

Mr. Ralph Reppert
18 Dunwich Road
Lutherville, Md. 21093

Rt. 12, Frederick, Md. 21701
5/18/77

Dear Mr. Reppert,

Thanks for your 5/16, here today, and the two enclosed Sunday Magazine pieces.

I read the second and the AP story it had on the State wire. The local p.m. used it the next day. The editor, who is a friend, saved that and the second piece for me. Got it from him when we dined there Sunday.

Because you say nothing about coming here I take it you have changed your mind.

The FBI p.r. people misled all of you. There are no spectrographic tapes. Tapes as they relate in this case are those of adding machines used in neutron activation analyses. What I have of this nature is not limited to the testing of the paraffin casts, although just about everyone says and assumes that.

Although my offer to let the Sun join in my suit was made on impulse I do mean it. If you pursue this it will save you much money and time and will give you benefits for which under other circumstances I could not take the time.

I seek nothing personal from this and there can be nothing personal in it for me. I am far past the point in my writing where I would include this information in any book. I would give it away if I were to obtain anything else of substance. You may be unaware of it but this is precisely what I did with the first spectro material I received. It was at a press conference in New York City the end of April 1975, the day before I was to address a meeting at NYU law school. If the Sun were to join, which my counsel has approved, it would have first use, etc. Were you to do a story there is much I have you'd be welcome to, pictures that are relevant, etc.

In about four weeks I plan a trip to collect more affidavits to file in this suit.

While I could not take the time to help with a separate suit I would strongly encourage the Sun to consider engaging my counsel as co-counsel. It is his work on this case in the first suit that led to the Congress citing that suit, C.A. # 2301-70, as the first of four requiring the FOIA 1974 amendments. If you do not have that Congressional record I do. Because I have nothing personal in this I would give him any kind of release anyone would want. I do have discovery material others do not obtain by duplicating my requests. I have much relevant scientific literature, transcripts of hearings and depositions, etc. And, of course, he has acquired a considerable knowledge of fact in addition to what I believe is close to unique FOIA experience. We have yet to dig a dry well.

My interests in this are now essentially two: to bring to light what I can and to perfect the archive I will leave. I see no literary interest in this now. My writing interests are elsewhere and frustrated.

Whatever course the Sun elects it is still welcome to copies of all I've obtained. I have a good copying machine, they can be copied locally, commercially, which costs more, or you or your counsel can go over what I have and copy selectively.

The possibility of the most costly wastes of time for the paper and its counsel are real. As one example there is the curbstone said to have been hit by the "missed" bullet. Well, we have three different versions of what does and does not exist by way of tests on it, all under oath by FBI lab agents, present and retired. If you don't take time in this matter you'll get nothing except what I give you. I think more exists and I think I can prove it.

You phoned just as I was leaving Jim Lesar's office to meet my ride. We did not have time to discuss your call. However, since then another alternative has occurred to me, if it interests the Sun. I live in Maryland so I can file in federal district court in Baltimore, where you do business. You also can file there, as you can in Washington.

A duplicating suit would be frivolous. But with what Lesar and I have learned in this case I would suggest a much more inclusive suit. The possibilities are fantastically, journalistic and historic, any way. All ways.

If any of your people want to talk to Lesar his office number is 202/223-5587. He also has an office in his home, 202/484-6023. I'll next be with him on another case a week from today.

You use the phrase "complete ballistics evidence." You do not know the FBI if you think they'll admit having what you would regard as "complete ballistics evidence." Also, you appear not to have known of the neutron activation testing. The FBI was forced into this and kept it pretty much secret, as the Commission also did.

Aside from subject interest I believe FOIA is one of the most democratic of Acts, essential to meaningful freedom, to representative society and important to the press, which used it too little. Officialdom, which prefers secrecy, has already mounted a real campaign against it all over again. I believe this suit can be important in helping preserve the law and turning aside the efforts to gut it.

Sincerely,

Harold Weisberg