

GENERAL SERVICES ADMINISTRATION  
ROUTING SLIP

TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
	NAME/TITLE					CORRESPONDENCE SYMBOL					
1.	<del>MMF</del>										
2.	MMF					TSP					
3.	MMF										
4.											
5.											

- ALLOTMENT SYMBOL
- APPROVAL
- AS REQUESTED
- CONCURRENCE
- CORRECTION
- FILING
- FULL REPORT
- ANSWER OR ACKNOWL. EDGE ON OR BEFORE
- PREPARE REPLY FOR THE SIGNATURE OF
- HANDLE DIRECT
- IMMEDIATE ACTION
- INITIALS
- NECESSARY ACTION
- NOTE AND RETURN
- PER OUR CONVERSATION
- PER TELEPHONE CONVERSATION
- READ AND DESTROY
- RECOMMENDATION
- SEE ME
- SIGNATURE
- YOUR COMMENT
- YOUR INFORMATION

REMARKS

Marion Johnson is on A Leave but I discussed this with him on the telephone. He advised retention of the letters-hoping that we can avoid requests for the other documents that Weisberg is sure to ask for when he sees references to them. I agree. Attached is proposed draft.

*MMF - MM I concur in MMFL's recommendation for the reason cited above. Mr. Weisberg would probably demand to see the documents mentioned in the transmittal letter. GJP*

*MMF - TSP*

FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME/TITLE					CORR. SYMBOL			BUILDING, ROOM, ETC.			
					MMFL			2E			
TELEPHONE					DATE						
X23171					11/22/72						

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REMARKS

*MMFL - TSP*

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TELEPHONE					DATE						
					11-						

UNITED STATES OF AMERICA  
GENERAL SERVICES ADMINISTRATION



DATE: NOV 15 1972

Office of General Counsel  
Washington, D.C. 20405

REPLY TO  
ATTN OF: Assistant General Counsel - LR

SUBJECT: Correspondence with Mr. Weisberg

Archivist of the United States - N

Pursuant to your memorandum of October 27, we have reviewed both of ~~your~~ proposed responses to Mr. Weisberg's "request" for access to copies of the Secret Service transmittal letters involving copies of the so-called "memorandum of transfer" of the Kennedy autopsy material.

It is the opinion of this office that either the release or retention of these transmittal letters is legally supportable, the latter based on the exemption cited at 5 U.S.C. 552(b)(5). From a legal standpoint, we are willing to concur on the alternative you select as a matter of policy.

Inherently, this office has no objection to the release of the contents of the Secret Service letters. The only problem we anticipate is subsequent requests for other documents referenced in the transmittal letters, access to which might be a stickier problem.

Should you decide to withhold the letters, we would change the second sentence of your draft response to read: ". . . as inter-agency letters which would not be available by law to a private party in litigation with the agency."

*David C. Fisher*  
for ROBERT J. YOCK  
Assistant General Counsel

Dear Mr. Weisberg:

This is in reply to your letter of October 12, 1972.

We have an electrostatic copy and the original of the Government copy of the "memorandum of transfer" of the material relating to the autopsy of President Kennedy. The Secret Service transmittal letters relating to these documents are withheld from research under the terms of 5 U.S.C. 552, subsection (b) (5), as inter-agency letters which would not be available by law to a private party in litigation with the agency. As you know, the Kennedy family's copy of the "memorandum of transfer" is held for safe-keeping by the National Archives and Records Service, but it is still the property of the Kennedy family. It was used by the panel of doctors who reviewed the material relating to the autopsy of President Kennedy for Attorney General Ramsey Clark. No copy of the memorandum has been used by any other researcher.

Sincerely,