MissJane Smith, Director
Civil Archives Division
National Archives
Washington, D.C. 20408

Dear Miss Smith,

I'm sorry it required two weeks for the Archives to tell me that the check I sent was insufficient. Your xeroxing charge was not, again ~~is twice~~ that of other agencies and is not more, double what other agencies charge. It is four times the commercial rate.

Of course I'm also sorry that when Mr. Johnson was kind enough to leave the message for me that the copying had not been done he had not been told to inform me that you require more money. Naturally my sorrow extends to your not having had time to count the number of pages in the 1975 review until after my letter of September 24 of this year.

In any event my check for $125, not $78.43, in enclosed. This will leave a deposit balance of more than $70. It does appear to me that with my record of paying and with all the years you have had my money in a non-interest-bearing account the Archives need not delay meeting my request because there is not enough money in the account, particularly when it appears to have gone out of its way not to inform me of the amount required.

I react this way because I do not like receiving a self-serving letter of the nature of your's of the 8th or one that can be interpreted or misused that way. This I feel more strongly because I am currently suing the Archives, whose counsel is deliberately stonewalling in court. Your responses to my interrogatories are very long overdue.

I have written the Archives that I may well have received the list to which you refer, as I have also written in some detail about my illnesses and their consequences and the limitations they have imposed on me and will, forever. One of these is difficulty in filing. There have been times when it was impossible for me. I have no staff.

However, I am clear on more than one exchange of correspondence in which I offered to pay in advance for every copy of ever record released, that I was refused and that I asked for reconsideration, including in the letter to which your letter pretends to be in full response. You make no mention of this. So I think our correspondence my be more placid if you do not endlessly repeat the self-serving and irrelevant.

I have requests and appeals long, very long overdue filed with the CIA. Your invitation to a futility, part of the official campaign to nullify the FOIA, holds no appeal for me. I am aware that I can sue. I'd like the day to come when this obscenity is not forced upon me. I have yet to receive a single record that was withheld or classified that met the requirements. This extends to the enclosures. The Archivist happens to be the government's top expert on this as head of the inter-agency committee. You are the successor to the Warren Commission, whether or not the CIA has "subject matter interest." Therefore, I am asking you now what authority these was or is for the withholdings no longer withholdings from your enclosures and earlier such records denied me because you, knowing better, went for the CIA's nonsensical citations of exemptions. What exemption is applicable to your masking of Richard Helms' successful conning of Mr. Ford's present Secretary of Transportation, which led you to mask that? What exemption authorizes you to mask the suggestion that Nosenko's dependability had not been established - long after Mr. McCone said on nationwide TV it had been established? What exemption justifies your masking from me the Commission staff's statement that the CIA was withholding from the Commission what it had received from the FBI? Or that the CIA had "flatly" contradicted itself? Or Nosenko's "sincerity?" Or that the Commission staff was less competent than it says it would have liked to have been? Or that unauthorized travel in the USSR was common? Or what was published in the Warren Report in 1964 on what Oswald said at the embassies in Mexico City? Or what was not withheld by the FBI about Oswald and the spurious allegations of the man the CIA's classifiers still withheld when it ~~is~~ was not secret? Or references to the "CIA" only because like the FBI it has nameless "sources?" Or the substitution of "The Nicaraguan" for Ugarte, whose name also is not secret? (You are aware, of course, that "D" was substituted for "Alvaredo Ugarte" and that as recently as the Church committee reports, long after the real name was public, that committee was deceived into withholding this faker's name on "national security" grounds.)

This is from a mere skimming of what you had withheld and now enclose in incomplete and sometimes illegible copies I'd like replaced with the clear and complete copies you can provide.

Then there is the 8/22/64 Slawson memo to Rankin. It is covered by my earlier request. Yet it bears no classification identification dated earlier than May 21, 1976, with the notation that it is "impossible to determine" when it can be exempt from the declassification schedule. So you declassify it after you received my last letter. Now among the very many obvious explanations I'd like promptly, before this can be relevant in court, is why this was withheld from me when it is not dated as having been classified until after my request; and what changed between May 21, when it was "impossible to determine" when this could be declassified and 9/29/76 when it was declassified.

Ihave been told that Mr. Briggs is the authority. Am I correct that this is indicated by the number 012208?

Slawson's 8/22/64 Memo to Rankin bears no classification markings of any kind. It was "sanitized" on May 21, long after my Nosenko request. I have the same obvious questions.

There is no classification on the carbon of Rankin's letter of 3/6/64 to Helms and no classifiable content. I therefore want to know why this was not provided in response to my request. It says it is "Unclassified," by 058375, when I was told that Mr. Briggs is the authority. I would like to know in addition how and under what authority one "unclassifies" what has never been classified. Likewise for Slawson's 3/9/64 memo to Jenner-Liebeler and Ball-Belin; Coleman and Slawson's 3/12/64 to Stern; Slawson's 7/15/64 to Rankin; Slawson's 7/16 64 to Cokeman; Hoover's 3/6/64 to Rankin and his 2/28/64 and the first page od CD 434 of the same data. It is true of all of these that there never was any classification and the same person "unclassified" them all 5/21/76. Long before this some of the pages were available, too.

I note Mr. Johnson's initials at several places with the question "delete?" where only the question of Nosenko's "accuracy" is marked. What provision of what authority permits even considering this for withholding?

In my view there has never been a time when this information could have been denied me and there was no basis for denying it to me after my requests of last year. I am, therefore, asking you and the Archives, which has primary responsibility, for citations of any and all authority for all of this withholding as well as for its belated release.

I also remind you that I believe this is quite relevant to the case now in court and to whether or not the judge has been imposed upon. I therefore ask for rapid response because the question is before the court and your delayed responses are the only reason there has not been a calendar call on it.

Sincerely,

Harold Weisberg