

12/17/71

Dr. James S. Rhoads, Archivist
The National Archives
Washington, D.C. 20408

Dear Dr. Rhoads,

Mr. Robertson's letter of October 14 arrived at a time when I could not respond. Since then I have been away. In my absence, certain color negatives of pictures I requested have come. Meanwhile, other questions and requests remain unanswered.

I believe Mr. Robertson's letter is inadequate in several respects. First I ask if it means that I now have all regulations, directives, rulings, interpretations or any other papers having to do with the availability of materials under your control? His letter concludes, "we have no special interpretations of these regulations." This is contrary to the position you took when I requested that, in accord with the provisions of Regulations for Reference Service on Warren Commission Items of Evidence" (para. 2,5), you provide me with specified pictures of specified exhibits. As a consequence of my Civil Action 2969-70 you revised these regulations, under date of July 6, 1971, having earlier failed to provide a copy of the regulations themselves when asked for them. One obvious additional interpretation that is required is do you hold that the new regulations dated July 6, 1971 hold with respect to requests made before they were promulgated?

It will not be possible for the lab I will use to make enlargements of the provided negatives until after the holidays. From what examination I can make of these negatives, it appears that your photographer found it impossible to enlarge those areas of the original pictures of which I requested enlargements. I would like to know if this is correct, for if it is I will make a similar request of the Department of Justice, which holds the original negatives. I had asked your staff to ask the Department to loan these negatives for the use of your photographer. May I presume that your silence on this means either that you declined to make this request or that it was refused?

I have made a number of requests to which I recall no answer or not receiving what I requested. Two that come to mind without search of this large file of correspondence are certain pages from 691408 and a copy of the paper accompanying the Secret Service copy of the WBSU film of Oswald at the Trade Mart in New Orleans when it was deposited with you. It is my understanding that various agencies have standards and/or regulations for response to such inquiries. In the past delays have been what I regard as excessive, particularly in the light of your personal assurance that this archive has no labor shortage. I therefore ask what your practice is with regard to the time in which responses are to be made or copies furnished. And, of course, I'd appreciate copies of these and any other items asked for and not supplied as soon as possible.

You have not responded in any way to the penultimate paragraph of my letter of September 18, 1971. I think this constitutes an effective refusal of what I have asked and I request that you forward all the relevant communications, which extend over a period of time, as my appeal. This procedure will have certain advantages to the appeal authority.

Sincerely,

Harold Weisberg