

12/13/94  
Mr. David G. Marwell, executive director  
Assassination Records Review Board  
600 E St., NW #208  
Washington, DC 20530

Harold Weisberg  
7627 Old Receiver Rd.  
Frederick, MD 21702

Dear Mr. Marwell,

Thank you for both of your letters of the 8th both of which were postmarked the 11th.

As I believe I said in my letter to you, it is not safe for me to travel, I was not at that COPA meeting to hear the board member who spoke there, and had been told incorrectly that it was Mr. Graff.

Thanks for enclosing a copy of Mr. Tunheim's speech to COPA. Perhaps he was being careful when he said that FOIA is not working to release many assassination records but from my experience it is not the Act that is not working, it is the agencies that do not comply with it.

I hope the board interprets its responsibility to provide a record to include a record of each document withheld by all agencies, for the future. They are adept in withholding improperly.

When you get around to requiring an accounting of destroyed assassination records I hope you will be aware of the controlling regulations as of the time of destruction. I have a file drawer of those regulations and we took deposition testimony <sup>FBI destruction</sup> about some in one of my FOIA suits. For your information at least one of the CIA's Mexico City tapes was not destroyed before the assassination.

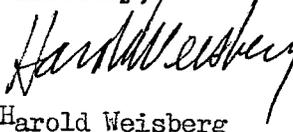
I regret, of course, that it took so long for my letters to Mr. Graff to reach him from so short a distance away and <sup>am</sup> surprised that despite the time between them they both reached him the same day the next month. The Archives did not seem to want to get those letters to him in a hurry.

I hope you are correct in saying that Dr. Graff and all the members of the board favor the broadest possible release because several have been quoted as saying what is not consistent with that. That is, of course, the intent of the law and it represents the national need.

If I can be of any help, as I believe I can, I'll do all I can to be of help.

You refer to the "expertise" of the "research community." That is an area in which I urge you to be really satisfied that the "research" and "expertise" relate to reality. I urge caution in particular if you use published books for background and understanding of the fact of the assassination and its investigations. If you have not yet learned it, the solutions of the FBI and the Secret Service are not the same as those of the Commission.

Sincerely,



Harold Weisberg