

Dear Mr. Vester, After completing this four-page letter, I felt after your complaint of yesterday, that you might regard it as of excessive length. You will find, on reading it, that it consists of a half-dozen appeals of the specific nature you solicited, as you put it, to clean these things up. Hence what you said yesterday indicates pretty clearly that you have not been fully informed, indeed, not sufficiently informed to reach a decision. I have undertaken, at least in part, to inform you and to guide you to other information I think you will agree you do require to render any kind of a decision other than as a rubber stamp. I do not believe, from the way you spoke, that this is your intent. Where I felt it appropriate, I have cited contracts and regulations of which you indicated you were unaware. As I told you yesterday, the appeals machinery within GSA has been misinformed in the past. I cite a specific instance where you were, I emphasize in my belief quite innocently, involved. I do not accuse you of dishonesty. I see no point in bludgeoning you with such matters, but I am prepared to document, should you desire it. In some instances, because of this record, I felt it necessary to give you the history, as with the second and third items. I have also underscored the beginning of each item so you can see for yourself that the others are briefly stated. I attach this note to the first page in the hope of diminishing what I anticipate will be your discouragement at receiving a four-page appeal. If you desire any additional information, please ask me. Harold Weisberg

2/15/72

Mr. Robert G. Vawter, Director of Information
General Services Administration
Washington, D.C.

Dear Mr. Vawter,

I do appreciate your phone call yesterday afternoon and the offer that to you seems reasonable but to me at this moment is impossible. However, with my present physical handicap and the volume of correspondence that has been made necessary since what I regard as deliberate harassment began, it is beyond my capability.

Also, I appreciate your candor in telling me that you are not really familiar with the regulations which lead to appeals under the Freedom of Information law to you or with the law itself. Frankly, I do not see how you can be the person to whom appeals are made without this knowledge, not if the appeal is to have any meaning.

Where we disagree is in your view that I should just file endless suits. This is not the intent of the Congress or the law. The purpose of the law is to make public information available to all citizens. If the volume of correspondence has become burdensome, as it certainly has to be, I believe the remedy lies with the cause, which is on the lower level, not the level of appeals. One example is the challenge you would not accept. The inordinate

Evelyn Lincoln for a number of items relevant to the assassination and its investigation, including three Warren Commission Exhibits, Nos. 375-5. This memorandum was used by the government in about January 1968. The use was made public about a year later in a report of which you also appeared to have no knowledge at all, that of the so-called Clark panel of experts who examined and reported upon various items. Use became a factor and relevant under the American Rail Lines Ltd. v. Dulick decision, of which you should also know if you are to decide appeals. This decision holds that by any use whatsoever, any pre-existing exception from disclosure is waived. Thus, use in any way by this government panel eliminated any right to withhold that may have existed.

Upon publication of this panel report, I made a number of verbal and written requests for a copy of this memorandum of transfer. It required about three months for me to be told that this was a private paper entrusted to the Archives for safe-keeping by the Kennedy family, an explanation I found not only incredible but one it certainly did not require so long a time to determine. During this long interval, I was informed that I would be given a decision momentarily, including by the Archivist, in person, in Judge Halleck's courtroom. When I was so informed, I requested as an alternative a copy of the government's copy of this memorandum of transfer, ^{not} specifically, not the copy held to be the private paper of the Kennedy family. After a lapse of time I was given the same "explanation" and was again refused. I then asked the Secret Service for a copy of its copy. The Secret Service decided to provide it, but elected to do so through the National Archives. It informs me that it sent a copy with a covering letter the day after my request. The Archives never informed me of this, not even after I learned of it by inquiry at the Secret Service. In response to my subsequent and specific inquiry at the National Archives, Mr. Maxton Johnson told me a decision was pending as to whether or not the copy sent to the Archives for me would be given to me. After the lapse of more time and further inquiries, even this copy was refused me.

It is my belief that regardless of any and all other considerations, in this matter

and then-planned violation. Accordingly, after receipt of my letter and after this new violation, he again changed the same regulation, on January 10, 1972. I would like to hope that neither you nor anyone else in CIA can sanction such political misuse of regulations and the right to invent and promulgate them at will, ex post facto, particularly not with public information and in this case, with official exhibits of an official proceeding, and on such a subject.

I have been put to considerable cost and trouble on this matter, all of it improperly. The Archives' prints of the existing negatives are incapable of being copied by its competent photographers. While I should not have had to depend upon copies of copies to begin with, I believe I am within my rights in asking for the best possible prints made from the existing negatives, which are, in any event, required to be in the possession of the Archives or at the very least available to it under executive order of 10/23/66 31/66. I believe the money I have wasted on useless copies should be applied to the cost of complying with my original request, which was for prints made from the negatives. If these negatives are, as they should be, capable of enlargement, then I would like my request to be interpreted as for the areas of damage only, as described in my written requests, and to be certain that there is no unnecessary or wasted work or trouble for the government. I will go to whatever lab is used for this work at the time the enlargements are made at the time they are made, so that there can be no doubt of the limited area of my research interest, the area of damage to these exhibits.

With regard to pictures I requested be taken for me of this evidence and copies to be provided to me at my cost, I think you should take into consideration that despite contrary representations, at the time of my request both the CIA-family contract and regulations combine on this to guarantee me such pictures. I am, frankly, astounded that you would have made any ruling without knowledge, as you disclosed yesterday, of the existence of this contract. Because the record is clear that you are not sufficiently informed for the making

and I think should supply you with his subsequent change in an effort to legalize his own violation of the amended regulations. Any examination of this record makes unavoidable the conclusion that the applicable regulations are altered to deny access, which is contrary to the law, in the first case to sanction refusal to me of that to which I was entitled and in the second to validate that which was specifically proscribed when a political purpose was to be served by the violation.

Refusal to let of copy of USA-family contract. I have asked at length and repeatedly for an explanation of how, with the reasons given for denying me a copy of this document when I asked for it on approximately November 1, 1966, it could ever be made available to anyone if the reason given were genuine, and how, under the regulations, which require equal access, it was then denied to me for a long period and until after it was given exclusively to another. Existence of my prior request is reflected in the letter of about January 9, 1968, from the Archivist. It was not written until after exclusive rights were given to and exercised by another. Not only do I believe that I am entitled to this information, but I believe your understanding of what is involved and what practices has been is necessary to your rendering of proper judgments and decisions. Here you will find repeated violations of the regulations, to my (intended) damage.

Refusal to release and provide copies of missing public information. The Archivist has repeatedly refused to obtain what he is required to have in his archive when he alleges copies are missing, documents that can in every case be provided and under the law must be provided by the agencies of origin. I appeal his refusal to do this, and I again call to your attention the cited language of the Attorney General's memorandum, which further requires that he forward all such requests if he does not himself fill them. Because lists of all unfilled requests are supposed to be kept, he can immediately provide me with the copies I have asked and have not received.