

XEROXED ORIGINAL October 26, 1970

United States Attorney
District of Columbia

WDR:JTB/ralrad
115-12-1149

Mr. Tolson	
Mr. Sullivan	
Mr. Mohr	
Mr. Bishop	
Mr. Brennan, CD	
Mr. Callahan	
Mr. Casper	
Mr. Conrad	✓
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Tavel	
Mr. Walters	
Mr. Soyars	
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Miss Holmes	
Miss Gandy	

William D. Buchelhaus
Assistant Attorney General, Civil Division
By: Harold F. Leathers
Chief, General Litigation Section

Harold Weisberg v. Department of Justice
USDC D.C., Civil Action No. 2201-70

Attention: Mr. Robert Werhly
Asst. U.S. Attorney

*Assassination of President
John F. Kennedy*

Thank you for sending us copies of Answer of Plaintiff to our motion in these proceedings. We suggested the basis for each of these proceedings in our September 3, 1970, September 21, 1970 and October 9, 1970 memoranda. As our October 9, 1970 memorandum advises, please file the affidavit executed by Special Agent William showing that the rule pertaining to the assassination of President Kennedy plaintiff demands was compiled as part of FBI investigation. Congressional reports pertaining to 5 U.S.C. 552 indicate that Congress intended to protect all such information by enactment of exemption 7. 3. Rep. No. 413, 91st Cong., 1st Sess., p. 3; House Report No. 1497, 91st Cong., 2nd Sess., p. 2; Shaw v. American Corp. of America, 50 F.R.D. 130 (D.C. 1970).

We also suggest that you file a supplementary statement of material facts pursuant to Local Rule 9(h) incorporating the facts stated in the affidavit.

Please continue to send us copies of all papers filed and keep us informed of all developments.

cc: Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation
(w/copy of Answer of Plaintiff)

REC 74 62-1090606967

It is noted that the FBI could not properly investigate the assassination of the President of the United States is clearly frustrated and ought to be removed out of hand. In any event, the exemption 7 is whether or not the information is "compiled for law enforcement purposes" rather than national use. Clearly, investigation may properly close with the conclusion no crime has been committed.

3 ENCLOSURES
OCT 30 1970

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OCT 27 1970