

August 20, 1968

Dr. James B. Rhoads  
Archivist of the United States  
National Archives and Records Service  
Washington, D. C. 20408

Dear Dr. Rhoads:

Inadvertently, my check was left out of my letter of August 13. However, the next day I sent it, to be delivered by hand. If for any reason it did not reach you, I will replace it this week when I will be in the Archives.

Your citation of "Guidelines 3A-C" as authority for the withholding of the David Ferrie material interests me. I have a copy of the guidelines I believe were in effect at the time the decision was made to withhold this material and, I believe, at the time of Ferrie's death, when it was denied me. In that copy, the "Department of Justice Revision of Guidelines", there is no 3A-C. Section 3(A) reads:

Would be detrimental to the administration and enforcement of the laws and regulations of the United States and its agencies.

Your letter indicates you do not know why this material was withheld and that you did not, on your own, do it. This means another agency did. If my presumption that this is the Department of Justice or the FBI is correct, will you please inform me?

What we seem to have here is a belated revision of the justifications for withholding and a reclassification of material that I believe cannot properly be withheld, made after the fact, to disguise the real reason for denying it to me. There surely must be some appeal from arbitrary or wrong decisions, and I want to invoke such procedures in this case. Will you please inform me of the requirements?

I would like to have a copy of the guidelines under which this was done, the date of their revision, and the authority and reasons for it. I would also like to be informed of the history of withholding of these files from the time they went into your custody, for they cannot always have been under the guideline that at first did not exist.

Sincerely,

Harold Weisberg