



U.S. Department of Justice

Office of Legal Policy

Office of Information and Privacy

Washington, D.C. 20530

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, MD. 21701

NOV 13 1984

Dear Mr. Weisberg:

This is in response to your letters of August 13, 1984, and September 21, 1984, concerning your appeals relating to records pertaining to the contents of conversations between Lee Harvey Oswald with Cuban and Russian officials in Mexico City which allegedly were intercepted by the Central Intelligence Agency..

It appears from your correspondence that you are appealing the FBI's action on any records that may exist concerning this matter that are maintained in the Dallas Field Office of the Federal Bureau of Investigation as well as those maintained in records of F.B.I. Headquarters. A comprehensive appeal of all Dallas records concerning the Assassination of John F. Kennedy with the exception of preprocessed records has been acted on by this Office and no further administrative appeal is available to you on that matter. Administrative review of the preprocessed records in the Dallas Field Office files will be undertaken as a part of the administrative appeal of the Headquarters records pertaining to the Assassination. Work on this appeal is scheduled to begin as soon as work is completed on review of the HSCA records currently being considered under a court ordered deadline. We regret the extended delay in completing work on your appeals but the tremendous volume of records and the number of complex issues raised has hindered completion of this task.

I would like to address a number of points raised in your letter. First, in view of the extensive correspondence you have sent to this Office concerning appeals to various components and offices of the Bureau, it is often not possible for the staff to identify with certainty which specific withholdings of which Offices you are referring to. Thus, for example, in the instant case, it appears that you are interested in specific documents that are encompassed in two separate releases made by the FBI. Your letter of June 27, 1984, however, did not provide any information as to which Bureau offices maintained these records or had denied them to you. It is the routine practice of this Office where multiple appeals have been filed to ask requesters to identify the component that made the denial and to provide us with the appeal number assigned by this Office.

Second, we have often found it difficult to determine whether you are making an entirely new appeal, referring to an old appeal or simply providing an illustration of a problem. As we have advised you previously, we do not consider appeals of specific issues encompassed by the Dallas/New Orleans appeal to be separate appeals and all matters related to those documents are now before the courts for resolution. Nor have your various appeals from the inaction of the Bureau or other components on your requests for records been treated as new appeals as this Office only reviews actions of components taken on the merits. As we have advised you, this practice is standard office policy necessitated by the limited resources of this office. In fact, I should add that we have monitored the processing of your records by the components more closely than we would ordinarily do for other requesters because of the long delays you have experienced, which are due in large part to the massive number of records within the scope of your requests.

Third, we have assigned numbers in all instances in which it appeared that you were appealing a denial not encompassed in previous appeals. The one exception to this rule that I am aware of is with regard to your appeal for records of the Kennedy assassination maintained by Bureau Headquarters. No appeal number was ever assigned to this appeal apparently because your numerous appeals of specific withholdings from the Headquarters files were mistakenly assumed at first to be a part of an already opened omnibus appeal. After we discovered that we had no copy of an omnibus appeal it was considered misleading to assign them a number that would indicate that they had been received only recently. In order to be completely fair and to ensure that all issues you have raised have been reviewed by this Office, we have considered your specific appeals for materials pertaining to Headquarters records of the Bureau as one omnibus appeal of all Headquarters records pertaining to the assassination of President Kennedy. As mentioned above, work on reviewing the Headquarters records is scheduled to begin soon.

Fourth, your repeated criticism that the Bureau has classified material after you have filed requests and appeals is not relevant to your administrative appeals since the Executive Order 12356 specifically allows this practice. E.O. 12356 §1.6(d).

Fifth, you ask how many requesters have provided this Office with the amount of material that you have. The answer is none. However, the sheer volume of unindexed material you have provided, interspersed with numerous irrelevant comments or discussion of other appeals, often not specifically identified by number, component, etc. has made it far more difficult to process

your appeals in a timely fashion. Most requesters do provide us with the appeal number, the date of the denial letter, the relevant component and, in many instances, copies of the relevant correspondence. Moreover, no other single requester has appealed anywhere close to the total number of documents you have nor has raised the number of issues you have.

Finally, I wish to assure you that we are attempting to complete work on your appeals, but because of the tremendous amount of material still awaiting review, I must caution you that substantial additional time will be required. As we have told you before, we are happy to have your input as to which appeals you prefer to have completed first. The following are the remaining appeals our records show are still open:

F.B.I. Headquarters--All records pertaining to the assassination of John F. Kennedy

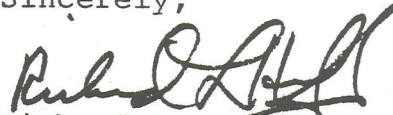
80-1507 FBI--Fee Waiver Appeal

81-0533)

81-1644) Criminal Division--JFK assassination records

83-R132 Attorney General--JFK assassination records

Sincerely,



Richard L. Huff, Co-Director
Office of Information and Privacy