

Rt. 12, Frederick, Md. 21701
1/3/75

Deputy Archivist FOIA APPEAL
The National Archives
Washington, D.C. 20408

Dear Sir,

This appeal is from recollection, full access to my files being impeded by Phlebitis, a condition I have had for some months and known to others at the National Archives. However, I believe that from your own records the test of identifiability is easily met as from my following description. I constitute each non-response after much more than the time permitted by the law to be a denial and it is from each and every one of these denials that I herewith appeal.

Over the years, once it became apparent that my research and writing do not conform to official positions and preconceptions, there have been inordinate and unnecessary delays in responding at all to my requests. In and of itself this has effectively denied me my rights under the law.

Many, many months ago, when there had been no response to a large number of requests, I wrote Dr. Rhoads and told him that this left me no choice but to invoke the provisions of FOIA where normally it would and should not be necessary. I then asked that each of my requests and those to follow be considered as under the provisions of this law.

As examples of the many I cite my inability to this day to learn whether or not I have been supplied with several requests I have made, for all formerly withheld or classified documents by or withheld by the CIA; all documents declassified beginning in 1972; and all documents declassified thereafter. After some, clearly not all, were sent to me I wrote and specified that these requests had not been met and, still under the provisions of the law, asked that they be met. To this day this has not been done and I have no recollection of anything that can be called a response. After the lapse of months.

Meanwhile, having been effectively and I think the record is clear, deliberately denied what I requested and paid for in advance, I regularly hear others making reference in public to what I had requested, had paid for and have to this day not been provided.

It has reached the point of ridiculousness where I have not received any response to my inquiry of months ago, have I been supplied with all that was declassified beginning in 1972.

When Miss Jane Smith finally, on November 13, got around to pretending to respond to three letters the earliest of which was written October 9 and when I have and long have had this standing, prepaid request for all released documents, she actually said of a few, "Copies of these records have not ~~been~~ previously been sent you because we were not sure you would want them." Well, to this day I have not received them. And when I have this standing, prepaid request for ~~everything~~ she added, "If there are any other documents of which you have heard that are of interest to you, we will be pleased to receive your request for copies of them." When my request is all-inclusive and long-standing?

To this day there has been no response to my question, have I received all of the 1972 declassification, all of the CIA documents, and all subsequently declassified. I know that the copies supplied of the 1972 declassification are not all. Miss Smith could not be more specific in admitting that I was not supplied with documents of which she had knowledge.

This leaves me no choice. I herewith appeal from the denial of each and every request since my letter to Dr. Rhoads of which copies have not been supplied. And I think you should know that where you have written other agencies, I still have no real ^{response} reasons. Sincerely,
Harold Weisberg