

NSC

Re: Gain Shen from Harold Weisberg  
JFK Referrals

5/29/80

If the FBI and other Departmental components had set out to make it impossible for requesters to know what is involved in referrals, even the identifications of referred records, they could not have succeeded better. Even in affidavits filed in court identification of the records is avoided as though protection or survival require it, as may be the case.

The confusion and such extra work and cost are caused by another element: when I finally get the referred record it still is not identified as an FBI record and there is no way in which I can correlate a record from another agency with what is missing from what the FBI provided and be certain I have made the correct identification. Even then the FBI's file identifications will be missing.

The Act provides for consultation with other agencies. It does not require that other agencies provide copies of their records, which are not identical with FBI copies.

A recent experience with the National Security Council is illustrative.

When I received a May 6 letter from NSC I replied on May 13 telling them I had no idea what they were talking about. Under date of May 19 I received the attached and utterly meaningless response. Before I could respond and tell NSC that I have made no request of it I received the attached letter of the 22.

I was aware that the Army had referred to NSC, but I knew this was not in response to any request I'd made of the Army. (It claims to have destroyed all its JFK records.)

I still do not know and have no way of knowing that records were referred to the Army by what Department component or components, FBI or other.

These kinds of procedures waste enormous amount of time and money, deny requesters their rights and frustrate the Act and its intent.

I think it is past time for someone to be thinking of more than wasting money and requesters.

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

FOI 79-157

May 22, 1980

Dear Mr. Weisberg:

This is in response to your letter to Ms. Dodson dated May 13, 1980, concerning my letter to you of May 6, 1980.

I apologize for the confusion my letter caused but was, of course, unaware of your multiple requests. Attached is a copy of the letter addressed to you from the Department of Defense which referred these documents to the National Security Council.

For your information, since it is not readily apparent from the DoD letter, the seven documents denied in this case are all dated 1961-1962 and involve U.S. government policy on Cuba. Based upon my review of the documents and the uniform recommendations of the Departments of State and Defense, the Central Intelligence Agency, and the National Security Council Staff, the documents were denied.

With the above information, if you wish to appeal the NSC Staff denial, please write to Ms. Dodson within 60 days of receipt of this letter. Again, I apologize for any inconvenience my previous letter may have caused.

Sincerely,



Brenda S. Reger  
Director  
Freedom of Information

Attachment

Mr. Harold Weisberg  
7627 Old Receiver Road  
Route 12  
Frederick, Maryland 21701



PUBLIC AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, D.C. 20301

7 MAR 1980

Ref: 79-DFOI-1044

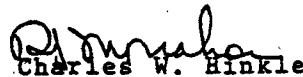
Mr. Harold Weisberg  
Rt 12  
Frederick, MD 21701

Dear Mr. Weisberg:

This is in response to your Freedom of Information request to the Department of Justice for documents pertaining to the assassination of John F. Kennedy. A total of eight documents were forwarded to the Department of Defense for a declassification review.

The Office of the Under Secretary of Defense for Research and Engineering has advised that although the documents were written on Department of Defense stationary, the originator was a member of a National Security Council special task force and are considered National Security Council records. Therefore, we have forwarded the documents to the Staff Secretary, National Security Council, Room 395, Old Executive Office Building, Washington, D. C. 20506 for a response direct to you.

Sincerely,

  
Charles W. Hinkle

Director, Freedom of Information  
and Security Review

NATIONAL SECURITY COUNCIL  
WASHINGTON, D.C. 20506

May 19, 1980

Dear Sir or Madam:

This letter acknowledges receipt of your request for information that may be located in the files of the National Security Council. Although our backlog of these requests is quite large, we will make every effort to respond to you as quickly as possible.

Sincerely,



Christine Dodson  
Staff Secretary