

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

Rt. 12, Frederick, Md. 21701
11/20/76

Dear Dr. Rhoads,

As made available by the Archives Warren Commission CD 1359 is masked in three places, twice on the first page and on the second. This is done without citation of authority. The original classification was TOP SECRET. No authority is indicated for change in classification as I believe is required.

A reading of what is not still withheld indicates there is no basis for withholding now and no basis for the high classification at any time. Certainly what Castro says Castro knows and letting the American people know does not become a matter of highest national security. This is true whether what Castro is alleged to have said was in a speech or in conversation. It is also true that all leaders of all countries knew that what they say in private reached intelligence agencies of other countries.

In your capacity as head of the Archives and head of the inter-agency committee on such matters, as you have already said under oath, you have the power if not the obligation to release all information that can be released without damage to the nation. I am calling upon you now to release the withheld parts of this record together with all records having to do with its classification and partial declassification.

I believe this is more important now because this record is alleged to have been the basis of a leak to the Washington Post which gave it sensational, nationwide attention in a context that is clearly official propaganda addressed to the imminent first meeting of the House Select Committee on Assassinations. If this is the case then I would like to know why this document was not given to me in full pursuant to my request when I appeared at the Archives to pick up copies on 11/18. Once the content is out can there be any basis for withholding it from me, especially when officials let the content out? When I asked Archives employees about this I was told they are under instructions to say nothing. A week after publication? So extensive that the front page of one Chicago paper was devoted entirely to it?

This record has typed on it that it is excluded from automatic declassification and downgrading. I do not believe this was a provision of E.O. 10501 at the time the record was created. I would like to know if this was added later and why, under what authority.

If you do not act favorably on this request I ask that you process it as my appeal under the Act.

In the past I have complained to you about the politicization of the regulations to accomplish purposes not permitted by law or regulation. With the Post story this is plain propaganda. For example, in CD984, which I published in writing dating to 4/67, J. Edgar Hoover is explicit in stating what was quite relevant to the Post story and was not leaked to the reporter, who was entirely the captive of his sources: "no information has been developed" even "indicating Oswald was controlled, directed or employed by any individual" connected with Castro or "any representative of or known sympathizer with the Castro government." This after the "Bureau has thoroughly explored the question."

Over the years I have had thousands of occasions for going over records that were originally withheld from me for a ~~wide~~ variety of claimed reasons. In not any instance do I recall a single case of proper classification. You have forced me to go to court to obtain what you classified TOP SECRET when there was no basis for any classification. Now you are centering and nullifying the amended Act by improper maskings of which I believe CD1359 may be an example. Although all the Acts were intended to require disclosure you have always misused them as means of non-disclosure. This seems to be particularly true of maskings in what is called the 1975 release. I am therefore asking for what I do not see on the records provided me, citation in each instance of the basis and authority of withholding by masking. I mean this to be under the Act and applicable regulation both and if necessary as an appeal. I am also asking that there be a check made to determine if I have been given all the released records. One Box seems not to have been provided. Sincerely,

Harold Weisberg