

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, DC 20408



SEP 21 1976

Mr. Harold Weisberg
Route 12
Frederick, Maryland 21701

Dear Mr. Weisberg:

We regret the delay in responding to your inquiry about our response to your Freedom of Information Act appeal for certain records of the Warren Commission.

You are correct in assuming that the National Archives has not been deluged with formal Freedom of Information Act requests as some agencies have been. However, the number of reference requests for materials in the National Archives is at an all-time high and has placed a severe strain on our resources. Nevertheless, we have attempted to respond to Freedom of Information Act requests as quickly as possible, and we have a good record of meeting the legal time limits for response.

Requests for security classified documents in our custody have, however, been a persistent problem in meeting the time limits specified by the Freedom of Information Act. As I am sure you are aware from our past correspondence, the National Archives does not have unilateral authority to declassify documents in our custody except those materials over 30 years old for which the originating agencies have provided declassification guidelines. Records of the Warren Commission are, of course, not yet 30 years old. Therefore, requests for classified Warren Commission documents must be forwarded with copies of the requested documents to either the originating agency or the agency of primary subject-matter interest for review. Unfortunately, the agencies which must review classified Warren Commission records tend to be those agencies which are experiencing a very heavy load of Freedom of Information Act requests. For these reasons responses to requests for classified records in our custody are sometimes delayed. We

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regret the situation but have no way of changing it. We hope that you can understand our position in this matter.

Concerning your request for justifications of the Freedom of Information Act exemptions cited as the basis for continuing to withhold certain items which you have requested, we feel that lengthy, detailed discussions of the applicability of the exemptions would be unproductive. In most instances detailed explanations of why a particular item cannot be released would disclose the substantive content of the information being withheld.

For those items withheld pursuant to 5 U.S.C. 552(b)(1), the Central Intelligence Agency has reviewed the documents and as the agency of primary subject-matter interest or the originator of the information has determined that they must be withheld for legitimate national security reasons under Executive Order 11652. As you know, when exemption (b)(1) is cited as the reason for withholding a document, the Executive order which specifies classification criteria within the definition of exemption 1 is Executive Order 11652, "Classification and Declassification of National Security Information and Material." E.O. 11652 is applicable to all classified information throughout the federal government.

The National Archives has provided you with copies of the documents which it has been determined may be released in response to your original Freedom of Information Act request dated July 6, 1975, and your appeal dated January 3, 1976. Our correspondence with you concerning your request indicates those pages, paragraphs, lines or words which have been deleted from the document copies provided to you. We must ask you to consult this correspondence and the various document copies in your possession to determine what additional information has been made public as a result of the review completed in response to your Freedom of Information Act appeal.

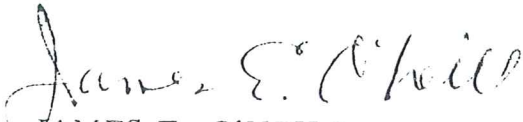
As we have explained in the past, we are not able to accept from any researcher open-ended, standing requests for copies of all documents or portions of documents on a given subject which are released over a period of years. Our limited resources do not permit us to provide this service to the thousands of researchers conducting research at the National Archives.

It has been our policy, however, to notify those researchers who have shown a continuing interest in the Warren Commission records when a significant group of documents are newly opened for research.

Such a notification was sent to you in February announcing that the FBI had released over 3,000 pages of Warren Commission records. We have received no request from you to provide you with copies of these recently released records. Therefore, even if we could make an exception to our policy of not accepting open-ended requests in your case, it appears to us that you are not actually interested in receiving copies of all Warren Commission records as they become available. We have no way of determining those records you do want copies of and those that you do not. We must, therefore, ask that you submit new requests for those specific records for which you desire copies.

Enclosed as you have requested are copies of correspondence relating to the declassification of material requested by you under the Freedom of Information Act in your July 6, 1975, request.

Sincerely,



JAMES E. O'NEILL
Deputy Archivist
of the United States

7 Enclosures