

Rt. 12, Frederick, Md. 21701
7/9/76

Mr. Richard Seamon, Director
Editorial Services, Time, Inc.
Time & Life Bldg.,
Rockefeller Center
New York, N.Y. 10020

Dear Mr. Seamon,

Your July 6 response to my June 30 letter is explicit in insisting on your right to commercialize the assassinations (your corporate publications have used the word "scavengers" to describe those who could not if they would) and void on a question about which you now leave me no choice: whether or not you are in fact acting as an agency of the government in violating the Freedom of Information Act.

Your charge for prints is outrageous, about five times actual cost. And for pictures I was first denied entirely.

I asked you for the correspondence record between you and the FBI on this. As it exists in the records of the court there is no communication from you until the day after I was shown the pictures and denied copies. I first raised the question April 15, 1975. The end of November it was filed in court. Beginning February 11 we raised the subject in general, not mentioning your corporate name until after the government did. It then represented that the Low pictures are the only ones it has of the scene of the crime, which is as false as it is surprising. This, of course, after insisting it had none, which the judge did not believe, either. They stonewalled this from February 11 until May 5, representing that you had written and instructed them not to let me see the pictures at all. They also claim you only loaned the pictures to the FBI, which has had them on this "loan" for more than eight years, without prosecutive use.

In writing you I was explicit in saying I desire the correspondence for the court record. You by avoidance are equally explicit: you will not stand on that record in court. If you want a court record to show that you front for the FBI in its efforts to violate the law enacted chiefly for corporations like yours in publishing and in its suppression of the same evidence you also just happened to suppress to this day, I will help all I can. I will refer this to my lawyer and ask him to make it a matter of court record that you refused repeated requests to permit the record to be clear.

If you want the stench of commercialism you perpetuate to make your suppression of what could have evidentiary value in a crime of this magnitude, I'll do my best to accommodate you.

Joe Low was at the scene of the crime and able to take pictures only because of a commission by Public TV. He repaid them with the initial commercialization, not using his movie camera, which would have captured much more and much faster. If he had his pictures would have been the property of Public TV. He used his own 35mm camera and film and thus became an entrepreneur. He sold the pictures to you. Your editorial judgment was limited to schmals, rancid at that. I made a number of efforts to speak to Low, through Public TV, his home and his answering service. He never responded.

There was to have been a trial. Was the supposedly independent Time structure even-handed? Did it provide prints to the defense in that trial? No, instead it used Percy Foreman in a corrupting effort to get Ray to identify other pictures on which it had an option. Meanwhile, though all these years you stifle evidence in a major crime, the most costly in our history and otherwise a terrible crime.

As I told you truthfully, despite a partisan editorial attitude of your entire corporate structure I did work for it free and provide it with records at cost no such to obtain without asking for the return of even the xeroxing cost. You reach a vast audience and to me there was what was more important than money on an important national issue.

On one occasion I travelled at least 150 miles and worked with one of your editors an entire day. I asked nothing for this. I was not offered even the cost of travel. I arranged for interviews and helped with them because I was the expert, but your editor and his assistant were not.

On other occasions your people took much of my time by phone, at least another working day.

I was repaid by the giving to others of what I "loaned" Time, Inc., all my work. It wasn't even returned to me!

Having portrayed me as a "scavenger" to your vast audience and all the others you influence when I've done all this work without subsidy or regular income for 23 years you first deny me these pictures I want only for research, the same pictures you have always suppressed by non-publishing and making them unavailable, and now want to extort \$10 per print.

I did tell you I had worked for you free. You asked no question and did not deny it. You sold what I helped with. I have no intention of selling this. And I did promise to pay normal commercial rates if this should change in the future. If this should become my desire obviously I'd want the best prints made from the negatives.

I also told you that the FBI FOIA office has the identification of those few pictures, about 20, of which I desire prints. I told you I do not.

The government charge for prints under FOIA is 40¢ each, not \$10.00, and they have to make negatives.

If you will obtain the identification of each print I asked from SA Wiseman and make them for me I'll pay you the government charge. Otherwise I'll refer this, too, and as a matter of principle, to my lawyer. I'll ask him to make an issue of it with the judge and then to bracket this with your identical record with the Zapruder film showing President Kennedy being killed. In that case you did not provide stills of all the frames and again prohibited any copies.

Meanwhile, aside from whatever you netted from this commercialism in which you also failed to publish the evidence you gave Zapruder sums that your own people confirmed to me ran into six figures.

I have not reread the Gain decision. But if my lawyer agrees I am more than willing to let a court decide whether a wealthy corporation can use its wealth to exercise a monopoly on evidence of major crimes and then become an adjunct of government in its lust for even greater commercialism. The choice is yours until the next hearing.

Sincerely,

Harold Weisberg