

Route 8, Frederick, Md. 21701
12/30/73

Dear Vice President Ford,

Of the many quotations from you in William Greider's story about you in this Morning's Post there is one in particular that is relevant to my purpose in writing, "secrecy is the enemy of truth."

In my writing this secrecy makes me a victim and it does truth. You are in a position to do something about it. I think it puts you in a position to live up to the fine words Greider quotes from you.

You open Portrait of the Assassin with verbatim quotations from a Warren Commission executive session you swore to the Senate Judiciary Committee was not secret. It was and it is. The fact that you used it proves that it need not be. The world did not shake and the skies did not fall. And your use, under the law, makes withholding of it from me a violation of the law. (But you also have spoken of "the awesome buildup of strength and use of this power in the executive arm, so you do understand these things.)

When there was no remaining alternative, I filed a Complaint under 5 U.S.C. 552 in district court in Washington, C.A. 2052-73. At some point this will be in court. At that point it may embarrass you personally. Long experience tells me that the executive arm does not embarrass easily. Citizens, however, do, and an endless recitation of deliberate official dishonesty and flagrant contempt for the law are incompatible with faith in the government.

My purpose in filing this complaint as it was in long patience is not to embarrass anyone. Rather have I sought to eliminate the side issue, as your own recent experience should tell you, for I held no press conference or anything like that when you were under confirmation hearings. My purpose is to study this material that was never properly subject to withholding and your use makes it improper to deny me. Here you can eliminate the need for the litigation by making your copy of that transcript available to me. It is for this reason that I write.

Once you have done this I will withdraw the Complaint.

No secrets are involved for you have already published the essence of the transcript. And aside from all the other considerations, under American Bell v Gulick, access to this transcript is a matter of right for me.

I am aware that this request confronts you with a direct challenge. I do not make the request for purpose of offering a challenge to you. However, I would hope that this is the kind of challenge you would prefer to accept and to meet in the way your quoted words mean you will meet it if you meant those words. As I arranged no publicity on the filing of the suit, I would seek to arrange none on withdrawing it. And in practice, I could not make a full study of that transcript now because I am preoccupied with other work. My interest in this information is not political. It is literary and scholarly, for my writing and part of my research. I do hope you will provide me with a copy so that I will not have to pursue my rights in court. I also hope that you will undertake to do what you can to reduce the number of instances in which American have to sue their government in order to obtain suppressed public information.

This is commonplace. Two Attorneys General, including the incumbent, have violated the law and their regulations by not even replying to my appeal from the denial of publicly-used court evidence. This is not the first time court evidence has been denied me. (See C.A. 718-70, federal district court, D.C., where I got a summary judgement.) Your words make you an enemy of the enemy of truth. I would like very much for your acts to give meaning to your fine words.

Sincerely,

Harold Weisberg