

5/19/70

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

Dear Mr. Kleindienst,

The 425 portion of FBI Exhibit 60, enclosed with your letter of 4/12/70, is welcome and I do thank you for it. I hope it is as obvious to you now as it always was to me that the government should never have denied this in any form. I also hope it is no less obvious that the improper denial has been costly to me and others set to the government and that it is the kind of thing that breeds distrust in the government.

This reminds me of the first (and, typically, unanswered) letter I wrote Mr. Mitchell after your administration took office. In it I suggested that if the basic errors were committed on the operating level, then he and his closest advisors would be getting the same misinformation from the same people. It may even be held that these people now have a deeper commitment to their error, more reason for adhering to it.

In the course of studying one of the forms in which FBI Exhibit 60 was available, with the photogravering dots making magnification impossible, I think I have discovered something wrong, something that may in the future plague the government. This is what in the Archives is identified as OD 107. It is a four-part composite picture, with an inset enlargement of the back of the shirt added to a picture of the back, with the tie in the lower left-hand corner and a view of the collar similar to the one you sent me in the lower right. If you will send me a photograph made from the negative rather than a reproduced copy, I will be able to determine this with finality, I am confident, and will report to you, for your files and use, if so desired, what I believe is an adequate explanation of what is wrong with this picture. I have never been told how much you charge for an 8x10 photograph. The Archives charge is \$1.05, so I enclose a check in that amount.

With regard to the spectrographic analysis, whoever informed you of what you wrote me is kidding you. The testimony referred to is simply that all specimens were of lead, no more. The witness, quite properly, made it a matter of record that he was not competent to give testimony on this and that it was not his work but hocus with him. In telling you this little bit about ~~his~~ inadequacy and error in what you wrote me, my purpose is to make it possible for you to avoid embarrassment to yourself and to the government. I cannot and will not allow the matter to rest here.

I address your paragraphs relating to the late David William Ferris in the same spirit, for I do not believe the thoughts originate with you. All of what is withheld on Ferris, to my knowledge, cannot be so described. Nor are the exceptions without exceptions. There is no doubt in my mind that at the very least some of these documents can and should be made available and that the cited



reasons for withholding are not the real ones.

For your information, because of your responsibilities, I correct your second paragraph on your second page. All the records of the Warren Commission are not in the National Archives and the National Archives has refused my repeated requests that it obtain duplicates of the missing papers, as it readily can.

If you have been correctly informed, that "no documents relating to David William Ferrie were withheld by the FBI from the Warren Commission", you have not been completely informed. Nor is this all that may be relevant. The question is not one of "documents", whatever that word here describes, but of information. I assure you all the FBI information on Ferrie is not in the files of the Warren Commission. If you doubt this, check on the reports dealing with Carlos Marcello, especially in the context that is in this morning's papers, the efforts of your Department to deport him.

In previous correspondence I have addressed the other points to which you here refer. I ask that you reconsider this decision and, if you do not change it, that you promptly forward this letter as my appeal. It has been more than three years since I first began the effort to get what I believe may not properly be withheld on this matter. Such delay is not only costly, it is also not in accord with either the spirit or the letter of the law, as I understand them.

It is difficult to believe that the minute objects in Exhibit 845 can be described as "a missile". First of all, that exhibit shows a minimum of two objects, possibly a third, although Mr. Franier's testimony is about two only. Two objects are not "a missile". These also do not seem to have the relationship to each other or the dimensions given by the agents in their report, 722m and 821 mm. These are also described as coming from the late President's head, whereas the receipt is for a missile recovered from the body. The fourth page of their report goes into this, says a "proper receipt" was signed, made, etc., made. Reference here is to a receipt for two described pieces of metal, not "a missile". Possibly other records can clarify this seeming discrepancy.

With regard to your comments on "Autopsy Photographs", this explanation would be acceptable if it were made to include copies or prints rather than the original negatives only. The wording should remove any technical interpretation of the words "possession or custody", for example, as if copies were made for study, opinion or as the basis of investigations of various kinds.

At this point, my betting average, on what is reached you, is two out of two, or in the two cases where my representation was challenged, the government not only was wrong but acknowledges it, belatedly. Because my objectives are proper research, access to what I should be able to have and study, not the embarrassment of the government or its officials, I do hope you will consider the possibility this is not an accidental record and do what you can to eliminate the endless delays, the enormous extra effort and cost and see to it that what is improperly withheld will be made available. Government, too, should conform to the law.

Sincerely,

Harold Weisberg