

Chairman Peter Rodino
Judiciary Committee
House of Representatives
Washington, D.C. 20555

7627 Old Receiver Road
Frederick, Md. 21701
September 15, 1988

Dear Mr. Rodino,

I have read Thomas Boyd's March 28, 1988 letter to you and its attached and un-
dated letter not signed by William Weld. I write asking that for the record you please
include this along with your file copies of them because they are false and misleading
and those political assassinations are an important part of our history.

I am a former reporter, investigative reporter, Senate investigator and editor
and war-time intelligence analyst. I am the author of six books on the assassination
of President Kennedy and its official investigations and one on that of Dr. King.
Unlike the books that are better known, mine do not pursue conspiracy theories and
instead are a large study of the workings of our basic institutions ⁱⁿ those times of
great stress and since then. As part of my work I filed a number of suits under the
Freedom of Information Act seeking and ultimately forcing ^{out}/over strong official resistance,
a considerable number of official records that until then had been withheld. The Congress
amended the investigator ^{with} files exemption in 1974 over one of my earlier suits. This is
specific in the legislative history.

Please excuse my typing because I'm 75 and am impaired in health and mobility.
I have to type sitting sideways from the typewriter.

Mr. Boyd's explanation for the long delay in forwarding the Weld letter simply
is not true. The Department did not just forget and lose that letter in bureaucratic
vastness. A number of those who do not agree with the official explanation of the
assassinations were in regular touch with the Department and were told, including
after the date of the letter to you, that the report would be disclosed in a short time.

The first paragraph of the Weld letter concludes with the stock evasion of all
officialdom, "that it appears unlikely that ~~the~~ new information will emerge that
would ^{provide} provide a productive basis for further investigative activity regarding either"
of these assassinations. There is nothing wrong with the "old" evidence that was mis-
represented and ignored. Moreover, the Department and the FBI got a considerable amount
of "new information" in my lengthy FOIA lawsuits. Everything I alleged was under oath
and subject to the penalties of perjury. And it was certainly documented, to a large
degree with the misrepresented and ignored official records ^I obtained.

The Bronson film, about which you also were not informed fully of accurately, is
an illustration. Knowledge of it had been suppressed by the FBI until I spotted these
reports, one of which I attach, and then friends of mine in Dallas located Bronson and
saw his film. One was a reporter for the Dallas Morning News and it published several
pages of individual frames from it. (I have added some of the marginal markings on this

and another enclosure.)

Of Bronson's 35mm picture the FBI agent said that although it showed the President "at the precise time shots were fired" it was no good for evidence because it did not show Lee Harvey Oswald with a smoking gun in his hands, i.e., "not sufficiently clear for identification purposes." This was the first working day after the assassination, long before any real investigation could have been made.

Of Bronson's motion picture the agent stated it "failed to show the building from which the shots were fired," the latter a conclusion rather than the result of investigation. In fact it includes almost 100 individual frames not only of the building but of the very window from which the FBI says Oswald fired the shots. He is not in that window only moments before the shots were fired.

The Dallas FBI didn't bother FBIHQ with this report and, of course, FBIHQ did not trouble the Warren Commission with a copy.

Even earlier the Dallas FBI decided that Oswald was a lone assassin, before he was charged. The Dallas FBI record I enclose was, in fact, filed before Oswald was charged, after being routed and indexed and serialized. When another police agency phoned the Dallas office to say that an extremist group ought be considered suspects that report was annotated (it was in the form of a lead) "Not necessary to cover as true subject located." Before Oswald was even charged!

That Oswald was the lone assassin was the instant vision of J. Edgar Hoover. He boasted of this the afternoon of that assassination and if you like I'll send you a copy. (I enclose only a few records that are on my desk because searching my files presents me with physical problems.) This was recorded in a memo to him by Cartha DeLoach, who was with Mr. Hoover when he said what I paraphrase above.

The preconception and the determination not to investigate the crime itself was universal in the Department and FBI. No sooner had Jack Ruby killed Oswald and ended prospects of a trial than Nicholas De B. Katzenbach, then DAG and acting AG, formalized this in a memo to the President via Bill Moyers, attached. Before any real investigation was possible, he wrote, "the public must be satisfied that Oswald was the assassin; that he did not have confederates...; and that the evidence was such that he would have been convicted at trial."

Please believe me, I've read hundreds of thousands of pages of these records and the crimes themselves were never investigated. (The FBI, when embarrassed later, said that it had not investigated the King assassination but had investigated Ray as an escapee.)

While I cannot say that ultimately what ^{Wald} Mr. Wald said about the alleged inability to make use of Bronson's film is not true, I have read the earlier FBI records and have them. The FBI stonewalled Bronson when his lawyer promised it a first-generation copy

to keep and unlimited access to the original as long as he was present. (This caution was not unwise considering that the crucial frames of the original of the film showing the assassination of President Kennedy taken by Abraham Zapruder disappeared immediately, a fact not only suppressed by the FBI itself (when, for example, it numbered those frames for the Warren Commission) - the FBI never even asked a question about this, leave alone investigate why the frames of the moment of the assassination were gone. ^{had} the FBI accepted the fully-cooperative Bronson offer it would have been investigating itself.

The third paragraph of the Weld letter concludes with a nonsequatur with regard to the Bronson film, questioning its value in accoustical studies, about which more below. In any kind of what can without question be called a real investigation the Bronson film was of essential value not only with regard to the position of the President when he was shot but for such other essentials as background and persons visible in them. Aside from Oswald's absence from that window.

^{Basic in the accoustical study} The recordings of the Dallas police radio broadcasts of the time of the assassination, figured in my C.A. 78-0322. The FBI swore to an assortment of known falsehoods to deny any copy to me and, when I ultimately located for it and the DJ a ^{copy} it knew it had, I was refused a dub on the spurious ground that it could damage that recording. The FBI had and lied about having its own copy, hidden from even its indices. The proof? First the fact that it transcribed ^{MAJOR} those portions of the recordings for the Warren Commission and then, when during my litigation it was forced to make a search for the House committee, it interviewed the police official who was present and made the police recordings available. The FBI ^{dubbed} ~~had~~ them on its own Wollensak reel-to-reel machine, about which it lied under oath in my lawsuit. There were two recorders used by the police, one, a Gray Audiograph, made a record, and the other, not as the AP story says, a Dicta-phone but a Dictabelt. Those FBI reports reflect that to make the dubs the originals had to be played aloud and the audible sound was recorded. This is ignored by the National Academy of Sciences, which had only what the FBI gave it, but it is a possible explanation ^{Cross-talk} of when the shots were recorded and how, ^{allegedly} after the other conversation ^{was or as stated} recorded and ~~edited~~ ^{Weld} by the NAS.

On page 4 Mr. Weld has the usual official gobbledegook of reviewing incoming, unsolicited correspondence and at the bottom of that page he says that "all investigative leads which are known to the Department have been exhaustively pursued." This second part is straight-out false, as I'll get to.

Aside from what the Department and the FBI learned if not earlier then in my undisputed evidence about both crimes in my FOIA litigation, after my book on the King assassination was published I became defense investigator. I conducted the investigations for the habeas corpus, which succeeded, and for the two weeks of

in federal district court in Philadelphia

evidentiary hearings. I located and we produced live witnesses who were subject to cross-examination and there are transcripts. Oddly, although I am supposed to have received all the field office and HQ records on this case, they do not include these transcripts. This in itself is more than enough to give the lie to what you were told.

When the so-called investigation (and I say this after reading those records) of the Office of Professional Responsibility was announced, I offered to assist it in any way possible. My offer, made in the presence of my counsel, was not accepted.

Mr. Wied concludes with an evasion, saying that there is "no persuasive evidence...to support the theory of a conspiracy in either" case. Whether or not there was a conspiracy is not a theory, it is a fact. He is referring only to those theories offered publicly, and I agree that they cannot be supported. He does not say that the FBI does not have any evidence of a conspiracy in either case. The fact is it has an abundance of evidence establishing the existence of a conspiracy in both cases and in my litigation it failed to refute, in fact even confront, the evidence that was in these cases relevant.

Not to take your time and because I ask only that this be made part of your records for the future and for history, I give you two illustrations from the JFK files of the FBI,

The official account of that assassination is that of the three bullets, all fired by Oswald from the window in which the Bronson film does not show he was, the first entered the President's body at the ~~base~~ base of the neck, exiting through his shirt collar and nicking the knot of his tie in so doing; then inflicted five additional wounds on Governor Connally; the second missed entirely and struck a curbstone, causing a spray of concrete chips that slightly wounded a bystander, James Tague; and the third exploded in the President's head.

Of the President's clothing the FBI provided the Warren Commission with photographs so poor the Archives photographer told me they used all ~~their~~ their skills to make them unclear. I obtained, by accident I'm sure, an original set of FBI photographs under ~~FOIA~~ FOIA instead of copies of them and I can supply these to you. What the Commission did not get from the FBI was its ^{clear} photograph of the shirt collar. This clear original makes it apparent that the damage to that collar was not caused by any bullet and that the damage to the tie also could not have been. More explanations if you desire them. In fact, the testimony of the only doctor to see the President before removal of ~~his~~ the clothing, done under his supervision, is that the bullet-hole in the front ^{of the} ~~to the~~ President's neck was above the collar. In fact, under his supervision, two nurses cut the tie off, the usual procedure to which they testified ^{before} to the Commission. In doing this they cut slits in the collar and made a slight nick on the knot. The two ~~collar, slits do not coincide with each other and are of considerable different~~ lengths, in itself proving ~~but~~ ^{clear} that the damage was not caused by a bullet.

collar slits do not coincide with each other and are of considerably different lengths, although both are short. The nick in the knot of the tie does not coincide with either slit by far and, being on the front only, obviously could not have been caused by any bullet, from anywhere. *Or, more than one shooter - a conspiracy*

When I deposed FBI SA Robert Frazier, ballistic expert and liaison with the Commission, in a FOIA suit I showed this picture to him and sought to question him about it. He refused to give testimony but he did twice admit that he had had questions and as a result ~~has~~ asked for a special examination of this evidence by a hair and fibers expert in ^{the FBI} his lab, Paul Stombaugh. Stombaugh's report was within the litigated request and we asked for a copy. None was ever produced. ~~None~~ is included in the great number of disclosed records. Nor is ~~there~~ the Frazier request in them.

With regard to the missed shot and the Tague wounding, the FBI was ignoring this *The Department was told about it by* until a *but* photographer who took and his paper published a picture of the damage to the curbstone. (His print was never returned *but* he gave me other prints of it and I have a xerox of the Dallas paper with it and its caption, the paper the FBI got and reviewed daily.) As a result, this could no longer be ignored. At first the FBI tried to con the Commission by suggesting that the regular washing of the streets could wipe out the bullet damage to the top of the curbstone. When that would not wash before the Commission it sent photographic expert Lyndal Shaneyfelt down. He used the existing *press* photos and located the precise point and even though he saw no scar or nick or hole had it dug up and took it to FBIHQ for spectrographic analysis. The enclosed synopsis page of a much longer Dallas FBI report makes it clear that the scar or nick did not exist when Shaneyfelt went through this charade. They all *know* of the bullet impact. The FBI even transcribed the police reports on it as of the instant of the crime. As the FBI has to know and as is undenied in my litigation, that curbstone was patched. This is quite visible at the Archives. So it went through the shabby *pretense* of making a spectrographic analysis of the patch as though it was the real thing hidden by the patch. And of all the many such tests, which include a thin piece of film, the only one missing from the FBI's files, *it* attested in my lawsuit, is this one, which it presumes was discarded, in violation of regulations, to save space. A thin piece of film of an historic case takes up that much space!

Moreover, although Frazier testified to the Commission only that this test showed what was tested could have been and probably was caused by a bullet, his handwritten notes which I got in the litigation says it would have been caused by an auto tire wheel weight.

And, quite obviously, the dead Oswald could not have patched that innocent s curbstone. Besides, he was in jail until killed.

These two bits of FBI evidence indicate the existence of a conspiracy because they establish that no one man could have ^{caused} all the acknowledged and reported injuries. (The FBI also had evidence of other shots but ignored this also. I have those records, too. It dismissed one by saying that bullet would not have fit in the so-called Oswald rifle.) There is much more bearing on this, much, much more.

In the Ray evidentiary hearing in Memphis I refer to above the judge ultimately held that for purposes of that hearing, whether or not Ray would get the trial he never had, guilt or innocence were immaterial and he ^{denied} ~~denied~~ the trial. He could not avoid the unrefuted evidence produced on Ray's behalf, evidence that leaves it beyond question that the FBI's case does not exist and that there had been a conspiracy. I offered my set of transcripts at the time of the OPR inquiry and they were not accepted. The government, which I suspect does have them hidden, easily done under the FBI filing system if you are ever interested, can have copies at any time. So can any committee.

For purposes of the record, I believe that FOIA makes me surrogate for the people and anyone can make copies or just examine them. In time they will all be part of a public archive at local Wood College.

Please excuse the length, typing and other defects of this letter because I can do no better. And I do hope that if nothing else you will file this along with the Coyd and Weld letters.

Sincerely,



Harold Weisberg

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS (89-43) DATE: 11/25/63

FROM : SA MILTON L. NEWSON

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

Mr. WALTER BENT, Sales Service Manager, Eastman Kodak Company, Processing Service Division, 3131 Manor Way, and Mr. CHARLES BRONSON, Chief Engineer, Zarel Manufacturing Company, 9230 Denton Drive, were contacted by SAs MILTON L. NEWSON and EMORY E. HORTON on 11/25/63.

Films taken by Mr. BRONSON at the time of the President's assassination including 35 mm. color slides which were taken with a Leica Camera, and 8 mm. Kodachrome film were reviewed. These films failed to show the building from which the shots were fired. Film did depict the President's car at the precise time shots were fired; however, the pictures were not sufficiently clear for identification purposes.

One of the 35 mm. color slides depicted a female wearing a brown coat taking pictures from an angle, which would have, undoubtedly, included the Texas School Book Depository Building in the background of her pictures. Her pictures evidently were taken just as the President was shot. Approximately five other individuals in the area were taking pictures at the time.

Arrangements have been made with Mr. WALTER BENT whereby each package of film received for processing by that company, will be returned to the owner of the film with a slip of paper attached requesting the individual to notify the local FBI Office in the event pictures in the package reflect the scene when the President was assassinated. Mr. BENT advised this company does the processing for all the southwestern states. An airtel is being furnished southwest offices notifying them of the above arrangements in the event they receive calls of this type.

② - Dallas

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FBI - DALLAS	

0011

November 25, 1963

MEMORANDUM FOR MR. MOYERS

It is important that all of the facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the United States and abroad that all the facts have been told and that a statement to this effect be made now.

1. The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial.

2. Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting thought that this was a Communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy to blame it on the Communists. Unfortunately the facts on Oswald seem about too pat-- too obvious (Marxist, Cuba, Russian wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced.

3. The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumour and speculation. We can scarcely let the world see us totally in the image of the Dallas police when our President is murdered.

I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job.

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DEPARTMENT OF JUSTICE	
21	MAY 1965
RECORDS BRANCH	

File
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The only other step would be the appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. This has both advantages and disadvantages. It think it can await publication of the FBI report and public reaction to it here and abroad.

I think, however, that a statement that all the facts will be made public property in an orderly and responsible way should be made now. We need something to head off public speculation or Congressional hearings of the wrong sort.

Nicholas deB. Katzenbach
Deputy Attorney General

It is important that all of ^{the} facts surrounding President Kennedy's Assassination be made public in a way which will satisfy people in the U.S. and abroad that all the facts have been told ^{and that a statement to this effect be made now.} ~~to this effect by made now.~~

~~two reasons why this is important~~

1. The public must be satisfied that Oswald was the assassin; that he did not have confederates who are still at large; and that the evidence was such that ~~he~~ he would have ^{been} convicted if tried.

2. Speculation about Oswald's antipathy ought to be cut off, and we should have some basis for rebutting ~~the~~ thought that this was a Communist conspiracy or (as the Sun-Centain press is saying) a right-wing conspiracy to ^{blame} ~~to~~ it ~~to~~ on the Communists. Unfortunately the facts on Oswald seem clear too get - too obvious (Marxist, Cuba, Russia wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced.

3. The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumour and speculation. We can scarcely let the world see us ^{totally} in the image of the Dallas police when our President is murdered.

~~Perhaps these objectives will be satisfied by releasing a thorough FBI report on Oswald. The difficulty will be that as such it comes far within the~~

I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job.

The ~~at~~ only other step would be the appointment of a Presidential Commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. ~~This step is unappealing, might take time, and would also~~ carefully handled.
This has both advantages and disadvantages. I think it is ^{in the} ~~in~~ ^{interest of} awaiting the FBI report and public reaction to it here and abroad.

I think, however, that a statement to the effect that all the facts will be made public, ^{properly} in an orderly and responsible way should be made now. We need something to head off public speculation or Congressional hearings of the wrong sort.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, DALLAS

FROM : IC ROBERT G. RENFRO

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

DATE: 11/22/63

Sgt. H. C. SHERRIL, Richardson, Texas, PD, telephone AD 5-5213, advised JIMMY GEORGE ROBINSON and members of the National States Rights Party should be considered possible suspects in the assassination of President KENNEDY, due to their strong feeling against him. He reminded that ROBINSON is the individual who burned a cross on the lawn of a Richardson residence approximately a year ago. He advised ROBINSON, white male, age 25, runs a service station located at Belt Line Road and Mayfield Road, Garland, Texas.

157-215
100-0-6225
105-569-94
44-1552
um.

Not necessary to cover as true subject located - JMH

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FBI - DALLAS	

Cochran

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

CA 75-276
EXHIBIT 44

Copy to

Report of ROBERT P. GEMBERLING
Date 8/5/64

Office DALLAS

Field Office File No. DL 100-10461

Bureau File No. 105-82555

Title LEE, HARVEY OSWALD

Character INTERNAL SECURITY - RUSSIA - CUBA

Synopsis

CLOTILE WILLIAMS heard assassination shots while standing on northwest corner of Houston and Elm Streets, Dallas, Texas, but did not see anything that aroused her suspicion and did not know from where the shots came. Supplemental listing of exhibits by item number and description prepared. Additional investigation conducted concerning mark on curb on south side of Main Street near triple underpass, which it is alleged was possibly caused by bullet fired during assassination. No evidence of mark or nick on curb now visible. Photographs taken of location where mark once appeared, together with other photographs reflecting angle of such location in relation to the sixth floor window of the Texas School Book Depository (TSBD) from which assassination shots fired. Photographs also taken from inside sixth floor of TSBD southeast corner window from which assassination shots fired, showing distance between floor and window sill and height of opening in the window when window half open. Photographs taken of person approximate height of OSWALD showing relative position of window ledge and window to such person. Photographs taken at Methodist Hospital of Dallas of bone specimen allegedly from skull of President KENNEDY obtained. Additional investigation conducted with negative results concerning claim by Mrs. EDITH WHITWORTH that she directed OSWALD family to Irving Sports Shop, Irving, Texas, in early November 1963, which investigation consisted of interviews of certain parents of female babies born 10/20/63, in the Irving and Dallas, Texas, area to determine if they were the individuals

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