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473-8186

Route 8
Frederick, Md. 21701

April 23, 1968

Dr. James B. Rhoads
Acting Archivist of the United States
National Archives and Records Service
Washington, D. C. 20408

Dear Dr. Rhoads:

I wish I could regard your letter of April 17 as responsive.

On the simplest basis, "Copies of records you have requested have been mailed to you," it is untrue. When I can take the added time, I will go over my records and list what has not been sent. The Jack Ruby address book comes to mind immediately. It has been quite some time since I requested this, specifying which version, Exhibit 5204.

As so often happens, here is another case where the integrity of the government and the investigation of how that government came into power are jeopardized, and here is a case where what I requested was not sent me. From the time I first met you, I have not, until recently, felt that I had to check closely on your agency. I hate to feel now that this is necessary. But this sort of thing, in various forms, has been a regular occurrence.

Can you seriously suggest that when the executive sessions of the Commission were top secret I had any way of knowing which, if any, related to the autopsy and which, if any, you were declassifying? The arrangement of secret files is known to the government, not to researchers. It is not an explanation to say that you distinguish between secret files on the same subject, files of which I have no knowledge, when you have an entirely arbitrary breakdown of those files. This should be clear in the sentence you quote from my letter of almost a year ago, which I here emphasize:

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

Precisely because you have kept all these things secret there is and was no other way for me to request 100 percent of everything relating to the autopsy.

Your files contain a number of records of my requests for everything on the autopsy and what relates to it. I am, for example, after two years still waiting for the original notes of the autopsy, required to be in your possession as part of CD 371 and as part of Exhibit 397. They may not be in your possession in any of the replicated files, but they most assuredly are required to be and they are, I tell you with no less certainty, in the possession of the government.

Your files also contain the written assurance that when I request material that is temporarily restricted, because of the lists you maintain I will automatically receive what I request or notification that it has become available. I have trusted this assurance and have not nagged you and your staff.

Yet I now find, and not for the first time, that you have violated your assurance and your own procedures. In this case, you have denied - and I reemphasize, not for the first time - one who has, by any standards, engaged in long-standing and thorough scholarship what he was entitled to and given them to a writer of recent and unscholarly interest what he then used as propaganda, an apology for the government and its suppressions.

Obviously, I have no way of knowing the nature and extent of the interest of others, but I seriously doubt if anyone else has expressed to you anything like the interest in this that I have or has ordered every single scrap of paper on the subject, including countless copies of the same thing from each of the duplicating files in which each was placed.

In this connection, there can be no such representation about your denial of my prior rights with regard to the agreement between the General Services Administration, of which you are part, and the Kennedy family. My last letter on this is entirely unanswered.

In this case, my long- standing request was specific and rejected. With no conditions changing, you thereupon arbitrarily made it available to a newspaper writer the government knows is an apologist for it and, predictably, he used it in exactly this way.

There is more relating to the autopsy file that I do not burden you with at this point, but there is a prima facie case of someone else - still again, a government apologist - being given what I was denied, and in advance of release.

In your next paragraph, the key words are these: "our staff is too small". How much smaller can your assigned staff be and still be any kind of a staff at all? First the government arranges an organized chaos of almost inconceivable extent, then it assigns and continues to assign an entirely inadequate staff, and then it insists that those seeking to make proper use of the files have knowledge of both government secrets and its strange methods of filing and organizing. Quite obviously, this imposes impossible conditions on those seeking to have access to what they are properly entitled to access. In any event, you can hardly hold me responsible for either the chaos or Budget, which you, yourself, have responsibility for. If your staff is too small, as it is, that is your responsibility and doing, not mine.

This adds up to a very unpleasant thing: suppression. Without doubt, you can find a less disagreeable word, but I doubt a more appropriate one.

The rest of your letter is about an inexcusable anarchy for which your agency must assume some degree of responsibility. By specific order of the Attorney General, but, I believe, not for this reason alone, everything considered by the Commission is required to be in your custody and available under the usual conditions. It can properly be said that you may have no way of knowing what is required to be in your custody and is not. It cannot properly be claimed that once you know of this you have no responsibilities. In each and every case where I have requested of you what you say you do not have, I have specific knowledge of its existence, in every case I can now recall, first-hand knowledge.

If the order of the Attorney General is to be anything but the cheapest kind of publicity stunt and nothing else, there must be some means of getting into your custody what is so clearly required to be there. It

certainly is not the obligation of anyone outside of government to accomplish this. It seems to me to be your obligation at least to attempt to effect this. Is there anyone else with this responsibility?

I repeat, it is not the responsibility of the researcher, who, in any event, is entirely powerless. As I have already informed your agency, letters to the originating agencies are without acknowledgment.

Let me be specific and cite your letter.

The Miami police did supply the Secret Service with a tape recording and a transcript of a threat to kill the President, made November 9, 1963. The Warren Report says that the Secret Service made a study of its files of threats - for the period up to and including November 8, 1963 - and for the "entire" (what a device!) Dallas-Fort Worth area (as though airplanes were not yet invented). It must be clear to you that I did not organize the government's files, and that I do not have access to what is secret. If this is not included where the file chart indicates it must be, where am I to tell you to look or to look myself?

Mr. Davis personally told me he had been interviewed by the FBI and that he had signed a statement for the FBI. Thus, I have specific knowledge. If you do not have this file, you are required to. I think you could ask the FBI for it. Remember, it is the Department of Justice that issued the order requiring that everything be in your custody.

Mr. Doyle and the man who was with him are my sources on that motion picture.

Mr. Dean is my source on FBI interrogations of him about Loran Hall. The interviewing agent was named, in two cases, Rapp or Repp.

With regard to the spectrographic analysis, I have made repeated requests for this. It was considered by the Commission, the testimony shows it was to be preserved as part of the file, in its original form, and in my presence the FBI misinformed your staff about this in early November 1966. This does not mean the inadequate paraphrasing you refer to. It means the original analysis, which is clearly covered by the testimony I have previously cited to your staff and predecessor. Only by the raw exercise of power can this be denied me. I have asked the government for it for two years. My request to Mr. Hoover, like my other letters to him, has been unanswered. However, it is you and not Mr. Hoover who heads the National Archives. Properly, I believe, I address you.

Again, I know without question that Deyahn Calixtas (also known as Diane Turner), Philip Geraci III and Raul Navas, also known as Pezzoti (approximate), were interviewed. I know where, when and by whom. Such interviews are required to be in your custody and available to me except under certain stipulated conditions, none of which properly apply in this case. One - but not the only - interrogation is reported in Exhibit 3119.

This raises an additional point I have discussed with Mr. Johnson. He tells me that there are no memoranda by the Commission lawyer who also interviewed these people, one of whom became a witness, and that there are no files of the pre-interviews or projected questions by the staff lawyers.

I do not doubt Mr. Johnson's word, but I most assuredly do doubt that the Commission could function in this manner. Witnesses were interviewed prior to testimony to prepare for that testimony. The lawyers could not possibly recall all the questions they planned to ask the witnesses, nor could they remember all the many things learned from the numerous witnesses.

The lawyer in this case was Mr. Wesley J. Liebeler, who undoubtedly deposed more witnesses than any other. Particularly because of the extent of his work is it entirely inconceivable that he operated without any notes or memoranda. Yet these, I am told, are 100 percent non-existent.

From my own experience, I know government practice. The needs of the Commission and its counsel are quite obvious, and these required notes and memoranda. In the case of one lawyer, Arlen Specter, and the celebrities whose testimony he took, the prepared lists of questions do exist. In the case of two of the autopsy surgeons, his memorandum of interview exists. In most other cases, notes of some kind at one time had to have existed. If they do not today, they have been destroyed, removed or suppressed.

When the investigation was of the murder of a President and of how the investigating government came into power, nothing could be more inappropriate.

I accept with appreciation your offer of the typescript of the testimony of Philip Geraci III, totaling 25 pages. I would also appreciate that of Vance Blalock, which is related.

If my account is getting low, please notify me so I can keep a sufficient sum on deposit.

It is because from our meeting in early 1966 I so clearly recall your excellent exposition of the concepts of scholarship and of the rights of researchers and of your responsibilities that I write you so candidly.

If the things of which I complain were unknown to you, you now know. If the foregoing explanation is in any way deficient, please let me know what additional knowledge or proof you require.

Because of its subject, this particular archive is like nothing else in our history. It imposes on the government standards higher than those of Caesar's wife. Even more is this the case because this archive is required to contain the official evidence on how the government administering it came into dominion.

Especially because I have alleged the involvement of the executive agencies in the great tragedy do I think you bear a special responsibility to me. If you deny me what I am properly entitled to have, there will always remain the inference that it is because of how I have written or, worse, that it is in itself additional confirmation of what I have written. For government to retaliate against a writer or researcher is unpardonable. For it to deny him what he seeks that is inconsistent with what the government alleges is culpable, unless there is specific applicable law or regulation. In this case, no such things obtain.

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In closing, please permit me the observation that what you say has the effect of denying those Americans living in, say, Hawaii or Alaska access to the files on the murder of their President. I sincerely hope this is not the intent of the government. If it is costly and burdensome for me to go to your offices and seek what I properly describe to you, how much more impossible is it for those living at more distant points?

Sincerely,

Harold Weisberg