

142-10 Hoover Avenue  
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Jamaica, New York 11435  
September 9, 1988

Mr. Max Frankel  
Executive Editor  
The New York Times  
229 West 43rd Street  
New York, New York 10036

Re: Associated Press story on  
the Kennedy Assassination

Dear Mr. Frankel:

I'm a lawyer. Before I got smart and went to law school, I used to work in the news business (WPIX-TV, CBS News Division's radio network assignment desk). I don't know as much about the news business as you folks at The Times, but I think I know a little.

I know, for example, that the Labor Day weekend is traditionally slow for hard news. I also know that the assassination of President Kennedy was one of the major news stories of your lifetime and mine. I even know that people -- including those who were born after the assassination -- still wonder about it. The senior partner of the firm in which I work doesn't really care about the assassination, nevertheless he is in the middle of reading a recently published novel on the subject by Don DeLillo called "Libra", to which your paper and others have devoted prominent attention. Moreover, I know that this year will mark the twenty-fifth anniversary of the event.

I subscribe to the Compuserve Information Service, and to its Executive News Service feature which affords access to the Associated Press "A" wire and the Washington Post, among other news sources. Over the past weekend, my computer and I picked up the enclosed story dated September 3, 1988 which ran on the AP (I've reprinted it without excisions). It says that the Justice Department has officially declared the assassination a closed case. I thought it was an interesting story. I thought many other people would consider it to be interesting too, but unless they also subscribe to Compuserve, they probably wouldn't have known about it. Your paper didn't print the story. The Washington Post didn't print the story. Not even USA Today said anything about it, and I consider USA Today to be a more readable newspaper ever since you put your news index on the

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second page of The Times. I didn't hear anything about the assassination on television either.

Aside from the general public's lingering interest in this subject, there are at least five more reasons I can think of for printing -- and even attempting to further develop -- this story:

1. The case was never, until now, officially declared closed.
2. It took ten years for the Justice Department to respond to the very specific recommendations of the House Committee on Assassinations for further investigation of the case. Even the Department, according to the story, admitted its response was long overdue.
3. Notwithstanding this inordinate delay, the Department failed entirely to pursue one of the key requests made by the Committee, namely that it obtain and scientifically analyze the so-called "Bronson film" taken by an amateur photographer at the scene of the assassination. This film allegedly shows the gunman's window on the sixth floor of the Texas School Book Depository at or about the time of the shooting.
4. The Department's excuses for this lackluster performance border on the outrageous:
  - a) It claims an inability to obtain the film from its owner.
  - b) The quoted statement made by a Justice official to House Judiciary Chairman Peter Rodino defies intelligent comment:

"One of the interesting features of employment with a large governmental organization is that matters occasionally come bubbling to the surface from the depths of the bureaucracy."
5. Finally, the question remains why this story has come to light some five or six months after the fact, i.e., why didn't Mr. Rodino make public the letter he received from the Department of Justice at the time he presumably received it at the end of March?

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The press has a great responsibility in matters relating to the frustration of the democratic process, such as the violent transfer of power. To borrow a metaphor from the insurance industry, the government is the risk and the press is the underwriter charged with monitoring and evaluating that risk. If you refuse to do it, who will? I think you ought to feel embarrassed and ashamed. I think it's time your paper recognized that the Government of the United States is incapable of fully addressing its own past conduct in this matter and called for a release of all non-classified data from both the House Committee's and the Justice Department's files.

Very truly yours,

Roger Bruce Feinman