



Office of the Attorney General
Washington, D. C. 20530

Mr. Harold Weisberg
Coq d'Or Press
Route 8
Frederick, Maryland 21701

Dear Mr. Weisberg:

This is in response to your letter of April 6, 1970, requesting my review of the denial by the Deputy Attorney General of your request under the Freedom of Information Act, 5 U.S.C. § 552, for access to records thought by you to be in the files of the Department of Justice. Specifically, you have requested access to "the raw materials" including "notes, rough drafts, final panel drafts, individual reports by any of the panel members or advisors and relevant correspondence and memoranda, etc." relating to the medical reports made by the autopsy surgeons and the advisory panel to the Attorney General in connection with the assassination of President John F. Kennedy. The Deputy Attorney General denied your request on the ground that the "materials described in your letter do not exist in the files of this Department."

I have made an attempt to ascertain whether the materials you seek are in the files of this Department. It is my conclusion, after a full examination of the matter, that documents of the kind you describe do not exist anywhere in the Department. Accordingly, I must deny your request.

In your letter of April 6, you state that you wish to renew your request for the "spectrographic analyses of the bullet, fragments of bullet and other items said to have been

struck by this bullet and fragments" You point out that the "bullet in question is Warren Commission Exhibit No. 399." The Department of Justice has received requests for these documents in the past, and we have taken the position that they are part of an "investigatory file compiled for law enforcement purposes" and are therefore exempt from the Freedom of Information Act's compulsory disclosure requirements. 5 U.S.C. § 552(b)(7). At present, this issue is being litigated in the federal courts. If the plaintiff in that case is successful, the documents in question would of course be made available to you also.

Sincerely,

A handwritten signature in cursive script, reading "John Mitchell". The signature is written in dark ink and is positioned above the typed name "Attorney General".

Attorney General