

HR, RB, JW, ERS, MF, FH, JNS, JP, JH

April 29, 1971

Congressman Hale Boggs  
House of Representatives  
Washington, D. C.

Dear Congressman Boggs:

I write this letter, of which I shall send a copy to Ray Cole, in the expectation that both of you will keep it confidential. There are a number of reasons for this request, one being that I will refer to my relationship with Senator Russell, and until I can present his beliefs in a proper context, want to preserve the confidentiality of his views. Another is that I desire no needless hurt for anyone and would prefer to avoid any possibility of it. Others will become clear.

When I spoke with Mr. Cole (of whose interest in you I was aware) a week ago and told him of some of the incontrovertible material in my possession, he wanted me to go see you immediately. He then suggested I phone your son, and again I demurred. It was then and is now my feeling that you should neither be pressured nor even feel that you might be. Whatever some might consider to be its defects, you have rendered an important public service, albeit, in my view, long overdue, and I believe that as a result you can be the beneficiary of a large amount of unobtrusive attention and research, a rather extensive effort not intended to do you personal good or to advance your career or that of your son.

The chief but not the exclusive purpose of this letter is to address the unsigned, undated memorandum you received from the Committee to Investigate Assassinations, whose director is a friend of Mr. Cole's as he has been of mine.

However, in fairness to you, I feel I should explain at the outset that I do not agree with the opinion I have heard you express of Mr. Hoover, that he has rendered only fine service and should retire simply because he has grown old and set in his ways. I regard him as both dedicated and wrong, a man whose influence on a vital agency in any government has from the first not been good; whose policies have never been subject to question and too often were very wrong. I know from personal experience that, as far back as 1938, when I was detailed to the Department of Justice by the legislative branch and lived for four months with its agents in the field, FBI men were aware that each was required to spy on all others and make secret reports on them. Some were kind enough to alert me, hence my knowledge.

I do not believe it is either healthy or correct for employees of any agency of government to live and work in this Gestapo-GPULike atmosphere, and I do not believe that the man responsible for it on this basis alone (and it is not my only reason) is less than a virtual dictator or acts in any decent and moral concept of public service.

I do not have a copy of your speech (and would appreciate one). However, I note this quote from you in Wednesday's Washington Post editorial: "Today I see what until now I did not permit myself to see." Perhaps this means you have changed your opinion in the direction of mine. But if you have not, you do know mine.

The CTIA memorandum is the straining of the mountain that produced a mouse. But - the mouse is rabid. I spent five hours yesterday going over its six pages with a representative, a young, sincere, dedicated and honest lawyer. In this time I took it apart as one parses a sentence. There is no doubt that he was sincerely convinced that at the very best this memorandum was prepared in too great haste, without mature consideration; was concerned with what for the most part is trivialities compared with what can be proven; and is an enormous booby-trap for you were you to use it. He presented his convictions to his associates today and was overruled. They declined either to withdraw this memo from you and Mr. Cole or to warn you of its dangers to both of you.

Aside from its inaccuracies, this memorandum, were you to use it, is in almost every case susceptible to an answer that will, in most cases, be true and in all cases can be expected to attract considerable major-media attention. It is simple: This was your responsibility as a member of the Warren Commission. One case that comes to mind without consulting either the memo or the Commission's work is that of the FBI headquarters file on Oswald. It was produced before the Commission. The Commission declined even to look at it. Parenthetically, and for your information, the headquarters file is not all the FBI had in its files on Oswald. The regional-office files held other material.

Another is the spectrographic analyses, for which, although you would not know it from this CTIA memo, I am suing the Department of Justice, my efforts to obtain it, going back to May 23, 1966, having proven futile. Not only did the Commission not ask for it, but the questioning of the FBI witness, who specified in his testimony he was an incompetent witness, establishes beyond question the Commission's awareness that it did not have this "best evidence" Moreover, the paraphrase accepted by your staff and testified to is little more than gibberish.

One of the ethical, moral and factual weaknesses of this memo is its pretense to originality. There is nothing but error original in it. This matter of the spectrographic analyses is but one of perhaps a dozen and a half cases from my own published work alone, all published before there was any CTIA. Aside from the fact that the published work, whether mine or that of others, is both more complete and dependable, can you imagine the effect were J. Edgar Hoover to quote me in response to these and the other similar points,

of which there are very many? I think I can qualify as Mr. Hoover's most persistent and most diligent current critic. All my work is a commentary on what he did to the Commission, to the country and to history. I have resurrected from their official oblivion and published more FBI reports than all others combined. Were this ploy to occur to the Department, and I think it prudent not to consider it staffed only by fools, it would be a public and political disaster for you.

Another off-the-top-of-my-head illustration is the large FBI summary reports to the Commission. They did not come to public attention as indicated in the CTIA's footnotes. They were used at least thrice earlier, including for the first time in facsimile by me. Rather than the representation to you in this memo, the FBI can rightly claim it told the Commission other than the Commission concluded, and that the evidence is not in favor of the Commission's conclusions. It was the Commission, I am certain meaning its staff only, that elected not to publish these reports, not the FBI. Quite contrary to the inferences of the memo, when the FBI withheld an enormous amount of other material, a large part of that improperly, as I can also show you, the FBI did not withhold either of these reports. They have been available to researchers at the National Archives from the very first. I got my copies about March of 1966, before the CTIA was concerned with investigating the assassination or the FBI. I emphasize this point because of the enormity of the material and the incredible amount of time required for even casual examination of any major part of it. This time has not been available to the ambitious if well-intentioned Johnnies-come-lately to the subject, time alone thus inhibiting their understanding as well as their knowledge.

There are other areas of deceptiveness, one being that of mail covers. What was given to you is a partial rereading of the work of a diligent and brilliant scholar, but a rather poor and entirely inadequate substitute for it. However, it would also be the petard on which you would hoist yourself, for the fact of Oswald mail covers has never been secret, as the Commission knew and as I went into in my published work which, again, preceded the existence of the CTIA.

I have no way of knowing whether you intend any use of this memo now or in the future, but I feel I owe it to you as well as to the ultimate acceptance of what I regard as truth to make you aware of these few samples. If you for a moment doubt they are not exceptional but permeate the entire memo, I suggest you ask your son, who is a lawyer and has political understanding, and Mr. Cole, whom I am willing to trust and I presume enjoys your confidence, to let me take it apart for them. I assure you it will not take anything like five hours for them to be satisfied. I wanted the CTIA to know the totality of what they were leading you into. And it took this long after but a single hasty reading by me.

In short, if you use this, you will be self-condemned as no one I can recall.

There is one other item I must address, and this especially in my own interest. Part of what is my literary property was used despite a commitment that it never would be done. It is a small if important part of a small if important aspect of a much larger picture. It is part of an as-yet uncompleted investigation I began in 1964. Its use now would be very costly to me and to my work, and it would endanger, if not render futile, any effort to carry forward this investigation. When this work is completed, to the degree I can complete it, I will make it available to you and to Mr. Cole. You will perhaps recall I invited your examination of some of my files on a basis of confidence. I made the same offer to Mr. Cole. And much earlier, as he does recall, for I spoke with him today in Mr. Cole's absence, I also made this offer to one of Mr. Cole's associates.

I refer to the first full paragraph on page 3, item 1, under B. I do hope that both of you will safeguard my rights to this, my own work, and not impede either my continuation of that investigation or my putting it together in the fullest and most complete context.

It is with regard to what this refers to that Senator Russell told me two things: He was satisfied the Commission was not told the complete truth and he was satisfied that it had been deliberately withheld.

I believe that when I have finished this you will find that, whether you use it or elect not to, it will be the strongest vindication of what you have said, the most persuasive defense that can be made of the essence of your comments.

In addition, you should take note that this is anything but an attack on Mr. Hoover as presented to you. It is, rather, an attack upon you. I presume you had no knowledge of this matter, but the fact is that you, not Mr. Hoover, were a member of the Commission, and the Commission, not Mr. Hoover, held its executive sessions and did what is said. Even worse, Mr. Hoover can produce relevant investigative reports given to the Commission before the time of this executive session, and how will you explain the Commission's silence on this score until it was known to the Commission that the information it had had for weeks had come to the attention of those Texas authorities who were then conducting a parallel investigation?

How many reports Mr. Hoover can produce, I do not know; but if he uses only what I have that his agency and the Secret Service gave the Commission, he has sufficient.

It remains my belief that the basic interests of a free society require the continuation of what you have begun. Another commission, official or unofficial, will again be dominated by him or

hamstrung by those upon whom he can depend. It is, moreover, not needed, for an adequate record exists, and I am in possession of enough of that. It is for this reason that in my earlier letters I suggested that you interest yourself in those matters where innocence of the members of the Commission can be presumed, in Mr. Hoover's breach of the Commission's trust, in his withholding of evidence he had from the members of the Commission.

Now, for example, can he justify withholding from the Commission charged with investigating it evidence bearing on the possibility of a conspiracy in the assassination of the President; its physical removal from what he gave the Commission when it was contained in what he obtained for the Commission; or withholding the copies his bureau then made of what was removed from this evidence? All of which I have, in official form, in my possession, with copies deposited elsewhere for security. Some of this was made available to me as an alternative to suit for it.

For the most part, that of which I informed you is covered either by unpublished FBI reports in my possession or by correspondence between me and Mr. Mitchell and Mr. Kleindienst. With the comments both have addressed to you since I first wrote you, there would seem to be an additional appropriateness in the approach I originally suggested.

Both have been silent in the face of my proven charges, made in federal court, of false swearing by one acting for them, and I made these charges in writing both to them and to the court. These are men who charge you with "irresponsibility", but when I allege perjury on their and Mr. Hoover's behalf, they are mute. Is ignoring a crime now the measure of "responsibility"?

With further reference to those matters of which I wrote you, I plan to file under 5 U.S.C. 552 whenever it is within my capability. If you have not noticed it, they relate to your home area, New Orleans, and what the FBI did and did not do there.

While I am not presuming that you will want to discuss this further with me, or ask your son or your administrative assistant to do so, I offer to be at your service beginning in about a week. I am about to leave on a trip. Except for the afternoon of May 7, I should be available beginning that morning.

Sincerely,

Harold Weisberg

cc: Ray Cole