9/19/69

Dear Dick,

As you will, I think, realize, when I add to what I already had on Bullet 399 what I discovered in Frazier's W.C. testimony, as I pursue what I started 5/23/66, when I first went after Hoover on the spectrographic analysis, as I press this thing I'll be getting into that fallen-off fragment. I do not want to go into Roffman's thing, but it is becoming clear that without knowing it, as I push on this, it will, in one way or another, be disclosed.

A number of problems come up. I do not want to use the knowledge he got without his permission. I'd prefer to have it. It would save time in what I seek to accomplish not to have to work around it. He, of course, is unaware of the many things I've done in working on this over the years and may be unwilling to believe I did them. However, if you recall what you read in WW, you were aware of when I had taken this by the summer of '67. My files will reflect the other things.

For example, the morning the news of Clark's executive order of 10/31/66 was reported, I was at the Archives demanding the spectrographic analysis. Johnson said they do not have it. I asked him to ask the FBI, and in my presence he spoke to Cunningham, whose response was the Archives did so have it, and he cited what is not the spectro, the FBI report on the evidence that had been examined. While I was there I had Johnson get it, showed him this was anything but the spectro, had him get back to Cunningham on the phone, and since then I've been waiting for the answer that has not been given. My own letters to the Archivist repeatedly demand that under this exec order they are required to have the spectro. My correspondence with the Justice Department is in the same vein. Now, when I've been pestering them for the weight of 399 at any given time in its career, they remain silent and they refuse to take a picture of it in a scale for me, and I am about to sue them, and although I knew Frazier had taken a sampe for this analysis, but in NO he admits it comes from the rear, and I already have the size and approximate weight of the Connally leg fragment, with nothing else I have almost 100%. This kind of thing, in a court of law, should be one of the more important developments, especially when the legal issue is official suppression, in violation of the law. So, I'd like Roffman's permission to use this. Without it, if there is testimony, as I have little doubt there would be, it would come out anyway. As a matter of fact, one of the beneficials side benefits of the suit is the testimony it permits. I had told Bud, when he finally agreed to take the case (having hedged then refused more than a year ago when I first asked him), that if he didn't I was prepared to file the suit myself and be my own lawyer. Even before then, the late Spring of last year, I was talking to a Kennedy-connected lawyer about filing such a suit and he was interested (until Mark sounded off), and this is one of the things he had found comprehensible and was considering filing an action over.

All of this may mean nothing to Roffman, who may regard this as an effort to burglarize him. I think you know it isn't. However, when you are in touch with him, I'd appreciate it if you'd ask him if it is okay for me to know and use this. If he declines, I'll not, and I'll just work around it. But its disclosure is inevitable in the natrual pursuit of what I have engaged upon. I would much rather do it openly, in a way that gives him full credit for discovering it, and avoid this suspicion in his mind and save those steps in pushing the finks.

I spoke to Bud yesterday, briefly. His coming here has been delayed. But we will be getting together soon. This bullet evidence is one of the things I've been after him to go after the DJ on. It is not in the letter he wrote Mitchell, which he restricted to two things. We are still awaiting the promised letter we were asked to delay filing for. It was to be sent in two ~~weeks~~ days but has not been in two weeks.

I do not think this is because it is an east letter to write.

One of the things I have sought in my rather extensive letter-writing is to force government lawyers to learn what happened. They find such knowledge uncongenial and they seek to avoid it. By now most of those involved must have more than a suspicion of what happened. None can be happy about getting smeared with the same filth. Pressing them on things like this forces guilty knowledge upon them, and I do it. At some point, I believe, it is possible they or one of them will pass the breaking point and be forced to do or say something to preserve himself.

The importance of that piece that fell out is increased by your simple experiment. That hole is, as you suggest, without doubt the place from which Frazier removed his sample. There is only a single other flaw in that part of the bullet, in the picture I have, taken after the fragment fell out, and if that piece fits the second flaw-wow, huh? The cracking that is visible in my picture, which I've presumed is because of the slight flattening, may be the real reason that piece could fall out. What do you think, that and any slight subsequent disturbance.

I've got to get to other work. If you can, in whatever way you feel appropriate, I'd like you to ask Roffman if he will permit me to use this, in the form of the letter, in the near future for purposes of the litigation, if it becomes desireable, and at some point in the future, in the form of credit to him, in writing. In the writing I can accomplish the same end without mention of Roffman. However, I'd much rather be straightforward and report it as something he first established.

Nothing else new. The two people I expected last week did not come.

Hastily,