

memorandum

DATE: OCT 5 1978

REPLY TO
ATTN OF Quinlan J. Shea, Jr., Director
Office of Privacy and Information AppealsSUBJECT: Letter from Harold Weisberg Dated September 17, 1978TO: Robert L. Saloschin, Director
Office of Information Law and Policy

The attached letter, with two attachments (both of which are exhibits in the referenced suit), appears to me to be a request under the Freedom of Information Act for all records of the Freedom of Information Committee regarding the indicated Committee meetings. If there are records of the Office of Legal Counsel, as distinct from the Committee, would you please make the appropriate further referral?

Attachments

✓ cc: Mr. Harold Weisberg



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OPTIONAL FORM NO. 10
(REV. 7-76)
GSA FPMR (41 CFR) 101-11.6
5010-112

Addendum 10

GENERAL SERVICES ADMINISTRATION

Office of General Counsel
Washington, D.C. 20

DATE: APR 4 1975

REPLY TO
ATTN OF: General Counsel - LSUBJECT: Warren Commission Materials and the Freedom of Information Act
Archivist of the United States - N

On March 13, Messrs. Garfinkel and Meszoly of the Records and Administration Division and Mr. Young of the Claims and Litigation Division of this office, along with Dr. Campbell and Mr. Johnson of the Office of the National Archives attended a meeting with the Committee on the Freedom of Information Act of the Department of Justice to discuss the mandates of the Act as they relate to heretofore restricted records of the Warren Commission, now in the custody of the successor agency General Services Administration. Although the topics discussed have been of continuing importance to the National Archives, the immediate stimulus to the meeting was the appeals by Dr. Hoch and Mr. Weisberg from GSA denials to their requests for access to these records. From the conclusions reached at this meeting, as well as from the extensive review of this material undertaken by this office in the past several months, the following recommendations are offered for your consideration.

1. A classification review of all of these Warren Commission materials that remain classified should be commenced as soon as possible. Our review of these records in light of Executive Order 11652 (37 F.R. 5209, March 10, 1972) has revealed that they are generally overclassified when classification is at all warranted. This office would be happy to assist the National Archives in such a review.
2. The executive sessions of the Warren Commission should remain exempt from disclosure as "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 . . ." (5 U.S.C. 552(b)(5)). Moreover, those parts of the executive sessions that remain classified after a classification review should be further exempted as "specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy . . ." (5 U.S.C. 552(b)(1)).
3. Commission Document 365 should remain exempt from disclosure as "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" as well as "investigatory files compiled for law enforcement purposes except to the extent available by law to a party other than an agency . . ." (5 U.S.C. 552(b)(6) and (7) respectively).
4. Mr. Rankin's letter of March 26, 1964, to Mr. Hoover, relating to the Fair Play for Cuba Committee and other organizations, should remain exempt from disclosure as "inter-agency or intra-agency memorandums or letters . . .," supra, No. 2. Moreover, should this document remain classified after the

Addendum

November 15, 1968

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Correspondence with Harold Weisberg, Coq d'Or Press, Route 8,
Frederick, Maryland 21701

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The transcript of the executive session of January 27, 1964, of the Warren Commission requested by Mr. Harold Weisberg in the attached letter was reviewed by GSA, the CIA, and the Department of Justice. Mr. Martin Richman of the Office of Legal Counsel of the Department recommended that the entire transcript be withheld from research, and we have withheld it.

As Mr. Weisberg says, there are certain quotations, presumably taken from a copy of the transcript in Congressman Ford's possession, that are published in Portrait of the Assassin (New York: Simon and Schuster, 1965) by Gerald R. Ford and John R. Stiles (pages 19-25). Some material is deleted from the quotations without any indication of the deletions, and there are other variances from the text of the transcript. The quoted material does not consist of a continuous passage, but of various passages chosen from different pages. Only one complete page (page 158) of the transcript is included in the quoted material. We feel that to tell Mr. Weisberg this, or to supply him with a copy of the page that has been completely published, would encourage him to increase his demands for additional material from the transcript and from other withheld records.

JAMES B. RHOADS
Archivist of the United States

cc: Official File - NNID ✓
Reading File - NNDC
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MMJohnson/mc NNDC 69-89
Ext. 23171 11/15/68

NND W.G.E. NN