

Defunct

Rt. 112, Frederick, Md. 21701
2/20/78

Dr. James B. Rhoads, Archivist
National Archives
Washington, D.C. 20408

Dear Dr. Rhoads,

New medical problems diagnosed last year have reduced my capabilities still more. There is much that I have not been able to find and file. When I can, however, I do try to file the accumulation. Today I found the letter Mr. O'Neill wrote me under date of November 15, 1977. Attached to it is Senator Schweiker's November 19, 1975 letter to you. It is a poor copy on which most of what was written by hand cannot be made out. I would appreciate a legible copy.

I believe some of my letters have received no response. I recall one in which I asked you if the names of defectors you said you had to protect in the January 21, 1964 Warren Commission executive session transcript had not in fact been released by the CIA. I would appreciate it if all such old matters that are without response would not be responded to.

With regard to defectors you claimed you had to protect the FBI has now joined the CIA in releasing records relating to them, without withholding their names and other information about them, including what could be described as of a personal nature. I am sure you are aware of what the Attorney General has held to be policy now with regard to the privacy exemption in historical cases.

One example of these FBI releases is a Rosen to Belmont memo of 11/23/63. In it Libero Picciardelli, Robert E. Webster and Nicholas Petrulli are identified and described. Other FBI records indicate a search for and interviews with these men immediate after the Warren Commission executive session of January 21. A delay of more than two months in the FBI's search for them together with that search coinciding in time with this Commission session strongly suggest that these are among the names you claimed you had to withhold and thus had to withhold that transcript from me.

Your representations with regard to Mr. Nosenko and the June 23 transcript were even stronger. He was, I was told, in danger of being assassinated if anything about him or his whereabouts became known.

Now it is known that he was interviewed by Edward J. Epstein who, by the most remarkable of coincidences, writes what the CIA likes to have written and in a project published accounts of which say it involves a half-million dollars and a very large effort by the Readers Digest. Also no doubt coincidence is the fact that the project director on this publishing operation is John Barron, to whom the FBI and CIA leaked extensively for his book KGB. That book discloses that Mr. Nosenko was interviewed by Mr. Barron and that just about all the Russian defectors were in communication with him and he in correspondence with them.

The claimed need for protection seems to be invoked selectively - not with those whose writing is like by those officials who withhold from me.

Tonight's Star reports that Epstein also had access to 10,000 records classified secret. I'd be surprised if any one of those pages is not within my requests under FOIA that remain without response.

If you have forgotten, this relates to current litigation. I would appreciate hearing from you about these withholdings as soon as possible. If a review leads you to decide to release these transcripts to me now I would appreciate your phoning to let me know so I can arrange to give them to the press and to make myself available to respond to any questions about them.

Sincerely, Harold Weisberg

2/2/78

PE:

A note I attached to the O'Neill letter says I sent you copies of it and the attached Schweiker letter.

I don't know if you have checked to see which of the listed documents is available. Some look familiar but if I have them they are in the unfiled accumulation.

If you have them I'd like to know before I pay Archives' high rate for copies.

I believe that having them will be of possible value in litigation. It should reflect that classification and withholding were not really justified or necessary.

Any account of the Epstein book can have the same values. I'm sure Jim will give the court that in tonight's Star.

The combination of factors may lead the government to release these transcripts. If they do I will hold a press conference to give them away, as I have done on prior occasions with other records. And I'll send you a copy from which you can provide copies to others who may want them.

In case we come to a bridge to cross.

Any reflection of access to records withheld from the rest of us in the Epstein opus can be of importance in freeing other withheld records as well as in litigation, so I hope that when you read it you will keep this in mind and provide what you spot to us so Jim can use it.

Jim is surprised that no reporter has called me to ask about the stories about the Epstein theorizing. I'm not. I believe most will recognize it as preposterous.

Jim also mentioned that Lifton had phoned him seeking a means of me sending those 60,000 pages out there because he can get 1,000 pages copied free each week. He said that Lifton is to write further. However, the notion appears to me to be impractical. Not only is the packaging and shipping outside my capabilities, it would take more than a year. And nobody else would have access for that period.

Even for Lifton this seems pretty extreme. "as he flipped out again?"

He is capable of all sorts of wildness. If you detect any I trust you will be willing to let it be known that before I obtained these records, before any were released aside from the three volumes you received that I did not then know about, I took the initiative with others, including you, seeking support in the legal effort and an arrangement under which copies could be made for those wanting them while the records were still in D.C.

This may not be what some others would like to believe but you know it is true. There is precedent in my getting the Texas records at the Library of Congress and other such deposits around and with other things, I think your ONI microfilm and the 1972 Archives releases.

If they decide to just give me these ~~records~~ transcripts, which would not be precedent, perhaps it would be easier if I let the AIB make its own copies and then forward the one I'd be giving you?

Sincerely,