Mr. William Murphy, chief
Motion Picture, Sound and Video Branch
National Archives,
Washington, DC 20408

4/21/92

Dear Mr. Murphy,

As not infrequently happens when we accumulate the years, 79 for me now, we also accumulate stacks of records in the expectation of further interest in them or in anticipation of responses.

I've had no response from you to my 6/15/95 letter relating to the records of the broadcasts of the Dallas police. As I then told you, all that information was within my litigated C.A. 78-0322, for all the JFK assassination records of the FBI's Dallas field office. It not only is within the litigated request, it was the subject of filings of both parties. The FBI claimed it did not have any of them, I provided the FBI documents reflecting that it did and where they were and who made what copies when and on what tape recorder and the FBI merely ignored it.

Under date of 5/15/90 Mr. Huff wrote Jim Lesar, who had represented me in the litigation and who then had another client, that the Department had found the recordings exactly where I had informed it they were. He makes specific reference to what the Department incorrectly told the Court it did not have, these recordings.

That information is without question within my litigated request and without question the government was under the obligation to provide me with copies without cost.

I hope that the archives will not willingly permit itself to be used to frustrate the law and the government's obligations under it and I hope that you now be kind enough to provide me with the copies that should have been given to me more than a decade ago. I would very much appreciate that.

Sincerely,

Harold Weisberg
7627 Old Receiver Road
Frederick, Md. 21702 (new zip)

Mr. William T. Murphy, chief
Motion Picture, Sound and Video Branch
National Archives
Washington, D.C. 20408

7627 Old Receiver Road
Frederick, Md. 21701
6/15/90

Dear Mr. Murphy,

Thank you very much for your letter of the 8th and the explanations and offers in it. I write in response in some detail for your information and to make a record for history, if for nothing else.

It is physically impossible for me to go to the Archives and examine or listen to anything at all. I have not been able to drive out of Frederick since 1977, travel is in any event quite tiring for me, and I can't stand still at all or walk very far.

Mr. Huff wrote me after he made the transfers you report. I have no reason at all to believe he provided you or the Archives with any of the background. His letter to me includes his date on the appeal. Your copy should have this. So, you can see in your own records that he just transferred to the Archives what was mine as a matter of law a decade ago in his accounting. And his accounting simply is not honest. Perhaps none of you noticed this and then wondered why in response to an appeal of a decade ago instead of complying, because what was transferred is not within any FOIA exemption, he put it in the Archives. I suggest it is time for the Archives to wonder about this. And about when a similar trick was pulled in the past, as it was at least once.

In 1978 I filed suit for the JFK assassination records of the Dallas FBI field office. It was C.A.78 0322 in federal district court in Washington. The recordings of the Dallas police radio were within that request. To deny me access the FBI uttered a series of knowingly false allegations, all sworn to. It claimed, among other things, that it never had those recordings. This was obviously false because as your own files and the published Warren Commission exhibits include the transcription of those broadcasts made by the FBI for the Commission.

In that litigation - and this presents an addition problem for both of us - I was to have been given copies of everything without charge. I had a complete fee waiver. And as Mr. Huff and his staff know very well, that fee waiver now does not have to apply to the Archives.

The inventory you were kind enough to include identifies some of the recordings as on 7" reel - acetate. It does not indicate who did the dubbing and when it was done.

Item 60 JFK.05 notes what is of most interest to me in those recordings, the period of time channel I was block for six minutes. (Item 007416) When you can provide it I would like a dub of this and of the belt for the same period and I will pay for both and not raise the problems I indicate above. However, I do want the Archives to know that I was entitled to all the recordings in that litigation and the FBI lied and the

appeals office stonewalled. I am certain the Archives was not told any of this and I am not alleging that any of you combined with anyone in this dirtyworks.

For your information, the Moorman picture in this invenotry was also within the lawsuit and about it the FBI also lied and did not provide a copy. (393-1921)

I do not know how clear his recollection is byt I think Jim Lesar will have a clear ecollection of the recorings in that litigation and may recall the Moorman and other pictures.

I am sorry that I cannot offer to search my copies of the relevant records in that lawsuit should you want them, but they are available to anyone. Doing this is now beyond my capabilities.

I refer to what the Department of Justice has done as dirtyworks and said it was not the only such misuse of the archives. Earlier something similar was done at the instigation of the Department when the Secret Service and I reached an agreement under which I gave it my word I would not file a FOIA action to obtain its JFK assassination information that interested me. The Secret Service agreedsd for me to have access and then, as directed by the Department, transferred those materials to the Archives which, again under instructions, did not provide copies.

Neither you nor I nor the Archives can do anything about the past. But I think that what I report is not traditional scholarship or archival practise.

As you probably know, there is considerable controversy about the police recordings. I do regret that to the many other and lamentable repressive actions of the past we now have this new taint.

After I have a chance to think about this further and to consult with others I may write you further about it. But I do not intend to pay for copies of what was mine as a matter of law more than a decade ago and was denied me first by felonies and then by official malfeasances and misfeasances.

I do, very much, regret that this has happeend again. I think you can understand why I refer to making a record for history. I assure you there is nothing personal in it.

Sincerely,

Harold Weisberg

National Archives

Washington, DC 20408

June 8, 1990

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, MD 20701

Dear Mr. Weisberg:

By referral, Mr. Richard L. Huff, Co-Director, Office of Information and Privacy, Department of Justice, has informed us of your long-standing request, pursuant to the Freedom of Information Act, for access to the "open-mike" sound recordings from the Dallas Police Department. As you know, the Department of Justice recently transferred the recordings and related documentation to our custody. An inventory is enclosed for your information.

The seven Gray Audiograph disks are still playable, the National Archives has proper playing equipment, and our laboratory plans to copy them on to archival master recording tape and cassette reference copies within the next thirty days. The same holds true for the four 1/4" open-reel recordings.

Access to the dictabelts will take longer because of their poor condition. They appear to have been stored flat for a long time and as a result have developed folds or creases. In addition, belt number 10, of most interest to you, has developed cracked edges and has been repaired with scotch tape. Our laboratory plans to rehumidify the belts to help restore their original flexibility and will then rerecord them. Our lab also has the equipment to play the belts though some modifications will be necessary. We estimate this work will take about ninety days to complete.

In recognition of your record of scholarship in this area, we will be pleased to play the Audiograph disks for you in our laboratory after the preservation work has been completed. However, this will not be possible with the belts because of the stop and go nature of making the recordings play. Thus, we hope an accurate and faithful copy will accommodate you.

After the recordings have been rerecorded you will be able to purchase your own copies at $.95 per minute for open reel or .65 for cassette. Alternatively, you can study them in our research room and make your own copies free of charge.

It may also be of interest to note that the records of the House of Representatives Select Committee on Assassinations (Reord Group 233) in our custody contain sound recordings of the Dallas Police Department, Channel 2, and an analysis and interpretation. Please see the enclosed list. These recordings are available for study only with the written permission of the Clerk of the House.

We hope this information is helfpful, and look forward to providing you with the historical materials needed to carry out your research.

Sincerely,

WILLIAM T. MURPHY
Chief
Motion Picture, Sound,
and Video Branch

Enclosures

PRELIMINARY ACCESSION INVENTORY RG 60

NN3-60-90-1 Accession of JFK Assassination Records kept by Mr. Robert Keuch, Criminal Division,DOJ and Transferred to NARA, March 1990. No restrictions.

Archives No.	Description	Format
60 JFK.01 Belts 1-5	DALLAS POLICE DEPARTMENT CHANNEL I DICTAPHONE BELT RECORDINGS NOS. 9,10,11,12,13. November 22, 1963.	dictaphone belts

Belt 1 of 5: (#9) 11:29 am -12:05 pm
*** 2of 5: (#10)12:05 am -12:40 pm
3 of 5: (#11)12:40 am -1:12 pm
4 of 5: (#12)1:12 pm -1:44 pm
5 of 5: (#13) 1:44 pm -2:16 pm

Accompanying textual material:

1. Copy of memorandum of December 10, 1981 from Roger B. Cubbage, DOJ Criminal Div. to the file and his original notes concerning the FBI copying of the Nov. 22, 1963 Dallas Police Dept. Dictaphone Belt #10.

2. Original letter dated April 7, 1982 from Norman F. Ramsey, Professor of Physics, Harvard University to Robert Cubbage, DOJ, enclosing two 8x10 color prints of each side of Belt #10 before it was cleaned by scientists prior to being played & recorded

60 JFK.02 Discs 1-7	DALLAS POLICE DEPARTMENT CHANNEL II GRAY AUDIOGRAPH DISC RECORDINGS FROM November 22, 1963.	8"diam. discs

Disc 1 of 7: 10:00 am - 12:03 pm
2 of 7: 12:03 pm - 12:48 pm
3 of 7: 12:48 pm - 2:39 pm
4 of 7: 2:39 pm - 4:09 pm
5 of 7: 4:09 pm - 5:12 PM
6 of 7: 10:20 pm (only notation)
7 of 7: no date "2nd" 6:30 am & 1:57 pm, 2 bandwidths on disc.

NOTE: Envelope containing recordings indicates "10 am - 2:39 pm on 11-22-63, CH. 2, Dallas Police Dispatcher was Sgt. G.D. Henslee" and notes that "shooting Pres. 12:31 pm on Channel

II" and "shooting of officer 1:18 pm on Channel I".

60 JFK.03	DALLAS POLICE DEPARTMENT CHANNEL II DICTAPHONE BELTS NOS. 1-10. Nov. 24, 1963. 6:10 am - 2:26 pm.	Belts 1-10
60 JFK.04	DALLAS POLICE RADIO AUDIOTAPE, CH. I (Record #1). Nov. 22, 1963. 9:45 am - 2:15 pm. Counter 001-1800. JFK item #007415.	7"reel acetate
60 JFK.05	DALLAS POLICE RADIO AUDIOTAPE, CH I (Record #2). Nov. 22, 1963. 9:45 am - 2:15 pm. Counter 1800-3180. Notation on tape box says "12:28 pm to 12:34 pm - nothing but noise". JFK item #007416.	7" reel acetate
60 JFK.06	DALLAS POLICE RADIO CHANNEL 2. Nov. 22, 1963. 10:00 am - 5:12 pm. Notation on box says: "short recording timed 10:20 pm 11-22-63".	5"reel mylar 3.75
60 JFK.07	SOUND TAPE OF THE OSWALD SHOOTING RECEIVED FROM WFAA RADIO STATION, MR. ROBERT THORTON. Received from Lt. P.C. McCaghren on December 6, 1963. Exhibit #99-A.	5"reel acetate

Additional textual items received with accession:

Copy of A G. Robert Blakey, Chief Counsel of the House Select Committee on Assassinations, letter dated March 18, 1979 to Mrs. Mary Moorman regarding her photograph of Presidential limo and grassy knoll being retained for analysis.

Original receipt of Newton Pendergraph, Clerk of U.S. House of Representatives, dated May 7, 1981, acknowledging receipt of Moorman polaroid photo from DOJ.

Copy of receipt from Robert Keuch, DOJ, dated March 30, 1979, for items received from House Select Committee on Assassinations. Receipt lists as received: original of Moorman photo; 3 dictabelts #007418,007417; and four audiotapes - the 3 Dallas police radio tapes, ch. I & II, and sound tape of Oswald shootaing from WFAA, Mr.Robert Thorton.

Copy of letter from Edmund Henshaw, Clerk, U.S. House of Representative dated April 30, 1981 to Mr. Robert Keuch,

Criminal Division, DOJ requesting return of Moorman photograph from DOJ to Ms. Mary Ann Bartoni (Moorman).

This list represents the entire contents of the accession as transferred from DOJ to NARA.

RESTRICTED

6

Subject No. #	TITLE - DATE - DESCRIPTION	Running Time	Disc 16"	Disc 12"	Reel 10"	Reel 7"	Orig. Cass.	Orig. Other	New Mas.	Ref. Cass.	Remarks
.011681	Interview with Lydia Duran June 5, 1978	90:00					1		1	1	38pp transcrip
.011682	Interview with Pedro Gutirrez Valencia in Spanish, translated by Ed Lopez	90:00					1		1	1	24pp transcrip
.011683	Interview with Haracio Duran Navarro June 5, 1978	90:00					1		1	1	37pp transcrip
.012175	Interview with Santos Trafficante Sept 29, 1978	90:00					1		1	1	3 pp transcrip
.012224	Interview with Jose Verdacia Aug. 26, 1978	90:00					1		1	1	7 pp transcrip
.012313	Sydney F. Brown concerning the JFK assassination Sept 29, 1978	5:00						1-3"rl	1	1	
.013096-1	Interview with Operative A, AKA Roland Lee Augustinovice August 3, 1977	80:00					4		4	4	orig mini-cass
.013096-2	Interview with Tom Lutz Aug 3, 1977	40:00					2		2	2	orig mini-cass
.013096-3	Interview with Operative A Aug. 4, 1977	7½hrs					4		4	4	333pp transcri
.013638	Interview with Richard Lipsey regarding autopsy report, wound ballistics Jan 18, 1978	180:00					2		2	2	8 pp transcrip
.013838	Anthony Pellicano: Voice Interpretation and Analysis "DPD Tapes"; the report was published as part of the December 29, 1978 public hearing transcript	60:00					1		1	1	
.013969	Transcriptions of the George Butler tapes concerning the 1946-1947 O.C. move into Dallas; records nos. 1-7, 9-12, 13-16, 18-42 Dec. 28, 1978	8 hrs					8		8	8	
.013998	"The Controversy, the Death, the Warren Report" Dec 28, 1978	90:00					1		1	1	
.014214	Interview with Harold J. Vincent Dec 12, 1978	180:00					2		2	2	100pp transcri

RESTRICTED

Subject No. #	TITLE - DATE - DESCRIPTION	Running Time	Disc 16"	Disc 12"	Reel 10"	Reel 7"	Orig. Cass.	Orig. Other	New Mas.	Ref. Cass.	Remarks
.015093	Interview with Clifton M. Shasteen, Dallas, Tx Oct 13, 1977	90:00					1		1	1	40pp transcrip
.015094	HSCA, Dr. Ebersole, Medical Evidence Project Mar 11, 1978	180:00					2		2	2	
.015095	HSCA, Dr. Pierre Finck, Medical Evidence Project Mar 11, 1978	180:00					2		2	2	
Exhibit F-173	Interview with Manuela Aquires-Madlano June 5, 1978	90:00					1		1	1	28pp transcrip
Exhibit F-429 B&C	Interview with Fidel Castro Ruz	90:00					1		1	1	65pp transcrip
Exhibit F-439/440A	Interview with Silvia Duran	90:00					1		1	1	125pp transcri
A-Dallas	"Dallas P.D. Channel-2" Reels 1 &2	100:00			2				2	2	7.5 ips
A-Oswald	"Oswald for Chuck" recording (owner Charles Pratt) Sides 1 & 2	37:00		1					1	1	33-1/3 rpm acetate
X-1	Interview of Shorty Morris by Arnold (and others) Jan 22, 1966	120:00						1-5"RL	1	1	15/16 ips
X-2	Interview by Joe Milteer	30:00						1-3"RL	1	1	15/16 ips
X-3	Interview by Joe Milteer	30:00						1-3"RL	1	1	15/16 ips
X-4	A segregationist commenting on the communist influence in politics	60:00						1-5"RL	1	1	1-7/8 ips

National Archives

Washington, DC 20408

June 8, 1990

Mr. Harold Weisberg
7627 Old Receiver Road
Frederick, MD 20701

Dear Mr. Weisberg:

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U. S. Department of Justice

Washington, DC 20530

MAY 15 1990

James H. Lesar, Esq.
Room 509
918 F Street, N.W.
Washington, D.C. 20004

Dear Mr. Lesar:

This is in further response to my letter to you dated December 31, 1984, in which I advised you that as a result of a lead uncovered during the processing of records responsive to a request made by Harold Weisberg, a small number of records pertaining to the assassination of President John F. Kennedy had been located in the office safe of Roger Cubbage, a Criminal Division attorney. These records include the original dictabelt provided to the House Select Committee on Assassinations by the Dallas Police Office. We had determined that these records appeared to be responsive to the request of your client, Mark Allen.

Please be advised that because of their historical importance, all of the records pertaining to the assassination which were located in Mr. Cubbage's safe have been given to the National Archives and Records Administration. This includes the original Dallas police dictabelt.

If Mr. Allen is interested in obtaining access to this information, he may write to the Archives directly.

Sincerely,

Richard L. Huff, Co-Director
Office of Information and Privacy

RLH:MAP