

Mr. H. Eugene Bovis, acting director
Classification/Declassification Center
Bureau of Administration and Information Management
Department of State
Washington, D.C. 20520

7627 Old Receiver Road
Frederick, Md. 21701
11/29/88

Case Control No. 8803588

Dear Mr. Bovis,

Your letter of the 26th arrived when I was hospitalized for eye surgery. Please excuse my typing. My vision is impaired.

I doubt very much that the information in question was compiled for any law enforcement purpose and the FBI did not file it under any such classification.

Moreover, the information is incomplete and given the content of some that I remember I believe not only that there is more that has not been disclosed but that the reason is to prevent embarrassment to the Department.

This relates to the late Ambassador George Messerschmidt, so there is no real privacy consideration.

The magazine Click published a picture of him associating with Nazi associates, including members of the Diario de la Marina family. I think the name is Aestri.

I have a pretty clear recollection of this picture and I can't believe that both State and the FBI ignored it.

How can the Department reasonably take the position that its information was compiled for FBI law enforcement purposes, even if there were any?

This information is now almost 50 years old so there is little if, indeed, any possibility of any harm to any government function or to any individual.

I would hope that all of you would not persist in what I regard as only suppression of potentially embarrassing information. Other than stonewalling I can see no other real reason for your (plural) continued withholding and incomplete searches. I do hope you will not disclose what you continue to withhold.

Sincerely,



Harold Weisberg



United States Department of State

Washington, D.C. 20520

Case Control No. 8803478

OCT 26 1988

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

Dear Mr. Weisberg:

I refer to your letter of May 18, 1987 to the Federal Bureau of Investigation requesting the release to you of certain material under the Freedom of Information Act (Title 5 USC Section 552). Your letter was passed to us for action because one of the documents in the file retrieved on your behalf originated with the Department of State.

After careful review, we have determined that this document can be released subject to excisions.

This document must be denied in part under Paragraph (b)(3) of Section 552 as specifically exempted from disclosure by statute, to wit, the Immigration and Nationality Act (8 USC Section 1202 (f)).

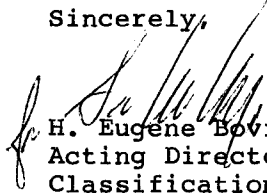
The document also must be denied in part under Paragraph (b)(6) of Section 552 as release would constitute a clearly unwarranted invasion of personal privacy.

All non-exempt material in the excised document that is reasonably segregable from the exempt material is released.

The enclosed material also includes documents from which the FBI has deleted its marginalia under Paragraph (b)(7)(C) which exempts from release records or information compiled for law enforcement purposes, the production of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. If you wish to appeal these excisions, please write within 30 days to the Associate Attorney General, Office of Privacy and Information Appeals, Department of Justice, Washington, D. C. 20530, and cite FBI Case No. 280,521.

With respect to material withheld by this Department, you have the right to appeal this determination within sixty days. Appeals should be addressed to the Assistant Secretary for Public Affairs, Department of State, Washington, D. C. 20520. A letter of appeal should refer to the case control number shown above.

Sincerely,


H. Eugene Bovis
Acting Director
Classification/Declassification Center
Bureau of Administration and
Information Management

Enclosure:
One document.

Subpart G—Appeals Procedures

§ 171.66 Appeal of denial of access to records.

(a) Review of an initial denial of access to a record under the Freedom of Information Act (5 USC 552), the Privacy Act of 1974 (5 USC 552a), or Executive Order 12065 may be requested by the individual who submitted the initial request for access. The request for review (hereinafter referred to as the appeal) must be in writing and should be sent by certified mail to the Assistant Secretary for Public Affairs, Chairman, Appeals Review Panels, Department of State, 2201 C Street, N.W., Washington, D.C. 20520. The appeal should be received within 60 days of the date of receipt by the appellant of the Department's refusal to grant access to a record in whole or in part.

(b) The time for decision on the appeal begins on the date the appeal is received by the Chairman, Appeals Review Panels. The appeal of a denial of access to records shall include any documentation, information and statements to support the individual's request for access and to refute the use of the exemption(s) cited in the Department's justification concerning the denial of access.

(c) The Chairman of the Appeals Panels or her/his designee and at least two other members chosen by her/him from a list of senior officers designated for this purpose by the various bureaus of the Department shall constitute a panel to consider and decide the appeal. There shall be a written record of the reasons for the final determination. The final determination will be made within 30 working days for Executive Order and Privacy Act appeals, and within 20 working days (excluding Saturdays, Sundays, and holidays) for FOIA appeals. For good cause shown, the Chairman of the Appeals Review Panels may extend such determination beyond the 30-day period in Privacy Act cases.

(d) The Chairman shall then notify the requester in writing of the panel's decision to grant access and of the Department's regulations concerning access.

(e) When the final decision of the Panel is to refuse to grant an individual access to a record, the Chairman of the Panel shall advise the individual in writing:

(1) of the refusal to grant the appeal and the reasons therefor including the exemptions of the Freedom of Information Act, the Privacy Act of 1974, and/or Executive Order 12065 under which access is denied;

(2) of her/his right to seek judicial review of the Department's decision, where applicable.

NO 2225
Writing Crown of Ato
Adept. J.B.
VIA AIRMAIL

E (6)(3) b7C
(6)(6) per FBI
AMERICAN CONSULATE GENERAL

Habana, Cuba, December 19, 1941

STRICTLY CONFIDENTIAL

Activities of Baroness Lisette Von Kapri
(Lisette Piguet).

65-4196

THE HONORABLE

DEPARTMENT OF STATE A/GDC/HR

THE SECRETARY OF STATE

by

10521

DATE

12/19/48

WASHINGTON

DECLASSIFY ON: [unclear]

NO FOREIGN DISSEM

FOI, EO or PAC exemptions

SIR:

CLASSIFY AS

OADR

DOWNGRADE to (S) (C) OADR

I have the honor to refer to a newspaper dispatch dated New York, December 16, 1941, from the Associated Press, which appeared in the local daily, The Havana Post, on December 17, 1941, and which refers to a Baroness Lisette Von Kapri who was stated to have been detained by Federal authorities and subsequently released.

The records of this office indicate

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Handwritten initials and scribbles

DEC 31 1942

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RECORDED

INDEXED

65-4196-63
FEDERAL BUREAU OF INVESTIGATION

Other information on file regarding the Baroness appears in the form of a press despatch from The Havana Post dated December 16, 1939, which states in effect that she was endeavoring to organize a Red Cross Mercy Plane Corps comprised entirely of women pilots; and that she was soliciting planes and funds from airplane manufacturers and philanthropists, ostensibly for the International Red Cross, to be placed equally at the disposal of the Allies and Germans. The clipping also states that she made a 10,000 mile flight throughout the United States during the summer of 1939; that she was associated with a prominent European industrialist who would join her in January, 1940; and gave her opinions regarding modern warfare.

The article appearing in the magazine "Click", published in Philadelphia in August 16, 1941, concerning the operation of the Axis Fifth Column in Cuba, states that she arrived in Habana during 1939 for a "rest (during the hottest season)"; that Mr. Giovanni Ferrico, the Italian Minister, introduced her to Cuban military and civil aviators in Rancho Boyeros, Habana, as his secretary; that she made friends with United States aviators flying planes to Guantanamo; that she brought Otto Erwin Weh to the field for flying lessons, "but Weh, a Nazi aviator, outflaw his teachers"; and that finally Cuban authorities warned all naval and military aviators to shun her or face courts-martial.

66

Respectfully yours,

Harold S. Tewell,
American Consul.

File No. 820.02

HST/ADJ/ald

(Submitted in quintuplicate)
One copy to the Embassy.
One copy to the Naval Attaché.
One copy to the Military Attaché.