

Col. Albert J. DeGreote
Commander 1100th Air Base Wing (MA3)
Wash., D.C. 20332

Rt. 12, Frederick, Md. 21701
6/24/77

Dear Col. DeGreote,

DADP

As have other communications in response to my FOIA/PA requests your letter stamp dated 6/20/77 reminds me of an incident of four ~~discovery~~ ^{discovery} when I was a Senate investigator and editor.

It turned out that some subpoenaed records had been destroyed after service of the subpoena. Nobody was more indignant, it appeared, than Chrysler Corp.'s counsel, then Lester Colbert. He called the name of each Chrysler official in the hearing room and asked him if he had destroyed any records. In turn each assured he had not. When this was over and Mr. Colbert was shrugging his shoulders and appearing quite perplexed a Senator asked Mr. Colbert if he had destroyed the records. Mr. Colbert had. In due time he rose to be a corporate president - and to preside over a business disaster.

My point is not that you personally destroyed any records. But they did exist. I've seen some. I helped generate many. If fly-boy gremlins are reckoned from my time in the military I've never heard of any that ever memory-holed any official paper.

My first request under the Acts I am certain predates the settlement of the second of our suits. Therefore the destruction practices were not in force. They could not be, at least not properly, until my requests were not.

I do not have the records in my possession but I believe the final settlement was about January 1975. During that time the judge issued a discovery order against the government. Although properly copies should have been provided to me and my counsel a set was merely displayed. I then was not able to do anything about it. I was able to examine these records. At least one large sheaf was from the Air Force. I'm pretty certain these included Rolling records. They may still be in the files of the U.S. Attorney in Baltimore. They included records from as far away as Texas that I recall.

There was Rolling involvement in the helicopter overflights and some of the sonic booms. There were some rather acrimonious exchanges between an Air Force colonel and me. As I recall his name it was Bowers. He was one of the Air Force officers involved in a meeting arranged by the Secretary, DoD, at the Pentagon in the summer of 1962. I am sure he was a JAG.

As is not uncommon higher officers are too busy to draft all their own letters or to have personal knowledge or to conduct FOIA searches. I assume this letter was drafted for you. In addition, long FOIA experience has alerted me to possible semantical devices. Moreover, with some regularity - at least once a week now - I am obtaining records from another agency that had sworn to their non-existence to a federal judge on a number of the most pious occasions.

I have no knowledge of how your files are kept, for long long your base considers any files current, where they are then shipped or anything else of this nature. I do know that there were files. I do know that records are kept of their disposition. In some agencies card files are kept and file numbers recorded. So while it would seem that if you still had any files on your base they would be JAG files there are possibilities of other locations and means of locating any that have been moved. Your operations people should have some records. I know of a printed flight manual or guide with special directives for pilots on avoiding our location.

I would appreciate hearing from you about any record of any disposition of any files and any searches made outside of JAG where files of this nature might be expected to be or to have been.

Sincerely, Harold Weisberg