

with records

Mr. John E. Harmon
Office of Legal Counsel
Department of Justice
Washington, D.C. 20530

7/10/69

Dear Mr. Harmon,

Thank you for your letter of the 7th and the enclosures.

For the record, the letter to the editor of Commentary is not an intra-agency memorandum and you make no other claim to exemption, although I presume you had 7C in mind in withholding the names, in violation of the Attorney General's directive of 5/5/77, Department policy, and particularly after they have already been disclosed.

Withholding David Slawson's name from a letter he wrote for publication is stretching it a bit, isn't it?

Although his letter is not the only reflection of partisanship in OLC, it is a very clear one, and it is exaggerated by his virtuoso^{no} display of ignorance of the conclusions and evidence of the Commission for which he worked and whose record he quotes at some length. Not that he isn't imaginative, as in writing about the bullet allegedly imbedded in the limousine's windshield.

Of course I have serious questions about the propriety of OLC spending tax money in so partisan a venture, especially because I am one of those "others" whose work he hardly reflects but does criticize. It required quite a bit of tax-paid time to locate all these citations and the time of the typist.

When OLC is overtly partisan on this controversial subject, how can the people regard it as impartial in its decisions, again I say particularly as they relate to me?

That is remains partisan is illustrated by the fact that it still withholds pertinent records pertaining to the JFK case and to my PA request, after many years. (You are more than three years overdue in this limited compliance, five under PA.)

Records in my possession establish that OLC has non-exempt records not provided. However, if you decide to claim exemptions, you are still required to account for the records and make specific claim to exemption with regard to each withholding, are you not?

2

In this mailing you provide what appear to be Criminal Division records, from its stamp, initials and a name written on. If so, may I please have the OIG copies? Any annotation is information. There is public interest in the names, which the Department has been disclosing and the Department's policy in this case in particular does require.

I believe I have written OIG before about its non-compliance. May I please have an unequivocal statement in which I am informed when I may expect the records that should have been provided so long ago?

Sincerely,

Harold Weisberg



United States Department of Justice
Washington, D.C. 20530

ASSISTANT ATTORNEY GENERAL
OFFICE OF LEGAL COUNSEL

7 JUL 1980

Mr. Harold Weisberg
Route 12
Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

Enclosed please find five documents which are being released to you pursuant to your request of June 21, 1977. Although the documents are all intra-agency memoranda and thus protected from disclosure by 5 U.S.C. § 552(b)(5), we are waiving that exemption. These documents are being provided to you in full except the authors' names have been deleted.

Insofar as the deletion of the authors' names is considered a denial of your request, you may appeal the decision by writing within thirty days to the Attorney General; Attention: Freedom of Information Appeals Unit; Department of Justice, Washington, D. C. 20530. Your envelope and letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." In the event your administrative appeal is unsuccessful, judicial review will thereafter be available in the United States District Court for the district in which you reside or have your principal place of business, or in the District of Columbia where the records are located.

Sincerely,

A handwritten signature in cursive script that reads "John M. Harmon".

John M. Harmon
Assistant Attorney General
Office of Legal Counsel

Enclosure