

Rt. 8, Frederick, Md. 21701
7/6/75

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

Dear Dr. Rhoads,

This is a request for public information under the Freedom of Information Act unless you elect to make full response within the time prescribed by that law. Where you would prefer to respond by supplying the documents, that will satisfy me. Where there are no records, I would like to know this. Where documents are withheld, if any are, I would like to know enough about each to decide whether or not I want to make further effort to obtain any.

Recently I obtain^{ed} what is represented as all those records released in a 1973 declassification and thereafter. Among these is CD 702, a letter of March 31, 1964 from J. Edgar Hoover to J. Lee Rankin five pages long with eight attachments totalling another 12 pages. These relate to the FBI's criteria for informing the Secret Service about threats against the president and others.

I would like the documents relating to the withholding of these 13 pages for so long, particularly when they were published by the Commission as its Exhibit 836.

I was also supplied with a May 22, 1964 letter ~~Mr. Hoover~~ wrote Mr. Rankin relating to Mexican tourists permits. While there is ~~no~~ ^{Confidential} classification marked on this letter it was declassified by the Department of Justice on August 13, 1965. It thereafter was not released by the Archives until its declassification of April 16, 1974. I would like what documents relate to this withholding for an extra nine years or, your option, an explanation that provides the same information.

There is a similar letter dated July 7, 1964 relating to Mexican Immigration Department records 46 enclosures of which were forwarded with it. This letter was originally classified Confidential. No declassification is stamped on it. The information I seek is the basis for the original classification and of the declassification - why it was ever classified and why it was not declassified for so long where there were all those regular reviews.

From the Oswald Post-Russian Period 3-1 files there is an almost illegible copy of the carbon of a letter Mr. Rankin wrote Mr. Hoover under date of April 24, 1964. It was classified Secret. After reading it I do not see what justified this classification. It was not declassified in any of the regular declassifications or reviews but was specially declassified by the Archives March 13 of this year. I would like what records there are relating to all aspects of this or, if you prefer, explanations. I would also like to know what is referred to by the Oswald dossier in the paragraph numbered 5 or if it is not lengthy, a copy.

The FBI placed no classification on its LHM summarizing its Nosenko interviews of February 26 and 27, 1964. It was not provided when I first requested copies of the Nosenko documents. It also bears no declassification. If there are records relating to withholding or releasing this I'd like copies or in the alternative explanations. (I have asked you earlier why my request was not filled fully and have had no response after a long time.) The last part of the first paragraph of this LHM has been blacked out. With the release of those documents it summarizes I presume there is nothing in this that now need be withheld and I would appreciate an uncensored copy.

I was provided with an unidentified page dated October 27, 1959 dealing with Oswald's Moscow hospitalization. On this I'd like to know the source and the reason for withholding all these years. No classification or declassification is indicated.

Also declassified March 2 13 of this year is the 111-page plus appendix report on Oswald's Foreign Activities, undated. Without close study it appears that parts of this were withheld in not less than four ways and times. With the disclosure of what in many of these places seems to have been the withheld source I ask for a review of these withholdings because I believe they are today neither necessary nor proper. An example is where these Nosenko papers are the source. With them not withheld reference to them it would seem need not be. If you agree I would appreciate copies of those pages that are incomplete in the version provided me.

I find no single CIA interview or report of any kind relating to what Nosenko told the CIA about Oswald or anything else relevant to the work of the Warren Commission. I ask for any and all such papers or any kind and if any are withheld, the records dealing with the withholding.

If there are any other Nosenko records of any kind still withheld I would like to have their identification and the records relating to any such withholding. I do not recall anything indicating that any such FBI records are now withheld but if any are I would like to know the same with regard to them.

There seems to have been an extraordinary declassification of records of this general kind around and after the March date. This date coincides with the decision to release to me the withheld executive session of January 22, 1964. Earlier I had obtained the January 27 transcript following my filing of C.A.2052-73. It was apparent to the Archives that I was seeking everything available on this general subject with sufficient interest to file suits and to exhaust administrative remedies. These records to which I have referred herein were not identified in the existing available records but clearly are on the same general subject. I was never informed of them, their existence or their declassification despite the certainty of my active and long-time interest in everything relating to this general subject.

When I requested all these records on learning of their existence and what for all practical purposes amounts to their exclusive release to another, much more was still withheld than was supplied me. While I would welcome an explanation of all of this I also request all records relating to these extraordinary declassifications that also just happen to coincide with the political uses the government agencies can make of them

Having read all of what is not withheld from me still I see no reason for any of the extraordinary procedures relating to any of these Nosenko and related records. Some were never classified by the FBI. The highest classification it affixed on any that I recall was Confidential. Some were illegally classified Top Secret but they did not originate with any executive agency.

As a matter of fact, with Nosenko's defection well know to the Russians as was everything else he knew and could have told and with these records dealing only with Oswald and related matters I see no justification for any classification at any time. The only people from whom information was withheld were the American people. No proper purpose of classification of any grade seems to have been served or in fact in mind. So, I intend my request to extend to all records of classification going back to the original withholdings and the reasons for them as well as the classifications and declassifications.

If in addition you would care to make any other explanation of the obvious discrimination, the continued withholding after my request and of what I regard as deny¹⁸¹ to me of rights to these materials I would welcome it.

Sincerely,

Harold Weisberg

7/6/75

Dear Jim,

Herewith a carbon of my today's letter to Rhoads asking for the specified information and soliciting what I think he'll not be anxious to supply, explanations.

You will remember that you made the initial request for these records for me. I was then ill. I then explained my interests in detail to Marion Johnson. But I did not then know that there were giving me only a small fraction of the relevant records, that there was this extraordinary departure from normal ending of withholdings and that it would continue.

In fact, since then and since my vigorous letter to Rhoads on this I have received no other Nosenko or related papers other than those supplied me with what is described as all those of the 1973 declassification. I have no way of knowing whether I've received all of the latter but some of these were not then declassified because by volume most was only recently declassified. The most recent less than a month ago.

Rhoads has not yet responded. Nor has anyone else for him.

This is the rankest kind of discrimination and/or political usages of both classification and declassification and the release of what was withheld without ever having been classified and I'm talking about what did not qualify for even the lowest grade of classification. This is also true of what was classified: it did not qualify.

I would have postponed making these requests because of all the other things for which there is no time but after reading all that was sent me that relates to this (all, in fact, except a long paper on presidential protection) I felt it would be unwise to delay and that delay might prompt more similar malpractice.

The reasons for release at this time may be complicated and there may be more than one. But there is no reasonable doubt about the reasons for withholding. The Report totally suppresses any mention of Nosenko and all reports of all he said had to be suppressed because they are inimical if not in fact totally fatal to the preconceptions of the Commission and the executive agencies.

The CIA fobbed the Commission off in a March 12, 1964 meeting. It may be that some of ~~it~~ this was not sent by accident so I wrote Jane Smith separately about that yesterday. But not only did those Commission people let Helms and company stall then, they even tried to anticise the CIA with offers of the valueless, their testimony not then published. (They even made false pretenses about their availability.)

Moreover, with the KGB believing that Oswald as a sleeper U.S. intelligence agent, thus not likely the FBI's, the CIA's motive for both the most vigorous questioning of Nosenko and the withholding of every word that was relevant to the Commission that it got from him is transparent. It is more than the suspicion about Oswald. It was all the nonsense about him and Marina in other areas, including leaving Russia. Without the totality of this suppression there could not have been this Report as it appeared.

This is a very serious matter, to the country and to me. The Archives has known of my desire for anything and everything on this general subject since I began researching Oswald in New Orleans. Aside from what my enormous correspondence files may show I discussed this with both Simons and Johnson. My interest was very broad on this. That chapter of the book I completed 2/15/65 is titled The Oswalds' Government Relations.

Political uses now also are serious matters. Dan Schorr and CBS have been conned into airing falsehood and propaganda on this, to a vast audience. If CBS was innocent in this the government cannot have been nor can McCone have been. Even if the CIA had wondered about Nosenko's dependability they had every obligation to let the Commission

do its own work and make its own decision and judgements.

The CIA was not the Commission.

The real reason, of course, is the Russian suspicion that Oswald was CIA. And this is what Nosenko really said.

Hoover was cute in his handling of all of it. I have already done a draft of part of that chapter for Agent Oswald. He laid it all out so he was ~~xxxx~~ in the clear, even suggesting that Nosenko be a Commission witness and then, for all the world as though the Commission did not know, telling it how to reach Nosenko. He went farther: the FBI agents got Nosenko to agree to an interview with the Commission.

Hoover knew the CIA could not let the Commission go into whether or not there was substantial Russian reason for believing ^{ing} Oswald was an agent. He knew also that the Commission didn't want to. While I doubt that he wanted it either, his certainty that the others didn't enabled him to make a self-serving record tending to seem exculpatory of the FBI.

On the question of Nosenko's credibility, what McCone claimed was the question, there are two answers. First of all no ~~gax~~ agency, CIA or State in particular, disputed the other things the FBI attributed to him-ever. And this was February and March. The Commission lasted until September. By then Nosenko had been checked out.

Besides, nobody of Nosenko's rank ~~gax~~ was going to try to be a double agent. He defected for what to him were serious reasons. From the first it had to be and I'm sure was taken as a real and genuine defection.

Moreover, on what he said about Oswald and Russian practises alone he had to be crazy to say what was so unwanted unless he was genuine. Then his personal interest required complete honesty. Any lying could have been very hurtful to him. From his background he could have expected them to be fatal.

While I have many other papers I will give you with this and recommend that you not read now I think this one is important enough for you to be aware of all of it. It has relevance to the current case. And it can be quite significant.

This can be a rather tricky matter. Therefore I'd rather you not mention it to anyone. I want to make as full as possible a record and get all the relevant records I've asked for without the Archives having another way of doing what they have done so often, leak to others. It is less easy if others are not asking.

Sincerely,