

August 2, 1975

Mr. Thomas J. Kelley
Assistant Director
United States Secret Service
Washington, D.C. 20223

Dear Mr. Kelley:

I did not write you asking for copies of the Fox, Bouck and Madonia documents of November 29, 1964, until after being assured by the National Archives that it does not have copies anywhere and therefore cannot provide them.

With reference to this request, your letter of July 30 says "we do not have copies of these documents in our possession."

Whether or not this is subject to the interpretation that you have copies not in your immediate possession, these are public documents under FOIA, were public property under other laws, and if you disposed of them in any way, I broaden the earlier request to include all records of this disposition and copies of any legal opinion that it was a proper and legal act.

It is my impression that the regulations require the forwarding of any request under FOIA by the agency to which the request is made if it decides another is that of paramount interest. According to the Archives, they are not that agency. Obviously, I have to take their word and I have no way of knowing to whom else you may have delivered them. So, under the FOIA, I hereby request that you forward this request to whatever agency or agencies to which you delivered what your letter indicates is all Secret Service copies.

It is my impression that federal agencies are required to preserve records of certain kinds, including of federal property, whether or not they deposit copies elsewhere. If I am not correct in this, I would appreciate being informed of it. If I am, I would like this FOIA request also to include copies of the authorization for unloading the records elsewhere.

Please note that the Archives did not forward my request to any other agency.

Sincerely,

Harold Weisberg



DEPARTMENT OF THE TREASURY

UNITED STATES GOVERNMENT

OFFICE OF THE DIRECTOR

MEMORANDUM

DATE: 11/15/75

TO: SAC, NEW YORK (100-100000) (P)
FROM: SAC, NEW YORK (100-100000) (P)
SUBJECT: JAMES EARL RAY; ASSASSINATION OF PRESIDENT LINCOLN, NATIONAL

Re New York airtel dated 11/15/75, requesting
a copy of the report in a memorandum of transfer from the
National Archives to the FBI on Lincoln, National
Archives, dated 11/15/75.
The information required by the United States
Service relating to the assassination of President
Lincoln is being furnished to the Administration of General Services
to be reviewed under the rules and regulations as he may
require.

It is noted that the information is being furnished to the Secret
Service and the FBI. The information is being furnished to the
National Archives and Records Administration as a component
of the War Relocation Authority.

In response to your request for specific documents between
the month of November 20, 1963, and December 5,
1963, from Stover to Stover, we would inform you that
no such documents were located in our possession.

Very truly yours,
Director

John J. Kelly