

o420 remand

HW 9/27/84

On 7/1/70 the FBI replied to Kleindienst's 6/22/70 forwarding my FOIA request of 6/19/70. Typically, the record file is "subversive" 100. On page 2 the FBI refers to my Ferrie request, which is quite relevant in O420 and the existing records withheld and/or not on the search slips.

I do not have my request before me but I am reasonably certain that I stated that all the FBI's information was not provided to the Warren Commission. In copying I put a paperclip in the margin for you.

So much also for my allegedly expanding my requests in the lawsuit.

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

# Memorandum

TO : Mr. J. Edgar Hoover  
Director, F.B.I.

DATE: June 22, 1970

FROM : Richard G. Kleindienst  
Deputy Attorney General

SUBJECT: Freedom of Information Act: Harold Weisberg

*Assassination of President John F. Kennedy*

Attached is a letter dated June 19, 1970 from Mr. Harold Weisberg in which he requests an additional photograph and argues concerning the content of my June 12 letter to him (copy also attached).

Would you please review this letter and give me your comments concerning his request and the arguments contained therein.

- Mr. Tolson
- Mr. DeLoach
- Mr. Mohr
- Mr. Bishop
- Mr. Casper
- Mr. Callahan
- Mr. Conrad
- Mr. Felt
- Mr. Gale
- Mr. Rosen
- Mr. Sullivan
- Mr. Tavel
- Mr. Soyars
- Tele. Room
- Miss Holmes
- Miss Gandy

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Section 173

1 - Mr. Mohr  
 1 - Mr. DeLoach  
 The Deputy Attorney General 1 - Mr. Rosen  
 1 - Mr. Sullivan (Attn: T. N. Goble) July 1, 1970  
 Director, FBI 1 - Mr. Conrad-Enclosure  
 1 - Mr. Jevons-Enclosure  
 1 - Mr. Frazier  
 1 - Mr. Gallagher

62-109060-  
**HAROLD WEISBERG: REQUESTS FOR INFORMATION UNDER FREEDOM OF INFORMATION ACT**

Reference is made to your memorandum dated June 22, 1970, forwarding a letter from Mr. Weisberg for comment.

The following comments are in the order of the subject matter set forth in Mr. Weisberg's letter:

- (1) Exhibit 60 (Pictures of President Kennedy's Clothing):  
 Weisberg requested a photographic print of a composite picture showing President Kennedy's clothing. Exhibit 60 is a composite of several photographs showing various articles of the President's clothing. You were previously advised that the Bureau can ill afford to divert away from our important investigative responsibilities the time needed to search our voluminous files and prepare such material. However, since there is no single negative of this composite picture, there are attached prints made from three of the four photographic negatives from which the composite picture of Exhibit 60 was prepared to be furnished to Weisberg if you so desire. You have previously supplied Weisberg with a print of the fourth negative showing the tabs of the President's shirt.

The check in the amount of \$1.25 attached to Mr. Weisberg's letter is being returned herewith for appropriate disposition.

MAILED 22  
 JUL 2 1970  
 COMM-FBI

RECD - COMM  
 FBI

JUL 20 15 22 PM '70

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[Routing slip grid with handwritten marks]

ENCLOSURE

RHJ:mjk (11)

(SEE NOTE PAGE 4)

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RECD - COMM  
 FBI

The Deputy Attorney General

(2) Spectrographic Analyses: In referring to the testimony regarding the spectrographic analyses of certain bullet evidence involved in the assassination, Weisberg advises that the testimony was simply that all specimens were of lead, no more. This statement is not true since the testimony as set out in Volume 5, Page 74, Line 1 of the Warren Commission Report states specifically that the various items "were found to be similar in metallic composition."

(3) Documentation Relating to David William Ferrie: Mr. Weisberg in his letter of June 19, 1970, argues in the last paragraph on Page one and the first two paragraphs on Page two with the reply you furnished him on June 12, 1970, dealing with his request for the Ferrie material.

Our observations and comments previously furnished to you regarding the Ferrie material remain unchanged; that is, the final decision as to the public disclosure of the material concerning Ferrie rests with the Department of Justice, but this Bureau has no objection to public disclosure of this material.

Mr. Weisberg argues that "all the records of the Warren Commission are not in the National Archives." This Bureau has no information that any of the Ferrie material which we furnished to the Warren Commission was not turned over by that Commission to the National Archives. It is noted that the last sentence of the Foreword to the published Report of the Commission reads: "The Commission is committing all of its

**The Deputy Attorney General**

reports and working papers to the National Archives, where they can be permanently preserved under the rules and regulations of the National Archives and applicable Federal law." So far as is known by this Bureau, this was done by the Commission before it went out of existence.

Mr. Weisberg's argument in the second full paragraph of his letter draws a distinction between "documents" and "information." He does not describe what he means by "information" and the distinction he draws does not appear to make sense. Mr. Weisberg's reference to Carlos Marcello is also not clear, although the New Orleans attorney for Marcello, Mr. G. Wray Gill, advised this Bureau on November 27, 1963, that Ferlie had done some investigative work in the Marcello case. This was reported in Dallas report of Special Agent Warren C. De Brueys dated December 2, 1963, which was furnished to the Warren Commission.

- (4) Concerning Receipt of Material Obtained at the Autopsy: Weisberg comments concerning Exhibit 843 containing two objects and possibly a third. He also makes comments regarding receipt of this Exhibit. Weisberg was previously advised by you that Commission Exhibit 843 consists of two lead fragments removed from President Kennedy's head at the time of the autopsy. These are the only fragments removed from President Kennedy's body and turned over to the FBI. They were described as a "missile" in the receipt furnished Navy authorities by Special Agents Francis X. O'Neill and James W. Sibert.

The Deputy Attorney General

- (5) Autopsy Photographs: Weisberg was previously advised by you that the FBI has never had possession or custody of the autopsy photographs. It is difficult to determine from Mr. Weisberg's letter what he had in mind regarding this matter. However, this Bureau has never had in its possession any negatives, prints, or copies of photographs taken at the time of the autopsy.

The letter of Mr. Weisberg forwarded with your memorandum is being returned herewith.

Enclosures (5)

**NOTE:**

We have had previous correspondence with the Department regarding Mr. Weisberg and his requests for information under the Freedom of Information Act. Weisberg is a prolific and notorious critic of the Warren Commission, the FBI, et cetera. His criticisms have included slanting of the truth and outright lies.

Relative to the autopsy photographs mentioned in Item 5, the Laboratory has never had in its possession or custody any of these photographs or any prints, negatives or other such material relating to the autopsy. The Domestic Intelligence and the General Investigative Divisions also advise that they have never had custody of such material.

The material set out above concerning Ferrie was compiled by the Domestic Intelligence Division.