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Route 7
Washington, Md. 21701

April 1, 1968

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

Dear Dr. Bahmer:

You have not answered that part of my letter of February 19 which asks why you gave the New York Times copies of the Kennedy family-General Services Administration agreement when you earlier denied them to me. The delay in my getting a copy at all, which is a violation of your own procedures, you assured me, "was unintentional".

I now find that you have declassified expressly for the Saturday Evening Post and Mr. David Wise, if I am to believe his word in the issue dated April 6, other material which I have long sought and have long been denied.

If there is anything that is clear in the record, including a lengthy exchange of correspondence, it is that from the very first I have wanted every scrap of paper on the autopsy. In letters this dates back to the spring of 1966. Last summer you withheld two documents from one autopsy file, when I asked for everything on the autopsy. In response to my complaint, you wrote me on August 4, 1967, that when you did things like this it was "to make the records available in an orderly way rather than in a piecemeal fashion".

In this letter you also informed me that your objective is "to treat all researchers equally. We have kept a list of those who have made these requests in order that we could notify them when the records are available. We have added your name to the list."

When, after the date on which you had promised me copies of these two documents, I was given them, I specifically asked if this was everything on the autopsy and I was assured it was.

I now find that you have again violated your own rules. I was neither given copies of nor advised of the release of the executive-session transcripts on this subject. The net effect is to make available - piecemeal - to the Saturday Evening Post, on an exclusive basis, precisely that which had been denied me.

It is remarkable that in each case you made these things, denied me although my requests were of long standing, available to writers who you knew had done little or no research in your archive, could not possibly use the information in a proper context even if they were so disposed, and support the government in the controversy. In each case the material was used out of context and as the basis for writing that supports the government but is contrary to fact and truth.

I am prepared for your repetition of the assurance that this "was unintentional". Or, your silence.

In the current case, to comply with your own rules, you should have notified me of the release of the suppressed transcripts when it was decided upon, at least two months ago. You did not. And in the current case, in your own name, you became part of a pro-government propaganda campaign. This I regret because it is not what I would have expected of you personally and because what you did casts the Director of the National Archives in a role he should, I believe, never play. Let me quote you a paragraph from Mr. Wise's justification of the government:

> Is it possible that there is anything in the sealed files that mocks the Warren Commission's conclusion that Lee Harvey Oswald, acting alone, killed the President? Bahmer's answer: "From what I know of the records, I'd have to say no." (My emphasis)

If you are unaware of it, this statement was the lead and the basis for almost all the rest of the story moved by the Associated Press. Let me quote part of that for you, as it appeared in the New Orleans Times-Picayune of March 25 under the headline, "Warren Report Backed, Claim":

> The nation's chief archivist was quoted Sunday as saying he knows of nothing in the secret files on President John F. Kennedy's death to contradict the designation of Lee Harvey Oswald as the assassin.
>
> "From what I know of the records ..."

The use to which your words were put is not consistent with scholarship and is consistent with propaganda. Even the phrasing, evasive as it is, signals such an intent. "From what I know of the records," you said. This language raises a number of interesting and related questions.

What do you know of the records? What kind of a study, if any, did you make of them? What background do you have in the other evidence, that vast accumulation printed in 26 large volumes and that stored in an enormous volume under your custody? You cannot assess the significance of the secret evidence without a thorough founding in all of it. So, even if you made a decent study of what you still keep secret, and your qualification, "from what I know", strongly suggests you did not, did you make the scholarly appraisal of the estimated 20,000 printed pages, 10,000,000 words, and the enormous cubic footage of documents in your own files that would seem to be prerequisite for the expression of any kind of an opinion on the meaning of what is still secret?

If you did not, as I believe to be the case, how can you justify making such a statement, or, as it seems to me, becoming part of an unrelenting government campaign of misrepresentation?

Now, it happens that the secret files cannot be considered alone. Whether or not they contain data at variance with the official accounting of the murder, they are but part of the evidence. It also happens that your own files abound with solid 'evidence that more than "mocks the Warren Commission's conclusion". That evidence totally discredits the Warren Report, in any impartial evaluation.

As you know, there was a time when I was alone in defending the reputation of your part of the government. My experience with it at that time warranted the credit I gave it. I deeply regret that subsequent experience is contrary.

The murder of any President is a national trauma, a tragedy unique in its era. It invariably follows that the government that comes into power because of that murder and is its immediate beneficiary investigates the murder, hence investigates how it came into power. Here not even the standards of Caesar's wife are adequate.

That the political elements of the beneficiary government hail their own honor and integrity and abuse those who question their "investigation", while utterly deplorable, may be comprehended as the normal if regrettable reaction of politicians motivated and dominated by political considerations.

That scholars, entrusted with the nigh-to-sacred responsibility of caring for the nation's imperishable records and administering them and access to them with the impartiality required by custodianship of the national documentary heritage, make themselves propagandists, is beyond my concept of scholarship and impartiality.

There are now and there will be in the o future enormous doubts and endless questions raised about the integrity of this archive. In our previous correspondence I have cited to you case after dismal case of the absence from your files of vital evidence the existence of which is known. In each cited case, these documents are required to be in your files, including by order of the Attorney General himself. Notwithstanding this, his own Department is the prime culprit.

I see from Mr. Wise's writing, the accuracy of which you have not to my knowledge denied, that you can become a partisan. Is it, then, asking too much that your partisanship be directed at the integrity of your files? Is it asking too much that you request those agencies improperly withholding from your files what is required to be there that, belatedly, they supply it? Before citing new cases of this from the current exchange alone, let me point out that one of the inevitable consequences of your participation in this latest propaganda campaign, by a writer with long-standing White House connections, in itself warrants suspicions about the integrity of your files. If other reasons did not already exist for doubting their sanctity, your appearance in this new role, now and in the future, will in itself raise the question.

There is a comment that would have been appropriate from the man charged with the responsibility of preserving the integrity of the nation's priceless records of the murder of its former leader. It would ha have been to assure the people that the integrity of the evidence, of the national records, is intact - that all the evidence is there, pristine, unsullied.

Here, in the midst of the Macbethian rumoring that plagues the nation, you were offered the audience of countless millions of people - access to most of them - and the opportunity of making an imperishable record for the future. You exploited the opportunity, but to make propaganda, not to offer this assurance or establish such a record.

You and I both know why, for that is established in the record between us, in correspondence now two years old. You and I both know that you do know that these sacred records are <u>not</u> intact, are <u>not</u> unsullied.

They are, as you have, in writing, certified to me, gutted!

Gone is the most basic evidence of all about the crime!

And you know it, having proved it for me.

Can it be that you interpret the disappearance of the most essential evidence not to "mock" the conclusions of the Warren Commission?

Or is this a reason your comment was restricted to the still-secret parts of those files entrusted to your care, the files to which no one has access?

But if the unsecret part of these files has been gutted, what assurance have we that worse has not befallen those still secret--what reason to assume worse has not yet been detected only because of the secrecy?

My unfulfilled requests of February 19 alone are cause for the deepest misgiving.

The first was for all reports of all services relating to Richard (Ricardo) Davis and all statements signed by him. In response to this you gave me pages 20-8 of CD 984b and nothing else. Now I know, beyond question, that there must be more. Possibly it is not in the files, but it does exist and it is required to be there. This includes, but is not limited to, a statement signed by Mr. Davis. It should also include a CIA file. If nowhere else, this data should be in the "Other Individuals and Organizations Involved or Interviewed" file, the instructions for which read, "File here all material concerning individuals and organizations mentioned. Arrange alphabetically by name."

My second request related to the motion pictures of the Oswald literature distribution and arrest in New Orleans August 9, 1963, taken by Jim Doyle. In response you gave me pages 6-9 of CD 30, single-page reports by FBI SAs Bernard and Brown of their interviews with the four senior members of the Doyle and Matt Wilson families. Each of these reports says that Jim Doyle took these movies. There is no report of any interview with Jim Doyle, nor is there reference to the fact that the movie was taken by the FBI and later returned. Is there no record of the return of this movie? Is there no report of its content, whether or not the FBI made copies or removed frames?

Next I asked for all the documents on Loran Eugene "Skip" Hall, aside from CD 1553. In response to this you gave me only pp.211-3 of CD 1546. My request also cited a Watley report. Now I know that the files do include such a report. I also know that they should include others. My knowledge is 100% from original sources. These could be filed under the names Hathcock, Marks and Dean, among others. The period covered is from the day of the assassination until the following November. Messrs. Hathcock and Dean told me they were interviewed by the FBI and about Hall. My recollection may be faulty, but I believe Hall also told me he was interviewed by the FBI about his pawning of a rifle. There is no question but that such a report should exist because Hall was interviewed by the FBI, more than once, and he did pawn a rifle, which was the subject of an immediate FBI investigation.

Lastly, I asked for all reports relating to the National States Rights Party, specifying some from Miami. To eliminate any confusion and to eliminate the possibility one of the more important ones might be overlooked, I amplified this verbally, as your letter of March 8 acknowledges,

to specify a tape-recorded threat to kill the President. In response, you sent me pp.4-5 of CD 64.1 and nothing else. In your letter of March 8 you said of the tape and what is related, "not found among the records of the Commission".

These two pages from CD 64.1 are not all in the files on the National States Rights Party and the tape and related material are required to be in the files. They may, indeed, not be there, and this need not be your fault. But the tape, at least, was turned over to the Secret Service November 15, 1963. My proof on this is redundant, public and undenied by the Secret Service.

In addition to these two pages from CD 64.1 you have, to my knowledge, the names of Dr. Stanley L. Drennan, Captain Robert Brown and Steve Wilson (described as "a free-lance writer"). Aside from FBI interviews, Drennan, at least, was interviewed by the Secret Service. At least one report deals with a threat to kill President Kennedy.

The existence of this evidence, in the possession of the government, is beyond question. Among the files in which it is required to be are the already-described "Other Individuals and Organizations" and "Protection of the President", certainly part 3, "Reported Threats Against President Kennedy". It could also be in part 1, "Secret Service Precautions Prior to and During Trip to Texas", and part 5, "Other Assassinations or Attempted Assassinations". Although the file "Investigation and Evidence" is conceived and organized around the concept of Oswald's singular guilt, determined prior to investigation, in itself a rather unorthodox concept of impartial inquiry, it does have as part 4, "Other Suspects". I trust you will not find it excessively imaginative to conceive that a threat to kill the President in precisely the way the government says he was murdered should qualify the man who made it as a "suspect".

When you tell me you cannot find these things in the files, I do not dispute you. The fact remains that all of these things exist. They are required to be in these files. Proper categories for each item exist. That not one of them is available means that not one was turned over to the Commission or that something happened to each and every one that was given the Commission. Whatever the explanation, when we are dealing with the murder of an American President and its investigation by the government that by it came into power, this is inexcusable and intolerable.

In the past, on a number of occasions I have cited the order of the Attorney General of October 31, 1966, as authority for my statement that specified items of evidence were required to be in your archive. Government is not an amorphous thing. Such orders are not issued without purpose. We are entitled to assume that the purpose is the declared one, not public relations or propaganda.

Even if for some reason all or some of these items of evidence were not given to the Commission by the agencies, these same agencies, through their investigative arms, were part of the Commission. They were, in fact, 100% of the Commission's investigators and performed 100% of its investigative function. For all practical purposes, these investigative services are identical with the Commission.

Therefore, I respectfully call upon you to request each of these items of evidence that are covered by the Attorney General's order from the agencies involved. If these items were in some mysterious manner mislaid in the transfer of the Commission's files, there is no immediately apparent reason why the agencies should be unwilling or unable to replace them.

In asking this of you, I suggest that it is also required in the performance of your responsibilities. Without your willingness to do this, is there any way for you to replace what may be mislaid in the normal use of the archive or otherwise disappear? Further, it is the National Archives and not the other agencies which knows what it does and does not have.

It is a futility to suggest that those using the archive request the missing evidence of the supplying agencies. First, it should not be required when the National Archives exists. Second, from my own experience, such letters go unanswered. Immediately after the Attorney General issued his order of October 31, 1966, I asked for the spectrographic analysis of the bullet said to have been used in the assassination, the fragments recovered from the Presidential limousine and the bodies of the victims, and of traces from the windshield and from the curbstone that is now in your custody. This is outside any of the exceptions permitted by the official guidelines and is one of the most fundamental elements of evidence considered by the Commission. It thus is both covered by the Attorney General's cited order and should be provided to me.

Therefore, among those things I have already requested and not gotten, I herewith renew my request for this spectrographic analysis. It is essential to the work I am doing. If there is any provision of law or regulation by which it can be denied me, I would appreciate a copy of whatever is invoked.

If you find any error in fact or flaw in logic in the foregoing, I presume you will call it to my attention.

Sincerely yours,

Harold Weisberg