

Harold Weisberg
Route 8, Frederick, Md. 21701
February 9, 1973

Mr. J. Edward Lyerly
Deputy Legal Adviser
Department of State
Washington, D.C. 20520

Dear Mr. Lyerly,

If you do not recall my name, I filed against the Departments of State and Justice, under 5 U.S.C. 552, for the evidence submitted in England to obtain what Justice refused to give me. After we received your honest and informative letter of December 10, 1969, as I presume you may remember, I pressed this action against Justice alone and ultimately got a summary judgement.

I write about an entirely different matter.

Back in the last half of the 1940s I was one of ten employees summarily dismissed by the Department of State. No reasons were given. Shortly before this I was rified, again no reason given. The action was illegal and the Civil Service Commission directed the Department to rehire me because I am a veteran. I presume this was all before your time, but you may have heard of it.

It was a pretty raw deal. We later learned what lay behind it.

Most of us obtained pro bono counsel, the firm then known as Arnold, Fortas and Porter. The end result is that the Department rehired us and permitted us to resign. However, someone in the Department leaked the names to the old Times-Herald, and the consequences have since been damaging to at least some of us, including me.

Not until recently did I know that under the circumstances the Department was to have paid for the time lost until the resignations. I don't know about the others, but I was never told of this. As a consequence, if application for repayment was required, I did not apply.

If there is a statute of limitations in such matters, it probably has run. However, if it is true that under the obtaining law I should have been paid for this time, I hope the Department will agree that it should have paid me without my having to ask for the pay due and if application was required, it should have informed me, for I had no way of knowing what the law was or the regulations promulgated under it.

If it is legally a close question, I hope the Department will now recognize the great and wrongful damage done by what it later recognized as a gross injustice. It just is not possible to undo this kind of thing once it is done, as I sincerely hope you never have occasion to learn.

I write to ask for payment of what was due and to ask for any help possible, if help is needed. Thank you very much for anything you can do for me.

Sincerely,

Harold Weisberg