

Department of Justice

Washington

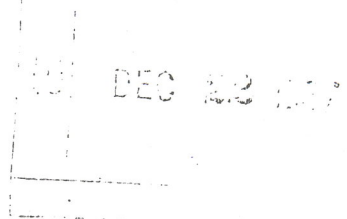
Mr. Harold Weisberg,
Coq d'Or Press,
Hyattstown, Maryland 20734

Dear Mr. Weisberg:

The Attorney General has asked me to reply to your letter of March 12, 1967, concerning matters relating to the assassination of President Kennedy. Your letter states that the Attorney General was misinformed in stating during his appearance on "Face the Nation" that the General Services Administration, rather than the Department of Justice, is "withholding evidence in the Kennedy assassination." As an illustration, you state that you have been denied access to the "spectrographic analysis of the bullet allegedly used in the assassination, the various fragments recovered from the bodies and the car, and of the windshield scrapings." In this connection you state that the Department of Justice, in your presence, "misinformed the National Archives, insisting this document was public" and, when you "established to the National Archives that this is not so," the Department "became mute for more than four months." Your letter goes on to state that denial of access to the spectrographic analysis has been at the order of this Department and is in violation of the Attorney General's order of October 31, 1966 (31 Federal Register 13967).

The remarks of Mr. Clark to which you apparently refer were made in response to a question whether certain material relating to Mr. Ferrie was classified by "order of the FBI and the Department of Justice." The Attorney General replied as follows:

"ATTORNEY GENERAL CLARK: No. Those documents are under the general jurisdiction of



General Services Administration at this time. There has been a policy, and I think a wise one, not to release data about individuals that might affect their character or reputation where it has no relevance to the Warren Commission investigation or to the assassination of President Kennedy, and this we have followed."

Mr. Clark's remarks should not be misconstrued as a statement that any evidence relating to the assassination of President Kennedy is being withheld by order of the General Services Administration. The particular documents to which Mr. Clark referred are, as he stated, "under the general jurisdiction of the General Services Administration." These particular documents have not been released because of the general policy of the Federal Government noted by Mr. Clark and quoted above.

We have been informed by Dr. Bahmer, the Archivist of the United States, that you made an inquiry about the spectrographic analysis report in late 1966 and were told, upon the basis of a telephone inquiry to the FBI laboratory, that information concerning the analysis was in Commission Document 5. We further understand that you contended that the report should have been transferred to the National Archives as part of the evidence described in the Attorney General's order of October 31, 1966.

The Attorney General's order of October 31, 1966, provided for the acquisition of only those "items of evidence not owned by the United States which were considered by the Commission." This order does not relate in any way to public access to evidence relating to the assassination of President Kennedy and, therefore, cannot be violated by the denial of access to any particular document. In addition, the spectrographic analysis report, being an official Government document and also not having been received by the Warren Commission, is not in the category of evidence to which the order relates.

Careful examination of the records of this Department discloses no correspondence or other records relating to your request to the National Archives for access to the spectrographic analysis report. We are, therefore, unable to comment on your accusations that this Department "mis-informed" the National Archives concerning this matter, or that you have been denied access to this document by the Justice Department.

Sincerely yours,

Frank M. Wozencraft
Assistant Attorney General
Office of Legal Counsel