Dear Howard, Your FOIS correspondence 4/1/77

Your are doing well and getting more all the time.

I have yet to see anything that qualified for withholding at any time.

It is more than apparent that the SS violated the Act and my rights deliberately, lying at the same time, from what they are giving you now.

I think Jim should be aware of this so I'm taking the entire file to him for him to take what he wants of it.

Thanks much for all the time and trouble in the copying.

The FBI is pulling their standard trick on you. Jim and I just danced around with one of their FOIA supervisors on this Wednesday past.

Askd for a search of the Baltimore F.O. on all autopsy records, including but not limited to those filed and received by S and O'Nregardless of origin or form. Ask them why they arbitrarily limited their search to the one HQ file when there simply cannot be a agent who does not that for a fact mxmk records of this nature are filed in the various FOs. It might help for the future of FOIA and the phoney statistics they fabricate and tabulate if they do not see that in making knowingly inadequate searches they are wasting time and money and simultaneously are violating tye Act - knowingly.

They should also know that under standard FBI procedures among the other places in which there should be duplicates is the Dallas FO.

The deviousness of the Secret Service in these dealings with both of us is not easy for me to explain, even with recognition of the fact that they lied to me and I did believe their lies.

Their special motive is not clear. However, in any interpretation it inspires only suspicion and this suspicion necessarily include inferences of conspiracy.

Whatever its shortcomings the memo to Barefoot Sanders make it certain I was completely right in saying from the first that the Secret Service always had physical possession of all the autopsy material. In my view the turning of it all over to Lincoln at the Archives rather than in JFK's office of some other secure places is persuasive that the conveying was not to the family but to the kkkkxm JFK Library.

The withholding of those recors showing the family other than as DJ and Archives officials want, when it is done by the Secret Service also, persaudes that either they all have some remarkable ESP or there was a conscious planning, contriving of this infamy.

You are doing fine. Keep it up!

Best,

FOIA REQUEST NO. 27,441

1111 SW 16th Ave., Apt. 156
Gainesville, Fla. 32601

March 22, 1977

Clarence M. Kelley
Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington, D.C. 20535

Dear Mr. Kelley:

This is in response to your letter dated February 24, 1977 pertaining to my Freedom of Information act request regarding records of the Kennedy autopsy, designated No. 27,441. I appreciate your correction of your letter dated January 25, 1977, and Agent Binney's efforts to clarify matters.

I write now out of a concern about the FBI's handling of FOIA requests. On two occasions I have been furnished erroneous information relating to my request. While I believe that those furnishing this information did so in good faith, unaware of its inaccuracy, I am naturally concerned that such misinformation can proliferate in the agency's attempt to comply with a law designed to promote the dissemination of accurate information.

First, when Agent Binney phoned me on February 22, 1977, he stated that he had been told that the FBI had no records relevant to my request because all such records were turned over to the Kennedy family upon request. When I asked for the records of such transfer, Agent Binney explained that he had seen no such records but had merely been told this information, although he did not specify who had given this explanation. Ultimately, as my notes reflect, Agent Binney explained that this was "apparently" what had happened although he was not certain.

To my knowledge, this information conveyed to Agent Binney is false; there was never any such request from the Kennedy family, and you know as well as I that the FBI simply does not turn over its records upon request to a private family and not even keep copies in its files. What I would like to know is who gave this explanation to Agent Binney and upon what documentation or information was it based.

Second, your letter states: "Further, the two FBI agents who were present during the autopsy made no records." This too is false. Agents Sibert and O'Neill, Jr., submitted a five page single spaced typewritten report of their observations at the autopsy, dictated on November 26, 1963, file # 89-30, which appears in the Warren Commission's Document No. 7, pages 281-85. The Commission was furnished only a Xerox copy of this report. Additionally, a communication from the FBI's Baltimore office dated 11/23/63 related the autopsy "findings" and doubtlessly originated with agents Sibert and O"Neill, Jr. This is File #89-43, and appears in Commission Document No. 5, page 149.

Furthermore, Agents Sibert and O'Neill, Jr., also interviewed SAIC Gerald A. Behn, Secret Service, on 11/27/63 and filed a two page reoport of that interview which includes information about the custody and availability of the autopsy photographs and X-rays. This was in FBI file # BA 89-30, and appears in Xerox form as Commission Document 7, pages 286-287.

The fact that you have been unable to locate these basic documents, the originals of which should be in the FBI's files, suggests to me that there must be some shortcomings to your search methods or the information on which you base your search.

It is of obvious public interest that the FBI be able to locate documents within its own files and furnish accurate information to inquiring citizens. I hope that this letter corrects some misunderstandings that the FBI currently seems to have. I would appreciate it if you could furnish me the information I seek concerning the source of Agent Binney's explanation for why the FBI has no records relating to the autopsy.

Sincerely,

Howard Roffman

OFFICE OF THE DIRECTOR

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

February 24, 1977

Mr. Howard Roffman
Apartment 156
1111 Southwest 16th Avenue
Gainesville, Florida 32601

Dear Mr. Roffman:

This letter is in reference to my letter to you dated January 25, 1977, your letter dated January 31, 1977, and a telephone conversation between you and Special Agent David Binney on February 22, 1977.

Reiterating the information in that telephone conversation, your initial request, dated September 7, 1976, concerning records pertaining to the autopsy of President John F. Kennedy was assigned request number 27,441. Your second request, relating to 18 specific documents on the assassination of President Kennedy, dated December 15, 1976, has been assigned number 40,111. These requests have been and should be considered separate and distinct.

The letter to you dated January 25, 1977, pertained only to request number 27,441. In that letter, it was stated that the FBI does not have any records pertaining to the autopsy of the late President Kennedy, "other than the material the National Archives has already released to you." I regret that this phrase was misleading and did not convey the proper facts. The FBI does not have any records of the autopsy itself nor any records concerning the subsequent disposition of those records. Further, the two FBI agents who were present during the autopsy made no records.

The negative reply above was based upon a complete search of the John F. Kennedy Assassination file which is located at FBI Headquarters, Washington, D. C.

Finally, the FBI has no record regarding any restrictions placed upon the autopsy records. I would suggest your contacting the Archivist, National Archives, regarding that inquiry.

Mr. Howard Roffman

I regret the confusion that has arisen over this request and hope that this letter has clarified the facts. No further action will be taken on this request. You will receive separate correspondence regarding your request number 40,111.

Sincerely yours,

Clarence M. Kelley
Director