May 18, 1970

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

Dear Dr. Rhoads:

The recent weeks have been educational for me. They have compelled me to think other than I have preferred of our government, the integrity of its word, the sanctity of its records and the dedication of its servants to untainted truthfulness. It is in this context that I receive your letter of May 13, while so much so impossible to credit has been established as fact.

I asked another agency for public records I knew it had. It replied that it did not have them and even if it did it would withhold them. This forced me to do what I have long held off doing with your agency, go to court. First this other agency stalled. When it could stall no longer, its head wrote a dishonest letter capitulating and promising me access to what I sought. His letter was of studied dishonesty and still sought to perpetuate delay by making no provision for access. To get this, I first had to waste two days in Washington. During this time there was long-delayed response to telephone calls asking for this access. I then went to that agency, camped there, and ultimately was shown what should have been given me without question a year ago. Worse, I was shown a second file, one in addition to the one of whose existence I knew originally. I doubt the head of the agency, whose name was signed to the letter, knew what had been done on the lower level. I also do not think he drafted the trickery he signed.

Mr. Aggal's letter of the 13th delays only a month in making incomplete response to mind. Delaying only a month is like going from pony express to rocketry. I consider your letter and its disputatious character in the context of the story I have just recounted and of several proper questions to this day unanswered and more current improprieties, if not illegalities, I choose not to specify.

To cite but one, I still await any explanation an intelligent child could accept as honest and complete of the gross violation of scholarship and your own regulations in such things as refusing me access to the Kennedy family-GSA so-called contract, for very specific reasons, all of them suddenly vaporized when you found an ignorant writer who you could anticipate would write a story about it that could be depended upon to emerge as pro-government propaganda. This is not the only such case.

So I puzzle over your determination to prolong an essentially purposeless dispute over the Ferrie documents, the beginning of your letter, while there remains no response to things of consequence of which I have written.

Twist and torture the Ferrie matter as you will, and until I can find my list of documents with which Mr. Johnson then provided me there can be no definitive answer to the crux of it, there remain unanswered questions on it I have addressed to you and facts you to this day have not challenged and cannot.

On your invitation I did examine the file. I reported to you it was gutted. To this day there has been no denial nor any letter saying it has been restored to its original condition, all that was once there returned.

The numbers of documents in all that are withheld relating to Ferrie and to your knowledge relating to Ferrie are much larger than you told the press. Thus, at a time it was other than scholarship, at a time it amounted to propaganda against New Orleans District Attorney Jim Garrison, you went out of your way, as an agency of scholarship, to make public what was false and deceptive.

At your invitation, recall, I did examine the file you describe. It bears no relationship to the description in the New York Times that I sent you - and the Times got it from you - and what is more significant, even less to a rather descriptive one I have from the man in charge of that aspect of the work, Wesley Liebeler. Need I tell you that the available indexes are a guide to what was in that file and these also are entirely inconsistent with your "announcement"?

Above all, in considerably less time than you have taken to argue, you could have done the essentially simple thing I asked of you, provide me a list of all the Ferrie documents that youyour knowledge are withheld, with the reasons. This you do not do and you seek to hide it by disputing with me.

Before leaving this, your language prompts a question: Are all the withheld Ferrie documents in CD 75 only?

You enclose certain Ferrie documents, for all the world as though you are sending them out of the kindness of your heart, or as though it is a purely spontaneous action on your part. This is the deceptive record of your letter. Will you be kind enough to record to me in another letter where you got them, when and why? And, if you got them with a covering letter, would you please send me that? You and I both know what lies behind this. Why is your letter couched in a manner to hide this? Is this your personal concept of the proper functioning of an agency such as yours? This is not the first time you have done this sort of thing, nor the first time I have protested it.

It is only after your agency refused to meet what I regard as its responsibilities, to guard the integrity of its records; only after what I regard as a violation of executive order in failing to provide me what exists, is required to be in your custody; only after you refused to make simple requests to obtain what is missing that I undertook this function. You may recall, and it is recorded in our correspondence, your agency recommended this to me. As a result of my effort, certain things were delivered to you, for me.

I therefore ask these two things of you: I want a copy of every covering letter or other record of everything sent to you as a consequence of my effort and, if these records do not include it, a list of every such item; and a list of everything delivered to you for me that you have either withheld from me or failed to tell me specifically, as in this case, was given to you in response to my request - which is just another way of hiding it.

In this connection, I have made a record of your considerable and unscholarly effort to attract the attention of those who in research are my competitors to what I have obtained while simultaneously avoiding disclosure of other items with similar emphasis. My earlier comments about this are without response of any kind - even pro forma denial.

Let me address your paragraph in another way: Are you telling me that all you have just sent was shown me earlier, at <u>any</u> time? You refer to Secret Service Control No. 620 in a manner that will make it seem, to the uninformed in reading this letter, that nothing else was sent. This paragraph, I further note, does <u>not</u> itemize what you sent.

I do not mince words, especially not after my recent experiences and the character of the letter to which I respond, in describing your paragraph about the pictures of GE 399 as designed deception and falsehood, one in which you seek to hide the perpetuation of your refusal to give me what I have repeatedly and properly sought, one in which you not only avoid this but also disclose no effort to provide it.

Whether or not <u>I</u> sent you an electrostatic copy of the picture you took for me in 1967 is irrelevant. I will not now comb the files to determine it. The fact is I <u>did</u> make an electrostatic copy for you. It <u>was</u> sent to you. You <u>did</u> receive it <u>and</u> I have records of all of this. I dare you to deny it. If you do not, I challenge you to justify the language in this paragraph.

Moreover, I have informed you that the picture you identify as having been taken for Dr. John Nichols is not but is the picture you took for me. I have a) the one you took for me and b) the one you tell me you took for Nichols. They are identical. I thereafter asked you for a copy of the similar picture you took for Nichols. You have not provided it, not written me about it, not spoken to me about it, not sent me copies of any letters to Nichols seeking an electrostatic copy of <u>him</u> so you might be able to do it. In short, you deliberately avoid this, yet in your various refusals of access to evidence, you allege it must be denied for its "security". If you cannot safely perform the simple bureaucratic chore of keeping simple files, how can you be trusted to safely preserve the irreplaceable?

Or is this a self-answering question?

So, once again, I repeat my request for a copy of the similar picture you took for Nichols.

Because keeping you honest is the most serious interference with use of your files, I just cannot take the time to keep a record of what I ask for. You know this, for I so told you. In the case of my hasty examination of the file of staff memos, your employees went out of their way to

assure this would be but a hasty examination. It was made the day you took the second picture of CE 399 for me. I believe it appropriate to record at this point what then happened.

Prior to going to your building, I telephoned to make the arrangement for taking this picture and to ask that certain files be left in the search room for me because I knew another appointment limited my time. I appeared at your building promptly. Your photographer performed in a professional manner. He suggested I remain until he developed the negatives, to be certain they were satisfactory to him. I went into an adjoining office, where smoking is permitted, leaving your Mr. Johnson with him and under the impression Mr. Johnson would notify me when I could leave.

Mr. Johnson left by another door. Nobody ever told me I could leave. I sat and sat until finally I made inquiry and rather late thereby learned I could leave. I went immediately to the search room. Not a single paper was there for me. I phoned and they were, thereafter, delivered.

I suggest it is not accidental that Mr. Johnson did not notify me when I could leave, especially because he knew I was pressed for time and knew I wanted to examine the files I had asked for in advance. I suggest it is not accidental that your normal practice was not followed and the files I requested were not waiting for me in the search room.

There was time for only the hastiest examination of this file. I made only a rough count of the pages. But I am reasonably certain of the content of those things I sought, and, while I can make no claim for perfection in recall (or any other way), despite your letter and with history in mind, I remain with the belief there wasewhat is not in what I received. Was the memorandum of 1/15/64 removed before I examined that file? I asked for a copy of the entire file. There is no sheet indicating the withholding of that or any other memo. If this was removed after my examination, I ask why, its subject matter, what agency, and what element of "national security" are involved.

Your final paragraph is inaccurate. I just will not waste more time in futilities. I will stand on the existing record. Nor will I engage in further semantic absurdities with you. Its departure from reality is consistent with a clear and undeviating record of willful intent to vitiate the law, to frustrate research when there is reason to suppose the end product will be other than deification of a deplorable fiction and, in my case, to do whatever you think you can get away with to impede the work upon which I am engaged.

Once again, for the record, I renew my request for all that you have not supplied and for answer to all the proper questions to which you have not made meaningful response.

Sincerely,

Harold Weisberg