

September 5, 1968

Mark G. Eckhoff, Acting Director  
Diplomatic, Legal and Fiscal Records Division  
General Services Administration  
National Archives and Records Service  
Washington, D. C. 20408

Dear Mr. Eckhoff:

Writing the kind of letter required by yours of September 3 is neither easy nor pleasant, for your letter is clearly designed to misrepresent in the present and disguise for the future. It is not a straightforward account nor is it a truthful one, except as the boy, fresh from the cookie jar with his loot in his hands behind him, says, "I am not in the cookie jar."

The May 20 letter signed by Dr. Rhoads represents as all of the Commission's executive sessions a series that does not list one for January 22, 1964. Whether or not the National Archives has such a transcript, it did and does know that there was such a meeting and that it should have a transcript of it.

Your letter of September 3 says of this executive session on that date it is one "to which you refer", meaning I refer, implying there is no other proof of its existence. Your own files and your own knowledge of Congressman Ford's book leave no doubt that there was such a hearing, to your knowledge. Congressman Ford's book and the files in your custody disclose that there is no proper reason for withholding this transcript, and I herewith repeat my request for it. Under the Attorney General's order, it is required that this be in your possession and available to me under specified conditions, none of which permits suppression for simple embarrassment to the government by the disclosure of the truth.

Your letter of September 3, 1968, further states merely that "The transcript for the session of January 27 has not been released" in one clause and "or made available to anyone by the National Archives" in another.

As this same letter makes clear, it is false to say this transcript has "not been released", for it claims that Congressman Ford's quotation in his book is from it, from "the executive session of the Commission of January 27". Whether or not the government made this available to Congressman Ford through the National Archives or in any other way, he did use it. If he did not steal it or make improper use of it, the government did "release" it.

The "Out" sheet in your executive-session file reads, "The Transcript of the Commission's meeting of January 27, 1964, is withheld from research under the terms of 5 U.S.C. 532 and Guideline 2."

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Denying me access to what Congressman Ford published, three years after his publication of it, is not properly accounted for by your invocation of the "Freedom of Information" law. It is, I am confident, a brutal violation of that law and a corruption of its unmistakable intent. You cite a law that Congress enacted for the purpose of preventing suppression as your justification for suppression. It is a shameful thing for the government that came into power through the assassination of President Kennedy to do, suppressing evidence of that assassination in the name of "freedom". I strongly protest this sordid matter and demand immediate rectification.

From Congressman Ford's book, from other evidence in your custody that I have examined carefully, I reiterate that you have improperly suppressed what may not properly be suppressed, and have done this to deny the people the truth, or to suppress what will be embarrassing to the government. These improprieties are not covered by the guidelines or the cited law, which has the opposite intent.

But even were it possible to suppress this data, its publication by the Congressman in a commercialization of his function as a Commissioner denies the government all right to suppress what is, in effect, already public and made public by an official, if only for his personal gain.

The endless federal lies, deceptions, misrepresentations and obfuscations make mandatory that I leave a specific record.

There was a Commission executive session of January 22, 1964, beginning at about 5:30 p.m. and lasting until about 7 p.m.

This is both public knowledge, by virtue of Congressman Ford's publication of the fact, and is the knowledge of your agency, including from documents in its custody and made available to me.

There was a Commission executive session of January 27, 1964, quoted directly and at some length by a government official, and the government, after permitting its use for the personal gain of this official, denies me access to it on what I protest are spurious grounds.

Public disclosure of the contents of these two executive sessions describes their content as outside the proper invocation of the citation.

The National Archives has pretended to list all executive sessions for me and withheld knowledge of that of January 22, which is essential to the work on which I am engaged, of which it necessarily knew. (Does it know of any others not included in the letters to me?)

The National Archives has denied me access to what Congressman Ford did have access, did publish.

The National Archives has denied me access to 100 percent of the transcript of the executive session of January 27, although it is not possible that 100 percent of what is contained therein can conceivably fall within the purview of the cited authority.

Disclosure of these executive-session transcripts will be embarrassing to the federal government because they contain evidence of the connections

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between it and the late, accused assassin, Lee Harvey Oswald.

At this point I want to make formal request for the transcript of June 23, 1964, which has been denied me for the same cited reasons that I insist are not applicable. Knowledge of the content of this session was disclosed to a competitive writer. That content is clearly outside the proper injunction of the "Freedom of Information" law, invoked to restrain and restrict "freedom of information", and of the guideline. Here again, what is denied me is denied because it is embarrassing to the government and is opposite to the conclusions of the Report.

I also want to remind the National Archives of the unanswered questions remaining from our earlier correspondence.

Sincerely,

Harold Weisberg