

August 6, 1967

Dr. Robert H. Bahmer
Archivist of the United States
National Archives
Washington, D. C. 20408

Dear Dr. Bahmer:

I am not at all certain I understand parts of your letter of August 4, particularly the first paragraph. I understand the second paragraph to say that the files of correspondence and staff memoranda of the Commission have not been released, yet I know some have been. Also, it would seem that if you are proceeding in chronological order, among the very first files would be those on the autopsy.

However, I am pleased that you will notify me. My protest and the reasons for it are a matter of record and I suppose we shall have to let it rest that way. I would appreciate it if you would let me know the approximate date you will be making these documents available as soon as you know it, by telephone. You may, as in the past, reverse the charges. I can then plan to be there on that date.

I appreciate your preparing to send me copies of the signed autopsy report and the attached Rowley memorandum. Yet I cannot understand your restriction of those two memoranda on the ground that the files of correspondence and internal memoranda have not been available for research when I worked in some of them months ago and you provided me with those copies I asked for. I have published some of them.

Likewise, I am gratified to be getting the records relating to Governor Connally's injuries. If the file classification manual used by the Commission identifies the Commission's files, and I presume some place there is such an identification, by subject, I would like a copy. If there is not sufficient money in my account, I will replenish it on hearing from you.

I vehemently protest the restriction placed upon the documents relating to what you describe as the "gift" of the photographs and X-rays said to be those of the autopsy, on the basis of what you call an "understanding" that it is restricted. As you know, I have from the first challenged the legality of this entire affair. The pictures and X-rays were government property. Rather than a gift, they were merely returned to the government that owned them.

Over and above the special circumstances of this case because it is that of a President, the autopsy pictures and X-rays are always the property of the hospital performing the autopsy, as your own archive shows. In addition, the transfer was arranged by the most eminent lawyers who we must assume know their business. If this restriction is not specific when they did make restrictions, I do not see how you or anyone else can now impose additional restrictions.

Dr. Bahmer - 2

Accordingly, I renew my request for copies of all the documents of whatever nature relating to the return of the pictures and X-rays to the government.

If there is to be a precedent, the Commission established it in making public that part of the autopsy examination which might be called gory. If there is anything lending itself to sensational usage, it is this. I see nothing in any documents relating to the transfer of the pictures and X-rays and the negotiations leading up to it that can properly be withheld for the "stated purpose of preventing the undignified and sensational use". Quite the contrary, if there is to be any sensation from this documentation, it can come only from impropriety, illegality or suppression. If there is anything else in this entire matter that can lead to undignified or sensational notice, it is the policy of the government. I hope you will do what it is within your capacity to do to change it.

On the other hand, it is possible that, if the government's real reason is to prevent scandal, permitting access to these papers can prevent the scandal that already exists and need only be exploited, should that be anyone's intention. There are right now legitimate existing questions of potentially sensational nature that could be eliminated by examination of these papers. To cite one example, there is a discrepancy between the number of pictures and X-rays recorded as having been made during the autopsy examination and those returned to the government. Innocent explanation may exist, but without examination of these papers it is not possible.

The denial of these documents is consistent with suppression and fear of the meaning of their contents.

Even if I had asked for those papers relating to the clothing, which I have not because I have no interest in them, this could not be applicable, for the Commission itself has printed a half-dozen pictures of them. But may I ask if the clothing is not in evidence?

I regret very much the positions you have taken with regard to these items I have requested. I believe my requests are proper and that I am entitled to access to these items without restriction or delay. I also regret the position this forces upon me. I am certain that you are well aware of the fact that I have defended your agency against what I consider to be unfair accusations against it. Except for this and related matters, I agree with your representation of your policy, and I reiterate my affirmations of it and of the cooperativeness and helpfulness of your staff. I believe it is only fair that I do so in a letter of complaint and protest, for I have uniformly found your staff helpful and cooperative and aware of its responsibilities and obligations. I have no other complaint of partiality or inequality.

I am satisfied that you are keeping a written record of requests not honored because you do not have or cannot make available what has been sought. Of those things I have requested, my greatest interest is in the spectrographic analysis of the so-called "found" bullet and fragments of bullets from various sources and in Mrs. Kennedy's observations of the inflicting and nature of her husband's injuries. As you know, I believe the first is improperly withheld from you and the second improperly suppressed. If and when these are available for research, I would appreciate telephoned notice.

Sincerely yours, Harold Weisberg