

9/14/70

Mr. Richard Kleindienst  
Deputy Attorney General  
Department of Justice  
Washington, D.C.

Dear Mr. Kleindienst,

Your Department has engaged in a systematic effort to violate the clear intent of Congress and the law on "Freedom of Information" to the point that in notices properly made are ignored. Seeking of you what is my right and your obligation to respond to has been converted into a futility. Even my simple request for forms you require for citizens to use the law is blatantly ignored. Moreover, when I asked for copies of your instructions two days ago at two different offices of your Department, not only was I not given any, but in the proper office they even declined to tell my name and address so they could mail these instructions to me. I have, in the past, addressed a number of requests to the Attorney General, as has, on not one occasion, made requests of your office that when my requests were rejected, as I anticipated they would be, the record indicates this is automatic when not ignored, it be in the name of the Attorney General so that the organized mechanism for delaying or would not be put into play again. In every month, this has not been done. I have three times addressed specific items decisions to the Attorney General only to have them also ignored. I regard this record as one in which your Department has effectively surrendered my rights to insist upon compliance with these rules you employ only to frustrate my proper requests and, in the event it becomes necessary, am prepared to test this in court.

I would prefer that this not become necessary, but you should your ways, start making response, eliminate the deception and falsehood from them-in start, recognize that Congress' purpose laws and Presidents sign such as that they will be obeyed, most of all by that Department in whose name the morality and integrity of the law is vested. If the Department from which we have been looking for news about what is really law and order, the morality, I suggest that should begin at once.

Herewith I enclose three completed FD-118 forms, in each of the two cases my most recent requests have been made some time ago. In not one of them has there been response.

Two of them are exceptionally flagrant, and I single them out for explanation. My first request for the spectrographic analysis of the bullet fragments of bullet and objects said to have been struck by either was the President was assassinated and Governor Connally injured is dated in May 1968. There has never been response to it or its subsequent repetition. I had received a request for this same public, non-court information to the Attorney General 60 days ago. My first request of your Department for these documents relating to the late William Ferris of New Orleans was made under the previous administration, and my most recent, still unanswered, was addressed to your office two months ago.



everything I can. But because I want voluntary cooperation from the law and because despite your best contrary efforts, I do not want to have this result in embarrassment for you or the government, I do suggest some of them.

With regard to the spectrographic analysis, if you are not aware of it, not then having been in your present position, I think you should know that if it does not agree in the most minute detail with the interpretation put upon it by the Warren Commission, their Report is a fiction. It was, in ways I do not explain, "considered by" that Commission. These words are from the executive order of the Attorney General of October 21, 1966. Moreover, it was, to all practical purposes, made public and published in different forms, repeatedly, by the Commission. Most recently, this was done by former Dallas Chief of Police Jesse Garry, in a book bearing his name. When I asked for it of the National Archives, in person, the day this executive order was reported in the press, in my presence a representative of your Department told the National Archives it had been transferred there pursuant to this order. When we checked the file is cited, we found it was but a paraphrase. To the best of my knowledge, there has been no response to the report made to him that this was not the analysis itself. This analysis involved no secret processes, no informants whose identities need be hidden, no defamations of the innocent, and does not in any way fall under the right to withhold embodied in any of the guidelines for withholding.

Your Department, through Mr. Vinson, told me the various documents relating to David Ferrie were being reviewed with the intent of seeing whether they would be made available. I never heard further from him. The National Archives told me it had no knowledge of any such review. Obviously, it is impossible for me to provide you with an identification of each and every such suppressed document, but to the degree I can, it is already in your files. In fairness to you, for I do not seek scandal but I do seek information I believe is properly mine, I want you to know that I have some of what is said to be withheld and it cannot possibly be withheld properly. As I have already explained, what might tend to reflect upon the innocent has already been made public, rather extensively, by the men involved and by their attorney, in a book and its serialization. Ferrie himself is dead, was unmarried, and his sexual tastes are public knowledge in a variety of ways, including but not limited to public reporting of criminal charges against him for them and in his contesting of those charges and his subsequent loss of employment because of them.

With regard to the photograph identified as FBI Exhibit 69, requested in my letter of April 22, 1970, addressed to the Attorney General, I provide this information and request:

This is a picture of President Kennedy's shirt. The shirt itself is withheld from examination and study and any taking of pictures of it is prevented on the seemingly proper ground that neither the government nor his estate want any undignified or sensational use of it. I have explored this thoroughly with the National Archives and the representative of the estate, verbally and in extensive correspondence. However, there is no use to which the available pictures can be put that is of any other nature, for they show nothing but his blood. This is not what I want to study or, perhaps, to show (my chief purpose is study).



has gone to some trouble to see to it that the photograph of the original  
archives is entirely useless for any serious study or to assure that it can be  
used only for no other than undignified or sensational purposes. Instead of a  
photographic print there is a photograph of the printed page. Now FBI Exhibit  
80 is not lithographic but is photographic in nature. With the screen built-in  
for printing, any enlargement is effectively precluded. My interest is the only  
non-sensational one. It is restricted to the tabs of the shirt through which a  
bullet is alleged to have passed. I do not, really, want the entire picture, and  
I would much prefer the largest clear enlargement you can have made of just this  
very small area of the shirt. My purpose is as simple as it is obvious. It is  
entirely restricted to a study of the damage to the shirt by the alleged bullet.  
I would much prefer any enlargement of this very small area of the shirt, which  
would eliminate all the gore, to a standard 8x10 glossy print of the exhibit  
itself. If you will not do this, as I hope you will, then I will accept the  
clearest possible photograph of the original negative of FBI Exhibit 80. However,  
because I am confident the Department would prefer no suggestion that it is with-  
holding evidence relating to the murder of a President, I do hope you will  
provide me with the enlargement instead, showing only the damage. It will be  
obvious, I hope, that there is no undignified use of such an enlargement of the  
original negative that is remotely possible, even if I were intending to publish  
it, which I am not.

The law, as you know better than I, imposes no burden upon me to make  
any explanation of what I seek under it. I hope you will understand that I have  
taken this time, gone to this trouble, in a sincere effort to put you in a posi-  
tion to understand that my purposes are serious, scholarly, proper and entirely  
within the intent of Congress and covered by the law. If you will reflect but a  
moment, perhaps you will also understand that, at possible cost to myself, I have  
sought to put you in a position to save yourself and the Department embarrassment  
if you do as you have in the past.

On the other hand, I will no longer accept the standard Departmental  
whipping from pillar to post. One of these requests to which your Department has  
never responded is four years old. The request embodied in my Civil Action 718-70  
was a year old at the time you acceded to the perfectly proper request but only  
after I filed the action and you could no longer delay trial. If I have not heard  
from you within two weeks that you will comply with these requests, or if I get a  
rejection in any name other than that of the Attorney General, I will proceed  
with further civil actions. I would much prefer to avoid this. Most sincerely,  
I hope you would also.

Sincerely,

Harold Weisberg