

July 25, 1967

Dr. Robert H. Bahmer
Archivist of the United States
The National Archives
Washington, D. C.

Dear Dr. Bahmer:

I am deeply concerned about what I regard as the improper withholding of documents in the working-papers "autopsy" file in an apparent violation of the guidelines, and if I understand what is inherent in what Mr. Johnson tells me, it also amounts to making data for which I ask available to everyone else, whether or not he asks for it, at a time it cannot serve my purposes but does serve to benefit others who may not even know of it.

Mr. Johnson first agreed to make copies of this file for me, then refused on the ground that other files should be examined first under the guidelines so that the most data by volume could be made available as rapidly as possible. However, as you have since agreed, this can not apply to a file such as this because this file is clearly outside the guidelines and would seem to be not subject to withholding, save possibly for the pictures and X-rays said to be those of the autopsy.

Today I got what I understand to be a copy of everything in the file except for two documents, memoranda Mr. Johnson declined to identify to me, totaling four pages. Unless these are clearly covered by the guidelines, I believe it is wrong to deny them to me at this time. I gather from Mr. Johnson they are not covered by the guidelines but by a policy decision. I do not believe a policy decision of this nature can properly be made and I protest the denial of my rights and the damage it does me.

Having examined those pages you did copy for me, I am puzzled at the initial decision, for your staff certainly knew the contents of this file, and I believe I already have copies of all the items you supplied today. With the entire file, except possibly those four pages, already available for research, I frankly am puzzled at the initial denial.

Moreover, the file cannot possibly be a complete one with the addition of four pages. I know of other things that should be there and are not. Unless, of course, the Commission's working-papers "autopsy" file was something other than that to begin with. For one of the more obvious examples, I cite the death certificate. Another is the total absence of correspondence. Still another is the absence of anything having to do with the various tests used by the Commission in an effort to validate the autopsy and which, by what I have learned of its filing system, would seem to have been included in this file even if they were originally filed elsewhere. There is nothing on the pictures and X-rays.

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Not only is it not a complete file, but the documents provided are themselves not complete. For example, Document 371.

The presence of Commission 525, the March 18, 1964, letter of J. Edgar Hoover to J. Lee Rankin on "neutron activation analysis", is ample indication that a considerable amount of collateral data must have been in this file.

Among the things that I think should be included are the notes and documents relating to distribution of the autopsy report, who was shown it and when, and who, if anyone, was shown the pictures and X-rays. There should be in this file some explanation of what happened to the notes of the autopsy, which are defined in the testimony as part of Document 371, which is in the file.

There are too many other things I find disturbing about this "autopsy" file. For example, one of the sets of copies of the "autopsy protocol", almost illegible and from internal evidence a remote-generation Xerox copy, is identified as "CR362a". Page 28 of the file list identifies 362 as coming from the Attorney General of Texas, has no relationship to the autopsy, and part "a" is described as "Travis Kirk's letter 437". The other set, to which is attached the December 20, 1963, covering memorandum of James J. Rowley to J. Lee Rankin, does not contain markings added to the "362a" copy, markings that are illegible and unexplained. Further, the memo-covered copy would seem to dispute past government statements, that the autopsy report supplied the Commission on this date is the one given the Secret Service by the hospital. Now, the communication from Admiral Galloway to the White House Physician dated November 25, 1963, specifies there were eight original copies. Yet this, presumably an original copy sent by Mr. Rowley, bears the identification of two different passages through the model Xerox machine that marks the word "Xerox" across the bottom and there are indications of additional Xeroxing before this copy evolved.

This file should contain an original copy of the autopsy. It does not. It should show where the other original copies were sent. It does not.

The copy of some remote-generation copy it does contain is in part illegible. It is certainly useless for research purposes, as is the "362a" copy. Worse, neither is complete. Each is missing at the very least the "supplementary report" transmitted two weeks before the date of Mr. Rowley's memo and the report on the glandular examination.

As you know from our correspondence and conversation, this is no new interest with me. Our correspondence on it goes back more than a year. We also discussed it in early November, almost nine months ago. Having delayed my research and my writing for more than a year, I think it is no expression of mere impatience to say that the withholding of those parts of the file admittedly withheld is unfair and discriminatory. The inference of what Mr. Johnson told me, that these missing pages will be released in the sense of distributed, offered to those who have not sought them, is of this character and is, in addition, a violation of Archives policy as explained to me by Dr. Rhoads about fourteen months ago, and a departure from accepted standards of research and archive administration, where the rights of each researcher are carefully protected. I believe you have in the past adhered to what I take to be the normal standards.

There was an added inference in what Mr. Johnson told me a week ago bearing on this. He said I was not entitled to anything "exclusively". That, of course, is correct, and I have never asked for this. To your own knowledge, my entire approach has been contrary to it. For example, when I presented the authorization from UPI for me to see the films the copyrights of which they hold, I asked that you interpret this to include all researchers, although the document was specific and mentioned me alone. I also offered you my 8-mm. equipment for you to use for the benefit of other researchers.

There are no documents which should be available to me - or anyone else - exclusively. This, however, is not the same as saying that before you give me documents I have sought for more than a year you are, in effect, going to publish them at the same time. To do that is not in accord with your practice nor is it in accord with accepted standards and practices.

As we both know, there is one who had unrestricted access to all of the documents in this archive, including those still classified. Here is the departure from standard, here is where the charge of "exclusiveness" can be leveled, not at me, for I have asked only for the continuation of established policy, the observation of normal practices and of the guidelines.

Last November when we discussed the manpower available to this archive, you denied my statement that, with the assignment of only two men to this archive, even if they work full time on this and nothing else, they do not have the required time. You said all the manpower needed is available. We are almost at the end of the third year that you have had custody of these files and they are still not available. It is more than a year that I have waited for what I am now denied. I submit this is an entirely unnecessary delay, one not in accord with national need, and in the context of too many other things, can be interpreted to be a deliberate attempt to withhold by delay research materials that should have been available long ago. The reason certainly cannot be that our government cannot afford a staff of more than two not-full-time men.

I would like also some assurance that, with the addition of these two documents totaling four pages, I now have the entire "autopsy" file, whatever it was originally designated by the Commission.

If it is available, I should also like a copy of the Commission's file chart in which it itemized its files and identified them.

There should also be a file relating to the return to the government of the pictures and X-rays said to be of the autopsy. It would seem to be outside both the guidelines and the stipulations, the legality of which I have already challenged, under which the government received these pictures and X-rays. I would like a copy of this entire file, as with the file on the transfer of the Zapruder camera.

I repeat my concern about this entire situation to emphasize it: About the delay, for after three years, had the government so wanted, there need be none of this archive now not available to researchers; about the departure from your own and accepted practices; about discrimination; about violation of the guidelines and the Attorney General's

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order; about denying researchers the fruit of their own inquiry; about the incompleteness of the file and of the individual documents within it; about what amounts to suppression by the imposition of wrongful conditions.

If the file relating to Governor Connally's injuries is not part of the autopsy file in the working papers (for it is in this way that it was used by the Commission), I should like a copy of that at your earliest convenience.

If the autopsy notes, the original of which are in the possession of the government and required to be in the archive under the Attorney General's order of last October 31 and copies of which are by definition part of both Document 371 and Exhibit 397, have been located or delivered to you, I should like a copy of them also. There are other things for which I have in the past asked that were not in your custody, like the spectrographic analysis. If other agencies have complied with this order and delivered these things to you, I should like copies of them also. I would appreciate being advised as soon as you can that you now have them.

Sincerely,

Harold Weisberg