

FROM

OFFICE OF LEGAL COUNSEL

TO

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to do?*

The Attorney General

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Memorandum

Executive Assistant

Per 5113

MAY 8 1967

Public Information

The Solicitor General

The annexed reference to the FBI of questions raised by Harold Weisberg's letter and the expanded comments of the Archivist is suggested as a result of a conversation between Martin Richman and Barefoot Sanders. If the laboratory reports and the other items mentioned exist, there seems no reason not to have them in the Archives for use by assassination researchers.

Deputy Attorney General

Administrative Assistant Attorney General

Assistant Attorney General, Antitrust

Assistant Attorney General, Civil

Assistant Attorney General, Civil Rights

Assistant Attorney General, Criminal

Assistant Attorney General, Internal Security

Assistant Attorney General, Lands

Assistant Attorney General, Tax

Director, Federal Bureau of Investigation

Commissioner, Immigration and Naturalization Service

Board of Immigration Appeals

Director, Bureau of Prisons

Board of Parole

Pardon Attorney

FMW
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DEPARTMENT OF JUSTICE
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OFFICE OF THE ATTORNEY GENERAL
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J. Edgar Hoover, Director
Federal Bureau of Investigation

The Attorney General

12911

B. A. H.

Kennedy Assassination Evidence --
Letter from Harold Weisberg

Annexed is a letter of March 12, 1967, to me from Harold Weisberg, one of the authors critical of the Warren Commission Report, together with related memoranda: (1) a memorandum of March 21, 1967, from the Records Administration Office of the Department, indicating that Mr. Weisberg's reference to prior communications from the Department could not be traced; and (2) a memorandum of March 24, 1967, from the Archivist of the United States, commenting upon Mr. Weisberg's letter.

As appears most clearly from the memorandum of the Archivist, Mr. Weisberg is interested in seeing an FBI laboratory report concerning the spectrographic analysis of the assassination bullets. Apparently no such report was found in the files of the Commission turned over to the Archives, although a report was referred to in FBI testimony before the Commission, and the results of the spectrographic examination are reflected in a sentence on page 164 of the summary FBI report which is Commission Document 5. (A copy of pages 162-164 is annexed to the memorandum from the Archivist.)

The Archivist goes on to comment that some of the other laboratory reports as to which he has had inquiries were not in the files of the Commission and there was no indication that any of these reports had been received by the Commission. Finally, the Archivist notes that certain pictures and correspondence as to which inquiries have been made also are not in the files of the Commission now in possession of the Archives.

It appears that the laboratory reports referred to, if they existed as separate documents, were never turned over to the Commission because the results thereof were imparted to the Commission through the expert testimony of FBI laboratory personnel, as well as in the summary given in Commission Document 5. However, subsequent to receiving the Commission's files, the Archives has acquired other items relating to the assassination which were not before the Commission, most notably the autopsy x-rays and photographs. It would seem desirable to make available in the Archives as much of the historical record concerning the assassination as is possible, consistent with appropriate limitations based on the character of particular items of information.

I would appreciate any clarification you can give as to the existence of the various laboratory reports and other items referred to in the memorandum of the Archivist. If there are in the files of the Bureau any laboratory reports or correspondence of the sorts he describes, I would also appreciate your views as to whether there is any reason why copies should not be deposited in the Archives to be held with the Warren Commission evidence.

My understanding is that all of the pictures of the sort referred to on page 2 of the Archivist's memorandum which may have been in the possession of the FBI at one time were either turned over to the Commission or returned to their owners after copies were made for the Commission. I would also appreciate any clarification you can give on this aspect of the memorandum.

Attachments



Lillian & Harold Weisberg

Coq d'Or Press HYATTSTOWN, MD. 20734

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OFFICE OF LEGAL COUNSEL

OFFICE OF THE RECEIVED March 12, 1967

Honorable Ramsey Clark
The Attorney General
Department of Justice
Washington, D. C.

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MAR 14 1967
ATTORNEY GENERAL

129-11
DEPARTMENT OF JUSTICE
1 MAR 13 1967
R.A.O.
ATTORNEY GENERAL
OFFICE OF LEGAL COUNSEL

Sir:

You are seriously misinformed. In your today's appearance on "Face the Nation", you said it is the General Services Administration that is withholding evidence in the Kennedy assassination. It is your own Department of Justice in most cases. In no case of which I know is it the General Services Administration, which acts merely as custodian of the archive.

P.S.
Transcript

To make this simple and comprehensible to you, since May 23, 1966, I have been trying to see 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. Your Department of Justice, in my presence, misinformed the National Archives, insisting this document was public. When I established to the National Archives that this is not so, your Department became mute for more than four months.

The guidelines for withholding evidence are public. Not one of the restrictions apply in this case. No normal consideration of national security is involved, nor is there possibility of damage to innocent persons or risk of disclosure of confidential informants. This denial of access to what may not properly be restricted is in violation of your own order of October 31. It is being done by your own department in an exercise of raw power.

There are a number of similar cases I am prepared to document to you. It is past time for the telling of truth. If, as you say, this is all you want with regard to the assassination, I call upon you to enforce your own order at this late date, to require your own department to stop violating it, and to make available to those of us accredited to research in this archive what you have been suppressing.

Other items of evidence have been suppressed and then released in response to public pressure. I hope from now on, with your pledge of dedication to the truth alone, we may expect your department to obey your order, to act in consonance with your expressed wishes, and to release spontaneously what it has been suppressing.

29-11

Respectfully,

Harold Weisberg
Harold Weisberg

DEC 22 1967