

January 11, 1966

Dear Mr. Isbell,

On October 31, 1966, the Acting Attorney issued an order in which he said that the national interest required that everything in the possession of the government, whether or not it was government property, that had been considered by the Warren Commission, was to be transferred to the National Archives where there is a special archive on the Commission.

The day after this announcement it was announced that the Kennedy family had made a gift of the pictures and Xrays of the autopsy to the government and that the government had accepted stipulations that can guarantee suppression of this evidence for the lifetime of that Kennedy now alive who lives longest. I have, in writing, sought permission to examine this evidence (part of which I now find was considered by the Commission) and have been formally refused by the designee of the family.

With respect to the attorney general's order, I immediately demanded access to certain data not properly subject to the restrictions applied to the archive in that it does not and cannot conceivably relate to national security, the protection of stoolpigeons or reflect unfairly on innocent persons, etc. The FBI just refuses to transfer its relevant material to the archive. A specific case is of the spectrographic analysis of a bullet allegedly used in the assassination and the fragments or other traces of other bullets also allegedly used in the assassination. There are other items of evidence it just hasn't transferred that cannot be restricted. This is also true of the Secret Service which has the exhibit of the motion-picture film, the file exhibit having been switched to a copy of it made by the FBI. It also presumably has a second original copy that I believe is also covered by the Acting Attorney General's order. There is much other data and evidence that should now be available and, from what I am told at the Archives, is not.

With respect to the pictures and Xrays, I believe it was never within the rightful power of any government official or functionary to give this government property away. What is public is that the originals were given. There is no public knowledge whether or not copies were made and kept or whether it is copies that were made or given. It is therefore, I believe, illegal for the government to accept back what was improperly given away under conditions that could not otherwise have been applied to them, for this combination of actions amounts to a conspiracy to deny access to what, without it, could not be restricted as it has been. Reports keep reaching me that a propaganda trick is being worked on that will allow an improper use to be made of these pictures and Xrays. These pictures and Xrays cannot address themselves to the basic facts of the assassination. The most they can do is prove that one less lie was told. Yet a campaign is underway to make it seem as though a statement that the pictures confirm the dubious autopsy report will amount to verification and authentication of the Report, which cannot be true.

I can go into all of this with more detail. I have a file of correspondence on it for I am trying to establish a record. What I believe is involved is improper actions, including misuse of the law and uses never intended, suppression of evidence, denial of freedom of information, denial of freedom of the press and other things that I hope and believe should never happen when a president is murdered and there remain to be answered questions it is within the capacity of man to answer and questions that are important and relevant to what happened. I believe the assassination is entirely unsolved and that because it is all of our institutions may be in jeopardy. Because it is beyond my capacity to engage counsel, I am asking if the ACLU can help me.

Sincerely,

Harold Weisberg