June 9, 1972

Commissioner of Internal Revenue
Internal Revenue Service
United States Government
Washington, D.C.

Dear Sir,

The New Orleans Times-Picayune of June2 reports the filing of an affidavit in federal court in New Orleans by an agent of the Internal Revenue Service, Floyd D. Moore. The affidavit was reportedly an attachment to a motion for a hearing involving one Pershing Gervais, scheduled to be heard June 12.

This is my request under 5 U. S. C. 552, the Freedom of Information Act, for documents supporting this affidavit, whatever exists in documentary form. If you will inform me of the copying costs under your regulations I will send you a check.

In some cases, if the information can be supplied at less trouble to you and still fill my needs as a writer, I need not have copies of the documents. For example, if you supply the name of the oil company I will not ask for all the existing records. And if you have a single ledger sheet on Gervais, I will accept that as a record of payments to him in lieu of copies of all such records.

If any of the other documentation presents any special problem to you, please let me know and I will see if a simplification that will still provide the public information I seek is possible.

I believe that under the law and existing and controlling precedents, I am entitled to the documentation I seek, that its use in public waives any exemption that may have existed earlier under the law.

Because I am now writing on this subject, I would appreciate this information as soon as possible. Thank you for your kindnesses,

Sincerely,

Harold Weisberg