

Mr. Quinlan J. Shea, Director
FOIA/PA Appeals
Department of Justice
Washington, D.C. 20530

7/21/79

Dear Mr. Shea,

Ms. Barrett, who is organizing my files relating to appeals, will not be here until next week. I do not want to disturb her work so I am not consulting my 7/10 to respond to your 7/25. However, I do want to be prompt in thanking you for what you describe as clarification.

Unfortunately the clarification does not entirely clarify. I believe one of the points I made is that I recalled no other instance of file removal not being accounted for. To provide a clearly atypical example, one I certainly would not have selected, and to exclaim "you see!" over this, neither explains the omissions nor tells me where they may be found if they are provided elsewhere.

Permit me to provide a different kind of illustration of what I do not find in the Dallas bulky records, a record of which the Attorney General had not been informed by the FBI and therefore could not be included in the Executive Order you do not identify or refer to but did include the illustration you selected.

A Dallas man named Eugene Aldredge called to the FBI's attention an area of concrete sidewalk that appeared to have been struck by a bullet during the assassination shooting. It seems that with the Director not having included provision for any such shot in his instant solution to the crime the Dallas Field Office did not include this in its investigation despite its having been on TV. (I thought I'd given you this illustration.)

After Aldredge spoke up the FBI went there, found the spot and removed a specimen it then sent to the Lab, with the form stating that it need not be returned.

For some reason, which could be because it was not in the Dallas main files as provided, I do not recall seeing any reference to this except in the bulky records. So unless my memory fails me I am limited to what is in the bulky records. This reflects that the Lab ignored the Dallas instruction and returned the sample and I presume a report.

Maybe I have all of this and have overlooked it. If I overlooked it I am not alone in this because the FBI also overlooked it in my C.A. 75-226, which includes it.

Although you earlier had referred to the destruction of records in Paragraph 2 you say "I am aware of no evidence in Bureau files or elsewhere that the Bureau destroyed any Kennedy assassination material..."

Again, I thought I'd mentioned it but if I didn't please forgive me. But it happens that the FBI, which is represented by the Department in the above cited litigation, told the court that destruction of the spectrographic plate relating to its curbstone investigation was "routine."

This leaves limited choices: you were not correctly informed of the Court was not.

In the next paragraph you refer to Mr. Mitchell's review of this matter, which surprises me and disappoints me if it took time I thought he was devoting to King records appeals of which I have heard nothing. Anyway, you state that Mr. Mitchell's review "confirmed that all bulky exhibits in this file are accounted for in the FD-192's contained in the file and made available to you."

I regret very much that Mr. Mitchell went to all this trouble, knowing that what was provided to me does not account for the transfer of records at their serial occurrence, and then did not send me copies of his locating them elsewhere so I might deposit that with the records.

And of course I regret it if he found the Lab report referred to above and did not provide a copy because it is not with the records referring to it in what was provided to me.

My evaluation of evidentiary and historical importances, lacking the divine inspiration of that Director and those to whom this inspiration was second-hand, is that any evidence of any shooting, and any testing related to it, whatever the results of such testing may be, is important.

Without such inspiration I regard a wound the President suffered and a known shot that missed as important. Yet that Director and his FBI provided the successor President who ordered it and the Presidential Commission he appointed with a definitive, five-volume report in which there is no mention of the wound to the President's throat, this missed shot or the bystander wounded by it.

This known missed shot hit a curbstone. It is that spectrographic plate that allegedly was "routinely" destroyed, despite your above-quoted assurance.

There came a time when my writing about this attracted some FBIHQ attention and the generation of records. These quote me on my comment about the binding of these five volumes but somehow, in what was intended to go upward, make no reference to my facsimile reproduction of the FBI's report in which there is no mention of this throat wound or all the known shooting.

As I've indicated I'd prefer that Mr. Mitchell spend his time in other endeavors but if he checks this, then those five volumes are indexed and the name of the other person wounded is James T. Tague.

Resolving the dispute over the Lab report relating to the Aldredge report should be simple. It can be accomplished by sending me a citation to it in the records provided to me and a copy so I can determine if it was bound out of sequence in what was provided.

If and when this is done and if it is not too great an inconvenience I if not that Court would appreciate an explanation of why this was not provided in C.A. 75-226.

You also state that "I can assure you that there is no evidence to indicate, nor have I any reason to believe, that the Kennedy assassination files have ever been rearranged." Yet I am certain that I provided you with the identifications of serially numbered volumes that are not included in what I received and are not represented by any records of what happened to them. Before writing you I rechecked what I was provided and at the points of these gaps I find no records of any kind and nothing conforming to your words, "they are always indicated by notations on the appropriate records."

Your reference to Mr. Mitchell's review, while it does not state so explicitly, indicates that he made a personal check of all those many thousands of bulky exhibit pages, as I recall about 25,000 pages. So I regret that this problem was not resolved in the simplest of ways, by sending me the records indicating what happened to the volumes I do not have.

If "rearranged" is not to your liking I'm sorry. I'm telling you that there was serial numbering and that I lack what I cited to you or any referral slips in substitution for them or citation of any other filing or numbering or anything else.

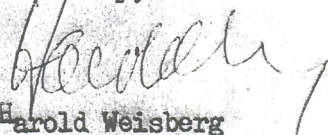
Your last paragraph refers to the FBI's checking with the Archives to determine whether an FBI document had been provided to the Commission. This is not identical with the purpose for which I made copies of those samples of worksheets for you. My purpose was to provide the Department with indication that under the Act its FBI was withholding what had ^{not} been withheld prior to the Act.

I lack your access to FBI records relating to processing under Project Onslaught. I do not lack information relating to inconsistent worksheets and different worksheets ostensibly covering the identical records. On several occasions I have provided different worksheets of ostensibly the same processing to courts and I have had no complaint about this from the FBI. So while I admit the frailty of recollection, including my own, it is my recollection that the dates on the worksheets in question are subsequent to the announced termination of Project Onslaught.

If I am in error of course I want to correct that error and I want my records to correct it. The simplest means is by a copy of the dated announcement of the termination of Project Onslaught, which I would appreciate.

We do agree in regret over any confusion.

Sincerely,


Harold Weisberg

Afterthought:

I have a regret I hope you can share and if you do can reflect in a meaningful way.

This is a case the Attorney General has found to be "historical." It relates to a) the assassination of a President which to me, if not to the FBI and/or others, is the most subversive of crimes; and b) the FBI's performance and investigations.

It is not a frivolous or inconsequential matter to me or to many others. One presumes that the Attorney General found it to be a matter of some consequence and that those under him do not disagree with his determination.

When I state - and remain uncontradicted - that entire volumes of exhibits have not been provided and no reference to where else they may be (if they are elsewhere) in this great volume of records appears in substitution for them, would the foundations of that imposing structure crumble if I were provided with citations?

If it did require what the FBI terms "research" to provide this information or these citations, when it is known that all the records are to be deposited in a public archive and be permanently available to the people, is providing this information any kind of a major problem when you state correctly that regular inventories are kept?

Is providing this kind of information in any way inconsistent with either the historical case determination of its permanent value to the nation?

Is it somehow a less justified expenditure of public money, if that is required, than what the FBI expends in providing information to writers of known sycophantic predisposition?

Is it more trouble or a less justified expense than what the FBI does, read and correct book-length manuscripts before publication - commercial ventures?

Is this also not a fair way of looking at the results of the scientific testing of evidence, of the Aldredge report, especially when that information should have been provided in litigation and was not?

If you can share my regret perhaps you also can find it not less than incongruous that the Attorney General can determine records to be of exceptional historical importance only for subordinates to make obtaining the information - other than what the FBI elects to disclose - extraordinarily difficult, costly and time consuming.

We have disagreements but I sincerely hope this page does not incorporate any.

Handwritten signature