

June 9, 1972

Commissioner of Internal Revenue
Internal Revenue Service
United States Government
Washington, D.C.

Dear Sir,

The New Orleans Times-Picayune of June 2 reports the filing of an affidavit in federal court in New Orleans by an agent of the Internal Revenue Service, Floyd D. Moore. The affidavit was reportedly an attachment to a motion for a hearing involving one Pershing Gervais, scheduled to be heard June 12.

This is my request under 5 U. S. C. 552, the Freedom of Information Act, for documents supporting this affidavit, whatever exists in documentary form. If you will inform me of the copying costs under your regulations I will send you a check.

In some cases, if the information can be supplied at less trouble to you and still fill my needs as a writer, I need not have copies of the documents. For example, if you supply the name of the oil company I will not ask for all the existing records, and if you have a single ledger sheet on Gervais, I will accept that as a record of payments to him in lieu of copies of all such records.

If any of the other documentation presents any special problem to you, please let me know and I will see if a simplification that will still provide the public information I seek is possible.

I believe that under the law and existing and controlling precedents, I am entitled to the documentation I seek, that its use in public waives any exemption that may have existed earlier under the law.

Because I am now writing on this subject, I would appreciate this information as soon as possible. Thank you for your kindnesses,

Sincerely,

Harold Weisberg