

Ms. Deborah M. Odell, FOI Staff
Bureau of Information
Department of State
Washington, D.C. 20520

Rt. 12, Frederick, Md. 21701
9/12/77

Dear Ms. Odell,

Case No. 720743

Thank you for your letter of 9/9 and the three enclosed pages.

On each of these three pages there is withholding. In no instance is any authority for the withholding cited. There is no claim to any exemption in your letter. This therefore is a de facto denial and I herewith appeal this denial. I do it through you in the hope of avoiding what will without your compliance become burdensome to the Department as well as to me.

I also remind you that from the date on the one document that bears a date and from the content of the other two pages these are past the 15-year rule in historical cases, as the Attorney General has held this to be.

Even declassification authority and date are not indicated.

These pages are, quite obviously, incomplete. It is not possible to determine with certainty whether they are parts of three separate records or not. My requests include all records on or relating to the JFK assassination and Lee Harvey Oswald. They therefore include these complete records.

Through the extensive and unexplained obliterations and despite the other withholdings it is apparent that while these pages relate to Oswald what remains of them refers to him not as Oswald but as "LEE." This would seem to require that there be other records relating to this, if only to correct or explain it. They are within my requests and I would appreciate copies of them also.

It seems to me that in this instance the Department has not acted in accord with the statement of FOIA/PA policy by the Attorney General this past May. That it has not and intends not is indicated by the failure to respond by the office of which you are part to what I have written and asked for under my other requests, particularly for all records on or about me under the Privacy Act. While compliance by other agencies is as reluctant and incomplete as that by State, it is showing me increasingly that State has not made a good-faith search with due diligence, that records not explained or for which exemptions are claimed are being withheld, and that any kind of search has to have shown the existence of these other records. While I believe I have appealed that de facto denial, if I have not or if it has been mislaid this is that appeal. I would hope that the Department would not want this matter to go to court and that it would prefer to avoid this by full and honest compliance. If you have no familiarity with that matter I indicate the nature of the continuing withholdings by telling you that they include newspaper stories and non-secret Departmental regulation. This seems to be pretty ridiculous to me. I hope it does to you and to the Department. However, there are other withholdings of which I here specify but one new one, the files of the late John Peurifoy and records relating to Departmental appropriations for the time in question, circa 1947. These are, I believe, interrelated. I also believe they will lead to other records of some of which I have specific knowledge.

For my part I would prefer to avoid wasting the time and cost of having to do more than ask the Department for these records. While for conditions of health getting to Washington now presents problems for me if the Department wants to discuss this I will make an effort to accommodate it.

Sincerely,

Harold Weisberg



DEPARTMENT OF STATE

Washington, D.C. 20520

In reply, refer to Case No. 720743.

September 9, 1977

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

The enclosed documents were forwarded to the Department of State by the Department of the Air Force for our review, in connection with your request under the provisions of the Freedom of Information Act, as amended.

The Department has no objection to the release of these documents.

Sincerely,

A handwritten signature in cursive script, reading "Deborah M. Odell".

Deborah M. Odell
Freedom of Information Staff
Bureau of Public Affairs

Enclosures:
as stated.

UNITED STATES AIR FORCE THE INSPECTOR GENERAL OFFICE OF SPECIAL INVESTIGATIONS REPORT OF INVESTIGATION	FILE NO. 33-5566	DATE 7 APR 1960	SW
	REPORT MADE BY VARTAN ASDOURIAN, S/A		
FILE (U) JOHN EDWARD PIC (DOB: 17 Jan 32) Sgt, AF 11313239 Medical Squadron Section USAF Hospital Tachikawa APO 323	REPORT MADE AT DO #4, Bolling AFB 25, D.C.		
	PERIOD 17, 25, 29 Feb; 2, 4, 7, 8, 11, 25, 29 Mar 60		
	OFFICE OF ORIGIN DO #46, APO 94, San Francisco, Calif.		
STATUS PENDING			

CHARACTER



REFERENCE
 ROIs, S/A JOHN T. COX, DO #46 (PACAF), file 33-476, dtd 27 Jan and 12 Feb 60

SYNOPSIS

NAC reflects LEX, presently in Moscow, Russia, renounced American citizenship; stated he was a Marxist; and further stated that he offered Soviets any information he acquired as enlisted Radar Operator in U.S. Marine Corps.

"Attention is invited to the fact that the information contained herein has been derived from sources other than the USAF. Information contained herein has been released to the USAF with the provision that dissemination cannot be made outside of the USAF without the consent of the originating agency. Information contained herein will not be reproduced without prior approval from the Office of Special Investigations, IG."

Attention is invited to the provisions of AFI 11-117 which prohibit the release of investigative information to unauthorized persons.

DISTRIBUTION DO #46 (PACAF) (33-476) 4 (Comdr, 2710th AB Wg-Action-2) Dir OSI (PACAF) (33-1273) 2 Dir OSI (USAF) (33-26125) 3 (ONI-info-1) File 1	ACTION COPY FORWARDED TO APPROVED  KEEPE O'KEEFFE Colonel, USAF District Commander.	FILE STAMP APR 13 1960 33-26125-14 8 APR 60 11 35 SPECIAL INVESTIGATIONS
		

d. On 10 September 1959, Subject was issued Passport #1733242 for travel to Cuba, Dominican Republic, England, France, Switzerland, Germany, Finland and Russia. He stated that he intended to attend the college of A. SCHNEIDER SMIT, Switzerland, and the University of Turku at Turku, Finland. The other countries were to be visited in a tourist status. State Department files contain numerous pieces of correspondence from the American Embassy, Moscow, Russia, relative to SUBJECT. He appeared at the American Embassy at Moscow on 21 October 1959 to renounce his American citizenship. He stated that he applied for Soviet citizenship following his entry into the USSR from Helsinki, Finland, on 15 October 1959. He stated that he had contemplated this action for the past two years and that his main reason was "I am a Marxist." He advised that he was recently discharged from the U.S. Marine Corps and that he has offered the Soviets any information he acquired as an enlisted Radar Operator.

On 8 March 1960, the files of the State Department Passport Division (SI/PD) were reviewed by Special Agent COLB and revealed that

LEE appeared at the American Embassy at Moscow on 31 October 1959 to renounce his American citizenship. He stated that he applied for Soviet citizenship following his entry into the USSR from Helsinki, Finland, on 15 October 1959. He stated that he had contemplated this action for the past two years and that his main reason was "I am a Marxist." LEE advised that he was recently discharged from the U.S. Marine Corps on ~~11 September 1959~~ and that he has offered the Soviets any information he acquired as an enlisted Radar Operator.

On 11 March 1960, the files of the State Department Security Division (SI/SEC) were checked by Special Agent COLB and revealed the same information concerning LEE as reflected in the files of the SI/PD.

6. This report is classified CONFIDENTIAL pursuant to the provisions of paragraph 30c(2)(a), AFR 295-1, because it contains investigative information which requires protection against unauthorized disclosure.

PENDING