

JL

Investigative

Capt. L.E. Connell, Director  
Naval Intelligence Service  
Hoffman Bldg.  
2461 Eisenhower Ave.,  
Alexandria, Va. 22331

Rt. 12, Frederick, Md. 21701  
5/21/77

NIS-27F jas 5400 F7-77  
Ser U3529

Dear Captain Connell,

Thanks you very much for your detailed, helpful and informative letter of the 10th.

The multitude of involved agencies and the apparent lack of communication between them do make problems for those who seek information. In turn I suppose we then present problems for the agencies. I am sorry. I did not intend to make problems.

I do want all Oswald and JFK assassination records, whatever their nature or origin.

Because this is a request for records that primarily benefits "the general public" and is "in the public interest" I do ask that the waiver be applied.

I have already begun the deposit of my records with a university. If you would prefer that you send the records directly to that university this will satisfy me. My remaining literary interest in Oswald is slight. But I do want this public archive to be as complete as possible. I expect the historian who is in charge of this archive within the next several weeks, when he will pick up more of my records. I would be quite pleased if you would care to speak to him and satisfy yourself on this. I will inform him by a carbon of this letter. I believe he will be using National Airport, which is close to your office.

If you do not waive I will pay the charges subject to the preservation of my rights in this matter.

I appreciate your underscorings of "all" to attract my attention and inform me that your agency does not possess all Navy originated records and that there is not to the best of your knowledge any one Navy repository for all of them. Before the amending of FOIA the Attorney General's Memorandum on the Act required referrals to other agencies. If you cannot refer my request to those other components of which you are aware I would appreciate it if you could tell me where else to apply.

I understood that the late Guy Johnson of New Orleans was an ONI officer. He did confirm to me that in 1963 he had filed some reports relating to Oswald. They are not in the Warren Commission ONI file available at the National Archives, which I have. If you can be of help on this I would appreciate it.

I do appreciate your informativeness very much. If others in the government responded as you have it would greatly reduce government time and costs and would be helpful to the spirit and intent of the Act, better for those who seek information.

My sincere thanks,

Harold Weisberg



NAVAL INVESTIGATIVE SERVICE

HOFFMAN BUILDING  
2461 EISENHOWER AVENUE  
ALEXANDRIA, VIRGINIA 22331

IN REPLY REFER TO  
NIS-27F/jas  
5400 F7-77  
Ser U3529

10 MAY 1977

Mr. Harold Weisberg  
Route 12, Old Receiver Road  
Frederick, MD 21707

Dear Mr. Weisberg,

Reference is made to your undated response to our letter of 15 April 1977 which provided you with copies of Navy and Marine Corps originated documents concerning Lee Harvey Oswald which had been referred by the Central Intelligence Agency (CIA) in connection with your Freedom of Information Act request to that agency. In your response you indicated that you had "...made requests of other agencies that include every Oswald Navy record, requests required to have been forwarded under the Act..." and you wanted "...all other Oswald records, regardless of form or origin."

Please be advised we have not seen any request concerning Lee Harvey Oswald made by you, including your request to the CIA. As we indicated in our previous letter, we were notified that you were one of a number of individuals who made requests to the CIA, and the documents forwarded for processing were those contained in the files of the CIA. Therefore, your response is being considered as a request, pursuant to the Freedom of Information Act, for records concerning Lee Harvey Oswald.

This Service does have file holdings concerning Lee Harvey Oswald, which consist of four volumes. Included in those file holdings are Navy and Marine Corps originated documents, as well as documents originated by other U.S. Government departments, agencies and activities, and numerous newspaper articles. This Service's holdings would not include all Navy originated documents concerning Lee Harvey Oswald, and it is doubtful that there is any one activity within the Navy Department which is a central repository for all Navy originated documents regarding Lee Harvey Oswald. An example of this was included in the material released to you by our previous letter. Lee Harvey Oswald's application for review of discharge of 18 June 1962 and the Discharge Review Board letter of 25 July 1963 were not part of this Service's file holdings on him. Upon receipt of the copies of those documents from the CIA this Service cleared the release of them to you and the other requesters through liaison with the Navy Discharge Review Board.



NIS-27F/jvs  
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We understand your desire to obtain all available documentation regarding Oswald, but the volume of the newspaper clippings and records of other departments, agencies and activities, as mentioned above, raises a question as to whether it is your desire to obtain all records in our files, or just those originated within the Department of the Navy. Therefore, to reduce the cost to you to a minimum, please advise us of your desires by describing wanted records as best you can.

The 1974 Amendments to the Freedom of Information Act provide for reasonable search and duplication fees. A copy of the fees schedule is enclosed for your information. Please be advised that no further action will be taken concerning your request pending receipt of the requested clarification and of an indication from you of your willingness to pay the associated fees.

Sincerely,



Encl:  
(1) Freedom of Information Act  
Search and Duplication  
Fees Schedule

L. E. CONNELL  
Captain U. S. Navy  
Director,  
Naval Investigative Service

UNIFORM AGENCY FEES FOR SEARCH AND DUPLICATION UNDER  
THE FREEDOM OF INFORMATION ACT AMENDMENTS  
P. L. 93-502

Introduction

This enclosure describes fees for search and duplication. It is not intended to substitute for any schedule of fees or a policy of not to charge a fee established in connection with the issuance of publications or other materials in the routine course of business of a component.

SCHEDULE OF FEES

Duplication

Publications, Forms and Reports

Shelf stock of printed or microfiche medium (requesters may be furnished more than one copy of a publication or form if it does not deplete stock levels below projected planned usage).

Minimum fee, per request . . . . .	\$ 2.00
plus	
Forms, per copy . . . . .	.05
Publications, per printed page . . . . .	.01
Microfiche, per fiche . . . . .	.06
Reports, per printed page . . . . .	.05
(Examples: Cost of 20 forms, \$3.00; cost of a printed publication with 100 pages, \$3.00; cost of a microfiche publication consisting of 10 fiche, \$2.60)	

Office Copy Reproduction (when shelf stock is not available)

Minimum charge up to six reproduced pages . . . . .	\$ 2.00
Minimum charge, first fiche . . . . .	5.00
Each additional page . . . . .	.05
Each additional fiche . . . . .	.10

Other Issuances

Minimum charge up to six pages . . . . .	\$ 2.00
Each additional page . . . . .	.05

## SEARCH

Clerical search, per hour . . . . .	\$ 5.50
Minimum charge . . . . .	2.75
Professional search (includes computer programmer time and review to determine whether a record comes within the scope of a request) per hour . . . . .	11.00
Minimum charge . . . . .	5.50

### Computer Service Charges

Computer service charges will be based on actual computer configuration used and be based on direct costs only of the Central Processing Unit, plus Input/Output Devices, plus Memory Capacity. Transportation costs of records and personnel arising from searches for requesting reports will be charged at actual cost.

### Audiovisual Documentary Material

Service charges for audiovisual documentary materials will include clerical and professional search fees as listed above as well as the direct costs of reproducing the photography or tape and shipping or mailing charges. Audiovisual materials provided a requester under provisions of this Directive need not be in reproducible format or quality.

### Waiver of Fees

1. In general, charges shall be waived or reduced when it is determined that release of a requested record primarily benefits the general public and, therefore, is in the public interest. Examples of common situations in which such a determination may be made include:

- a. The recipient of the benefits is engaged in a nonprofit activity designed for public safety, health or welfare;
- b. Payment of the full costs or fee by a state, local government or nonprofit group would not be in the interest of the program;

c. The incremental cost of collecting the fees would be an unduly large part of the receipts from the activity;

d. The request emanates from a representative of the public information media seeking a reasonable number of records.

2. A refusal to waive charges by the official responsible for the initial decision on the request for the record may be appealed to the head of the component or his designee for purposes of final appeal.

#### Collections

1. Normally, collection of charges and fees will be made in advance of rendering the service. In some instances, it may be more practical to collect charges and fees at the time of conveying the service or property to the recipient, but only in those instances where the request specifically states that whatever cost involved will be acceptable or acceptable up to specified limit that covers anticipated costs.

2. Collection of scheduled fees and charges will normally be deposited to Miscellaneous Receipts of the Treasury.

3. Search fees are assessable even when no records responsive to the request, or no records not exempt from disclosure are found, provided the requester is advised of the requirement at the time the estimated charges are presented to the requester for approval and he agrees to incur the costs of search.