

Jin Lesar
918 F St., NW, #509
Washington, DC 20004

1/18/95

Dear Jin,

Thanks for the FBI #124-10264-10295 and to Mark Allen, who got it from the Archives. It illustrates rather well what I've taken up with the ARRB, how my rights under PA were systematically denied ~~so~~ that the disclosure law can be used to defame me into perpetuity and with that to accomplish the improper purpose of undermining my writing which in complete factuality exposes the failures of the FBI in the JFK assassination. This is, as I wrote ARRB, also true of the CIA. If I did not mention the State Department to them, this record includes the most deliberately dishonest reflection of its records, those it withheld from me under FOIPA requests. All the agencies ignored my appeals.

Because this makes the point about which I wrote ARRB, I intend sending it a copy.

The first of the FBI's records stapled together in what you sent me is the Director to Attorney General memo of 11/5/75. It bears the initials of J.R. Malley, who was the FBI's liaison with the Warren Commission. I doubt the Senate committee was in a position to comprehend "the possible political misuses of the FBI" this collection does illustrate. I note also that a copy was sent to Michael Shaheen as "Special Counsel for Intelligence Coordination." What this does not reflect ~~is~~ is that he then headed the so-called Office of Professional Responsibility. As you should recall, I gave him repetitious proof of FBI perjury about which he did nothing. Giving him ~~these~~ these records poisoned him in advance. As ARRB does not know and you will recall, in an effort to defeat the improper purposes of all the FBI perjury I faced in those FOIA lawsuits I made myself subject to the penalties of perjury if my allegations were not truthful. The only defense ever offered ^{ed} as a defense of perjury is that I could make such allegations ad infinitum because I knew more about the JFK assassination and its investigations than anyone working for the FBI. That was in CA 75-226.

I skip to the 11/8/66 memo on me. The initials DGH mean nothing to me. While what the memo attributes to LaFollette is substantially what he said, it was, to the FBI's knowledge, false in all particulars. That was established in the case of the United States vs David Dubois Wayne. The FBI interviewed me in that case, it prepared a statement for me to sign that was falsely incriminating, I sat in the FBI office when they did not let me leave, just sat there, until they called my lawyer, and when he came and repeated what I had told the FBI, give me a truthful statement ^{of} sign and I'll do it, that let me go, they later did that, I did sign it, and until this day, although they still have and not too long ago disclosed some records from it to me, they continue to withhold their dirty trick of trying to ^{of} get me to incriminate myself when they knew very well I was guilty of nothing at all.

The FBI has made that and all else referred to in this record relevant in the JFK assassination records, I believe.

In the light of what the FBI know before writing this memo it is not merely a mistake to say that I was involved in any "breach of trust involving the release of confidential information" to what was identified as the Communist Daily Worker—it was an intended lie. That it was a lie is established in the grand jury testimony of that committee's then general counsel or assistant general counsel, David D. Lloyd. (He was later in the Truman White House and later still headed the Washington office of the Truman Library.) The assistant United States Attorney in that case was so outraged over the pressure to get an innocent man indicted (and he gave it all he had!) ^{when} the case was over, Hayne copying a plea on ^{to} felonies, he invited me to his office and risked his career with a gesture of decency. He gave me the Lloyd and other grand jury testimony.

When I learned that that was no longer prohibited and with that man, Ed Fihelly dead, I gave that volume of grand jury testimony to ^{Hoof} College, in the envelope in which Fihelly gave it to me. He then said that some time in the future I might need it to ~~defend~~ defend myself.

The ~~truth~~ ^{truth} is that I had no confidential information of any kind. I'd been the Committee's editor for three years. I had no classified information and my ^{public} responsibility was getting the record and the reports published. I never had any confidential information and what a superior told me to give a reporter was published, ^{it was} then in proof form just before the volume was returned from the Government Printing office. The reporter involved was not from the Daily Worker. He was a friend and if the superior had not told me to give him those proofs and he had asked me, it was part of my job to do that and I had extra proofs in those pre-xerox days for that purpose. The reporter was Henry Zon and he was the Washington correspondent for a labor news service, Federated Press. There was great interest in those hearings so I always had extra proofs pulled. Among those to whom I regularly mailed them was Izzy Stone, who then had not changed his name. He was then with the New York Post. I could give you a long list of other reporters who came to my office to see transcripts and exhibits, some then quite famous. What I did was my regular job, as LaPollette knew very well, and in that instance I had been told to do it, as he should have known. He used a complaint by those embarrassed by the truth as an excuse for getting rid of me for an entirely ~~inf~~ different reason. Along with the legislative representative ~~of~~ of labor's Non-Partisan League, ^{men} the John Lewis/ UAW lobbying organization, Gardner Jackson, I was lobbying through the Senate an appropriation for the continuation of the committee's life so it could conduct ^{one} ~~an~~ ^{investigation} ~~investigation~~, already scheduled, of the incredible conditions of migratory workers in California. They then were not Mexicans. They were known as Okies and Arkies, the small famers ^a of Oklahoma and Arkansas whose farms were ruin^{ed} by dusty storms. If any^{one} ~~ten~~ thinks that was wrong of me, that person has not read or seen John Steinbeck's Grapes of Wrath.

I was not on the committee's payroll so as a mater ^{of} of fact La ^{of} ollette did not and

9
could not "dismiss" me. All he could do ^{was} return me to my executive agency job, as the administrative assistant to the administrator of the War Security Administration. It was my decision not to do that. I decided instead to return to writing. But I had worked such enormous overtime that, contrary to the inference of this FBI allegation, I was not technically "returned" for several months as a gesture to being paid for the actually great amount of unpaid overtime I'd worked.

The deliberateness of the misrepresentation of what follows, my being fired by the State Department, is an illustration of well-developed FBI skill, lying without uttering a single inaccurate word. What it omits it knew.

There were 10 of us. One was a case of mistaken identity. The other nine of us were Jews. It was a pogrom by the rabidly, politically insane people who had taken over the State security office. They were in collaboration ^{with} the House appropriations committee, then chaired by a Congressman Tabor of New York, a man of their irrational and extreme political views. I was given no charges, there was no hearing, and the State Department, which withheld all it has on me in this, never mentioned to me, directly or indirectly, any such "suspicion" for which there would have been no rational basis in any event. My records is actually to the contrary and that was during what was then known as the "shibboleth" period, of the Nazi-Soviet pact. I wrote a series of Nazi cartel exposés ~~which~~ ^{now not} (For those ^{are} aware of ^{it}, that period began with the Nazi-Soviet pact of I think 1939 and ended with Pearl Harbor) and that alone was ^{entirely} ~~not~~ its opposite sympathy for the USSR as the FBI infers. I was, in fact, an unregistered British agent in economic warfare. That was suggested to me by the man in DJ anti-trust to whom I took all my work on which I based that series, Joe Borkin. When I tried to get that fat stack of photostats under FOIA, ^{John} Shea could not find them. It happens that he later was a friend of Borkin's. He told me he believed that Borkin took them with him after the war and used them in his book on IG Farben. Shea loaned me his copy of that book and his hunch seems to have been correct.

Thurman Arnold then headed anti-trust. When I got the three others in my division also fired under the McCarran Act or rider to agree for me to do it, I arranged for pro bono counsel for us, the firm of Arnold, ~~and~~ Fortas and Porter. Until then I did not know Fortas. I had known Paul Porter after he left the FCC, where he had been a Commissioner. They did quite a job! Aided and abetted by a fine Republican newspaper of the day, the New York Herald-Tribune. The owner, as I recall Mrs. Ogden Reid assigned their Washington Bureau chief, Bert Andrews, to the story. He did a series at least one of which the Washington Post carried. In that one he interviewed J. Edgar Hoover. He quoted Hoover as saying that the worst he knew about any of us is that some kept questionable company and if we had been FBI employees he would have suggested that those of us who kept that company not do ^{that}. When Andrews used that series for a book the next year, he got the Pulitzer for it! (None of this given to me by FBI after my FOIA request.)

Former Senator Charles McNamara was a friend. He later got from the Library of Congress for me and I have all but one article in that series, the Pulitzer award and a xerox of the Andrews book.

It is not, and the FBI also knows this, merely that I "was later allowed to resign without prejudice, but was not restored to" my position- it was with a public ~~apology~~ apology! (They did ~~typ~~ type me out of my back pay, though.) I think that was without precedent in any of those so-called "security" cases.

I'll attach a copy of a letter to me from our then lawyers. It speaks for itself and other than the FBI does.

There is much more I can say about this but I limit myself to what the FBI makes JFK assassination relevant by its disclosure of this and similar records while seeing to it that my appeals were ignored and that I was denied my rights under the Privacy Act.

What next follows relates to my wife, ~~but~~ is in part accurate and in part false.

She was a member of the cooperative book store, she was not of the Committee for Democratic Action. It just happens that several days ago I picked up a book she bought then to reread, Dalton Trumbo's The Remarkable Andrew. (As in President Jackson) In it or in another book she then bought was a receipt for more than a dozen books she bought there. She used it as a marker. I sent it to Dave Wrona, who may have kept it, as an indication of what has happened to the cost of books. The bill came to about \$5.00! The most costly book was 49¢. See why people belonged to a cooperative book store that sold any books or any kind? (Trumbo, by the way, was one of the Hollywood Ten. He was blacklisted but under assumed names won a number of Oscars.)

It was not nearly as simple at the RFC over the alleged case against Lil as this memo says. A Republican, Jesse Jones, a Texas financier, headed the RFC. He and those around him went over the alleged case against Lil, rejected it and refused to fire her. Aside from which she had earned her own reputation in the RFC. While "clerk" may be a technically correct job title, she in fact was processing insurance claims for the ~~gover~~ government and getting major cash returns for the government.

The FBI could not be much more deliberately dishonest in what follows. I believe it was redacted in the copy of this record I got through CA 77-2155 if I recall the number correctly. In a different form some of this falsehood and deliberate misrepresentation- and it is both - I got in a different record. As I recall it said that I had a personal relationship with a Russian national in the USSR embassy. The record I got was a paraphrase I asked for and did not get the original on which it allegedly was based. My request was just ignored. It is not that the appeal was turned down. It has to have had a wiretap at the embassy as its source, with deliberate misrepresentation of what was said.

Aside from my having been there as a correspondent before I joined the Army in World War II I was not, to the best of my recollection, there with regard to this matter. (I'm sure I was photographed entering and leaving. We all then knew that the FBI had a

ARNOLD, FORTAS & PORTER

1200 EIGHTEENTH STREET, N. W.

WASHINGTON 6, D. C.

November 28, 1947

TELEPHONE
DISTRICT 3251

THURMAN ARNOLD
ABE FORTAS
PAUL A. PORTER
WALTON HAMILTON
MILTON V. FREEMAN
NORMAN DIAMOND
REED MILLER
L.A. NIKOLIC

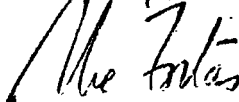
Dear Mr. Weisberg:

We want you to know how deeply we appreciate your kind and generous gesture in sending us a gift and the warm sentiments which accompanied it. You know it was a pleasure to be of service to you and your own calmness and dignity under the most adverse circumstances were in no small measure responsible for your ultimate vindication.

Sincerely,



Thurman Arnold



Abe Fortas



Paul A. Porter



Milton V. Freeman

Mr. Harold Weisberg
2322 N. Nottingham
Arlington, Virginia

camera on the second floor of the old ^{men} National Geographic building across 16th Street.

What had actually happened is this:

We then had our farm and I delivered poultry and eggs every Wednesday in Washington. When I saw and heard Nixon and Khrushchev in their so-called "kitchen" debate an^d/their agreement that "peaceful competition" would be good for both countries, I wrote a letter challenging the entire U.S.S.R to compete with one very small American farmer, me. I was uncertain about sending it so I asked the advice of one of my customers, Bill Costello, formerly a CBS News anchor. He not only thought it a great idea, he asked me if I would take the letter to a man in the USIA he knew. I agreed, Bill made the call, and I went there ~~immediately~~ immediately. He asked me to add to it an invitation for Khrushchev to visit our farm when he would be here before long, at Mike's invitation. I was a bit uneasy about that because so much was still under construction, but I did agree and did mail the letter. *The USA used it.*

Then I started hearing from the State Department. They loved it! They asked me if I'd go to the USSR and teach them how to raise better chickens. They said they'd pay all but my transportation costs. ~~THEY~~ A poultry association agreed to do that.

We had won every first prize in poultry for the whole country, Lil and I, for ^{raising} chickens, for cooking them (she was the ^{poultry} queen of I think 1957) and in barbecuing them, I was the barbecue "king" of I think 1959.

In accord with what State had asked of me I asked my Frederick feed cooperative if they would show the Soviet ag attache their plant. He agreed. That is what I remember phoning the embassy about. But the Ag attache told me it was more than 30 miles from Washington and their travel was limited to a 30-mile radius.

I have no clear recollection of whether I was in further contact with the embassy but I do recall that State told me Khrushchev would not have time but that if her schedule permitted it only as I recall the Saturday he and she were to confer at Camp David, they would bring Mrs. K. She got bogged down in Virginia's State, later told me. The one name I recall from State - which gave me none of this in response to my requests - is ~~the~~ that of a man named Billis Lowry (phon).

There is next what the FBI knew was a lie, that Lil and I annually celebrated the Russian Revolution with "25 to 30 unknown people." There was such a gathering but it was not as the FBI says at the time of that revolution. This is part of the FBI's distortion of what it next, distortedly, ~~she~~ refers to, my suit against the government ~~for~~ the low-flying military helicopters.

Jack Frankel, then a friend and earlier a character in Leon Uris's Exodus, was the Jewish Welfare Board's Washington representative who was to look out ~~for~~ for the interests of Washington-area service personnel. He and his wife Vicki visited us often. (Vicki was of Persian parentage but her family had to flee because of anti-Semitism.)

Her father, as I now recall, was an opera singer. He moved his family to Paris and when Hitler captured it Vicki was taken in by some nuns and as a little girl was a messenger for the underground.)

When I learned that even in the country, with the changes in agriculture children never saw eggs hatch and rarely saw baby chicks or gathered eggs, I arranged for our hatchings to be on weekends. I had my own breeding flock. Once when Jack and Vicki were there and some children came, Jack went with me as I took them to the incubators. He saw the joy, their faces, and he said he'd like to bring those of his military personnel ^{who want it} and their families, after the high holy days, which are usually in September, ^{not November} for diligent observers, a respite is then in order. So, each year Jack brought them up on a weekend after those holy days. And did they love it. With parents taking pictures of even their kids on the backs of our tame cattle.

I encouraged the University of Maryland to do something like it and it did, at Shepton. They did not like the "McWeisberg" ring so they ^{never} called it "Old McDonald's farm.")

That is how the Russian revolution was celebrated!

The FBI returned to its source on that fabrication for confirmation three times and did not get it but it nonetheless fed it to the White House.

At Mac Mathias's request, when Barry Goldwater was that committee's chairman he had a correcting record filed. I then had only a hunch that the FBI had given that lie to it but Goldwater confirmed it and filed the correction. Mac sent me the letter. He knew us well, we were friends.

The FBI could have said much more about that lawsuit but it preferred not to. It did the investigating and in the course of that "fixed" my main witness. Who later confessed it to me. My lawyer was high on the philosophy of our ~~case~~ case but he ^{never} ~~never~~ mentioned ~~the~~ "proof of loss" to me until we were in the courtroom waiting the judge! My ^u was that upsetting! When the government produced our tax returns, which the lawyer had never looked at, I could not explain them. In fact, I could not think. It was only when I was home and ^{what had happened that she reminded me} told ~~me~~ that while our income had remained the same, our capability had more than doubled so our books in fact showed a ^{heavy} loss. Because I could not explain the tax records (with which I'd had nothing to do in any event, as you know), the judge did not believe me. Later he realized what had happened, he let me be pro se until I could get a lawyer, and it was not until a lawyer showed me the case in the records that I knew I'd established a new principle of law, the property owner's ownership of the air above his property to the point needed for the enjoyment of his constitutional right to own and enjoy property.

As of my last knowledge, that case remained precedent. And as you will remember, when the government wanted to ^{is} settle the next case out of court I agreed to settle what we owed on our mortgage at the time of settlement. In ^{for} ¹ April as you figured it it came to

more than \$20,000 in real terms. And that after the FBI fixed our main witness and led the government's witnesses into unfaithful testimony. I was, frankly, surprised that in so small a suit they'd go to that trouble and expense.

I should have said above that all that Russian embassy stuff has to have originated in the Washington Field Office. You filed requests of all field office for me. They produced not even a hint of that stuff.

The next record is the Branigan to Sullivan memo of 12/11/67 of me on the Joe Pyne TV show. The initials are of R. E. Long. You may remember the Long tickler in the King case that the FBI kept lying about until - got Shea to send Mitchell to where I knew it was. By then it had been gutted. But there remained in it the proof that I had been picked up on a phone tap, a matter about which the FBI had lied. Long was pretty good at that, no doubt why he became an assistant director.

He added to what the FBI itself described as "derogatory" information what he had got made up, that I "entertained" Soviet officials when they were not allowed to travel that distance from Washington, as he well knew. Even his truthful statement that I had been "in contact with Soviet officials" is made to appear to be sinister when, as I indicate above, it was at the request of the State Department and was not in any sense political.

Some of what Long says I said on that show I have never believed or said. But in any event, all the underlying records are withheld. Their existence was not even admitted. What this has to have involved is also Los Angeles records and the Long source of his misinformation about what he says I said on that show.

What this does not say is that after that show, because the copies of FBI and Commission records I showed on it embarrassed it so, ~~now~~ it got in touch with Pyne's radio show producer who learned I was to be in Los Angeles again and gave the notorious extreme right-winger Edward Scannell Butler some of its misinformation he could use against me on it. I was very tired from much travel and little sleep and I was really angry at this dirtiness that could have been by the FBI only so I did not do as well as I could have and I was angry throughout. But I did get Butler to admit he had no personal knowledge and had not told the truth. My point is that there have to be FBI records on this, including at least in the field, Los Angeles, and they have not been disclosed. Later disclosure of the kind of dishonesty they build in can be damaging to my reputation and that of my work and I am confident that was the FBI's intent all along.

Long lies when he says that Oswald did not have that high clearance. I have the proof now from the Navy. He lies when he says the FBI's investigation shows that Oswald "was highly sympathetic to Russia." I have copies of its records that are to the exact opposite.

In all of this Long has to have had sources in the form of FBI records but he cites

none. How does he know that Oswald did not have the high security clearance I said he had?

Long gives no source. The same is true of what he says of what I ~~wrote~~ wrote of the man in the door way of the ESBD in the Altgens picture - about the time of which he is very wrong. It also is not true that I just repeated what others had said and done. I did and used in ^{pictures} ~~pictures~~ what ^{nobody} ~~nobody~~ else had ^{done} and my photographic work was done for me by the lab of a former FBI SA. After making a study of the Oswald shirt at the Archives I used an FBI picture of it and an enlarged part of the Altgens picture. Not only do the ^{shirts} ~~shirts~~ appear to be the same, no-source Long says that Lovelady certified to the wrong thing. But that certification is not in anything I recall getting in CA 78-0322. Moreover, long before the date of this memo I had published the description of the shirt Lovelady was wearing that day from his wife, which is not the ^{shirt} ~~shirt~~ the FBI said he had worn, and I have a picture of Lovelady in the shirt his wife described taken only moments after the assassination in that doorway. All published in my secret book.

I did not discredit Lovelady at all, ^{as I say} I discredited the FBI, which ~~actually~~ actually lied in saying that the shirt in which it photographed him is the one he wore the day of the assassination. I published that about six months prior to this memo and I have reason to believe that the FBI had that book, my third.

^{while} ~~while~~ these pages hold what was redacted in what was given me I did appeal those withholdings and those appeals were ignored. I think it is important to our history and for the board's information for it to learn what happened to those appeals. I believe you were with me when Quinn Shea said he is a history buff and would appreciate detailed appeals for the record for history. I may well have done that at greater length than he liked but I went to great trouble and for me then expense to do what I understood he wanted me to do. I think those appeals are an important part of the record for our history. They are rather extensively documented. I ^{fear} ~~fear~~ that after ^{they} ~~they~~ eased Shea out those in the Department with the clear record of opposing FOIA ^{and of} ~~and of~~ refusing to do what it required of them may have destroyed those appeals. I think the board should ask for them because among other things they detail withholdings and document that. I think ^{also} ~~also~~ that if it makes that request it will be told that they were destroyed. Given their content but not being a lawyer I nonetheless wonder, given their content, if that could properly have been done, if it was done, without the Archives expressed approval. You have copies of them, as I also do, but you are closer to the board's offices.

The FBI's disclosed records abound in ^{defamations} ~~defamations~~ of me that were intended and range from deliberate distortions to outright lies - and that in the context of my work on the assassinations, the subject of the board's mandate. It is because I know that the CIA's ^{records} ~~records~~ do also that I wrote Doelsey, with out response, which is not new for the CIA, and sent copies to the board. At my age and in the state of my health if it continues not doing anything about this it ~~was~~ may well accomplish for the agencies what they undertook with their defamations of me.

If it does nothing until -- am no longer alive it validates all this deliberate dishonesty ^{and my work} about me, and makes it impossible for me to exercise what I understand to be my rights under the Privacy Act, *as it has under Felt.*

While I have no knowledge of the age of other ignored requests ^{were} or ~~that~~ not responded to at all or with less than honesty but with the CIA this goes back more than two decades with me and close to that long with the FBI. Some of the information was denied me by false representations to the courts by the agencies. Whether or not this is a proper consideration for the board + believe the age of these unmet requests had to be at least among the oldest and I believe that on that ^{basis} ~~say~~ alone it need not await further staffing to ask the agencies about these matters so that + may respond while I am still alive and able to.

As is reflected by the FBI's less than honest references to State records it did not provide under my requests, those records should also be regarded as assassination records and provided to both the board and to me in full *because of the FBI's misuses of them.*

Also with regard to the FBI, the Church committee reported that it was the FBI that was intercepting mail for the CIA. I do not have any indication from either that my mail was involved but + have ample indication that in fact ^{it was} and it was my ^{mail} ~~and the way~~ related to publishing, here and abroad, and on the assassination.

These are records in which the FBI, as I understand it, responds to the Senate intelligence committee on "possible ^{political} misuses of the FBI," as I quote it on page 1 above. While it may not have been possible for the committee to perceive it, the FBI makes the case against itself of its political misuses in the JFK assassination. I wrote the first book on the Warren Commission and the FBI's investigation and as of the date of these records I had published six books on the subject. They are the basic work and are alone in not being theoretical, in not pretending to solve the crime and in being based almost entirely on the official evidence most of which originated with the FBI itself. Now 30 years later I have not received any letter or phone call from anyone + mentioned claiming either unfairness or inaccuracy in what I wrote about him. I have gotten no record from any agency attributing ^{with proof} any inaccuracy of any kind to me. In short, there was no ~~way~~ way in which the FBI or another agency could fault my work, which is to say the basic work, on the JFK assassination on the basis of what I wrote. This work does reflect on the FBI. The only way in which it could undertake to undermine confidence in my work was by what characterizes all its records + have seen and reeks from these was by a political attack on me and it could not do that honestly or factually. It therefore misrepresented and lied, and I do not mince words, it knew better and it lied on purpose. There is a prima facie case that it succeeded before that committee. One of its members asked that I meet with one of its staff, I did, and after it got this if not also other records I did not hear from it again. In practical terms the FBI made it impossible for that

committee to have anything more to do with me. It knew very well that, if not internally, externally it would have been subjected to political criticism of it that the FBI had a long record of being able to arrange.

This I believe makes a solid case that all FBI records relating in any way to all JFK assassination criticisms are a most important part of the overall record for our history. It is by means such ^{as} this that in fact the FBI has been able, true to Orwell, to control our history.

As a practical matter, the committee had no way of inquiring into the accuracy of what the FBI told it about me. And as a practical matter, no political figure can hope to survive public criticism of the FBI. There is likewise a long record on this.

As one illustration of its preparation for political assassination, one of its disclosed records that I have reflects that as soon as the Commission was appointed it prepared, its word, "dossiers" on the members, among the most respected men in the country and including the chief justice of the Supreme Court! When the staff was chosen it prepared "dossiers" on it, and after the Report was out, it prepared new "dossiers" on the staff. When there was criticism of the assassination investigation, it prepared what it described as "sex dossiers" on the ^{critics} staff. There is but a single purpose for which such information, if it was information in all instances, can be used. I raise in addition the propriety of using tax money for any such purposes. And that by our most important national police agency. That smacks of the Gestapo and the KGB, not of any proper American police function.

Some of its misinformation on me included in this diatribe given the committee was given wider distribution, from its records I have. That distribution includes those who defended the FBI in my FOIA lawsuits. Some of those lawyers could not help reflecting its influence on them.

The most obvious purpose of this "political misuse" by the FBI was to prevent defend itself from proper and accurate criticism of what it did and did not do when the President was killed and it investigated, if I may extend the proper meaning of the word, that crime. It never investigated the crime itself! It never intended to. I have this documented with its own records.

As I reflect to a degree in the foregoing, there was virtually no dishonesty to which it did not resort for these wrongful purposes. This extended to its obdurate refusal to comply with FOIA. As someone else called to the attention of the Senate FOIA subcommittee, which published it, by about 1976 it had not fewer than 25 FOIA requests from me to which it had not responded, its record is of never responding until I took it to court ^{its then FOIA chief refused to assure the Senate that it would, voluntarily, comply. He did have in silence} and there it has a record of consistent perjury to frustrate the Act and exposure of itself. Its attitude is reflected by the learned legal opinion of one his associates described as a "liberal Harvard lawyer" that because the FBI does not like me the Act does not apply to ~~this~~ me, and the law so states! Later he processed ^{the} assassination records

until I told the FBI that if I got so much as an additional single page he ~~par~~ processed I would take the whole matter up with the judge. ~~He~~ ^{was} removed from that case. His associate on it, a clerk, was made an agent over their abuse of the Act. They were so flagrant that the Department's own witness, its chief of FOIA appeals, testified that all those records required reprocessing. Their attitude and record is reflected by the fact that the name of an FBI SA in a published report on a speech he made was redacted eight or ^{my} more times from the file copy of that published ^{public} report on his speech!

On the "privacy" claim!

He was a fingerprint expert who often testified in court cases, George Bonebrake.

You may remember the name of that so-called "liberal Harvard lawyer." I do not.

This political attack on me to that committee refers to records the FBI clearly has ^{that} it did not disclose to me under FOIPA or in response to my appeals in which I cited its own records reflecting their existence. As one example, from these pages alone, I do not recall getting a single page that has any of that alleged Soviet embassy information on me. Nor did I get from either the FBI or State a single page of State's relevant records that in addition to its well-known and publicly-known embassy wiretapping the FBI seems to refer to.

By their "political misuses" I believe the FBI makes them assassination records. They were misused to undermine my ^{credibility} and that of my work the FBI could not condemn in any factual way. (Except as I indicate above, by overt lying when it had reason to believe I'd not be able to respond to its lies.)

Its own disclosed records reveal that it undertook to prepare people to do me in on at least one TV show and that two of its symbol informers intruded into my life and work. Of these two one undertook to do that on a call-in radio talk show ^{about the assassination.}

These things I also believe make all the FBI has about those who do not agree with it on the assassination part of our history of that assassination and of its investigations.

It is the FBI's practise with LHM's to be distributed that it has at the end a list of its sources that it removes on distribution. Whether or not that in this instance is true of the file copy of that memo, without it those above ^{long} had no way of evaluating what he said. That it is false is beside the point. In general those sources claimed are identified on what is not distributed. Without it there is no internal record of claimed sources. I therefore believe that as disclosed this record is incomplete and that what is missing in the record from this FBI file ^{exists} in another or other ^{on ticklers,} FBI files.

"noncompliance with the Acts is violating them. It is a basic American concept that one ^a ~~my~~ not be the beneficiary of his own misconduct. By its violation of these Acts the FBI has contrived such a situation. Moreover, it has by its violations of these Acts contrived a situation in which it has been able to ~~am~~ malign me with impunity and at the

same time make it impossible for me to do anything about it. Unless corrected by this board this will be true in perpetuity. In this the FBI further corrupts our history and at the same time rewrites it to protect itself from legitimate and completely factual criticism it has ^{not} been able to refute and in fact cannot refute.

It amounts to misuse of the Acts for character assassination when it cannot otherwise defend itself from what I have written about it. *And about the fact of the assassination.*

With the cited record it was further able to mislead and misinform the Congress about itself, about me and I think ^{about} ~~with~~ others and about the assassination itself. I believe that correcting this and this situation the FBI has created (as has the CIA and State and other agencies) is within this board's mandate and that it cannot meet its obligations unless it does so.

If it does not, it becomes the creature of official miscreants who in the course of rewriting our history have misused their immunities to defame those who seek to have an honest record of our history made and available to the people.

at the same time I would be remiss in not alerting the board to the FBI's record of preparing to retaliate against any who may raise any questions about it. When it did that with regard to the chief justice, the house minority leader, another member of the House, two senators and the former Director, Central Intelligence, there is no reason to believe it would not treat the members and staff of this board the same way. If it has not already done that (and hidden it in a tickler that is not indexed in its central files). ~~And~~ as to a degree it did to me as reflected in this record I cite. It did more of this to me in other records of which I have copies. I used some attached to appeals.

I reached this point when your letter of 1/14 came with the enclosed copy of No. 157-10011-10108 ~~case~~. You asked if we got all of this in CA 75-226. The answer ^{is} NO! And what we did not get could and would have made a difference in my work, my inquiry, and the questions I would have given you to ask of the FBI lab agents we deposed. There is also what is missing that I believe the board should know about as well as you.

The first three pages, FBI, handwritten, we did not get. The fourth, also handwritten, I do not remember getting or seeing.

The first, second and third sheets include sketches of the limousine, the third of its windshield alone. ~~What~~ I now say I say ^{is} in haste and when I am not able to consult what we did get, in the basement, and I cannot use the stairs.

The sketches in themselves present what I regard as the most serious questions, problems that should have been ^{addressed} ~~addressed~~ by the FBI and it should have brought to the attention of the Commission. I quote the handwritten note ~~on~~ the left half of the first sheet where it is to the right of the sketch of the car, adjoining the hood: "Blood, tissue or bone frag. scattered over interior of car & on hood- on visor (both sides Rt visor [paren not closed])" The right side locates the bullet damage to the windshield, from the inside.

How this tissue got on both sides of the right visor may be explained by its position, not indicated in these records. But how it got it got "scattered" all over the hood, with the windshield between the hood and the source is not easily explained and to the best of my recollection we not only did not learn about this in CA75-226 and it is not in the FBI's testimony to the Commission.

There is no reference to taking samples of this tissue and no indication of the distance it was from the President's head. Perhaps the FBI did not believe it needed tissue samples to learn if the tissue came from the President's head but there remained the question, could any of the tissue have been from Governor Connally?

I call to your attention the importance of the windshield sketch. It shows the impact to be almost in the middle from top to bottom, and there it would have been blocked by one or both of two bodies if from the explosion inside the President's head except if most of the velocity had been lost and the flight of the conjectured fragment was parabolic. But had it been parabolic, I raise the question, could it have had enough energy left to cause the damage that included the loss of glass fragments on the outside, as stated in a lab sheet that follows? I think that highly unlikely, if not impossible. (I do not now recall if the divider behind the front seat had glass in it but if it did, then whatever caused the windshield damage had to have been on a parabolic flight.)

The size of the dent in the windshield is not indicated but again I raise the question, could any dent of the size indicated have been made with the energy lost in the explosion? Was there still enough velocity?

The FBI identified the two larger fragments it recovered as Q2 and Q3. Of these the note reads, its emphasis: "Could be from one or two bullets."

With a crime of this magnitude, if what I say is not a general truth in all murder investigations, and with two victims in the vehicle, it could not be assumed that these damages could have come only from the explosion in the President's head. Governor Connally's right hand was holding his hat and it was severely injured at the wrist. I go into this in some detail with evidence the FBI did not seek and the Commission was told about and then did not follow up, in NEVER AGAIN!

I do not recall any accounting of these injuries, other than in the impossible single-bullet theory that the FBI would not and did not agree with. Nor did the Secret Service. As I now recall, not even the autopsy prosecutors agreed with it, or the Dallas doctor witnesses. There is much more that proves it impossible. In any event, that being only conjecture at best and this being the kind of investigation it was supposed to be, that a bullet that struck Governor Connally could have caused this damage could not be eliminated without the inquiry never made. Without the conjectured impossibility of the single-bullet theory (that Senator Russell and Cooper never agreed with, as I have from their records and as Russell told me), the only possible cause of these damages had to be a bullet that

struck Connally. Fragments from it would have had the required energy left.

Where these sheets seem to be numbered by hand, they are in reverse order in what you sent me,

On page 12 Q9 is identified as "Metal fragment from arm of Governor John Connally."

There was no damage to Connally's arm and more than one fragment was recovered from his ~~arm~~ wrist. Besides what was washed out of it when it was cleansed in the hospital, ~~what~~ ^{which} is never mentioned in the official "solution." On page 10 two specimens from Q9 are identified as subjected to spectrographic analysis. I note that there is no weight given for any of the ~~same~~ ^{NINE} specimens on this sheet. The last is Q15, scrapings from the bullet damage to the inside of the windshield. The FBI never told the Commission that this specimen no longer exists. We discovered that in CA 75-226. I can think of an innocent explanation but not of not providing the information with an explanation.

- interrupt so I'll not forget. I believe that this was given the Senate Committee after the FBI gave it to understand that I am not trustworthy. If it had consulted me about this and other similar evidence that might have made a difference. *A big difference!*

These tests do not include what is basic, speedy and inexpensive, the usual swab test to determine whether the rifle had been fired since it was last cleaned. These reports do refer to test firing of that rifle, K1, but if there had been no earlier swab test the potentially important information from it was forever lost. If the rifle was not fired after its last cleaning oil would show on the patch that is pushed through the barrel. *in the swab test.*

On page six the FBI Lab reports that "No fibres were found on the K1 gun that could be associated with the Q12 blanket (Oswald's) and no fibres were found on the Q10 paper ~~bag~~ ^{bag} that could be associated with the Q11 shirt (Oswald's)" but other "debris" was found on the blanket and shirt. "The inside surface of specimen Q10 did not disclose markings identifiable with the rifle, K1."

Now when found that rifle was described ~~the~~ by the FBI as "well oiled." Yet there was no oil found on either the blanket in which it had been supposedly wrapped in the Paine garage or on the bag ~~in~~ which Oswald was seen to carry ~~it~~ ~~from~~ by a handhold of wrinkled-up bag (no such wrinkle detected in the Lab) and in which the rifle allegedly was bounced around inside that bag on the trip from Irving to Dallas and then as Oswald carried it toward the building. (These pages include no fingerprint reports but there were none anywhere on the bag where there had to have been from the way he carried it.)

It simply is not possible for a well-oiled rifle not to leave the slightest trace of oil on that blanket or that bag.

I call your attention to the third line from the bottom of the longest paragraph on page 1. The first word on the third line up is "similar." You should remember that when we deposed Frazier in CA 75-226 he said the FBI never uses that word when it means identical.

10
identical because to the Lab what is no more than similar is not identical. That part of that report refers to the detected composition of core fragments.

I refer above to there having been ^{More} than one fragment recovered from Connally's wrist.

Dr. Vincent ⁿ Guinn, one of the earliest experts on neutron activation analysis, was used as its expert by the House ^{assassins} committee. Instead of digging out that testimony I quote from the Washington Post's report on it in its September 9, 1978 issue. Anticipating that he would say what he did ⁺ prepared George Lardner to question Dr. Guinn. This is from his story, which quotes Guinn's testimony:

"Guinn's tests also created a new mystery, however, The fragments the FBI tested, he told Fitzhian (committee member), have all disappeared. Guinn said he had carefully weighed the bits and pieces of metal brought him by officials of the National Archives last year and not one of them matched the fragments recorded in the FBI data.

"The pieces brought out by the Archives did not include any of the specific pieces the FBI analyzed," he testified. "Where they are, I have no idea."

In this regard - remind you of the questions I asked you to ask of Frazier and Gallagher when we deposed them. Gallagher testified that no more than a millimeter in size, postage-stamp weight, is required for spectrographic analysis, which he conducted on these specimens. Frazier did not give an explanation for the rather good size chunk he cut out of the base - about which he did not testify to the Commission - and he testified that he had weighed none of the fragments he took from that bullet 399 - that he had weighed it only once, on receipt. He also testified that he had no idea what was done with the excess he cut out. The fact is, as happened by accident, all he needed he could have flaked off with a fingernail. A piece did detach itself when in the Archives, possibly when the container in which it was was moved.

The great excess of unaccounted ^{for} core metal could have been the source of the specimens given Guinn and if that was so, they surely would have ^{tested as} identical.

Returning to the Senate committee, I doubt any of its staff had found it possible to become familiar with the official assassination evidence. This is to say that committee may not have had any reason to see the questions and the problems I see with these FBI records.

Frazier testified on deposition when asked what the Commission had not asked him about the damage to the front of the President's shirt that was not caused by any bullet that he also had such questions and asked for a hair and fibers report from Paul Stombaugh. None was delivered in CA 75-226. Gallagher's spectrographic examination of it and of the tie detected no bullet traces at all. As I explain in Post Mortem after asking the Commission/witness the questions the Commission did not ask him, those damages, to the shirt and to the tie, were caused by a nurse's scalpel as under Dr. Charles Carrico's dir-

10
action they followed the usual emergency procedures and cut the tie off at the knot. As Carrico did testify twice, and he is the only doctor who saw the President before his clothing was removed, the bullet hole in the front of his neck was above the shirt collar. (Specter was able to avoid asking that question but Pulles blundered into it ~~twice~~.)

I remind you also that ^{as} soon as I read that the FBI was delivering all its pertinent records to the Archives I wrote and asked it for what I had asked for and it ^{had} not given me. It replied that it had given the Archives only what it had given me.

I think that what you have just given me explains why those pages were not given to me and why the FBI replied to my inquiry untruthfully.

This cannot be explained away with any FBI claim that I had not requested copies of the records it gave that committee. As its own expert witness testified in our CA 75-1996, relevance is determined by content, not by how filed. Moreover, I do not believe that those sketches were prepared only later, for that committee. They are timed and dated, 1:30 a.m., 11/23/64, and they have the lab identification numbers on them,

This is already longer than I'd like and probably than the board would prefer but I believe the potential significance of the lab information ^{that} was withheld from me in the case in court is such that I should add a further explanation for the board and for you,

You will remember that when Chip Solby was working on his JFK assassination documentary, his master's thesis at the University of Maryland, College Park, I helped him all I could. In the research that led to Post Mortem I discovered that Dr. Joseph Dolce, the Army's outstanding expert on such matters, strongly disagreed with the single-bullet theory Specter was then cooking up and as a result he was never called to any further conferences with the Commission. I told Chip where Dolce lived and I could not get, Chip drove there and interviewed him on videotape. He could not use all that in his thesis. But he gave me and gave me permission to use the transcript of his Dolce interview. I use this at some length in ~~Post Mortem~~ ^{NEVER AGAIN!} Dolce as the expert he was told the Commission that it was simply impossible, with evidence going back to the Civil War, for Bullet 399 to have caused that wrist damage to Connally. He said he would do tests for the Commission confirming his testimony and he did. Those tests confirm the expert opinion he gave that resulted in his being ignored thereafter. Moreover, as I did not know, he was the expert to have been called in on every gunshot wound of all v.i.p.s and he was not consulted when JFK and Connally suffered gunshot wounds.

And at least three FBI Lab agents were present at that conference when Dolce said what I indicate above. (Post Mortem, page 503, the Commission memo on that conference published in facsimile.) I cite this in support of what I suggest above is the significance of the FBI Lab sketches withheld from us in CA 75-226. (I am inclined to believe that sketches were made by Frazier rather than by the spectrographer or the hair and

fibers expert also involved in those tests. Frazier was the ballistics expert.

I am, of course, aware of the potential of what with this I am telling the board, as I am aware of the problems it can cause them. As they can see from what I say above were caused me. In this I have restricted myself to the records of which you sent me copies and the explanations I have added for their and for your understanding. There is a rather large amount of additional, official evidence that is relevant with which, if the board desires, I will help it if it wants me to. It is too unsafe for me to go to Washington but if the board desires I am willing to testify here in Frederick. But it should understand that I would be testifying to withheld and existing records that I will identify as withheld by the FBI in particular ^{that} will at the very least cast the most substantial doubt about the official "solution" to the assassination and as I indicate above comes close to the total exculpation of Oswald.

For its information and for yours, I used Gerald Posner's prosecution-type case in his knowingly mis-titled Case Closed as a defense attorney would ~~but~~ unlike Posner I restricted myself to the official evidence. That is what was eliminated from Case Open to make a smaller and cheaper book of it. I have it in two forms. One is in my rough draft, ^T that was to have been retyped in New York, where it was not done until after Case Open was published. I have what was retyped. That includes insertions that may or may not have been inserted where I intended. With all the time that has passed since I wrote that book and all that I have worked on since then, I cannot and do not claim to fully recall of all it proves about the withholding of existing records. But I do believe that it is solid on motive for those withholdings. I illustrate this with ^W what I am not certain is in what was eliminated from Case Open but you should at least to a degree recall.

In CA 75-226 we sued both the FBI and ERDA, the latter because the neutron activation analysis was done by its contractor for the FBI at Oak Ridge. There came a time in that lawsuit when ERDA decided it wanted out. ^V You should recall that a large envelope was hand-delivered to you over a holiday weekend by the assistant United States attorney on that case. It consisted of a copy of what ERDA said was all of its relevant records. While I had no way of knowing whether or not that was true and although some of the calculations were not collated, I accepted that and thereafter we treated ERDA as no longer in the litigation. However, we had extraordinary difficulty getting anything at all about those tests from the FBI. Eventually we deposed SA John Kilty here. He delivered gibberish in the form of uncollated and really meaningless adding-machine tapes that were only loose sheets of paper. We got and we could get nothing else from the FBI. ^H However, what we did get from ERDA does establish what the FBI had and withheld--continues to withhold.

10

And by this I mean also withheld from the Commission. It wrote the Commission that neutron activation analysis would not add to what it learned by spectrographic analysis. That to the FBI's knowledge was not true.

The Commission's very last witness, an afterthought witness because the report was then not only written-it was in page proof⁷ was the FBI Spectrographer, Gallagher. He was used to testify that paraffin tests are not dependable. That, apparently, is why the police use them! At the least this testimony was misleading. That test is not necessarily conclusive on incriminating. But it can be conclusive on exculpating. This is because the the deposits of a result of firing a ~~gun~~ weapon are also deposited by other substances in common use. But the absence of such deposits can be exculpatory.

Included in what ERDA gave me ~~was~~^{are} excellent photographs of the paraffin casts of Oswald's hands and cheek made by the Dallas police and the results of test firing at Oak Ridge. The Oswald cheek paraffin casts do not include what had to have been deposited by firing a rifle. But those deposits were as I understand the ERDA records on the casts made after ~~from~~ firing the rifle at Oak Ridge. Thus it appears that those tests, the result of which the FBI never gave the Commission in any form, exculpated Oswald. What I got from ERDA was withheld from me by the FBI even when its agent *John Kilty*

testified under oath that he ^{was} as delivering all the FBI had. (It refused to collate even those loose pages of copies of its adding-machine tapes.)

I used in facsimile some of the ERDA papers in Post Mortem.

In this I also intend informing the board that ERDA's successor has relevant information it should have delivered to the Archives, if it has not. as I recall his name, its general counsel then was something like Bertram Schur.

Obviously, if the FBI had not delivered all its neutron activation records it is ~~still~~^{still} withholding what it ^o knows very well is relevant.

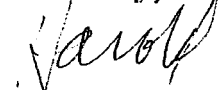
It was from the ERDA records that I learned that FBI Lab specimen Q15, the scraping from the windshield, no longer exist. ~~As~~^{As} of the time we deposed Gallagher we did not know that. So we could not ask him what I think may explain this disappearance, did he use it all in his spectrographic analysis? That, unlike NAA, consumes the specimen.

The FBI also had illuminating internal records relating to the NAAs that should be in what it gave the Archives. We got some of that in 75-226.

This also raises the question, *did* the Department, including the FBI, give the archives its records on this and on my other FOIA lawsuits. The foregoing illustrates their relevance.

If the board so desires I will help it as much as I can.

Sincerely,



Harold Weisberg