

CP 22000
JFK

5/16/70

Mr. Richard Kleindienst
Deputy Attorney General
Department of Justice
Washington, D.C.

Dear Mr. Kleindienst,

Your Department has engaged in a systematic effort to violate the clear intent of Congress and the law on "Freedom of Information" to the point that inquiries properly made are ignored. Seeking of you what it is right and your obligation to respond to has been converted into a facility. Even so simple a request for forms you require for citizens to see the law is blatantly ignored. Moreover, when I asked for copies of your instructions to the Dept. and at the different offices of your Department, not only was I not given any, but in the proper office they even declined to take my name and address so they could mail these instructions to me. I have, in the past, addressed a number of requests to the Attorney General. As one, on not one occasion, such response. I have asked of your office that when my requests were rejected, as I anticipated they would be, the record indicate this is automatic when not ignored, it is in the name of the Attorney General so that the argument mechanism for delaying or would not be put into play again. In every case, this has not been done. I have twice times addressed specific firm decisions to the Attorney General only to have them also ignored. I regard this record as one in which your Department has effectively surrendered my rights to insist upon compliance with those rules you employ only to frustrate my proper requests and, in the event it becomes necessary, am prepared to test this in court.

I would prefer that this not become unnecessary, that you change your ways, start making responses, eliminate the deception and falsehood from them-in short, recognizing that Congress passes laws and Presidents sign them so that they will be obeyed, most of all by that Department in whose care the morality and integrity of the law is vested. If, the Department from which we have been looking so much about what it calls "law and order". Like morality, I suggest that should begin at home.

Herewith I enclose three completed FOIA forms, in each of these three cases my most recent requests have been made some time ago. In not one of them has there been response.

Two of them are unambiguously flagged, and I single them out for explanation. My first request for the spectrographic analysis of the bullet fragments of bullet and objects said to have been struck by either the President was assassinated and Governor Connally injured is dated in May 1969. There has never been response to it or its subsequent repetition. I addressed a request for this same public, un-censored information to the Attorney General 40 days ago. My first request of your Department for these documents relating to the late William Farris of New Orleans was made under the previous administration, and my most recent, still unanswered, was addressed to your office two weeks ago.

Because the record does not encourage belief you will provide that I seek with reference to the courts, I feel it would be useless for me to disclose everything I can. Not because I want voluntary compliance with the law and because despite your best contrary efforts, Ed do not want to have this result in enhancement for you or the government, I do suggest some of them.

With regard to the spectrographic analysis, if you are not aware of it, not when leaving town in your present position, I think you should know that if it does not agree in the most minute detail with the interpretation put upon it by the Warren Commission, their Report is a fiction, it was, in my view, not explained, "considered by" that Commission. Those words are from the executive order of the Attorney General of October 31, 1964. Moreover, it was, to all practical purposes, made public and published in different form, repeatedly, by the Commission. Most recently, this was done by former Dallas Chief of Police James Curry, in a book bearing his name. When I asked for it of the National Archives, in person, the day this executive order was reported in the press, in my presence a representative of your Department told the National Archives it had been transferred there pursuant to this order. When we checked the file as cited, we found it was but a preface. To the best of my knowledge, there has been no response to the report made to him that this was not the analysis itself. This analysis involved no secret procedure, no informant whose identity need be hidden, no deflections of the innocent, and does not in any way fall near the right to withhold embodied in any of the guidelines for withholdings.

Your Department, through Mr. Vinton, told me the various documents relating to David Ferris were being reviewed with the intent of seeing whether they would be made available. I never heard further from him. The National Archives told me it had no knowledge of any such review. Obviously, it is impossible for me to provide you with an identification of each and every such suppressed document, but to the degree I can, it is already in your files. In fairness to you, for I do not seek scandal but I do seek information I believe is properly mine, I want you to know that I have some of what is said to be withheld and it cannot possibly be withheld properly. As I have already explained, what might tend to reflect upon the innocent was already then made public, rather extensively, by the men involved and by their attorney, in a book and its circulation. Ferris himself is dead, was unmarried, and his sexual tastes are public knowledge in a variety of ways, including but not limited to public reporting of crimes I charge against him for them and in his conducting of those charges and his subsequent loss of employment because of them.

With regard to the photograph identified as FBI Exhibit 60, requested in my letter of April 22, 1970, addressed to the Attorney General, I provide this information and request:

This is a picture of President Kennedy's shirt. The shirt itself is withheld from examination and study and any taking of pictures of it is prevented on the seemingly proper ground that neither the government nor his estate want any undignified or sensational use of it. I have explored this thoroughly with the National Archives and the representative of the estate, verbally and in extensive correspondence. However, there is no one to visit the available pictures can be put that is of any other nature, for they show nothing but his blood. This is not what I want to study or, perhaps, to show my chief purpose in study!

FBI Exhibit 50 is available at the National Archives as it has been published by the Warren Commission and by others. However, someone in your Department has gone to such trouble to see to it that the photograph at the National Archives is entirely useless for any serious study or for secure that it can be used only for no other than unclassified or sensational purposes. Instead of a photographic print there is a photograph of the printed page. Now FBI Exhibit 50 is not lithographic but is photographic in nature. With the screen built-in for printing, any enlargement is effectively precluded. My interest is the only non-sensational one. It is restricted to the tabs of the shirt through which a bullet is alleged to have passed. I do not, really, want the entire picture, and I would much prefer the largest clear enlargement you can have made of just this very small area of the shirt. My purpose is as simple as it is obvious. It is entirely restricted to a study of the damage to the shirt by the alleged bullet. I would much prefer any enlargement of this very small area of the shirt, which would eliminate all the guess, to a standard 8x10 glossy print of the exhibit itself. If you will not do this, as I hope you will, then I will accept the clearest possible photograph of the original negative of FBI Exhibit 50. However, because I am confident the Department would prefer no suggestion that it is withholding evidence relating to the murder of a President, I do hope you will provide me with the enlargement instead, showing only the damage. It will be obvious, I hope, that there is no unclassified use of such an enlargement of the original negative that is remotely possible, even if I were intending to publish it, which I am not.

The law, as you know better than I, imposes no burden upon me to make any explanation of what I seek under it. I hope you will understand that I have taken this time, gone to this trouble, in a sincere effort to put you in a position to understand that my purposes are serious, scrupulously proper and entirely within the intent of Congress and covered by the law. If you will reflect but a moment, perhaps you will also understand that, at possible cost to myself, I have sought to put you in a position to save yourself and the Department embarrassment if you do as you have in the past.

On the other hand, I will no longer accept the standard Departmental whipping from pillar to post. One of those requests to which your Department has never responded is four years old. The request embodied in my Civil Action 71-870 was a year old at the time you consented to the perfectly proper request but only after I filed the action and you could no longer delay trial. If I have not heard from you within two weeks that you will comply with these requests, or if I get a rejection in any name other than that of the Attorney General, I will proceed with further civil actions. I would much prefer to avoid this. Best sincerely, I hope you would also.

Sincerely,

Arnold Forster