7/25/77

Dear Howard,

Reur 7/22 and 7/19 to and from Arcgives-

Release enclosed.

Re Marshall's "oral request," I think the contract provides that it be in writing.

1 and 2 in their 7/19 can't be true. Rhoads discussed it with me in a way that means he discussed it with others, probably GSA at the least. This was in the Halleck courtroom. I'd be surprised that if in their ultimate response they were entirely without reference to this but I'm not certain.

If 3. relates to the suit for the pictures of the clothing, this suggests an error in Rhoads' affidavit. If you want and if that is what this refers to, ask them if they have checked the files of that case because without a refusal from Johnson I would not have been able to file or on this basis they could have had it dismissed.

Without checking the Kelley 3/6/70 seems to be similar to the one I ultimately received only my recollection is that the size of the typing on mine seemed to be larger.

Best

Harold

5885 Edenfield Rd., Apt. B-29
Jacksonville, Fla. 32211

July 22, 1977

James B. Rhoads
Archivist of the United States
General Services Administration
National Archives and Records Service
Washington, D.C. 20408

Dear Dr. Rhoads:

This is in partial response to your letter of July 19, 1977, concerning my FOIA request for records relating to Harold Weisberg's efforts to obtain the "Memorandum of Transfer."

I am in the process of obtaining an authorization and release from Mr. Weisberg and expect tofforward it to you soon.

I would like copies of the letters to which you refer, as well as those mentioned in my letter of June 16. Additionally, Mr. Weisberg informs me that his original request for the memo of transfer was contained in a letter dated Jan. 19 or 20, 1969. I would also like a copy of that letter. I would also like to know if all of Mr. Weisberg's letters would be filed in the same place and, if not, whether other files have been searched to compply with my request.

Although most of your responses ~~that~~ State that "we" do not have particular records, I note that in item No. 5 you state "The National Archives and Records Service does not have any records relating to a meeting on February 12, 1969, in the conference room of the Director of the Secret Service." May I construe this as a blanket statement that there are no such records in your dominion or control or over which you would have responsibility for releasing under the Freedom of Information Act? If not, I would appreciate a complete response.

Regarding item No. 7, you do not state whether any records exist concerning Mr. Marshall's oral request. I would think that some record of that request would have

been made. Could you tell me to whom the request was made and the date?

I would also appreciate a statement as to whether any other records relating to my request have been located. This is in addition to "related internal memorandums [sic]" which you have denied to me under 5 U.S.C. §552(b)(5). Because I will eventually appeal your determination, I would like to know how many internal memoranda are being denied to me, the date of each, and the total number of pages.

I hope you do not find my request burdensome, but I sincerely believe that the disclosures I seek are, to borrow your words, "essential in order to protect the integrity of individual research."

Sincerely,

Howard Roffman

UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION

National Archives and Records Service
Washington, DC 20408

JUL 19 1977

Mr. Howard Roffman
5885 Edenfield Road, Apt. B-29
Jacksonville, FL 32211

Dear Mr. Roffman:

This is in further reply to your letter of June 16, 1977, requesting under the Freedom of Information Act (5 U.S.C. 552, as amended) all records relating to the efforts of Mr. Harold Weisberg and others to obtain a copy of the "memorandum of transfer" of the material relating to the autopsy of President Kennedy. Your letter was received on June 20, 1977.

We will make available to you copies of the relevant correspondence with Mr. Weisberg and his attorney if you will furnish us written permission from Mr. Weisberg for us to do so. It is the policy of the National Archives and Records Service not to furnish the names of researchers who correspond with us about specific records. We believe that privacy is essential in order to protect the integrity of individual research; hence, your request for records relating to other researchers who requested the memorandum of transfer is denied in accordance with 5 U.S.C. 552 (b) (6), as "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

The following information is in response to your specific requests:

1 and 2. The only records we have concerning Mr. Weisberg's oral requests for the "memorandum of transfer" are his references to them in his letters.

3. If Mr. Weisberg consents, we can furnish you copies of the letters listed in this item with certain exceptions. We have not found a letter from him dated May 27, 1969. We have not found a letter from him dated August 15, 1969, but we have found an undated letter from him that was received on August 19, 1969. We have not found a letter of appeal to W. L. Johnson, but we have found one addressed to Robert L. Vawter, GSA Director of Public Affairs, dated November 10, 1970.

4. Enclosed is a copy of the transmittal letter of March 6, 1970, from Mr. Kelley. There was no receipt or response from GSA.

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

Keep Freedom in Your Future With U.S. Savings Bonds

5. The National Archives and Records Service does not have any records relating to a meeting on February 12, 1969, in the conference room of the Director of the Secret Service.

6. We do not have any records relating to Mr. Kelley's telephone conversation with Mr. Van Cleve.

7. The request from Mr. Burke Marshall, representative of the Kennedy family, to withhold the memorandum was an oral request. It is reflected in the correspondence with Mr. Weisberg that will be made available to you if Mr. Weisberg consents. Related internal memorandums involved in the decision-making process are denied to you under 5 U.S.C. 552 (b) (5), "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency."

You have the right to file an administrative appeal concerning the material denied to you. Such an appeal should be in writing, prominently marked "Freedom of Information Appeal", and addressed to the Director of Information, General Services Administration, Washington, DC 20405.

Sincerely,

James B. Rhoads

JAMES B. RHOADS
Archivist of the United States

Enclosure

CO-2-34030

THE DEPARTMENT OF THE TREASURY

UNITED STATES SECRET SERVICE

OFFICE OF THE DIRECTOR

WASHINGTON, D.C. 20226

March 6, 1970

Dr. James B. Rhoads
Archivist of the United States
National Archives Building
Washington, D. C.

Dear Dr. Rhoads:

Forwarded herewith for your files are copies of the following documents:

(1) Memorandum of November 22, 1963 from John H. Ebersole, Commander, MC, USN, Acting Chief of Radiology, USNH, NNMC, Bethesda, Md., to Roy H. Kellerman, Assistant Special Agent in Charge, United States Secret Service. This memorandum contains a correction initialed by Commander Ebersole, reflecting that the memorandum covers six 10 x 12 inch X-ray Films rather than 3.

(2) Certified copy of enclosure No. 1; such certification signed by C. B. Galloway, RADM, MC, USN, Commanding Officer, National Naval Medical Center, and J. H. Stover, Jr., Capt., MC, USN, Commanding Officer, U. S. Naval Medical School, National Naval Medical Center.

(3) Memorandum of November 22, 1963 from J. H. Stover, Jr., Capt., MC, USN, Commanding Officer, U. S. Naval Medical School, to Roy H. Kellerman, Assistant Special Agent in Charge, United States Secret Service, which shows alterations initialed by J. H. Stover, Jr., concerning graphic film holders.

(4) Certified copy of enclosure No. 3; such certification signed by C. B. Galloway, RADM, MC, USN, Commanding Officer, National Naval Medical Center, and J. H. Stover, Jr., Capt., MC, USN, Commanding Officer, U. S. Naval Medical School, National Naval Medical Center, and containing the acceptance and approval of Dr. G. G. Burkley, Physician to the President.

(5) Letter dated April 26, 1965 from Dr. George G. Burkley, Vice Admiral, MC, USN, Physician to the President, to Mrs. Evelyn Lincoln, transmitting a list of items relating to the autopsy of the late President John F. Kennedy. The list containing the receipt executed by Evelyn Lincoln is also attached.

Very truly yours,

Thomas J. Kelley

Thomas J. Kelley
Assistant Director

Attachments