

UNITED STATES OF AMERICA  
GENERAL SERVICES ADMINISTRATION

*National Archives and Records Service*  
Washington, DC 20408



NOV 22 1976

Mr. Harold Weisberg  
Route 12  
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in further response to your letters of September 28 and October 19 and 21, 1976, in which you make certain requests concerning material relating to the assassination of President Kennedy, citing the Freedom of Information Act (5 U.S.C. 552) as amended. Because the requests in these letters are overlapping, we are making a combined response in this letter.

In your letters of September 28 and October 21 and in a telephone conversation with Mr. William Lewis of our staff you requested copies of National Archives and GSA correspondence with you which contains notations by staff members, as well as related internal memoranda, in our operating files. Copies of such correspondence in National Archives operating files will be furnished to you as soon as they can be prepared. Related intra-agency memoranda are denied to you under 5 U.S.C. 552 (b) (5), "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." Copies of your letters of September 28 and October 21 have been referred to the Director of Information, General Services Administration, for a separate reply.

At the end of your letter of October 19 you request the following:

1. Photographs and the original negatives of President Kennedy's clothing prepared by the National Archives to show you instead of the clothing, in connection with your lawsuit in 1970 for access to the clothing, as well as all relevant records.

These photographs and negatives are denied to you under 5 U.S.C. 552 (c) (3), matters "specifically exempted from disclosure by statute." The statute concerned is 44 U.S.C. Sections 2107 and 2106(C), which provide that the Administrator of General Services may accept for deposit the papers and other historical materials of a President or former President of the United States subject to restrictions as to their use imposed by the donors and agreeable to the Administrator. The photographs were prepared pursuant to the agreement between the Administrator of General Services and Mr. Burke Marshall, the representative of the



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Kennedy family, dated October 29, 1966 (copy enclosed). This agreement gives the Administrator authority (delegated to the Archivist of the United States) to impose conditions he deems appropriate on access to the clothing of President Kennedy (Paragraphs I (2) (b) and VI). Under the regulations adopted by the National Archives for reference service on Warren Commission material (copy enclosed), which state conditions on access to the clothing, we do not furnish to researchers copies of photographs of the clothing taken by the National Archives. We would be pleased to show these photographs to you in the National Archives and to furnish you photographs of the clothing among the records of the Commission.

Copies of relevant records concerning these photographs and your lawsuit in the possession of the National Archives will be furnished to you as soon as they can be prepared. Related intra-agency memorandums are denied to you under 5 U.S.C. 552 (b) (5).

2. Any and all records relating to any and all withholdings from you or anyone else of medical/autopsy records including your requests of 1966 relating to the scientific (spectrographic analysis) tests.

Copies of our correspondence with you relating to withholdings from you of medical/autopsy records, including your requests of 1966 relating to the scientific tests, will be furnished to you as soon as possible. Related intra-agency memoranda are denied to you under 5 U.S.C. 552 (b) (5). Our correspondence with other researchers is denied to you under 5 U.S.C. 552 (b) (6), "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

If you will identify the "correspondence on this (medical/autopsy material) going back to the earliest days of the investigation that have not been provided to me in response to my earliest requests," we shall be pleased to receive your request for that correspondence.

3. Any and all records "having to do with the destruction of any and all evidence, whether or not by accident. I mean this to include any inquiry into or investigation of how the tie came

to be unknotted after it was officially entered into evidence and any and all records of any and all complaints about the disappearances of records and evidence, including those made by me and any effort thereafter or at any time made to replace what could be replaced from other sources. I mean this also to be inclusive and to include in particular those records that were not provided me beginning with my first request for their replacement in 1966."

Copies of the relevant records in our operating files will be furnished to you as soon as possible. Relevant files of the Warren Commission will be made available to you in our Central Research Room for you to review and to flag documents you want copied for you. Our correspondence with other researchers is denied to you under 5 U.S.C. 552 (b) (6).

4. All records "relating in any way to the release or withholding of all records in this particular archive or relating in any way to it."

Copies of these records will be furnished to you as soon as possible. The following material is denied to you:

- a. Related intra-agency memoranda; denied under 5 U.S.C. 552 (b) (5).
- b. Our correspondence with other researchers; denied under 5 U.S.C. 552 (b) (6).
- c. The deleted information in the letter from Lawrence R. Houston (CIA) to James B. Rhoads dated December 22, 1972; denied under 5 U.S.C. 552 (b) (1), matters "(A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order."
- d. A letter of May 20, 1975, from Charles E. Savige for Robert Young (CIA) to James B. Rhoads; denied to you under 5 U.S.C. 552 (b) (1).

4

You have the right to file an administrative appeal of the denials to you in this letter. Such an appeal should be plainly marked "Freedom of Information Appeal" and addressed to the Director of Information, General Services Administration, Washington, DC 20405.

Additional funds will probably be needed soon to meet the cost of your continuing orders for copies of records.

Sincerely,



JAMES B. RHOADS  
Archivist of the United States

Enclosures