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Attorney General Edward H. Levi  
United States Department of Justice  
Washington, D. C. 20530

Dear Mr. Levi:

Your February 25, 1975 letter suggests that I misunderstood FBI Director Kelley's December 19, 1974 letter to Mr. Harold Weisberg. With all due respect, I think not.

Mr. Kelley did not inform Mr. Weisberg that he could not exhaust his administrative remedies under the Freedom of Information law then in effect. I trust that you would not argue that government agencies had no obligation to process information requests during the interim between the passage of the new law and its effective date.

Nor, I trust, would you maintain that the passage of the new law revoked the Department of Justice regulations which were in effect at the time Mr. Weisberg wrote the Deputy Attorney General. Yet Director Kelley did not comply with those regulations.

Mr. Kelley's letter also stated that the FBI was "attempting to identify and locate" the documents which Mr. Weisberg had requested. Unless the affidavit of FBI Special Agent Marion E. Williams is perjurious, this would seem to raise a nonexistent problem.

I note, too, that Mr. Kelley promised to communicate with Mr. Weisberg when the documents were identified and located, but has not. Would you please advise me as to the date when the documents were identified and located?

Mr. Weisberg is willing to meet with the FBI on the implementation of his requests but would prefer that we--and the Bureau--be allowed to tape record the conference. I would assume that neither you nor Director Kelley would object to this. As you have suggested, I will take up these matters directly with Mr. Kelley.

Your letter would seem to indicate that the Department of Justice does not intend to oppose disclosure of the spectrographic analyses on the grounds that it is not in the national interest to release them. Because you only recently became Attorney General, I think I should inform you that in 1970 Assistant United States Attorney Robert Werdig stated in court to Judge John Sirica: "In this instance the Attorney General of the United States has determined that it is not in the national interest to divulge these spectrographic analyses."

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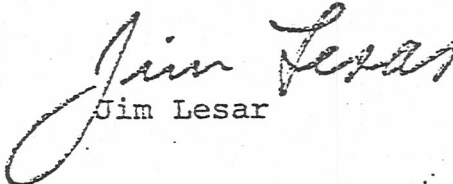
I have reason to believe that Mr. Werdig's statement to the court was false and that no Attorney General ever made any such determination. Did any Attorney General ever determine that it was not in the national interest to release these test results?

If Mr. Werdig's statement was false, this is a most shameful episode. It means that a federal judge was deceived by the government attorney in order to corruptly defeat Mr. Weisberg's rights. The damage done to Mr. Weisberg was direct and substantial: he was denied information vital to his manuscript, Post-Mortem, and its publication. His unpaid attorneys wasted several hundred precious hours appealing a decision tainted by fraudulent representations. Even more important, the American people have been denied their right to know whether the FBI covered up the truth about the assassination of their President.

If you find that Mr. Werdig's statement to Judge Sirica was false, what action do you intend to take against Mr. Werdig for having deceived the court? And what restitution will you make to Mr. Weisberg for the damage done to him?

I enclose herewith a copy of my letter to Director Kelley in regard to the proposed meeting between the Bureau and Mr. Weisberg on the implementation of his requests.

Sincerely yours,

  
Jim Lesar