

December 2, 1968

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

Dear Dr. Rhoads:

During my absence on an extended trip, a number of letters from you, in answer to mine going back to early September, reached my home. This is in response to your letters of November 7, 13, 14, 19 and 22.

Your letter of November 7 says, "We are preparing for you a copy of page 13 of CD301". This was in response to my request then eight weeks old. It has not yet reached me or was incompletely identified.

The government has arranged a convenient futility in its denial of pertinent files. Pursuant to your earlier suggestion I addressed a request to the Attorney General for access to that material relating to David Ferrie I am confident in at least some cases is improperly and illegally denied me. It required only a week less than two months for an assistant attorney general to make absolutely no allusion to my request in his "response". The government and its employees and officials will have to live with the record they themselves make in their entire accounting of the murder of the President and its official investigation. In delaying so very long in responding and then not doing what you promise, then further suggesting a complete futility, you write your own record. To the degree I can, I assure this.

With regard to your letter of November 13, which required but two months to respond to mine of September 11, if I have further interest in Bowen, I will again address you.

Your letter of November 14, again two months in coming, says of the testimony of Dr. Humes which I cited, it "does not support your assertion that Exhibit No. 397 is incomplete". You refer to 2H372-3. So there need be no confusion and so you need not depend on the interpretation of another, I include herewith a marked Thermofax copy of this testimony. In entering the exhibit, Arlen Specter asked Dr. Humes to describe the documents he then held in his hand. The doctor's words are, "these are various notes in long hand made by myself in part during the performance of the examination of the late President and in part after ..."

Mr. Specter then identified CD371 as identical with this exhibit. In his further testimony, in which the doctor says only two of the pages are not in his handwriting, he is careful to say "of the notes actually made in the room in which the examination was taking place" they "in some instances" only are not his.

This testimony leaves no doubt that Dr. Humes held in his hand and described as part of both Exhibit 397 and CD371 notes in his handwriting made while he was examining the President's body. It is these notes I seek. They are described as part of both the files and the

Dr. Rhoads - 2

exhibit. These could have been no autopsy report without them. I have the receipts for them beginning at the autopsy bench. If for some reason they are not in your files, they do exist, are in the possession of the government and are required to be in yours and accessible to me.

Dr. Humes' testimony makes clear that what he burned was the first draft of the autopsy, not these notes.

I submit this testimony does not justify your quoted comment. And I herewith renew my request for copies of those notes made by Dr. Humes in the autopsy room, while he was examining the late murdered President's body and described in this cited testimony and part of Exhibit 397, none of which was authorized to be withheld.

Your letter of November 19 in response to mine of October 6 is correct in pointing out it would be helpful if I could give you complete citations to what I seek. Unfortunately, it is the government itself that makes this impossible by the very manner in which it handled this aspect of the investigation, like so many others. I do not know of all the possible citations to Oswald's changes of address. Your own files reflect the discontinuation of indexing by the Commission on the ground, perhaps spurious, that this was rendered unnecessary by what your agency was to have done. It is regrettable if this was not done.

However, if I can give you more specific citations, I will. I have received the two sides of a change of address card as you describe. I would now like copies of any interviews with postal employees in New Orleans by any agency in an effort to learn whether any had executed this or any other change of address in Oswald's name, including but not limited to Richmond Tankersley.

If you can provide anything else having to do with the post office and Oswald's mail, I would appreciate that also. A recent newspaper column by Paul Scott and Robert Allen says there has been a declassification of documents relating to the interception of Oswald's mail, in that case by the FBI. This was in specific reference to a letter he wrote the Soviet Embassy in November 1963. I would like copies of these and any similar documents.

Your letter of November 22 does not fully respond to my cited requests. In asking for all the available information on the report Oswald had been a federal agent, I also asked for the transcript of any executive session on this subject on or about January 22, 1964. You replied you have no such transcript. The existing evidence is that there was such a meeting. I then asked for either a list of the dates on which the court reporters took such proceedings or a copy of the bills, leaving the choice to you. You have in no way responded to this request, and I herewith renew it.

You claim that "the transcript of the executive session of the Warren Commission of January 27, 1964, is properly withheld from research under the provisions of existing law (5 U.S.C. 552)". I ask you to explain to me how the government can properly deny me what it has, through Congressman Ford, himself a member of the Warren Commission, already made public for commercial and propaganda reasons. I do not believe there is any law or regulation which permits the government to make what it classifies selectively available or, to put it more accurately, to suppress it selectively, making it available for the personal profit of those who are in accord with official fiction but

Dr. Rhoads - 3

denying it to those engaged in legitimate, long-term research. If you hold to the contrary, I would appreciate the citation of any authority that permits this.

The net effect of this action is to grant Congressman Ford a copyright on that executive session. This is completely wrong, morally and legally.

Further, the government thus denies researchers the opportunity of even checking the accuracy of the text Congressman Ford says he quotes. If his presentation is in any way inaccurate or incomplete, the government becomes responsible for this error and, in addition, for its perpetuation. If there is anything sinister, anything wrong in the official representation of the evidence, if there is any deficiency in the investigation, the government, by your action, makes it a deliberate, conscious, perpetuated error. This, in a country presenting the trappings of freedom and democracy, is intolerable.

The government, whose agent in this case you, personally, are, has seen to it that I have no way of knowing all of what transpired at the executive session of January 27, 1964. However, one subject there covered is now a public matter because the government permitted Congressman Ford a) to have it and b) to publish it, following which it granted him a copyright. I therefore renew my request for those pages of the executive session of January 27, 1964, dealing with the subject matter made available to Congressman Ford and used by him, for personal profit and not in any way as part of his official responsibilities.

Should you again deny me this, I ask that the government outline to me in specific detail what steps I must go through to carry this further, for the matter cannot rest here. I ask also not merely a meaningless and general citation of the authority you invoke but for the specific language you hold applicable to this specific situation and an official explanation of its claimed applicability.

I cannot conclude this letter without still again calling to your attention the unanswered proper requests I have made in the past going back to the tenure of Dr. Bahmer. I am, for example, still awaiting an explanation of why and how the Kennedy-family-GSA contract was denied me and then made exclusively available to another when mine was, if not the first request, certainly one of the very first, it having been made the very first day. I submit your refusal to answer this leaves a record that says you denied me this because I use it in a proper context, and made it available, much later and exclusively, to one who to your knowledge was not in a position to and, in fact, did not, instead, misrepresenting it to make it consistent with the existing and desired misrepresentations and incomplete representations of the government.

Sincerely,

Harold Weisberg