

Access- right to - whether possible, can relief be granted.

In the Nichols Suit, C.A. T-4761, the government argued that it could not comply with a similar request because "There is no suggestion that the family representative~~s~~ has consented...and, accordingly, the Archivist has not authority to produce the articles enumerated in the certificate". But when Plaintiff in the instant action supplied the Archivist with letters from the said family representative saying he left this entirely up to the Archivist, the Archivist simply refused and made no response to the said letters.

This is not to say that the Archivist requires permission from anyone to make public information available to the public, under existing law and regulation, for he does not. But it is to say that the government improvises whatever expediency it thinks it can get away with to deny the public access to the public's information and has done so with Plaintiff. Here the ~~government~~ Defendants argued one way. When the Plaintiff in this instant action overcame that objection, even though it was a spurious objection, the government exercised its raw power and refused access to the Plaintiff, ignoring its own ~~main~~ reason in Nichols and acting contrary to it.