

Arch-ency

6/30/70

Director of Information  
Office of the Administrator  
General Services Administration  
Washington, D.C.

Dear Sir,

Over the months, I have made requests for documents in National Archives files relating to the assassination of President John Kennedy, anticipating these requests would be rejected. I asked that if rejected, to save time, which your agency wastes for me as a routine matter, the request be forwarded to you as my appeal under your regulations, as a necessary prerequisite to invocation of 5 USC 552. In addition, I addressed a letter drawing together some of these requests, with the understanding that if the decision was not changed following review it would be forwarded to you as my appeal.

I shall interpret failure to respond as waiver of the requirement, unless there is immediate response, now that there is no doubt you have been informed. I believe the long delays are in themselves waiver of this requirement, when considered with the language of the law, its legislative history and clear Congressional intent.

Herewith I appeal a subsequent decision, to refuse me photographic copies of photographs in these files. I have been provided with utterly meaningless copies of photographs of some of the President's garments, those showing no detail, nothing but glare, or those the magnification of which, for proper study, is automatically prevented by their having been made from photoengraved copies, the screen of which appears as dots upon magnification.

The National Archives has made its own photographs of these garments, for the alleged purpose of making them available for study rather than permitting study of the garments. When I sought permission to examine the garments, under a precedent whereby I was permitted to examine Lee Harvey Oswald's shirt, I was refused. I was shown photographs of which I was denied copies.

One of these was of the front of the President's shirt. It is the only such photograph in the Archives of which I have knowledge that can serve research purposes and can be used for other than undignified or sensational purposes. I ask you for it or an enlargement of the area showing the damage to the shirt.

There is no existing photograph of the side of the knot of the tie. I have asked that it be made for me and have been refused. I ask you for this. For purposes of my research and, I believe, any genuine research, such a side view of the damage to the knot is essential.

I have obtained from the Department of Justice a print of that part of the front of the shirt shown in FBI Exhibit 60. I believe this effectively refutes any allegation or claim such photographs not showing the photoengraving screen can

be withheld with propriety. The now obviously spurious pretense has been that not to withhold such pictures would permit undignified or sensational use. To this I add that Mr. Burke Marshall has informed me of no other ground for withholding under the provisions of the alleged agreement.

I also want a photograph made from the original negative, not a photoengraving negative, of the back of the shirt, preferably the largest clear enlargement of the area of damage and including the top of the collar, from the Archives pictures rather than those included in FBI Exhibit 60 or CE394. If there is more than one such picture, I would like this one made from whichever picture the Archives photographer considers best shows the damage. I would like to be informed of the existence of any others.

With regard to CE394, I would like the largest clear enlargement of the area of damage the photographer can make, if necessary, from the existing negative. Here is it not necessary to include the collar area.

It is my understanding that the Columbia Broadcasting System was permitted to make its own photographs of this clothing and I know for a fact that they were permitted to make their own photographs of CE399. Regulations require these to be non-exclusive and to be available to everyone. I would like to be informed when I may examine these pictures so that I may determine whether or not I desire prints of them. My interest in the bullet is now in the base only. If CBS was permitted to photograph the clothing, then there is adequate precedent for your photographer making for me those pictures I want.

In the past, it has been the official practice to delay responding to those of my requests that were not completely ignored. Both, I believe, are contrary to the spirit as well as the letter of the law and the clear Congressional intent. I have reason to believe your legal office has been kept fully informed of my requests and what responses have been made. There thus seems no reason for inordinately long response to this letter. Therefore, if I have not heard from you by July 6, 1970, I will assume you do not intend to reply and will be guided by this belief in any future actions I may take.

Sincerely,

Harold Weisberg

6/20/70

Dear Bud,

When I hand you this and the attached letter to the Director of Information of GSA Monday, I will also explain what lies behind it and show you why I want these pictures. They do contain, in my belief, major and very relevant new disclosures that validate my earlier work, writing and the suggestions, sometimes elliptical, in both.

If they do not respond or if they reject these requests, I'd like to sue both Archives and Burke Marshall, who has been used as an excuse by the Archives for rejecting this request.

I have at least two letters from Marshall on this. I think I have given you copies. There is also a relevant letter to Kleindienst herewith, written prior to further examination of the other shirt pictures I had or Howard had with him.

Marshall indicates that only undignified or sensational use is, in his opinion, ground for withholding, and that he leaves all of this up to the Archivist, however arbitrary his decision.

However, whether or not this is a correct interpretation and whether or not it is a fact, I do not believe that, once entered into evidence, such restrictions and reservations can be applied to pictures of the clothing.

Moreover, as the photographs and the undenied evidence I cite show, the only use permitted by the photographs that are available is exactly that allegedly sought to be prevented, and such use is not possible with the pictures I seek.

Unless, of course, disclosure of truth and exposure of falsehood and deliberate, official misrepresentation are interpreted as undignified or sensational use. I have no objection to such an argument advanced in court!

If Justice refuses to make its copy of the photo of the back of the shirt available, we may then want to reconsider who to designate as defendants. But in any event, this isolates a special aspect of both the suppressions and the interpretations of the FOI.

Sincerely,

Harold Weisberg