May 27,1969

Dr. James Rhoads
Archivist of the United States
Washington, D.C.

Dear Dr. Rhoads,

I have deliberately delayed replying to your letter of May 16, 1969 - which required but four days to travel 50 miles - to provide ample time for receipt of the promised response to my letter of April 7, two months ago, almost. Predictably, it has not reached me.

It is now, I believe, beyond question that the Archives under your administration has dedicated itself to the utmost interference with proper use of and access to those files under its care as they relate to the murder of the President and its official investigation. If this is not being done at your order, it is being done in your name, with your assent, for the occasions on which I have called this to your attention are numerous. The delays beyond reason or justification are unvarying. This has the effect and, I am satisfied, the intent of interfering with inquiry into the falsehood ordained as truth by the government of which you are part and whose policy you implement by your administration.

The record you thus make is perhaps best, for it certainly illuminates the conduct and functioning of government, the character of the "investigation", as nothing else possibly could. The record you make is also one by which you will be remembered. To the degree I can, I will assure this. If it becomes possible, I will do this in court, for it is my desire to test all of this under the available law.

Nothing better illustrates the deliberateness of your interference in my work than your letter of May 16. Everything in it is months old. Those few things you sent me are all duplicates of what you had earlier sent, in response to the same requests, some at least a half year old and, I believe, all dating to last year or early this year. Page 13 of Commission Document 301 is in response to my request of last November, earlier filled.

As I have earlier reminded you, there remain unanswered requests. I will not permit you to waste more of my time by looking them up. I accept the alternative, your deliberate and intended interference in my work and the investigation of the murder of the President and its investigation by the government whose agent you are. You assured me months ago that you had then had a check made and there were none not responded to. I assured you this was not the case. Now, in May, you pretend response. It is a frivolity unworthy of government, your function and responsibility and the subject matter. One that comes immediately to mind is my repeated request for a copy of that page of the Oswald Marine manual Carlos Bringuier annotated. On several occasions I gave your staff the exact page. On one occasion they told me they could not find it. This cannot be the case.

Not having your promised reply to my letter of April 7, which I believe has to do with my initial request of more than four months ago, I do not know what your response is or will be. However, based on the record you have conveniently made so clear, I think it not unreasonable to anticipate a denial. Therefore, I ask you to send me the papers and any necessary instructions for asking for this under the "Freedom of Information" Act. I want to be in a proper position to carry this through, and to exhaust all the administrative possibilities.

You write, "The two pages bearing 'notes actually made in the room in which the examination was taking place' that are mentioned in Dr. Humes' testimony are reproduced in XVIII hearings 45-46." This cannot be the case, unless Dr. Humes perjured himself. He testified to his notes, made in the autopsy room by "myself", during the autopsy. These are not his. One is by Dr. Boswell, the other by Dr. Finck. It is not only reasonable to assume that Dr. Humes could not make an autopsy without notes, it is also his sworn testimony. The files you have made available to me contain no such notes. You do have the receipts for those very notes, from the autopsy bench to the Commission. If you do not have them in your files, you can obtain duplicates from the Secret Service, which did have them and provided some of the receipts you do have. I think you are obliged to. I do request it.

You ask for a copy of the Allen-Scott column referring to the declassification of documents relating to the interception of Oswald's mail. The clearest copy I can make is enclosed. The paragraph under "Letter Intercepted" reads: "An FBI report on file in the National Archives, which has been recently declassified, notes that the agency started its investigation immediately on intercepting Oswald's letter after it was mailed November 12 in Irving, Tex."

The copy I have appeared in the Shreveport, La. "Times" November 30, 1967. Federal origin of the information in this column seems probable. Other parts are relevant also.

On the subject of declassification, at your suggestion I wrote Attorney General Clark last year about those withheld documents in the David Ferrie file that could not properly be withheld, one of which is in my possession and clearly establishes this. Under date of November 7, 1968, Assistant Attorney General Vinson wrote me, "...a periodic review is now (my emphasis) being conducted...We expect this review will be completed in a short time." Therefore, I ask what was declassified and if nothing was, a statement to that effect, a record

If you do not maintain a list of what was restricted and then becomes available, you are severely restricting research, for the volume of material is, as you note, extensive, and it is a physical impossibility to go over the same files again. Also, the bibliography indicates what is withheld and becomes a deception. I would like to think that when a President is murdered, the government does not feel impelled to pinch pennies, to thus interfere with inquiry into it. In the past when I have alleged this archive was understaffed, the Archives assured me this was not the case. If it is not, then there should be a list of what was withheld and is then made available. While I welcome your renewed assurance that you are keeping a list of what I have asked for, I note that after a year I am still without explanation of violation of your own regulations with regard to precisely this and as it relates to me.

For the record, to those previous letters on the memorandum of transfer you claim is a private paper, I should like to note that even if the special copy of it to which you allude might so be regarded for purposes of denial, if it ever had such status this was surrendered by the government when it was used as a working paper in the report of the panel convoked by Attorney General Clark, which was made public. On this additional basis, I renew my request for it.

By this time your agency has made it clear that it will withhold responses to my request as long as it possibly can. In addition to all the other problems this creates for me, properly understanding what meaning there may be in your delayed response requires the rereading of an enormous file. Therefore, I would appreciate it if, after the miminum of not less than two months of delay that you seem to have ordained, have failed to alter if not at your order, has elapsed and you have achieved the obvious purpose for which you require it, you would refer to the date of the inquiry.

May I hope that you can waive this restriction for purposes of telling me the total amount charged to my account for the picture-taking and copying of May 16? I would like to know at your earliest convenience.

Sincerely,

Harold Weisberg

May 27, 1969

Mr. Burke Marshall
Old Orchard Road
Armonk, N.Y.

Dear Mr. Marshall,

Although you long ago persuaded me that there must be something about which you care more thanmyour own reputation, I write you again and enclose a copy of the letter I today wrote the Archivist of the United States. Perhaps I have a lingering hope that you will discharge the obligations you assumed in becoming counsel to the executors of the estate of the murdered President, if only belatedly, after you have helped bring about additional and needless tragedies. Perhaps it is because I think it may yet dawn on you that if you have been and are being imposed upon, your cupidity cannot but bring new and greater suffering to his survivors.

In any event, at some point this awful horror will come apart. At that time, if only because of the information I offer you, Burke Marshall will have no innocence.

You permitted the use of the names of some of these survivors in an obvious propagenda ploy by or in the name of the recent Attorney General in connection with his panel "review", a hardly appropriate but the only official designation. I now inform you that among the other things very wrong with that "review" I have irrovertible evidence that it is not in any sense complete. By this I mean that the report is not complete and the "work" was not complete and was designed to avoid what, to the knowledge of everyone concerned, could not be avoided in the use to which it was put.

Your silence on this, I suggest, involves the family in a much greater tragedy and scandal than you may conceive. From the public record, in fact, you brought this particular one on them. I hope this record also is inadequate, that there may be some other explanation.

Sincerely,

Harold Weisberg