

Rt. 12, Frederick, Md. 21701
7/26/77

A
Mr. Leon Ulman, DAAG
Office of Legal Counsel
Department of Justice
Washington, D.C. 20530

Dear Mr. Ulman,

Your letter stamp dated July 20 is merely the latest example of the senselessness of having an Attorney General and having him state national policy as it is if the self-perpetuating nature of bureaucracies.

You refer to the penultimate paragraph of my letter of June 8. That responds to one to me from E. Ross Bucklet, Criminal, FOI/CRM 2395. In passing I note that these letters refer to the utter unconcern of the Department for my property obtained from me from the FBI and made available to the Criminal Division. After almost two years I still await response relating to it under FOIA/PA. This is to further state that responses to FOIA are not in any way consistent where I am involved.

By a carbon of this letter to Mr. Johnson, who can forward it as an appeal if he persists in withholding this record despite the recent statements of the Attorney General on FOIA policy, I am protesting this withholding and appeal to the Department also.

There is much that on the face of this makes no sense. Why should the Archives seek Departmental approval for a release and after receiving no objection refuse to release? If on its own the Archives had reason not to release it required no consultation with the Criminal Division.

What special arrangements are there with the use of "Arron Commission records by a writer," unnamed? These records either are or are not available to all on the same basis. Theoretically, that is. I have found exceptions relating to me.

I know of one exception relating to another, William Manchester, aside from special treatment of other writers and I knew of special denials to me. If any of these happens to be the subject of what is withheld I believe the withholding was improper under any circumstances and today flies into the face of the Attorney General's own policy statement.

If you are not aware of it Mr. Manchester and his commercialization of that great tragedy were specially favored, it being well known that Mr. Manchester's work would be in support of the official conclusions relating to that crime. He was given a room at the Archives in which to work and was given access to records denied to others, including me. I believe that if this is the subject then the continued withholding is even more wrong.

I regret very much that official misconduct under FOIA requires suspicion where suspicion may not be warranted. Given the responsibilities of the Department and the National Archives in a society such as ours I regret in particular what is now the clear record of frivolous and political misuse of the Act as a means of suppression of what is embarrassing to some officials and of official misconduct.

Sincerely,

Harold Weisberg