

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Conrad

FROM : W. D. Griffith

SUBJECT: FREEDOM OF INFORMATION
HAROLD WEISBERG

1 - Mr. Conrad
1 - Office, 7133
1 - Mr. Frazier
DATE: 3/22/71

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan, C.D. _____
Callahan _____
Casper _____
Conrad _____
DeLoach _____
Felt _____
Gale _____
Rosen _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

By memorandum of 3/16/71, attached, the Department has referred for comment a request from Mr. Weisberg for additional photographs of President Kennedy's clothing.

Weisberg is the author of several books pertaining to the assassination, including "Whitewash - The Report of the Warren Commission." His writings for the most part are vitriolic criticisms of the Warren Commission, the FBI, the Secret Service and several other U. S. Government agencies, as well as the Dallas Police Department. His writings contain inaccuracies, falsehoods and the deliberate slanting of facts to suit his purpose. There has been considerable past correspondence between Weisberg and the Department, and the Department and the Bureau concerning photographs and other material in our files relating to the investigation of the assassination of President Kennedy.

In memoranda from the Department dated 5/19 and 6/22/70, and our replies of 5/28 and 7/1/70, relating to requests from Weisberg, we furnished to the Department a photograph showing the tabs of the President's shirt and three additional photographs showing the back of the shirt, a close-up of the area containing the bullet hole in the back of the shirt, and a picture of the knot in the necktie.

By memorandum from the Department dated 8/13/70, the Bureau was advised that a complaint had been filed in the U. S. District Court for the District of Columbia entitled Harold Weisberg v. Department of Justice, Civil Action No. 2301-70, under the Freedom of Information Act, to force the Government to "produce and make available for copying the spectrographic analyses of the various bullets and fragments" involved in the assassination of President Kennedy. This civil suit was the outgrowth

Enclosure *sent 3-24-71*

- 1 - Mr. Sullivan
- 1 - Mr. Mohr
- 1 - Mr. Bishop
- 1 - Mr. Dalbey
- 1 - Mr. Rosen

REC-171100

EX-114

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of Weisberg's continuing efforts to obtain detailed notes, worksheets and photographic plates comprising the "raw data" upon which the conclusions of Laboratory examiners were based. Our files show that this action is still pending.

We took the position in this latter matter that the materials requested were part of the Bureau's investigative files pertaining to the assassination and hence Weisberg's request should be denied on the basis of the exception in the Freedom of Information Act which specifically exempts investigative files compiled for law enforcement purposes, Title 5 United States Code, Section 552 (b) (7). This matter has been discussed and coordinated with the Office of Legal Counsel.

RECOMMENDATION:

(1) Although we have furnished photographic material to the Department previously which has been furnished Weisberg, in view of the pending litigation it is recommended that we request the Department to deny this most recent request.

(2) There is attached for approval a proposed letter to the Department setting forth our views and returning the enclosures to the Department's memorandum.