

June 17, 1968

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

Dear Dr. Rhoads:

Your letter of June 10 not for the first time ignores a point I have made repeatedly in correspondence with you and your predecessor. I must again raise it and respectfully ask for a meaningful answer.

On May 29 I asked for copies of the Secret Service interrogations of Philip Geraci and Dr. Stanley L. Drennan. Existence of both of these interrogations is established by the official sources I cited. In that letter I again invoked the October 31, 1966, order of the Attorney General directing that everything in the possession of the government and considered by the Commission be placed in your custody and made available to me and others under the normal conditions for the use of records stored in the National Archives. Here, as on previous occasions, I requested that if you do not have these files you are required to have, you ask the agencies of origin for them. Those agencies should then either cite you the files in which you have them or provide copies. The order of the Attorney General is explicit and allows for no exceptions. It was, on his initiative, so publicized. I think it unnecessary to remind you of the magnitude of the publicity he was able to obtain for this order. It was, we were told, proof that the government was not suppressing any of its evidence gathered and used in connection with the investigation of the murder of President Kennedy.

If you, in the face of this specific and applicable order of the Attorney General, do not provide me with copies of these documents to which I am entitled and which the order of the Attorney General requires that you both have and provide, then the government is deliberately violating its own directives and is deliberately and improperly suppressing evidence of this assassination and of how it came into power.

At no one point have you, your predecessor or any of the executive agencies made even a gesture at denial of the correctness of my position and requests. You and your predecessor have, in fact, never responded. Neither has any other government agency.

If you or any of the executive agencies regard the order of the Attorney General as mere propaganda, the meaning 100 percent of the federal action in response gives it, I expect you to make it explicit, not to ignore it, and I can then decide upon my next course of action. Unless there is uniform and strict compliance in implementation of this order, it is but propaganda.

It happens that almost all of the documents involved originate with two agencies, the FBI and the Secret Service. Each of these agencies acted as and was part of the Commission. The Commission had no investigators of its own. The FBI and the Secret Service were its investigators. Therefore, everything considered by these agencies and those others acting in similar capacity was considered by the Commission. The record on this is abundant, of unvarying consistency, official and public. Further, these agencies interpreted and paraphrased and evaluated for the Commission. They were part of the Commission. Every paper they have relating to any aspect of the murder of President Kennedy, its background or investigation, is, therefore, required to be in your custody and available to me.

There is nothing new about my repeated requests for what has been illegally denied me. My requests for what is withheld on the autopsy go back to the spring of 1966. The same is true of the spectrographic analysis of the bullet said to have been used in the assassination and the various fragments said to have had the same history. The morning after issuance of the Attorney General's cited order, I repeated this request. It has to this date not been honored.

As I have emphasized on earlier occasions, the investigation of the murder of President Kennedy is the investigation of the coming into power of the administration of which you are part. Aside from the legalities, I believe this imposes additional obligations, and even higher standards, upon the incumbent administration. It is, therefore, even less appropriate when this administration, in open defiance of regulations and law and by the exercise of raw power alone, denies citizens that information to which they are entitled. If there is anything but the government's unchecked power that enables it to deny me this information, neither you nor anyone else has so claimed.

I herewith renew all of my requests for all of the information to which I am entitled and which has been denied me over the past more than two years.

In this correspondence, and specifically in my letter of May 29, 1968, I have cited proof that some of the executive session transcripts denied me do not fit the reasons given for this denial. You have not responded to this and have not provided the denied transcripts. In my letter of May 4, in which I also told you I knew of the contents of improperly denied transcripts, I also asked that you "itemize the subjects discussed" to make it possible to judge whether or not denials were proper. This you have failed to do. I think the only possible interpretation is a) that denial was improper and b) you refuse to rectify your error.

Let me cite other recent instances of improper denial of what is required to be in your possession and available to me. After almost two years of denial, on April 23, 1968, I renewed my request for "the original notes of the autopsy, required to be in your possession as part of CD 371 and as part of Exhibit 399". To respond, as two years ago your predecessor did, by saying you do not have this most vital evidence, is to evade, for these notes exist, copies were in the hand of the witness when he testified, they are part of both files, and the executive agencies can supply you with copies if they were purged from the files of the Commission before transfer to your agency. The

cited order of the Attorney General eliminates any legal ground for the agencies' refusing you this and similar evidence. At the very least, I believe I am entitled to proof that you did make the request.

Page 3 of this letter provides another example. The Miami police did supply the FBI and Secret Service with copies of a tape recording in which a plan to murder President Kennedy and Dr. Martin Luther King were carefully spelled out. They also, in my understanding, provided a transcript. If these are not in your possession, the agencies can and must supply them to you. It is no answer to tell me that you do not have them.

On the same page, I repeat earlier reference to a statement Ricardo (Richard Rudolf) Davis signed and gave the FBI and to interviews with him pertinent to the investigation of the assassination. He is my source of information. Either he has told me falsely or I am entitled to copies. In any event, I am certainly entitled to a meaningful response. The same is true of similar statements by Harry Dean, again from the same page and again a renewal of my unfulfilled request.

Still on the same page and again a repetition, there were interviews with Deyahn Calixtas (Dione Turner), Philip Geraci III and Raul Navas, as well as others that are related, including Mrs. Geraci and Vance Blalock. The testimony of Philip Geraci III refers to two by a single agency, the FBI.

Your letter of April 17 assures me that there was no favoritism involved in David Wise's having been given access to the executive session transcripts. May I ask the date on which he was given access? The date of declassification on the incomplete copy I now have seems to be inconsistent with his use of these transcripts in the Saturday Evening Post. By this I mean that if he were not given access until the declassification date on my copy, it would seem to have been impossible for him to have written the article in time for it to have been published when it was.

This letter was in only partial response to mine of April 1 in which I requested the as-yet-not-supplied explanation of how and why your agency denied me copies of the General Services Administration-Kennedy family so-called "contract" by which the pictures and X-rays said to have been those of the murdered President were and have been suppressed yet made this available on what amounts to an exclusive basis to the New York Times. I had asked for copies of this document as soon as its existence was publicly acknowledged. Dr. Bahmer did not respond to this letter; he retired. I respectfully request response to the un-addressed questions.

Your letter of March 8 says you have no copy of the Doyle motion-picture film of the distribution of literature by and the arrest of Lee Harvey Oswald, in New Orleans, Louisiana, on August 9, 1963. This film is in the possession of the FBI and is therefore required to be in your possession and accessible to me. It is my information that the FBI retained the original of this film and returned a copy to the Doyles.

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Similarly, a film of the same events was made by a Minneapolis student, John Martin. He made it available to the FBI. The FBI retained and edited the original and returned an edited copy to him. This Martin film is, therefore, required to be in your custody and available to me.

In each of these cases, I respectfully request implementation of the Attorney General's October 31, 1966, order, as I do for what must be a very large number of similar cases of which I do not have this kind of detailed knowledge. If the FBI refuses to comply with this order, issued by the head of the Department of which it is part, I am, I believe, entitled to be so informed.

I make the same request with regard to the Norman Similas pictures requested in my letter of February 27. In this letter I also asked for copies of the original report of which Commission Document 1534 is but a paraphrase. Your letter of March 18 reports you have neither.

The record I here cite is as incomplete as it is bleak. I have gone over the file of our correspondence alone and for only part of this year. It is simply beyond my capacity at this time to go over the entire record of suppression that is illegal, improper and possible only because the government has the raw power it exercises. If incomplete, it is nonetheless a sad commentary on the official investigation of the assassination of a President and how the successor administration came into office, as it is of the state of freedom of information in the United States and the incredible violation of its own regulations and orders by that administration.

Over a two-year period I have made many more such proper requests for information to which I am properly entitled to access. I now call upon the government that has improperly denied this information to me to go over the records and honor each and every one of the requests or to cite proper authority for denial. The October 31, 1966, order of the Attorney General makes any claim that you do not have the information invalid, for it is required to be in your custody. Agencies of origin are required to provide copies. And I am entitled to examination of the information and to copies.

Sincerely,

Harold Weisberg