

Memorandum

TO : Mr. J. B. Adams

DATE: 3/24/75

FROM : Legal Counsel

SUBJECT: FREEDOM OF INFORMATION ACT (FOIA) REQUEST OF HAROLD WEISBERG

- Adm. Serv.
- Admin.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Lab.
- Plan. & Eval.
- Spec. Inv.
- Training
- Legal Coun.
- Telephone Rm.
- Director Sec'y

[Handwritten signature]

[Handwritten initials]

dated March 13th

By memorandum from Legal Counsel to Mr. J. B. Adams under the above caption it was advised discussion with Mr. Weisberg concerning his request for laboratory data connected with the John F. Kennedy assassination investigation was planned for March 14th. This is to advise of the results.

Mr. Weisberg was accompanied by his attorney, James H. Jesar of Washington, D. C. Representing the FBI were SA Thomas H. Bresson of the FOIA Unit, Legal Counsel Division, SAs Robert A. Frazier and John W. Kilty of the Laboratory Division.

This discussion resolved what apparently was Mr. Weisberg's confusion as to what data, other than that which had been furnished to the National Archives, was in existence and in possession of the FBI. After the data was generally identified for him, and samples shown to him, he made specific requests for spectographic and neutron activation material which consists of tables and pages with results of readings, representing metal fragments from the body of President Kennedy and the body of Governor Connolly. Additionally requested were spectographic analyses data of the areas on the clothing of President Kennedy and Governor Connolly where the bullets may have passed. Weisberg also requested the available material relating to examination of the windshield of the President's automobile, and examination regarding metal fragments from the President's automobile. Additional request was made for laboratory examination data which may be available regarding testing done on a curbstone near the crime scene.

ORIGINAL FILED

Enc.

J. [Handwritten]

ENCLOSURE

- 1 - Mr. Adams - Enc.
- 1 - Mr. White - Enc.
- 1 - Mr. Mintz

NOT RECORDED

APR 17 1975

APR 21 1975

CONTINUED - OVER

Legal Counsel to Mr. Adams memo
Re: FOIA Request of Harold Weisberg

Both Mr. Weisberg and Mr. Lesar indicated this would be completely satisfactory to them and would cover the scope of the current FOIA request with regard to laboratory data in the Kennedy assassination case.

With regard to the above request, the documents proposed for release are not considered to be material that would be subject to withholding under the current FOIA. It is estimated it will contain approximately 20-30 copied pages, and a preliminary estimate of a full-work day to search and compile. We would be authorized to charge ten cents per copy for reproduction, and \$2 per quarter hour for search and production of the documents, this being the fee specified in regulations for a non-clerical type search.

Discussion thereafter continued with SA Bresson regarding FOIA matters generally and specifically the pending civil suit. Mr. Lesar stated that receipt of the requested documents would moot the civil litigation with regard to laboratory documents.

Mr. Weisberg then attempted to formulate some additional FOIA requests regarding the Kennedy assassination investigative file regarding events in Dallas and investigation of Lee Harvey Oswald. He also indicated he plans to pursue further the Martin Luther King assassination case, including laboratory findings, and some general data of historical interest to him that he claims he furnished the FBI many years ago. Mr. Weisberg was informed, and he understands, that any future FOIA request will have to be submitted in writing in accordance with the Departmental regulations.

Mr. Lesar made reference to a letter we sent to him dated 2/27 in response to his letter of 1/29 which he directed to the then Acting Attorney General Laurence Silberman. He felt the reply was not responsive to his question, and that it particularly did not address the issue as to whether information concerning Mr. Weisberg had ever been furnished to former Congressman Hale Boggs. He advised he would pursue this matter further indicating he did not feel a reply based mainly on the search of records was sufficient in this case.

Legal Counsel to Mr. Adams memo
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The correspondence to which Lesar refers, copy attached, contained in addition to the Boggs question, a request for reply to what was identified as previously unanswered inquiries as to whether Weisberg was subject to surveillance or other intrusions into his life by the FBI. The reply, copy attached, was based on review of the Weisberg file and references in indices to him, and advised generally that FBI records contained no information to substantiate this.

During this conference Mr. Weisberg specifically asked if "Director Hoover's confidential files" were searched and the reply was that as far as is known, the appropriate files that would reflect the type of requested information, if it existed, were checked and no information to substantiate the allegations was found. Mr. Lesar asked if any contact was made with the son of Hale Boggs to verify this, and he was answered that we did not.

The "OC" file was not checked initially, but on 3/14 it was determined there is no reference to Weisberg contained therein.

Results of this discussion, insofar as the pending civil litigation is concerned was furnished to Mr. Jeffrey Axelrad of the Civil Division of the Department on 3/14 and to Assistant United States Attorney Michael Ryan, who is handling the case. Mr. Axelrad was advised we still had not received a copy of this complaint, and he stated he would insure we would receive it promptly.

RECOMMENDATION:

The requested documents be processed by Laboratory Division and coordinated with FOIA Unit for determination of charges and release.

R *J* *P* *Ok*
3/14