

FOIA REQUEST

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

June 16, 1977

Miss Jane F. Smith  
General Services Administration  
National Archives and Records Service  
Washington, D.C. 20408

Dear Miss Smith:

We have corresponded in the past concerning the records of the Warren Commission. The records I seek in this request relate indirectly to the assassination in the post-Commission period. If I have addressed this request improperly, I'd appreciate it if you could forward it to the proper office.

When Dr. George G. Burkley transferred the Kennedy autopsy pictures and X-rays to Mrs. Lincoln at the Archives in 1965, he executed a "memo of transfer" dated April 26, 1965. This was made public two years ago. For many years before that, Mr. Harold Weisberg attempted to obtain a copy of the memo of transfer from GSA and the Secret Service, but was unsuccessful. I am unaware whether other researchers made similar attempts. Mr. Weisberg's efforts are described in Chapter 26 of his book Post Mortem.

My request, under the FOIA, is for all records relating to the efforts of Mr. Weisberg and others to obtain a copy of the memo of transfer. This includes, but is not limited to, all correspondence between GSA and Mr. Weisberg on this issue, all correspondence between GSA and other governmental agencies on this issue, all records of conferences and meetings which related to this issue, and all internal memoranda and opinions regarding the applicability of the FOIA to the memo of transfer.

To aid your search, I can provide some specifics. The following requests are not intended to limit my overall request but rather to assist you in complying with that request.

1. Mr. Weisberg alleges that his first request for a copy of the memo of transfer was made in person to James B. Rhoads in the Washington courtroom of Judge Charles Halleck. The date would have been Jan. 19, 1969, I believe. I would like any records that describe or relate to this request.

2. Mr. Weisberg alleges that his second request was on Jan. 22, 1969, by telephone. I would like any records that describe or relate to this request.

3. Mr. Weisberg refers to several letters in his correspondence with GSA on this matter. I would like copies of these and others not mentioned by him. Those he refers to are as follows: Weisberg to GSA--2/28/69; 3/23/69; 4/7/69; 5/27/69; 7/14/69; 8/15/69; 11/4/69; ~~4/4/69~~ (letter of appeal to W.L. Johnson). Rhoads to Weisberg, 4/4/69; Rhoads to Weisberg, 10/31/69; Rhoads to Weisberg, 8/19/70; Johnson to Weisberg, 12/8/70.



4. Sometime after March 4, 1970, Thomas Kelley at Secret Service wrote to GSA and transmitted a copy of the memo of transfer. I would like a copy of that letter as well as any receipts or letter of response from GSA.

5. On Feb. 12, 1969, at 2:30 p.m., a meeting was held in the conference room of the Director of the Secret Service. The meeting was called at the request of GSA General Counsel Harry R. Van Cleve, Jr., and was attended by Assistant Director Kelley, Assistant Director Peterson, S.S. Legal Counsel Robert O. Goff, SAIC John E. Parker, Mr. Van Cleve, Dr. Rhoads, GSA Associate General Counsel Byron E. Harding, and Dudley Chapman from the Justice Department's Office of Legal Counsel. The subject of the meeting was the memo of transfer.

I would like all records of this meeting, official and unofficial, prepared by the participants or others. The meeting was apparently of considerable importance, and it is most probable that each participant would have kept a record of what transpired at it. I also would like similar records relating to any follow-up of the meeting, such as on actions taken pursuant to discussions at the meeting. Additionally, if there are any records relating to the arranging of the meeting, the reasons why it was called, and preparations for it, I would like copies of those.

6. On Feb. 13, 1969, as a follow-up, Mr. Kelley spoke by phone with Mr. Van Cleve about his conversation with Dr. Burkley. I would like copies of all records relating to this conversation and Mr. Van Cleve's subsequent recording and dissemination of the information conveyed to him.

7. On Aug. 27, 1972, the New York Times carried a story by Fred P. Graham entitled "Mystery Cloaks Fate of Brain of Kennedy." In the article Mr. Graham refers to his conversation with Mr. Marion Johnson and writes as follows about the memo of transfer:

"Mr. Johnson said that Admiral Burkley's inventory was being kept secret at the behest of the Kennedy family, on the ground that mention of some of the items would be 'objectionable.'"

I would like copies of all records relating to this "behest of the Kennedy family," including a copy of the specific demand that the memo of transfer be kept secret. Also, I would like copies of any records which discuss or evaluate the legality of such a demand.

I have studied the FOIA as it applies to my request and am convinced that none of the exemptions apply to the records I seek. If you will not furnish copies of letters and documents unless Mr. Weisberg's name is masked, I will provide a waiver from him.

Please note that I have changed my address.

Sincerely,

Howard Roffman