFE HAVE EXIT PERMITS AND DEPT STATE HAD GIVEN APPROVAL FOR THEIR TRAVEL WITH THEIR INFANT CHILD TO USA.

(CONTINUED)

RELEASING OFFICER

COORDINATING OFFICERS

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PAGE THREE

TO : INFO

CITE DIR 74830

YOU
4. [REDACTED] SHOULD PASS INFO REF AND PARA ONE TO
OTHER AGENCIES

[REDACTED] LOCALLY. INFO PARAS
STATE
TWO AND THREE ORIGINATES WITH [REDACTED]

5. REF AND POSSIBLE IDENTIFICATION BEING DISSEMINATED
STATE OTHER AGENCIES
TO HDQS OF [REDACTED] AND [REDACTED] PLS KEEP
HDQS ADVISED ON ANY FURTHER CONTACTS OR POSITIVE IDENTIFICATION
OF OSWALD.

END OF MESSAGE

WH CMT: *According to [REDACTED] 1 Oct, an American male who
spoke broken Russian said his name Lee Oswald
(phonetic) stated he at Sov Emb on 28 Sept when
spoke with Consul. He discussed sending a telegram
to Washington. No local Dissemination had been made.

(in draft)
(in draft)
(in draft)

201-289248

T. KARAMESSINES

ADDP
RELEASING OFFICER

COORDINATING OFFICERS

~~SECRET~~

GROUP 1
Excluded from automatic
downgrading and
declassification

[REDACTED]

CWHD
AUTHENTICATING
OFFICER

CLASSIFIED MESSAGE

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TO : DIRECTOR
 FROM : MEXICO CITY
 SUBJECT: [REDACTED]
 INFO : ADDP, CI, [REDACTED]

63 COPY

XX (on run as 15 Nov)

~~SECRET~~ 151730Z

DIP CITE MEXI [REDACTED]

15 OCT 63 IN 40357

REF DIR 74330 *

PLS POUCH PHOTO OSWALD.

~~SECRET~~

C/S COMMENT: *ATTEMPTS OF LEE OSWALD AND WIFE TO REENTER U.S.

This document has been approved for release through the HISTORICAL REVIEW PROGRAM of the Central Intelligence Agency.

Date 8 MAY 92
 HRP 92-5

Document Number 8-4
 for FOIA Review on APR 1976

CLASSIFICATION REVIEW
 CONDUCTED ON 16 APR 1976
 E-2 IMPDET CL BY [REDACTED]

201-289248
 15 Oct 67

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GROUP 1
 Excluded from automatic
 downgrading and
 declassification

Mr. Robert M. Gates, Director
Central Intelligence Agency,
Washington, D.C. 20505

2/24/92

Dear Mr. Gates,

If you and those under you intend the "real shift on the CIA's part toward greater openness and sense of public responsibility," which I think would be good for us all, especially the CIA and its employees and their families, you do not have to await any approval and can begin with files not classified and those improperly classified relating to the JFK assassination and its investigations.

Most agency heads never see most of the mail addressed to them, in part because the volume is too great and in part because those under them sometimes want some of the mail not to reach them. I hope this will be an exception, although the past gives no reason for such a hope.

The first of my seven books on our political assassinations was the first on the Warren Report. I am alone among those generally lumped together as "critics" in not espousing any theory as a solution to the crime. I am also alone among critics in having, on justified occasion, ~~is~~ ^{and} defending the FBI and the CIA against unjustified criticism. As the most recent example it is I, not those imagined "CIA reporters" Oliver Stone said were "recipied" to wreck his ^{movie} ~~movie~~ exploiting and commercializing the JFK assassination, who began the exposure in the belief that the story would carry itself, as it did. This began, if the CIA is interested, when I wrote him last February 8 at length and in detail about Jim Garrison, with whom I'd had considerable experience. I told him, in summary, that he could not, as he'd promised, record their history for the people, telling them who killed the President, why and how. When he did not respond I gave George Gardner a copy of the script and those of my records relating to Garrison and an investigation I had conducted that blocked his planned commemoration of the fifth anniversary of the JFK assassination by ~~by~~ charging two innocent men with being CIA Grassy Knoll assassins. (One had killed himself the year before that assassination.) So, Garrison saved his face by falsely alleging that former CIA employee William Wood, whose ~~name~~ used the name "Boxley," had been infiltrated by the CIA to ruin his alleged "probe." This concoction is in Garrison's book and was in the script I gave Gardner.

I did not begin with any prejudice against intelligence. I'd served in the OSS and I've always believed that an efficient intelligence agency is a necessity in the world in which we live.

As among many, the D.C. federal appeals court has stated, interest in the JFK assassination is never going to end. Agencies like the CIA and the FBI have more than earned the bad names they have in their behavior and their obdurate violation of the FOIA as well as all reasonable concepts of openness in a democratic society. This bad behavior includes the felony of perjury, repeatedly. There is nothing any agency can now do to wipe that out

It is the record they have made for themselves and our history does and will record it.

To the degree it was possible for me ¹ undertook to see to it that this would be clear in the historical record and I did it largely in court records, where it is unrefuted. I distributed copies of these records widely. Scholars of the future will not have to depend on access to the court's records some of which, relating to the CIA, have already disappeared from the court files in which they were and belonged.

If your statement of four days ago is to be anything other than another public-relations ploy you and those under you can and should begin with open admissions of the CIA's past errors. This does not require declassification of some records. It requires only honesty. There are other records that were and are classified improperly. Disclosure of these withheld records does not require any Congressional or other action. It requires only that you and those under you intend what you promised.

I am nearing 79 and from a series of complications following surgeries am and have been limited in what I am able to do. I can't, for example, now take you to court. But I can offer you the opportunity to give your promise meaning other than the good public relations you got from your statement. The record of the past indicates that this will be temporary only without meaningful implementation.

FOIA was amended, rather, the investigatory-files exemption was, in 1974, over FBI dishonesty in one of my earliest FOIA cases. Before then I requested of the Agency its records on and about me. Components lied to the general counsel when he asked them about their records and he in turn lied to me and my lawyers in writing and in person. From recollection, the Office of Security prepared a memo admitting that it has two files on me, or did as of about 1970, and then withheld that memo from Larry Houston. I have a copy of it. I have other proofs of CIA records on me that it continues to withhold improperly.

I filed a number of proper FOIA requests that were merely stonewalled. You merely ignored them and then claimed time had run on them. Even though I had appealed them and the appeals were ignored.

Then one of the dirtiest tricks of all was sending me, without compliance with your own regulations, a great volume of records I did not ask for and could not use. The CIA refused to accept their return and it proceeded to use this false claim that ^{it} owe it money as the spurious basis for noncompliance with all my requests.

We are none of us Merlins, who can remember the future. I do not pretend to forecast the future. But I do tell you what I have and have distributed copies of ^{USA} prima facie case of CIA interference with my publishing and ^o monitoring of me and what I said and did. This includes copies of CIA records it did not disclose to me, along with the names of CIA employees involved in all of this. Some achieved their own notoriety.

Our history and that of the CIA in particular forever records that when Helms spoke to the publishers' association years ago and said the agency did not target Americans, he

knew he was lying and he knew he was violating the law to do precisely what he said he was not doing. He accomplished an immediate purpose with this rather large lie but in the end his reputation and the CIA's suffered for it and it did the country no good and much harm, the CIA in particular.

After your statement of last ^wEEK you and the CIA are in a comparable if not identical situation. You have gotten a favorable press and your indicated means of not doing what you said you intend escaped any notice of which I am aware.

I am giving you and the CIA the opportunity to begin to make good on your word in asking that you cleanse the record with me and disclose what was for several decades and remains improperly withheld from me.

Those under you can again prevent my letter from reaching the office of the Director or, if it does, it can be rejected.

However, I do hope that what I ask will be considered in good faith and complied with. While there may be some temporary embarrassment from it, I think that on balance it will be good for the CIA and for the country.

Although I am confident that given CIA good intentions no cooperation from me is necessary, I am prepared to cooperate to the degree now possible for me.

While there is nothing in the past to encourage hope that those under you or you will want to use this opportunity to give your fine words meaning, I do offer the opportunity and I do hope that the CIA will use this opportunity to at least begin undoing the past to the degree now possible with " a real shift toward greater openness and of public responsibility."

Sincerely,


Harold Weisberg