March 13, 1970

Dear Dr. Rhoads,

Your letter of January 22 recommended that I review the history of the denied requests I have made, resubmit them and thus be in a better position to appeal if I am again denied. Since then I have addressed a number of perfectly proper requests to you. You have, apparently, interpreted your suggestion that I waste an additional, enormous amount of ~~[illegible]~~ time as a license to make no response at all. I think this is highly improper, and I think your failure to make response after two months is but another manifestation of what by now is clearly a conscious, deliberate misuse of the raw power vested in government functionaries.

This has, indeed become clear as a consequence of review of the entire correspondence between us. I have completed it. We've/4 in your position and I had I the slightest regard for my personal reputation or that of the agency I head, I would do the same thing, regardless of the time it takes. I do not expect you to, but I feel I owe it to you to make this suggestion for, as you should know, I have every intention of pursuing this matter in court should that become necessary.

Among the things I find are countless requests for being informed about your agency's requirements so I might invoke the "Freedom of Information Act". For the longest time, despite constant repetition, there was no response at all. If your agency requires the use of any form, to this date you have not responded. This is hardly the intent of Congress in passing that law, is anything but consistent with the spirit of the law, and is, I believe, both abuse of me and of the reputation of your agency.

I find what I regard as perfectly proper requests to which there is no response after an interminable period, as much as about two years. I find contradictory explanations of the same thing, at best casting the most serious doubt on the word of the Archives. I find cases in which response was not made until more than half a year had elapsed. I find deviousness in the employment of deceptive language followed by silence when you were questioned, addressed directly.

The one thing I do not find is a complaint from you that I have asked a single improper question, asked for a single thing anyone ~~one~~ in my position would not assume is in your custody.

I have the advantage over you in having done all my own work and having written all my own letters. I can read this file and see and understand what you may not. I nonetheless encourage you to make as close an examination of it as you can, for I think it possible that there are things in it you will find quite embarrassing if you face them for the first time in court. If you think about this for a moment, perhaps you may come to understand that this suggestion does not serve a selfish interest, which would be best served by causing you such embarrassment on the stand. If you do as I suggest and maintain the inflexible position you have adopted personally or under instructions, you will be in a better position to gloss over such things. But my intent is not embarrassment and I have been overly-patient in not filing suits, for my purposes are to have access to what I properly should and to make our government function as any decent one should in a democratic society.

at the very least in accord with its own regulation and laws and with accepted principles of scholarship.

I will submit a list, with references. This will take additional time you succeed in wasting for me. Increasingly I wonder if this is not at least part of the design, for on a number of occasion, I asked that you forward specified requests as appeals and it is obvious the almost undeviating long deleys in my kind of response are in no case necessary. As soon as I can complete this and decide which I might want to abandon simply because this will in any event be rather complicated, I will submit it.

However, I here call some things to your attention, with the until-now futile hope you will deal with them promptly. I also call a few things from the past to your attention and again ask the responses you have never made.

I made what I presume is the first request for the Kennedy family- GSA agreement and what is relevant. You refused me, giving very specific reason. Now if this reason was a genuine one, it eliminates the possibility of the explanation I was given when you gave this, in violation of your own regulations, to another, one known not to have the background required to understand it. Dr. Behmer did not respond to my request for a full explanation. I have repeated it countless times to you, I believe it is more then proper, especially because it entails a clear violation of your own regulations. In not one case did you in any way acknowledge any of these inquiries, now extending over a period of about two years. I therefore renew this inquiry, ask for a meaningful explanation and whether you caused any investigation to be made to determine how your regulations and my rights could be so grossly violated.

It has been months since I asked for access to some of the late President's garments. Ultimately, I was refused. I then asked that pictures be taken for me, by you, and you again refused. This is passing strange for a number of reasons, not the least of which is your own confirmation of the total absence of the essential one with regard to the tie, a side view of the nick said to be on the side. I then asked that you take the negatives you already have and do a very ordinary, simple thing, enlarge this part of the view of the tie and the tabs on the collar of the shirt. Your silence on this after so long a lapse of time is not less than unconscionable. I cannot regard it as accidental. This is not the first time I have reminded the Archives about this. I again ask that you do this, which is entirely in accord with your own practise, and promptly. And I remind you how inconsistent this is with your claims, especially that it is your intent to prevent "morbid" use of this most basic research materials. The only uses to which the pictures you have can be used precludes scholarship, for they are meaningless, and constitutes an unseemly and unnecessary display of the late President's blood. It is gorey. That is not what I want. However, you insist I use this, pretending it is other than it is. You have yet to dispute my statement to you that the pictures you supplied are utterly without value or meaning.

In some manner I cannot begin to understand, you claim you do not have certain pictures you did take for me. You now claim one of these was taken for Dr. John Nichols. I want to unravel this. I asked that you do certain things, including sending me a copy of his order and duplicate the photographs you did take for me, with negatives in each case. I was handed a set of duplicate prints, entirely unidentified, and nothing else. Despite my reminders, you have let it rest here. There is nothing in this that need go to higher authority. I hope you will order it done as soon as possible. May I remind you of your claim that certain things can not be done because they endanger the evidence and ask you to square this with your inability

to take care of a photographic negative or keep competent records of it? You see, when you wrote me you could find no "record" of having taken this picture for me, I wrote you and told you you did have such a record (at the very least in the charge against my account) and that at the very least two of your employees knew about this, Mr. Johnson, who made the arrangements and supervised, and the competent photographer. Your silence and the deliberate ignoring of this proper request is consistent with neither honesty of purpose nor any concept of scholarship. It is consistent only with frustrating my work, to the degree you can, and in this you have succeeded. I renew this request and ask explanation of what happened to the negative of the picture taken for me. I also ask that this one be dated on the negative so that the prints and my duplicate negative will be properly identified.

For more than a year we have been in communication over the memo of transfer of certain items, including the pictures and X-rays of the autopsy, which were and are government property. It took you 82 days to determine this memo is a "private paper". It is close to a year since I asked you for a copy of the government's copy. You have at no point indicated a) that there is a government copy, as I know beyond doubt there is; or b) whether or not you have it. For my immediate purposes in this letter, I ask you simply to tell me whether or not you have or have had a) a government copy of this paper and b) the other documents relevant to it. If it seems necessary, I will thereafter carry this further.

It is now more than four months since I asked the total number of pictures and X-rays of the autopsy in your possession, together with an identification by type and size of film, the identifications on each, and records of damage or destruction. Your response to this proper inquiry is one I will not further embarrass you with by repetition. I renew this request. You must certainly recognize that nothing in it relates in any way to the content of my of the film.

When you declined to give me a list of the documents relating to the late David W. Ferrie, either as incompletely released by your agency when he was in the news or as they in actuality exist, I wrote asking for both. I also asked that the reason for withholding each be given. You said you'd make the files available to me. I went to the Archives, asked for and examined them. I thereafter wrote you that they are gutted, that they do not contain the documents not withheld and also contain no record of what is withheld. I do not regard it as a favor to entrap me into such a futility, for this wasted both money and time for me. However.x It has been a long time since I wrote you. You have ignored my letter and my request, which I herewith renew. At the same time, particularly because you claim to be required to do certain things for the security of what is in your care, I ask an explanation of just how these files did get gutted and by whom, especially a special file set up, the folder of which you still have. And I remind you these are as much my property as yours, the distinction being you are the custodian, with an added responsibility to me.

It has been too long since I asked for the date on which the first two of four memoranda xxx by Arlen Specter were made available for research. Mr. Johnson is well aware of this matter. I would still like to know.

I hereby add a new request with regard to Ferrie, one I had earlier overlooked. You have certain cards to which you deny access. I would like every citation on them to him and those associated with him in the correspondence on this matter.

You have not responded to my question whether you have the raw material of the panel reports on the autopsy or know where it is located if you do not.

In connection with your entirely inaccurate claim that the authorization for the autopsy had always been in the JFK 4-1 file, I again ask the file from which

this copy was obtained, when and by whom it was added to the JFK 4-1 file, and I call your attention to my denied requests for this document going back to the middle of 1966. If it was, as you now claim, there all the time, there certainly was no excuse for your not providing it the many times I asked for it.

I have asked, without any response, who had been shown or permitted to see the autopsy pictures and X-rays and related withheld material.

My request for the Kennedy-family- CSA contract was phrased to include all attachments and related papers. You have never mentioned any related papers. Nor have you provided them. I still want them.

You have never responded to two of my requests about the executive sessions: for a list of what was discussed 1/27/64, which will, I am confident, establish that withholding is for reasons other than alleged; and for access to that of 6/24/64, which was made available to another writer.

With regard to Frederick O'Sullivan, I have asked the date of the withheld FBI interview with him and how the alteration in his testimony was made when it does not appear in the typescript sent to the printing office. There has been no response of any kind, after a rather long interval. Also, the CD identification.

I believe there has been no response to my inquiry about an Admiral Burkley file, its existence and contents, if it exists.

As soon as I can I will decide what to request again of the specific items already identified by you and refused by you and will incorporate them in a separate letter. Meanwhile, I hope that you will depart from the sad record of the past, respond to this promptly and constructively, and forward as an appeal through proper channels whatever you may refuse me. I believe there is nothing extraordinary about any of the forgoing requests, except the treatment they have received by your agency. I would not you do not refuse any of it.

Sincerely,

Harold Weisberg